

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 12:48 p.m. Thursday, July 5, 2018 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

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 R. Mayer, Electoral Area "G"
 Director B. Coyne, Electoral Area "H"
 Director M. Doerr, Alt. 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 R. Barkwill, Alt. District of Summerland

MEMBERS ABSENT:

Director P. Waterman, District of Summerland

Director R. Hovanes, Town of Oliver

STAFF PRESENT:

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

B. Dollevoet, Manager of Development 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 July 5, 2018 be adopted as amended by switching the order of items B7 and B8; and adding item C4 – UBCM Meetings. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Electoral Area "D" Advisory Planning Commission – June 12, 2018

THAT the Minutes of the June 12, 2018 Electoral Area "D" Advisory Planning Commission be received.

b. Electoral Area "H" Advisory Planning Commission – June 19, 2018

THAT the Minutes of the June 19, 2018 Electoral Area "H" Advisory Planning Commission be received.

c. Corporate Services Committee – June 21, 2018

THAT the Minutes of the June 21, 2018 Corporate Services Committee be received.

That the Board direct staff to investigate the feasibility of a joint use building.

d. Environment and Infrastructure Committee – June 21, 2018

THAT the Minutes of the June 21, 2018 Environment and Infrastructure Committee be received.

THAT the Board of Directors recommend moving forward with the process of service area creation and acquisition of the water system, upon confirmation of either dissolution of the Missezula Lake Improvement District or removal by Order in Council of the water system portion of the Improvement District.

- e. Protective Services Committee – June 21, 2018
THAT the Minutes of the June 21, 2018 Protective Services Committee be received.
- f. RDOS Regular Board Meeting – June 21, 2018
THAT the minutes of the June 21, 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. Development Variance Permit – 2404 87th Street, Osoyoos, Electoral Area “A”
 - i. Permit No. A2018.080-DVP

To allow the siting of an accessory structure (pool) within the front yard setback.

THAT the Board of Directors approve Development Variance Permit No. A2018.080-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 – Rural Land Use Matters

1. Official Community Plan (OCP) Amendment – Electoral Area “D” Okanagan Falls Town Centre Plan Implementation (Phase 1)
 - a. Bylaw No. 2603.11, 2018
 - i. Bylaw No. 2603.11, 2018 – Schedule B
 - ii. Bylaw No. 2603.11, 2018 – Schedule C
 - b. Responses Received

To incorporate the recommendations of the Okanagan Falls Town Centre Plan prepared by Urban Forum Associates (November 3, 2017) into the Electoral Area “D-2” Official Community Plan (OCP) Bylaw No. 2603, 2013.

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

THAT Bylaw No. 2603.11, 2018, Electoral Area “D” 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 this report from the Chief Administrative Officer dated July 5, 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. 2603.11, 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 August 2, 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 & Zoning Bylaw Amendments – Electoral Area “E” Zone Review – 7005 Indian Rock Road (“Sunset Acres”)
 - a. Bylaw No. 2458.12, 2018
 - b. Bylaw No. 2459.29, 2018
 - i. Bylaw No. 2459.29, 2018 – Schedule B
 - c. Responses Received

The amendment bylaws propose to replace the Tourist Commercial One (CT1) Zone that applies to the property at 7005 Sunset Road (legally described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD) with a new “Sunset Acres Comprehensive Development” Zone in the Electoral Area “E” Zoning Bylaw No. 2459, 2008.

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2458.12, 2018, Electoral Area “E” Official Community Plan Amendment Bylaw and Bylaw No. 2459.29, 2018, Electoral Area “E” Zoning 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 July 5, 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. 2458.12, 2018, in conjunction with its Financial and applicable Waste Management Plans.

CARRIED

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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

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

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

CARRIED

3. Official Community Plan (OCP) & Zoning Bylaw Amendment – Coalmont, Electoral Area “H”
 - a. Bylaw No. 2497.09, 2018
 - b. Bylaw No. 2498.13, 2018

To amend the zoning of 2 parcels to Parks and Recreation (PR) to reflect their donation for public use.

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2497.09, 2018, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.13, 2018, Electoral Area “H” Zoning 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 this report from the Chief Administrative Officer dated July 5, 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. 2497.09, 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 August 2, 2018; and

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

CARRIED

4. Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E” & “F” Commercial Zone Review and Consolidation
 - a. Bylaw No. 2788, 2018
 - b. Responses Received

Amendment Bylaw No. 2788 seeks to amend the Okanagan Valley Electoral Area Official Community Plan and Zoning Bylaws in order to update the Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2788, 2018, Regional District of Okanagan-Similkameen Commercial Zone Update Amendment Bylaw 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 this report from the Chief Administrative Officer dated July 5, 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. 2788, 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 August 2, 2018; and

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

CARRIED

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

To correct a mapping error that resulted in the duplex zoning of the property being removed.

RECOMMENDATION 9 (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 third time. - **CARRIED**

6. Official Community Plan (OCP) Amendment – Electoral Area “C”
 - a. Bylaw No. 2452.20, 2018
 - i. Bylaw No. 2452.20, 2018 – Schedule A
 - ii. Bylaw No. 2452.20, 2018 – Schedule B
 - iii. Bylaw No. 2452.20, 2018 – Schedule C
 - b. Responses Received

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.

RECOMMENDATION 10 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2452.20, 2018, Electoral Area “C” Official Community Plan Amendment Bylaw be read a third time and adopted. - **CARRIED**

8. Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Areas “D-2” & “E” – Small Holdings One (SH1) Zone Review
 - a. Bylaw No. 2797, 2018

Amendment Bylaw No. 2797 seeks to amend the Electoral Area “D-2” and “E” Official Community Plan and Zoning Bylaws in order to consolidate the Small Holdings One (SH1) Zone with the Large Holdings One (LH1) Zone.

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2797, 2018, Regional District of Okanagan-Similkameen Small Holdings One (SH1) Zone Review Amendment Bylaw be adopted. - **CARRIED**

7. Zoning Bylaw Amendment – 102 Saliken Drive, Upper Carmi, Electoral Area “D-2”
 - a. Bylaw No. 2455.33, 2018
 - b. Public Hearing Report – June 11, 2018
 - c. Responses Received

To allow for development of an accessory dwelling unit in lieu of a secondary suite.

Director Siddon advised that the public hearing report is an accurate reflection of what took place at the public hearing held June 11, 2018.

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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

RECOMMENDATION 13 (Unweighted Rural Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2455.33, 2018, Electoral Area “D-2” Zoning Amendment Bylaw be read a third time and adopted. - **CARRIED**

9. Remedial Action for Demolition or Relocation of Structures Located at 1825 Green Mountain Road, Apex

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

WHEREAS Part 3, Division 12, Section 72 of the *Community Charter* (made applicable to Regional Districts by Section 305 of the *Local Government Act*) authorizes the Board to impose a remedial action requirement of the property owner(s) of the property located at 1825 Green Mountain Road, Apex where:

“The Board considers that a hazardous condition exists in relation to a building or other structure”

AND WHEREAS there are various structures located on the property located at 1825 Green Mountain Road including a single family dwelling and a detached garage (the structures);

NOW THEREFORE the Board of the Regional District of Okanagan-Similkameen, in open meeting assembled, resolves as follows:

1. That the Board hereby declares that a hazardous condition exists within the meaning of Section 73 of the *Community Charter* with respect to the structures located on the property legally described as Lot 1, Plan KAP22351, District Lot 3396, SDYD and located at 1825 Green Mountain Road, due to unstable land located both above and below the structures;
2. That the Board orders pursuant to its remedial action powers under Part 3, Division 12, Section 72 of the *Community Charter*, that the Owners of the property located at 1825 Green Mountain Road:
 - i. Immediately evacuate the structures with a provision that temporary access to the dwelling and outbuildings to remove contents is considered safe under current conditions;
 - ii. Obtain building permits to relocate the structures to an acceptable geotechnically stable location; or
 - iii. Obtain permits to demolish the structures; or
 - iv. Obtain building permits authorizing remediation of the structures under the approval of a qualified professional geotechnical and structural engineer
3. That this order be fulfilled not later than 180 days after notice of this remedial action requirement under Section 77 of the *Community Charter* has been sent by the Regional District of Okanagan-Similkameen to the owners;

4. That the Regional District of Okanagan-Similkameen provide notice to the persons entitled to notice under section 77 of the *Community Charter*;
5. That the Regional District of Okanagan-Similkameen notify the persons entitled to Notice under Section 77 of the *Community Charter* that they may request that the Regional Board reconsider the *Remedial Action Requirement* pursuant to Section 78 of the Charter by providing the Regional District of Okanagan-Similkameen written notice within 14 days of the date on which notice under Section 77 of the *Community Charter* was sent; and
6. That if any or all of the actions required by the *Remedial Action Requirement* are not completed by the date set out above, the Regional District of Okanagan-Similkameen may undertake any or all of the actions required by the *Remedial Action Requirement* at the expense of the Owners, as authorized by Section 17 of the *Community Charter* and Sections 418 and 399 of the *Local Government Act*.

CARRIED

10. Letters of Concurrence (Telus) – Electoral Area “E”

- a. Request for Concurrence
- b. Responses Received by RDOS
- c. Responses Received by Telus – BCB576 and BCB577
- d. Responses Received by Telus – BCB577 Only

To allow for the replacement of two (2) Telus utility pole/wireless communication facilities.

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

THAT the Board of Directors defer providing a letter of non-concurrence in order to allow Telus to seek an alternative location or design. - **CARRIED**

C. LEGISLATIVE SERVICES

1. Repeal of Irrigation and Improvement District Bylaws
 - a. Bylaw 2812, 2018 - Naramata Irrigation District
 - i. Bylaw 2812, 2018 – Schedule A
 - b. Bylaw 2813, 2018 - Olalla Improvement District
 - i. Bylaw 2813, 2018 - Schedule A
 - c. Bylaw 2814, 2018 - Sun Valley Improvement District
 - i. Bylaw 2814, 2018 - Schedule A
 - d. Bylaw 2815, 2018 – West Bench Irrigation District
 - i. Bylaw 2815, 2018 - Schedule A

RECOMMENDATION 15 (Unweighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT the following Bylaws be read a first, second and third time and be adopted:

1. Naramata Irrigation District Repeal Bylaw 2812, 2018,
2. Olalla Improvement District Repeal Bylaw 2813, 2018,
3. Sun Valley Improvement District Repeal Bylaw 2814, 2018, and
4. West Bench Irrigation District Repeal Bylaw 2815, 2018.

CARRIED

-
2. Naramata Cemetery Regulation Bylaw No. 2816, 2018
 - a. Bylaw No. 2816, 2018
 - i. Bylaw No. 2816, 2018 - Schedule A

To bring the cemetery bylaw into compliance with the new *Cremation, Interment and Funeral Services Act* and to update Schedule 'A' attached to the bylaw, being Permit (Right of Internment - Plot Reservation License) to conform with Regional District Fees and Charges Bylaw (Cemetery Fees).

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

THAT Bylaw 2816, 2018 Regional District of Okanagan-Similkameen Naramata Cemetery Regulation Bylaw be read a first, second and third time and be adopted.

CARRIED

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

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 surrounding Electoral Area “A” due to expire 27 June 2018, at midnight for a further seven days to 4 July 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 4 July 2018, at midnight for a further seven days to 11 July 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 25 June 2018, at midnight for a further seven days to 2 July 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 2 July 2018, at midnight for a further seven days to 9 July 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 26 June 2018, at midnight for a further seven days to 3 July 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 3 July 2018, at midnight for a further seven days to 10 June 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 23 June 2018, at midnight for a further seven days to 30 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 30 June 2018, at midnight for a further seven days to 7 July 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 26 June 2018, at midnight for a further seven days to 3 July 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 3 July 2018, at midnight for a further seven days to 10 July 2018, at midnight.

CARRIED

4. UBCM Ministry Meetings

It was MOVED and SECONDED

THAT the Regional District submit the identified requests to UBCM for meetings with Provincial Ministers and/or Ministry staff at the September 10 – 14, 2018 UBCM Conference as listed below, and,

THAT development of Briefing Notes commence for review by Committee in August.

1. Storm Drainage in the Regional District (MoTI – Claire Trevena)
2. 2018 Flood Management Event - Public Service Messaging and Flood Response Approvals- to say thanks (FLNRO – Doug Donaldson)
3. Public Transit Options – Okanagan to Lower Mainland, RideShare, Uber (MoTI – Claire Trevena)
4. KVR Trail Damage and Cycling Infrastructure (FLNRO – Doug Donaldson)
5. ALC Policies on Corporate Grow Ops (Agriculture – Lana Popham)
6. Provincial Policing (Public Safety and Emergency Preparedness – Mike Farnsworth)
7. Single Approach Recycling - Eliminate Deposit (MoE – George Heyman)
8. Prolific Offender Sentencing – Impacts on Communities (Solicitor General)
9. Sage Mesa Water System Funding (Municipal Affairs – Selena Robinson)
10. Dredging program for Okanagan River - FLNRORD
11. East Side Sewer project road repaving – MOTI
12. Weyerhaeuser Road future ownership and Maintenance – MoTI
13. Hwy 97 access to Flea Market property in Okanagan Falls – MoTI
14. Westbank to Penticton connectivity – 4 laning of highway – MoTI
15. Decommissioning of Naramata flume - FLNRORD

CARRIED

D. CAO REPORTS

1. Verbal Update
-

E. OTHER BUSINESS

1. Chair’s Report
-

2. Directors Motions
-

3. Board Members Verbal Update
-

F. ADJOURNMENT

By consensus, the meeting adjourned at 1:35 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer