

## 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 11:25 a.m. Thursday, June 7, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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### MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"  
 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"  
 Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

Vice Chair M. Bauer, Village of Keremeos

### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
 C. Malden, Manager of Legislative Services  
 B. Dollevoet, Manager of Development 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 June 7, 2018 be adopted as amended to remove item D1b Okanagan Falls Fire Department Roster. - **CARRIED**

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### 1. Consent Agenda – Corporate Issues

- a. Electoral Area "D" Advisory Planning Commission – May 8, 2018  
*THAT the Minutes of the May 8, 2018 Electoral Area "D" Advisory Planning Commission be received.*
- b. Electoral Area "E" Advisory Planning Commission – May 14, 2018  
*THAT the Minutes of the May 14, 2018 Electoral Area "E" Advisory Planning Commission be received.*
- c. Kaleden Parks and Recreation Commission – May 1, 2018  
*THAT the Minutes of the May 1, 2018 Kaleden Parks and Recreation Commission be received.*
- d. Naramata Parks and Recreation Commission – May 28, 2018  
*THAT the Minutes of the May 28, 2018 Naramata Parks and Recreation Commission be received.*

*That the NPR actively support, promote and work toward becoming an age-friendly community.*

- e. Protective Services Committee – May 17, 2018  
*THAT the Minutes of the May 17, 2018 Protective Services Committee be received.*
- f. RDOS Regular Board Meeting – May 17, 2018  
*THAT the minutes of the May 17, 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**

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**2. Consent Agenda – Development Services**

- a. Floodplain Exemption Application – 1655 Maple Street, Okanagan Falls, Electoral Area “D-2”
  - i. Tetra Tech Canada Inc. Flood Hazard Assessment dated June 1, 2018

To allow the development of an industrial building below the flood construction level of Shuttleworth Creek.

*THAT the Board of Directors approve a floodplain exemption for Lot B, Plan KAP22642, District Lot 551, SDYD, Except Plan EPP34540, in order to allow the construction of an industrial building placed below the flood construction level of Shuttleworth Creek, 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 Mark Aylward-Nally and David Moschini of Tetra Tech Canada Inc., dated June 1, 2018.*

**RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

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

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**B. DELEGATIONS**

1. Anna Warwick Sears, Executive Director – Okanagan Basin Water Board (OBWB)
  - a. Presentation
  - b. OBWB Memorandum dated May 28 2018

Ms. Warwick Sears addressed the Board to seek re-authorization for the Water Management Program.

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

That the Regional District of Okanagan-Similkameen approves the following change to the OBWB Governance Manual: that future WCQI grants be awarded on a valley-wide basis, ranked on the merit of each proposed project as it benefits its region and the valley as a whole. - **CARRIED**

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

That the Regional District of Okanagan-Similkameen re-affirms support for the OBWB's Water Management Program under the Terms of Reference of the OBWB's Governance Manual, and renewal of the program for another four-year term, from April 1, 2019 to March 31, 2023. - **CARRIED**

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

1. Zoning Bylaw Amendments – 2404 87<sup>th</sup> Street, Osoyoos, Electoral Area “A”
  - a. Bylaw No. 2451.22, 2018
  - b. Public Hearing Report – Amendment Bylaw No. 2451.22, 2018
  - c. Responses Received  
[Revised Public Hearing Report \(with representation\)](#)

To allow for the construction of a secondary suite on a parcel less than 2020 m<sup>2</sup>.

Director Pendergraft advised that the public hearing report reflects an accurate account of what took place at the public hearing held on May 28, 2018.

**RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the public hearing report be received. - **CARRIED**

**RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)****It was MOVED and SECONDED**

THAT Bylaw No. 2451.22, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a third time. - **CARRIED**

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2. Zoning Bylaw Amendments – Electoral Area “A” (“Regal Ridge” Site Specific Zone Review)
  - a. Bylaw No. 2451.23, 2018

To amend the Electoral Area “A” Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Small Holdings Two (SH2) and Conservation Area (CA) Zones at “Regal Ridge” on Anarchist Mountain.

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2451.23, 2018, Electoral Area “A” Zoning Amendment Bylaw be adopted. - **CARRIED**

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3. Official Community Plan (OCP) & Zoning Bylaw Amendment – 17808 103<sup>rd</sup> Street, Osoyoos, Electoral Area “A”
  - a. Bylaw No. 2450.13, 2018
  - b. Bylaw No. 2451.24, 2018
  - c. Responses Received

*The public hearing for this item was held Thursday, June 7, 2018 at 9:00 a.m. in the RDOS Boardroom located at 101 Martin Street, Penticton.*

To rezone an approximately 4.0 ha part of the subject property in order to allow for a winery.

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2450.13, 2018, Electoral Area “A” Official Community Plan Amendment Bylaw and Bylaw No. 2451.24, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a third time. - **CARRIED**

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4. Official Community Plan (OCP) Amendment – Electoral Area “C”
  - a. Bylaw No. 2452.20, 2018
    - i. Schedule A – Official Community Plan Map
    - ii. Schedule B – Road and Trail Network Plan
    - iii. Schedule C – Gallagher Lake Development Permit Area
  - b. Responses Received

Amendment Bylaw No. 2452.20 proposes to incorporate the Gallagher Lake Area Plan into Schedules ‘A’ (Oliver Rural OCP Text) and ‘B’ (Oliver Rural OCP Map) and a new Schedule ‘G’ (Form and Character Development Permit Areas) and ‘H’ (Road and Trail Network Map) of the Electoral Area “C” OCP Bylaw No. 2452, 2008.

At present, the Area Plan resides outside of the OCP Bylaw as a separate appendix and its incorporation into the bylaw is being proposed as part of on-going work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2452.20, 2018, Electoral Area “C” Official Community Plan Amendment Bylaw be read a first and second time and proceed to public hearing; and

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated June 7, 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 of Directors has considered Amendment Bylaw No. 2420.20, 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 July 5, 2018; and

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

**CARRIED**

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5. Early Termination of a Land Use Contract – 1609, 1714, 1730, 1746 & 1752 Green Lake Road, Electoral Area “D-1”
  - a. Bylaw No. 2457.23, 2018

To undertake the “Early Termination” of Land Use Contract No. LU-10-D.

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2457.23, 2018, Electoral Area “D-1” Zoning Amendment Bylaw be adopted. - **CARRIED**

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6. Zoning Bylaw Amendment – 1752 Alba Road, Okanagan Falls, Electoral Area “D-2”
  - a. Bylaw No. 2455.35, 2018

To allow for the development of a second kitchen in an existing principal dwelling unit.

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2455.35, 2018, Electoral Area “D” Zoning Amendment Bylaw be adopted. - **CARRIED**

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7. Zoning Bylaw Amendment – 737 Main Street, Okanagan Falls, Electoral Area “D-2”
  - a. Bylaw No. 2453.36, 2018
  - b. Responses Received

The purpose of the rezoning is to correct a mapping error that previously resulted in the duplex zoning of the subject property reverting to the Residential Single Family One (RS1) Zone.

**RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2455.36, 2018, Electoral Area “D” Zoning Amendment Bylaws be read a first and second time. - **CARRIED**

**RECOMMENDATION 14 (Unweighted Corporate Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

THAT pursuant to sub-section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2455.36, 2018; and

THAT pursuant to sub-section 467 of the *Local Government Act*, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2455.36, 2018.

**CARRIED**

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8. Temporary Use Permit & Development Permit Applications – 5080 Hwy 97, Okanagan Falls, Electoral Area “D”
  - a. Permit No. D2018.054-TUP
  - b. Permit No. D2018.072-DP
  - c. Responses Received

To allow for the construction of ground floor multi-dwelling units.

**RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)**

**It was MOVED and SECONDED**

THAT the Board of Directors approve Temporary Use Permit No. D2018.054-TUP; as amended to include parking conditions; and,

THAT the Board of Directors approve Development Permit No. D2018.072-DP.

**CARRIED**

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9. Temporary Use Permit Application – 2240 Naramata Road, Electoral Area “E”
  - a. Permit No. E2018.057-TUP
  - b. Responses Received

To allow for the operation of a short-term vacation rental use.

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

**It was MOVED and SECONDED**

THAT the Board of Directors approve Temporary Use Permit No. E2018.057-TUP; and

THAT prior to the issuance of TUP No. E2018.057-TUP, the property owner replaces the window of the basement bedroom in the dwelling unit on the subject property in order to comply with egress standards in the BC Building Code.

**CARRIED**

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**D. COMMUNITY SERVICES – Protective Services**

1. Volunteer Fire Departments 2018 Rosters
  - a. Naramata
  - b. Okanagan Falls – This item was removed from the agenda.

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

**It was MOVED and SECONDED**

That the roster for the Naramata Fire Department be adopted. - **CARRIED**

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**E. LEGISLATIVE SERVICES****1. 105 Martin Street – Lease of Space**

To secure additional office space adjacent to 101 Martin Street to provide for a permanent Emergency Operations Centre, meeting and office space.

**RECOMMENDATION 18 (Weighted Corporate Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the Regional District of Okanagan Similkameen enter into a lease agreement with Celestin Holdings Inc. for 2,635 ft<sup>2</sup> of office space at 105 Martin Street for a 5 year term.

Director Konanz proposed a motion to postpone until next meeting, to allow staff to explore options.

**It was MOVED and SECONDED**

THAT the motion be postponed until the June 21 Board meeting. - **DEFEATED**

Opposed: Directors Siddon, Bush, Pendergraft, Waterman, Brydon, Philpott-Adikhery, Coyne, Sentes, Kozakevich

**Question on the Main Motion**

THAT the Regional District of Okanagan Similkameen enter into a lease agreement with Celestin Holdings Inc. for 2,635 ft<sup>2</sup> of office space at 105 Martin Street for a 5 year term. - **CARRIED**

Opposed- Directors Martin, Jakubeit, Konanz

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**2. [Declaration of State of Local Emergency](#)****It was MOVED and SECONDED**

(Electoral Area “A”)

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 surround Electoral Area “A” due to expire May 23 2018, at midnight for a further seven days to 30 May 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 “A” due to expire May 30 2018, at midnight for a further seven days to June 6, 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 “A” due to expire June 6 2018, at midnight for a further seven days to June 13, at midnight.

(Electoral Area “B”)

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 22 May 2018, at midnight for a further seven days to 29 May 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 21 May 2018, at midnight for a further seven days to 28 May 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 28 May 2018, at midnight for a further seven days to 4 June 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 4 June 2018, at midnight for a further seven days to 11 June 2018, at midnight.

(Electoral Area “D”)

THAT that 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 22 May 2018, at midnight for a further seven days to 29 May 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 29 May 2018, at midnight for a further seven days to 5 June 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 5 June 2018, at midnight for a further seven days to 12 June 2018, at midnight.

(Electoral Area “E”)

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 “E” due to expire 24 May 2018, at midnight for a further seven days to 31 May 2018, at midnight.

(Electoral Area “F”)

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 “F” due to expire 26 May 2018, at midnight for a further seven days to 2 June 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 “F” due to expire 2 June 2018, at midnight for a further seven days to 9 June 2018, at midnight.

(Electoral Area “G”)

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 22 May 2018, at midnight for a further seven days to 29 May 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 “G” due to expire 29 May 2018, at midnight for a further seven days to 5 June 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 “G” due to expire 5 June 2018, at midnight for a further seven days to 12 June 2018, at midnight.

(Electoral Area “H”)

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 “H” due to expire 22 May 2018, at midnight for a further seven days to 29 May 2018 at midnight.

**CARRIED**

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**F. CAO REPORTS**

**1. Verbal Update**

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**G. OTHER BUSINESS**

**1. Chair’s Report**

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**2. Directors Motions**

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**3. Board Members Verbal Update**

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**H. ADJOURNMENT**

By consensus, the meeting adjourned at 1:12 p.m.

APPROVED:

CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer