

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD of DIRECTORS MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 12:47 p.m. Thursday, August 16, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Director H. Konanz, City of Penticton
Vice Chair M. Bauer, Village of Keremeos	Director A. Martin, City of Penticton
Director F. Armitage, Town of Princeton	Director R. Mayer, Electoral Area "G"
Director T. Boot, District of Summerland	Director S. McKortoff, Town of Osoyoos
Director M. Brydon, Electoral Area "F"	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director J. Sentes, City of Penticton
Director B. Coyne, Electoral Area "H"	Director T. Schafer, Electoral Area "C"
Director R. Hovanes, Town of Oliver	Director T. Siddon, Electoral Area "D"
Director A. Jakubeit, City of Penticton	Director P. Waterman, District of Summerland

MEMBERS ABSENT:

STAFF PRESENT:

B. Newell, Chief Administrative Officer	B. Dollevoet, Manager of Development Services
C. Malden, Manager of Legislative Services	M. Woods, Manager of Community Services

A. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of August 16, 2018 be amended by:
Adding Item B9 Building Bylaw Infraction, 172 Fish Lake Road; and
Removing Item C.5. Early Termination of a Land Use Contract – 781 Highway 97

CARRIED

1. Consent Agenda – Corporate Issues
 - a. Okanagan Falls Volunteer Fire Department - Resignation
THAT the Board of Directors accept the resignation of Clay Stevenson as a member of Okanagan Falls Volunteer Fire Department.
 - b. Tulameen Volunteer Fire Department - Appointment
THAT the Board of Directors appoint John McIntosh and Ryan Marchuk as a member of Tulameen Volunteer Fire Department.
 - c. Naramata Parks and Recreation Commission - Appointment
THAT the Board of Directors appoint Nicole Verpaelst as a member of Naramata Parks and Recreation Commission for a term ending December 31, 2019.
 - d. Electoral Area "D" Advisory Planning Commission – July 10, 2018
THAT the Minutes of the July 10, 2018 Electoral Area "D" Advisory Planning Commission be received.
 - e. Electoral Area "E" Advisory Planning Commission – July 9, 2018

THAT the Minutes of the July 9, 2018 Electoral Area “E” Advisory Planning Commission be received.

- f. Electoral Area “H” Advisory Planning Commission – July 17, 2018
THAT the Minutes of the July 17, 2018 Electoral Area “H” Advisory Planning Commission be received.
- g. Corporate Services Committee – August 2, 2018
THAT the Minutes of the August 2, 2018 Corporate Services Committee be received.
- h. Environment and Infrastructure Committee – August 2, 2018
THAT the Minutes of the August 2, 2018 Environment and Infrastructure Committee be received.
- i. Planning and Development Committee – August 2, 2018
THAT the Minutes of the August 2, 2018 Planning and Development Committee be received.
- j. RDOS Regular Board Meeting – August 2, 2018
THAT the minutes of the August 2, 2018 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the Consent Agenda – Corporate Issues be adopted. - **CARRIED**

- 2. Consent Agenda – Development Services
 - a. Agricultural Land Commission Referral (Non-Farm Use) – 9707 128th Avenue, Electoral Area “A”

To allow a packing and storage facility to handle a majority of its produce from off-site growers.

THAT the RDOS “authorize” the application to allow a Non-Farm Use at 9707 128th Ave, Electoral Area “A” (Lot 470, Plan KAP1949, District Lot 2450S, SDYD) to proceed to the Agricultural Land Commission.
 - b. Development Variance Permit Application – 100 Willow Avenue, Electoral Area “D”
 - i. Permit No. D2018.116-DVP

To allow for the replacement of a deck and portion of a house that need to be repaired due to rot.

THAT the Board of Directors approve Development Variance Permit No. D2018.116-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**IT WAS MOVED AND SECONDED**

THAT the Consent Agenda – Development Services be adopted. – **CARRIED**

B. DEVELOPMENT SERVICES – Building Inspection**1. Building Bylaw Infraction – 1370 Bullmoose Way, Electoral Area “A”**

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot A, Plan KAP90308, District Lot 2709, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

2. Building Bylaw Infraction – 236 Ponderosa Avenue, Kaleden, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3 Plan KAP89276 except Plan KAP90953 District Lot 105s SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

Director Hovanes entered the Boardroom at 12:51 p.m.

3. Building Bylaw Infraction – 149 Spruce Avenue, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 151, District Lot 103S, Plan KAP719, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

4. Building Bylaw Infraction – 285 Westview Road, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 13, Plan KAP11719, District Lot 280, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

5. Building Bylaw Infraction – 183 Jebbs Road, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 4, Plan KAP30396, District Lot 411, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT the Board of Directors direct staff to commence injunctive action.

CARRIED

6. Building Bylaw Infraction – 1166 Apex Mountain Road, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Block D, District Lot 4063S, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

7. Building Bylaw Infraction – 130 Panorama Ridge Road, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 10 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the - (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 20 Plan 26390 District Lot 2710 SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

8. Building Bylaw Infraction – 2150 Naramata Road, Electoral Area “E”

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 1, Plan KAP15814, District Lot 206, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT the Board of Directors direct staff to commence injunctive action.

CARRIED

9. [Building Bylaw Infraction](#) – 172 Fish Lake Road, Electoral Area “F”

Addendum

The Chair enquired whether the property owner was present to speak to the application; however, they were not.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT a Section 302 Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 3, Plan KAP32148, District Lot 3929, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

C. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Zoning Bylaw Amendment – 8312 98th Avenue, Electoral Area “A”
 - a. Bylaw No. 2451.25, 2018
 - b. Land Title Act Form - Covenant
 - c. Responses Received

To allow for the placement of a mobile home (CSA Z240) in the RS1 Zone.

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2451.25, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of the public hearing be scheduled for the Regional District Board meeting of September 20, 2018;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

CARRIED

2. Official Community Plan Bylaw No. 2790, 2018 – Electoral Area “F”
 - a. Bylaw No. 2790, 2018
 - b. Community Engagement Report – July 2018

To replace the current Electoral Area “F” Official Community Bylaw No. 2460, 2008 with an updated version.

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2790, 2018, Electoral Area “F” Okanagan Lake West/ Greater West Bench Official Community Plan, be read a first and second time and proceed to a public hearing; and

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated August 16, 2018, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2790, 2018, in conjunction with its Financial and applicable Waste Management Plans.

CARRIED

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the holding of the public hearing be delegated to Director Brydon or delegate;
and

THAT staff schedule the date, time, and place of the public hearing in consultation
with Director Brydon; and

THAT staff give notice of the public hearing in accordance with the requirements of
the *Local Government Act*.

CARRIED

3. Zoning Bylaw Amendment – 15 Deans Road, Summerland, Electoral Area “F”
 - a. Bylaw No. 2461.11, 2018
 - b. Responses Received

*The public hearing for this item will have been held Thursday, August 16, 2018 at
9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.*

To rezone a property to facilitate a two-lot subdivision.

RECOMMENDATION 16 (Unweighted Rural Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2461.11, 2018, Electoral Area “F” Zoning Amendment Bylaw be read
a third time and adopted.

CARRIED

4. Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D”
 - a. Bylaw No. 2457.16, 2018
 - b. Bylaw No. 2683.01, 2018
 - c. Responses Received

To formalize the existence of a 4-plex on the subject property and to allow its use for short-term tourist accommodation purposes.

RECOMMENDATION 17 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2683.01, 2018, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2457.16, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing; and

THAT the Board considers the process, as outlined in the report from the Chief Administrative Officer dated August 16, 2018, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and

THAT, in accordance with Section 477 of the *Local Government Act*, the Board has considered Amendment Bylaw No. 2683.01, 2018, in conjunction with its Financial and applicable Waste Management Plans; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of September 20, 2018; and

THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

CARRIED

5. Early Termination of a Land Use Contract – 781 Highway 97, Okanagan Falls, Electoral Area “D”
 - a. Bylaw No. 2455.32, 2018
 - b. Responses Received

This item was removed from the agenda.

6. Agricultural Land Commission Referral (Placement of Fill) – 760 Highway 3A, Kaleden, Electoral Area “D”

The Regional District has been advised that this application to the ALC has been withdrawn and the matter is no longer in possession of the Board.

7. Zoning Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E” & “F” Tourist Commercial Zone Review and Consolidation
 - a. Bylaw No. 2808, 2018
 - b. Responses Received
 - c. [Additional Responses Received](#)

The public hearing for this item will have been held Thursday, August 16, 2018 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the consideration of Bylaw No. 2808, 2018 be postponed until the Oct 4, 2018 Board Meeting to enable a public information meeting and a second statutory public hearing to which be delegated to the Electoral Area “D” Director

CARRIED

D. PUBLIC WORKS

1. Petition to Enter Okanagan Falls Sanitary Sewer Service Area
 - a. Bylaw No. 1239.07, 2018

To bring an additional property into the service area.

RECOMMENDATION 19 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Amendment Bylaw No. 1239.07, 2018, Okanagan Falls Specified Area Sanitary Sewer System Local Service Establishment Bylaw, be read a first, second and third time.

CARRIED

E. FINANCE

1. 2018-2022 Five Year Financial Plan Amendment – Rural Projects, Electoral Area “G”

RECOMMENDATION 20 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors support a five-year Financial Plan Amendment to reallocate \$135,000 in Community Works Gas Tax Funding from Olalla Water to Area G Rural Projects, in order to support work on the Hedley Improvement District (HID) water system and other flood mitigation projects.

CARRIED

2. Community Works Program Reserve Expenditure – Electoral Area “E”
 - a. Bylaw No. 2825, 2018

RECOMMENDATION 21 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2825, 2018, being an expenditure bylaw of the Regional District, to withdraw funds from the Electoral Area “E” Community Works Program Reserve Fund to allocate \$60,000 toward the Naramata Spirit Park Improvement Project be read a first, second and third time and be adopted. - **CARRIED**

F. COMMUNITY SERVICES – Recreation Services

1. Award of Naramata Spirit Park Upgrades Project
 - a. Landscape Plans

Spirit Park Upgrade Project includes resurfacing of existing tennis courts and construction of new pickleball courts.

RECOMMENDATION 22 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District approve the tender evaluation report and recommendations for award of the “Naramata Spirit Park Upgrades” Invitation to Tender; and

THAT the Board award the “Naramata Spirit Park Upgrades” project to Chute Creek Contracting up to the amount of \$172,244 exclusive of GST.

CARRIED

G. LEGISLATIVE SERVICES

1. [Declaration of State of Local Emergency Approval](#)

It was MOVED and SECONDED

Electoral Area “B”:

THAT the Board of Directors consent to the Declaration of a State of Local Emergency issued by the Chair on August 3, 2018 to remain in force for seven days until August 10, 2018 at midnight unless cancelled in the vicinity of Mt. Snowy Protected Area, south of the community of Cawston in the Regional District of Okanagan-Similkameen, Electoral Area B, due to the threat of wildfire that may threaten life, safety and property;

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “B” due to expire 10 August 2018, at midnight for a further seven days to 17 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area

surrounding Electoral Area “B” due to expire 17 August 2018, at midnight for a further seven days to 24 August 2018, at midnight.

Electoral Area “C”:

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “C” due to expire 6 August 2018, at midnight for a further seven days to 13 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “C” due to expire 13 August 2018, at midnight for a further seven days to 20 August 2018, at midnight.

Electoral Area “D”:

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “D” due to expire 7 August 2018, at midnight for a further seven days to 14 August 2018, at midnight.

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “D” due to expire 14 August 2018, at midnight for a further seven days to 21 August 2018, at midnight.

Electoral Area “G”:

THAT the Board of Directors consent to the Declaration of a State of Local Emergency issued by the Chair on August 8, 2018 to remain in force for seven days until August 15, 2018 at midnight unless cancelled in the vicinity of Cathedral Lakes Provincial Park, south of the community of Keremeos in the Regional District of Okanagan-Similkameen, Electoral Area G, due to the threat of wildfire that may threaten life, safety and property;

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration for the State of Local Emergency for the area surrounding Electoral Area “G” due to expire 15 August 2018, at midnight for a further seven days to 22 August 2018, at midnight.

CARRIED

H. CAO REPORTS

1. Verbal Update

I. OTHER BUSINESS**1. Chair’s Report**

2. Board Representation

- a. BC Rural Centre (formerly Southern Interior Beetle Action Coalition) – *Armitage*
 - b. Developing Sustainable Rural Practice Communities – *McKortoff*
 - c. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
 - d. Municipal Finance Authority (MFA) – *Kozakevich, Bauer*
 - e. Municipal Insurance Association (MIA) - *Kozakevich, Bauer*
 - f. Okanagan Basin Water Board (OBWB) – *McKortoff, Hovanes, Waterman*
 - g. Okanagan Film Commission (OFC) – *Jakubeit*
 - h. Okanagan Regional Library (ORL) – *Kozakevich*
 - i. Okanagan Sterile Insect Release Board (SIR) – *Bush*
 - j. Okanagan-Similkameen Healthy Living Coalition – *Boot*
 - k. South Okanagan Similkameen Fire Chief Association (SOSFCA)
 - l. Southern Interior Local Government Association (SILGA) – *Jakubeit*
 - m. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
 - n. Starling Control - *Bush*
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3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT

By consensus, the meeting adjourned at 2:00 p.m.

APPROVED:

K. Kozakevich
RDOS Board Chair

CERTIFIED CORRECT:

B. Newell
Corporate Officer