



## 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 2:45 p.m. Thursday, December 7, 2017 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"  
Vice Chair M. Bauer, Village of Keremeos  
Director F. Armitage, Town of Princeton  
Director T. Boot, District of Summerland  
Director M. Brydon, Electoral Area "F"  
Director G. Bush, Electoral Area "B"  
Director E. Christensen, Electoral Area "G"  
Director B. Coyne, Electoral Area "H"  
Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton  
Director H. Konanz, City of Penticton  
Director A. Martin, City of Penticton  
Director S. McKortoff, Town of Osoyoos  
Director M. Pendergraft, Electoral Area "A"  
Director J. Sentes, City of Penticton  
Director T. Schafer, Electoral Area "C"  
Director T. Siddon, Electoral Area "D"

### MEMBERS ABSENT:

Director P. Waterman, District of Summerland

### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
C. Malden, Manager of Legislative Services

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## 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 December 7, 2017 be amended by:

- Bringing forward Item B10 before Item B2 and;
- Adding Item B11 Reconsideration of Agricultural Land Commission Referral Application from November 16, 2017 meeting.

#### **CARRIED**

### 1. Consent Agenda – Corporate Issues

#### a. Okanagan Falls Parks & Recreation Commission – November 9, 2017

*THAT the Minutes of the November 9, 2017 Okanagan Falls Parks and Recreation Commission be received.*

#### b. Kaleden Recreation Commission – November 21, 2017

*THAT the Minutes of the November 21, 2017 Kaleden Recreation Commission be received.*

#### c. Naramata Parks and Recreation Commission – October 23, 2017

*THAT the Minutes of the October 23, 2017 Naramata Parks and Recreation Commission be received.*

- d. Area “F” Parks and Recreation Commission – November 16, 2017  
*THAT the Minutes of the November 16, 2017 Area “F” Parks and Recreation Commission be received.*
- e. Similkameen Recreation Commission – October 24, 2017  
*THAT the Minutes of the October 24, 2017 Similkameen Recreation Commission be received.*
- f. Electoral Area “D” Advisory Planning Commission – November 14, 2017  
*THAT the Minutes of the November 14, 2017 Electoral Area “D” Advisory Planning Commission be received.*
- g. Corporate Services Committee – November 16, 2017  
*THAT the Minutes of the November 16, 2017 Corporate Services Committee be received.*
- h. Protective Services Committee – November 16, 2017  
*THAT the Minutes of the November 16, 2017 Protective Services Committee be received.*
- i. Planning and Development Committee – November 16, 2017  
*THAT the Minutes of the November 16, 2017 Planning and Development Committee be received.*
- THAT the Board of Directors accept the Okanagan Falls Town Centre Plan – Phase 3 Report, as a guiding document.*
- THAT staff initiate the Electoral Area “D-2” Large Holdings Update Official Community Plan Amendment Bylaw No. 2603.12, 2017, and Zoning Amendment Bylaw No. 2455.30, 2017.*
- j. RDOS Regular Board Meeting – November 16, 2017  
*THAT the minutes of the November 16, 2017 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**

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**B. DEVELOPMENT SERVICES – Rural Land Use Matters**

1. Development Variance Permit Application – 19431 95<sup>th</sup> Street, Osoyoos, Electoral Area “A”
  - a. Permit No. A2017.061-DVP
  - b. Responses Received

To formalize an existing pergola, stairs, and deck accessory to a single detached dwelling.

**RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Board of Directors approve Development Variance Permit No. A2017.061–DVP. - **CARRIED**

Opposed: Director Siddon

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10. Zoning Bylaw Amendment - 8332 Gallagher Lake Frontage Road, Oliver, Electoral Area “C”
  - a. Bylaw No. 2453.32, 2017

To allow for the development of indoor self storage up to 728.3 m<sup>2</sup> and formalize an existing duplex.

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

THAT bylaw No. 2453.32, 2017, Electoral Area “C” Zoning Amendment Bylaw be adopted. - **CARRIED**

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2. Development Permit Application (Form & Character) – 8332 Gallagher Lake Frontage Road, Oliver, Electoral Area “C”
  - a. Permit No. D2017.133-DP

To allow for the construction of indoor self-storage.

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

THAT the Board of Directors approve Development Permit No. C2017.133–DP. - **CARRIED**

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3. Agricultural Land Commission Referral (Exclusion) – 6886 Highway 97, Electoral Area “C”

To exclude an approximately 2,200 m<sup>2</sup> area of land from the ALR.

**RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Regional District Board “authorize” the application to exclude 6886 Highway 97 and an approximately 1,200 m<sup>2</sup> part of Lot 48D, Plan KAP1729, District Lot 2450S, SDYD, in Electoral Area “C” to proceed to the Agricultural Land Commission. - **CARRIED**

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4. Agricultural Land Commission Referral (Subdivision) – No Civic Address, Kaleden, Electoral Area “D”

To facilitate a boundary adjustment and create a right-of-way over a separate parcel in order to provide for legal access from the subject properties to Highway 97.

**RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Regional District Board “authorize” the application to undertake a boundary line adjustment subdivision between Plan KAP841B, Section 14, Township 88, SDYD, Portion SE ¼; and Plan KAP841B, Section 14, Township 88, SDYD, Portion E ½ of SW ¼ in Electoral Area “D” to proceed to the Agricultural Land Commission. - **CARRIED**

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5. Floodplain Exemption Application – 108 Riordon Road, Apex, Electoral Area “D-1”  
a. Rock Glen Consulting Ltd. - Flood Hazard Assessment Report dated November 15, 2017

To replace an existing an existing foundation within 15 metres of a stream.

**RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors approve a floodplain exemption for Lot 7, Plan 18919, District Lot 14s, SDYD, in order to replace the foundation of an existing dwelling placed within 15.0 metres of an unnamed stream, subject to the following conditions:

- i) a statutory covenant is registered on title in order to:
  - a) “save harmless” the Regional District against any damages as a result of a flood occurrence; and
  - b) secure the recommendations contained within the flood hazard assessment report prepared by Paul Glen (P.Eng) of Rock Glen Engineering Consulting Limited, dated November 15, 2017.

**CARRIED**

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6. Official Community Plan (OCP) & Zoning Bylaw Amendment – 5580 Elderberry Street, Electoral Area “C”
  - a. Bylaw No. 2452.19, 2017
  - b. Bylaw No. 2453.33, 2017

To allow for a boundary line adjustment subdivision between two parcels.

**RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2452.19, 2017, and Bylaw No. 2453.33, 2017, Electoral Area “C” OCP and Zoning Amendment Bylaws 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 December 7, 2017, 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 of Directors has considered Amendment Bylaw No. 2452.19, 2017, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be scheduled for the Regional District Board meeting of January 4, 2018;

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

**CARRIED**

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7. Review and Update of the Electoral Area “G” Zoning Bylaw
  - a. Bylaw No. 2781, 2017 – Zoning Bylaw
  - b. Bylaw No. 2781, 2017 – Zoning Map – Schedule “2”
  - c. Bylaw No. 2781, 2017 – Provincial Floodplain Map – Schedule “3”

[Additional information provided at the board meeting](#)

The public hearing for this item was held Thursday, December 7, 2017 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

Administration is proposing that the Regional District Board initiate an update of the Electoral Area “G” Zoning Bylaw, as it has not been the subject of such a comprehensive review since its adoption in 1977.

The impetus for this review has been a recent rezoning to allow for an “accessory dwelling” on a property which highlighted the outmoded nature of the bylaw, as well as the prospect of an agricultural zone being considered for Electoral Area “G” (which has received tentative support in a recent community survey) by the Board as a strategic project for 2018.

**RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Regional District of Okanagan-Similkameen, Electoral Area “G” Zoning Bylaw No. 2781, 2017, be read a third time. - **CARRIED**

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8. Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F” & “H”
  - a. Bylaw No. 2773, 2017

[Additional information provided at the Board meeting](#)

The public hearing for this item was held Thursday, December 7, 2017 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

The purpose of Amendment Bylaw No. 2773 is generally to address consistency issues currently existing within the various Electoral Area zoning bylaws as they relate to the calculation of height and regulation of retaining walls, but to also address:

- new definitions related to “height” “retaining wall”, “structure”, “parcel”, “parcel coverage”, “parcel area, useable” and “panhandle”;
- updated general regulations pertaining to Projections and Fence Heights and new regulations pertaining to Retaining Walls;
- a re-ordering of bylaw sections related to “Administration”, “Basic Provisions”, “Creation of Zones” and “Subdivision Regulations” in order to improve and clarify the intent of these sections across Electoral Areas.

**RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2773, 2017, Regional District of Okanagan-Similkameen Retaining Wall and Building Height Update Amendment Bylaw be read a third time. - **CARRIED**  
Opposed: Director Pendergraft

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9. Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “C” & “D-1” Dominion Radio Astrophysical Observatory (DRAO)
- a. Bylaw No. 2777, 2017
  - b. Schedule A – DRAO Radio Frequency Interference (RFI) Area Oliver Rural
  - c. Schedule B – DRAO Radio Frequency Interference (RFI) Area Electoral Area “C”
  - d. Schedule C – DRAO Radio Frequency Interference (RFI) Area Electoral Area “D”
- [Additional information provided at the Board meeting](#)

The public hearing for this item was held Thursday, December 7, 2017 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

Amendment Bylaw No. 2777 seeks to amend the Electoral Area “C” Official Community Plan and Zoning Bylaws and Electoral Area “D-1” Zoning Bylaw as they relate to the Dominion Radio Astrophysical Observatory (DRAO) in order to ensure consistency of objectives, policies, regulations and mapping across those Electoral Areas to which DRAOs Radio Frequency Interference (RFI) Area applies.

**RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2777, 2017, Regional District of Okanagan-Similkameen Dominion Radio Astrophysical Observatory Official Community Plan and Zoning Amendment Bylaw be read a third time. - **CARRIED**

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10. Zoning Bylaw Amendment - 8332 Gallagher Lake Frontage Road, Oliver, Electoral Area “C”

This item was dealt with earlier in the meeting; please refer to page 3 of these minutes.

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**11. Reconsideration of November 16, 2017 Resolution**

Director Coyne moved reconsideration of the vote on the matter relating to the November 16, 2017 resolution that the RDOS “not authorize” the application to undertake a three lot subdivision at 388 Wrights Ranch Road (District Lot 386, YDYG, Except Plan 29426) in Electoral Area “H” to proceed to the Agricultural Land Commission. He stated that he had voted with the majority in favour of the original resolution.

**It was MOVED and SECONDED**

THAT the matter of the Agricultural Land Commission Referral for 388 Wrights Ranch Road, Electoral Area “H”, be reconsidered. - **CARRIED**

**It was MOVED and SECONDED**

THAT the application to undertake a three lot subdivision at 388 Wrights Ranch Road (District Lot 386, YDYG, Except Plan 29426) in Electoral Area “H” be referred to Electoral Area “H” Advisory Planning Commission. - **CARRIED**

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**C. COMMUNITY SERVICES – Protective Services****1. Community Emergency Preparedness Fund – Emergency Support Services (ESS)**

To secure provincial funding for building capacity within the Emergency Support Services (ESS) function of the RDOS Emergency Management Program.

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

THAT the Board of Directors support the application to the Community Emergency Preparedness Fund - Emergency Support Services Application. - **CARRIED**

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**D. COMMUNITY SERVICES – Rural Projects****1. Rural Dividend for the Design and Enhancement of Electoral Area “D” Boat Launches****RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Board of Directors support the application to the Rural Dividend Funding Program for the design and enhancement of the Skaha Lake Boat Launches in Area “D”. - **CARRIED**

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## 2. FPInnovations / Firemaster Rural Dividend Initiative Application

This item was brought forward from the December 7, 2017 Community Services Committee for Board recommendation due to the December 15, 2017 application deadline.

**It was MOVED and SECONDED**

THAT the Regional District partner with FPInnovations/FireMaster to develop a pilot program to develop a new process for processing firewood. – **CARRIED**

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## E. FINANCE

1. 2017-2021 Five Year Financial Plan Amendment - Rural Projects Electoral Area "A"

**RECOMMENDATION 15 (Weighted Corporate Vote – Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors support a Five-year Financial Plan Amendment in the amount of \$10,000 for the Rural Projects Area "A" to fund the pickleball court upgrade in Osoyoos. - **CARRIED**

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## F. LEGISLATIVE SERVICES

1. Fire Service Area Amendment Bylaws
  - a. Anarchist Mountain Fire Protection Service Establishment Amendment Bylaw No. 2334.01, 2017
    - i. Bylaw No. 2334, 2005
  - b. Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw No. 1238.01, 2017 -
    - i. Bylaw No. 1238, 1991
  - c. Keremeos Fire Protection Service Establishment Amendment Bylaw No. 2178.04, 2017
    - i. Bylaw No. 2178, 2002
  - d. Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 1619.01, 2017
    - i. Bylaw No. 1619, 1995
  - e. Okanagan Falls Fire Protection Service Establishment Bylaw No. 1310.02, 2017
    - i. Bylaw No. 1310, 1992
  - f. Tulameen Fire Prevention and Suppression Local Service Establishment Bylaw No. 1574.01, 2017
    - i. Bylaw No. 1574, 1995
  - g. Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.01, 2017
    - i. Bylaw No. 1388, 1993

The proposed amendments to the fire service establishment bylaws are to ensure that the bylaws remain compliant with the services being provided in each of the fire service areas.

**RECOMMENDATION 16 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board authorize consent be given on behalf of the electoral area by the electoral area Director pursuant to the Local Government Act, and further,

THAT the following bylaws be given first and second and third reading and be forwarded to the Inspector of Municipalities for approval prior to adoption by the Board of Directors:

- Anarchist Mountain Fire Protection Service Establishment Amendment Bylaw No. 2334.01, 2017
- Kaleden Fire Department Fire Protection Local Service Establishment Amendment Bylaw No. 1238.01, 2017
- Keremeos Fire Protection Service Establishment Amendment Bylaw No. 2178.04, 2017
- Naramata Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 1619.01, 2017
- Okanagan Falls Fire Protection Service Establishment Amendment Bylaw No. 1310.02, 2017
- Tulameen Fire Prevention and Suppression Local Service Establishment Amendment Bylaw No. 1574.01, 2017
- Willowbrook Fire Protection Local Service Establishment Amendment Bylaw No. 1388.01, 2017

**CARRIED**

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2. Gallagher Lake Sewer and Water Service Establishment Amendment Bylaw No. 2630.05, 2017
  - a. Bylaw No. 2630.05, 2017

To bring an additional property into the service area.

**RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board authorize consent be given on behalf of the electoral area by the electoral area Director pursuant to the Local Government Act, and further,

THAT Bylaw No. 2630.05, 2017 Gallagher Lake Sewer and Water Service Amendment Bylaw be read a first, second and third time.

**CARRIED**

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### 3. Appointment to Electoral Area “G” Advisory Planning Commission

In accordance with Section 4.1 of the Regional District’s Advisory Planning Commission (APC) Bylaw No. 2339, 2006, “the Board, by resolution, shall appoint members to an APC on the recommendation of the Electoral Area Director.”

**RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors appoint Ken Hoyle and Neil Gair as members of the Electoral Area “G” Advisory Planning Commission until November 30, 2018. - **CARRIED**

### 4. Parks and Recreation Commission Appointments

As outlined in RDOS Parks and Recreation Commission Bylaw No. 2732, 2016, advertisements were placed in local news publications seeking new membership for all Commissions. The Electoral Area Directors have reviewed all new applications and expiring members wishing to let their name stand, and are recommending the following members for Board appointment to the various commissions.

**RECOMMENDATION 19 (Unweighted Corporate Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors appoint the following members to the subsequent Parks and Recreation Commissions:

Area “B” - Kobau Park	Area “E” - Naramata	Area “F” - West Bench	Area “D” - Okanagan Falls	Area “D” - Kaleden	Similkameen Recreation
Tammy Vesper	Adrienne Fedrigo	Larry Farley	Carole Barker	Subrina Monteith	Jennifer Roe
Sonjia Vanden Hoek	Alexandra Paproski	Jane Windeler	Alf Hartviksen	Wendy Busch	Wendy Stewart
Marc Lepage	Maureen Balcaen	Tristan Mennell		Jaynie Malloy	Tom Robbins
	Lyle Resh			Randy Cranston	

**CARRIED**

## G. CAO REPORTS

### 1. Verbal Update

## H. OTHER BUSINESS

### 1. Chair’s Report

**2. Directors Motions**

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**3. Board Members Verbal Update**

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**I. ADJOURNMENT**

By consensus, the meeting adjourned at 4:04 p.m.

APPROVED:

CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer