

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 1:11 p.m. Thursday, April 19, 2018 at the Penticton Lakeside Resort and Convention Centre, 21 Lakeshore Drive, 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 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:

STAFF PRESENT:

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

J. Dougall, Manager of Public Works
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 April 19, 2018 be amended by adding Item G2 Declaration of State of Local Emergency. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Okanagan Falls Parks & Recreation Commission – February 8, 2018

THAT the Minutes of the February 8, 2018 Okanagan Falls Parks & Recreation Commission be received.

b. Naramata Parks & Recreation Commission – February 26, 2018

THAT the Minutes of the February 26, 2018 Naramata Parks & Recreation Commission Committee be received.

c. Similkameen Recreation Commission – March 27, 2018

THAT the Minutes of the March 27, 2018 Similkameen Recreation Committee be received.

- d. Community Services Committee – April 5, 2018
THAT the Minutes of the April 5, 2018 Community Services Committee be received.
- THAT the Board of Directors endorse the Service Plan Memorandum of Understanding for the Penticton–Kelowna service transit expansion.*
- e. Corporate Services Committee – April 5, 2018
THAT the Minutes of the April 5, 2018 Corporate Services Committee be received.
- f. Environment and Infrastructure Committee – April 5, 2018
THAT the Minutes of the April 5, 2018 Environment and Infrastructure Committee be received.
- g. Planning and Development Committee – April 5, 2018
THAT the Minutes of the April 5, 2018 Planning and Development Committee be received.
- THAT staff be directed to initiate the Electoral Area “E” Official Community Plan (OCP) Amendment Bylaw No. 2458.12, and the Electoral Area “E” Zoning Amendment Bylaw No. 2459.29.*
- THAT staff be directed to incorporate provisions within the Building Bylaw for building permits for farm buildings with a reduced fee structure and a limited inspection process for bona fide farm buildings, with exemptions from permit fees and inspections for structures less than 20 m² (215 ft²) which meet the definition of a low human occupancy farm building, and for unenclosed hay storage structures and animal shelters less than 600 m² (6,458 ft²), both of which are located on land classed as farm through BC Assessment.*
- h. Protective Services Committee – April 5, 2018
THAT the Minutes of the April 5, 2018 Protective Services Committee be received.
- i. RDOS Regular Board Meeting – April 5, 2018
THAT the minutes of the April 5, 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 – 9710 42nd Avenue, Electoral Area “A”
 - i. Permit No. A2018.047-DVP

To allow the siting of an accessory structure within the exterior side yard setback.

THAT the Board of Directors approve Development Variance Permit No. A2018.047-DVP.

- b. Development Variance Permit – 4575 Mill Road, Naramata, Electoral Area “E”
 - i. Permit No. E2018.042-DVP
 - ii. Responses Received

To allow for the construction of a new single detached dwelling.

THAT the Board of Directors approve Development Variance Permit No. E2018.042-DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

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

B. DELEGATIONS

1. Andy Orr – Principal, Atcorr Development, Consulting on behalf of South Skaha Housing Society (SSHS)

Mr. Orr addressed the Board to provide an update on the status of the affordable housing project, BC Housing financing requirements, and to answer questions regarding the Society’s request to the Board for consideration of equity contributions to the project.

C. DEVELOPMENT SERVICES – Building Inspection**1. Building Bylaw Infraction – 250 Thorp Road, Electoral Area “C”**

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

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 3, District Lot 2450S, Plan 3458 except Plan 16834, 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

2. Building Bylaw Infraction – Permit #18447, 189 Resolute Road, Electoral Area “D”

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

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 20, Plan KAP92537, District Lot 411, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

D. DEVELOPMENT SERVICES – Rural Land Use Matters

1. South Skaha Housing Society (OK Falls) Not-for-Profit Housing
 - a. Bylaw No 2803, 2018
 - b. SSHS Letter to RDOS dated March 23, 2018
 - c. Bylaw No. 2806, 2018
 - d. Property Tax Exemption Policy
 - e. Conceptual Design
 - f. Okanagan Falls Irrigation District Letter dated April 3, 2018

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

THAT Bylaw No. 2803, 2018 Regional District of Okanagan-Similkameen Development Cost Charge Waiver Bylaw be adopted. - **CARRIED**

RECOMMENDATION 7 (Weighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2806, 2018 Regional District of Okanagan-Similkameen Property Tax Exemption Bylaw be read a first, second and third time and be adopted. - **CARRIED**

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors support in principle a 10 year property tax exemption for the South Skaha Housing Society located at 5080 9th Avenue and that this property tax exemption is to be applied for on an annual basis in accordance with the Property Tax Exemption Policy. - **CARRIED**

RECOMMENDATION 9 (Weighted Corporate Vote – Majority)**It was MOVED and SECONDED**

THAT Development Cost Charges in the amount of \$109,200 for the South Skaha Housing Society Affordable Housing Project (26 units) be waived in accordance with Regional District Bylaw No. 2803. - **CARRIED**

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)**It was MOVED and SECONDED**

THAT a Grant-in-Aid of \$21,165 be provided to South Skaha Housing Society to be applied to the Development and Building Permit Fees of the Affordable Housing Project (26 units) located at 5080 9th Avenue, Okanagan Falls and funded from Electoral Area “D” Grant in Aid and Contingency. - **CARRIED**

2. Bylaw Enforcement Procedures Policy
 - a. Bylaw Enforcement Procedures Policy

To ensure our bylaw enforcement procedures are in compliance with best practices of the Office of the Ombudsperson’s March 2016 report entitled “Bylaw Enforcement: Best Practices Guide for Local Governments.”

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors adopt the Bylaw Enforcement Procedure Policy (as presented to the Planning and Development Committee April 5, 2018) as its guiding policy for the enforcement of all RDOS regulatory bylaws and directs Administration to report back on the results of the new Policy by April 5, 2019; and

THAT the previous Bylaw Enforcement Policy (adopted December 19, 2013) be repealed.

CARRIED

3. Development Variance Permit – 3949 16th Avenue, Electoral Area “A”
 - a. Permit No. A2018.022-DVP

To allow for the creation of a “hooked” parcel where each of the 3 parts of the parcel will not meet the minimum parcel size requirement of the zoning.

RECOMMENDATION 12 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve Development Variance Permit No. A2018.022-DVP. - **CARRIED**

4. Zoning Bylaw Amendment – 445 & 449 Sagewood Lane, Electoral Area “D-1”
 - a. Bylaw No. 2457.22, 2018
 - b. Responses Received

The Chair enquired whether the property owner was present to speak to the application; however, no one was present to speak to the application.

To allow for 1 “livestock” and 25 “small livestock” (including one rooster) on a parcel less than 2,500 m² in area and to reduce the parcel line setbacks for a livestock structure from 15.0 M to 2.5 M.

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2457.22, 2018, Electoral Area “D” Zoning Amendment Bylaw be denied. - **CARRIED**

5. Zoning Bylaw Amendment – “Regal Ridge” Site Specific Zoning Review, Electoral Area “A”
 - a. Bylaw No. 2451.23, 2018
 - b. Responses Received
[Additional Responses received](#)

Amendment Bylaw No. 2451.23 seeks 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. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

RECOMMENDATION 14 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2451.23, 2018, Electoral Area “A” Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

CARRIED

6. Official Community Plan & Zoning Bylaw Amendments – Large Holdings Three (LH3) Zone Review, Electoral Area “D-2”
 - a. Bylaw No. 2455.30, 2018
 - b. Bylaw No. 2603.13, 2018

To amend the Electoral Area “D-2” Official Community Plan and Zoning Bylaws in order to generally consolidate the Large Holdings Three (LH3) Zone with the Resource Area (RA) Zone, however, there are instances where other zonings such as Large Holdings One (LH1), Large Holdings Two (LH2) and Small Holdings Three (SH3) are being proposed.

RECOMMENDATION 15 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning Amendment Bylaw be adopted; and

THAT Bylaw No. 2603.13, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw be adopted.

CARRIED

7. Early Termination of a Land Use Contract – Electoral Area “D-1”
 - a. Bylaw No. 2457.23, 2018
 - b. Responses Received

To replace Land Use Contract No. LU-10-D with a Resource Area (RA) zone and a Small Holdings Five (SH5) zone.

RECOMMENDATION 16 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2457.23, 2018, Electoral Area “D-1” Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

CARRIED

8. Zoning Bylaw Amendment – 102 Saliken Drive, Electoral Area “D”
 - a. Bylaw No. 2455.33, 2018
 - b. Responses Received
[Additional responses received](#)

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

RECOMMENDATION 17 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2455.33, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing - **CARRIED**.

RECOMMENDATION 18 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

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

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

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

CARRIED

9. Zoning Bylaw Amendment – 100 4th Street, Kaleden, Electoral Area “D”
 - a. Bylaw No. 2457.24, 2018
 - b. Responses Received
[Additional responses received](#)

To allow for the construction of a secondary suite on a parcel less than 2020 m².

RECOMMENDATION 19 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2457.24, 2018, Electoral Area “D-1” 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 May 17, 2018; and

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

CARRIED

10. Zoning Bylaw Amendment – 137 Saddlehorn Drive, St. Andrews, Electoral Area “D-2”
 - a. Bylaw No. 2457.25, 2018 - Draft
 - b. Responses Received
[Additional responses received](#)

To facilitate a boundary adjustment between two existing legal parcels.

RECOMMENDATION 20 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2457.25, 2018, Electoral Area “D” Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

CARRIED

11. Zoning Bylaw Amendment – 1752 Alba Road, Okanagan Falls, Electoral Area “D-2”
 - a. Bylaw No. 2455.35, 2018
 - b. Responses Received
[Additional responses received](#)

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

RECOMMENDATION 21 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2455.35, 2018, Electoral Area “D” Zoning Amendment Bylaws be read a first and second time and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 17, 2018; and

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

CARRIED

12. Official Community Plan & Zoning Bylaw Amendments – Industrial Zone Update, Electoral Areas “A”, “C”, “D”, “E” & “F”
 - a. Bylaw No. 2783, 2018

To amend the Electoral Area “A”, “C”, “D”, “E” and “F” Official Community Plan and Zoning Bylaws in order to update the industrial zones found in these electoral areas.

RECOMMENDATION 22 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2783, 2018, Regional District of Okanagan-Similkameen Industrial Zone Update Amendment Bylaw be adopted.

CARRIED

13. Official Community Plan & Zoning Bylaw Amendments – Small Holdings One (SH1) Zone Review, Electoral Areas “D-2” & “E”
 - 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 23 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the matter of Bylaw No. 2797 be postponed until an evening public meeting is held. - **CARRIED**

Staff advised that repeal of third reading will be necessary.

E. PUBLIC WORKS**1. Award of Contract – Sun Valley Pump Replacement and Upgrades Project**

Award of the contract to replace the currently failing centrifugal pumps at the Sun Valley pump house with new, higher efficiency inline vertical multistage pumps and new variable frequency drive pump controls to replace the outdated cycle stop valve controls.

RECOMMENDATION 24 (Weighted Corporate Vote – Majority)**It was MOVED and SECONDED**

THAT the Board of Directors approve the expenditure of up to \$120,600 for construction services to Mearl’s Mechanical Works LTD. for the “Sun Valley water system pump replacement and upgrades”; and

THAT the Board of Directors execute a construction services agreement with Mearl’s Mechanical Works LTD. for the services detailed in the Request for Proposals and submitted Proposal; and

THAT the Board of Directors further approve a contingency for the “Sun Valley water system pump replacement and upgrades” project in the amount of \$20,300 to complete value added or required upgrades.

CARRIED

2. Award to Consultant – Okanagan Falls Constructed Wetland Project

To retain a consultant to carry out professional services required to prepare the design, carry out inspection services, perform construction contract administration and successfully close out the project to establish a new constructed wetland for extra polishing of the effluent produced from the Okanagan Falls Wastewater Treatment Plant.

RECOMMENDATION 25 (Weighted Corporate Vote – Majority)**It was MOVED and SECONDED**

THAT the Board of Directors approve the expenditure of up to \$326,740 for the consulting services associated with design and construction of the Okanagan Falls Constructed Wetland Project to Native Plant Solutions - Ducks Unlimited Canada; and

THAT the Board of Directors execute a consulting services agreement with Native Plant Solutions – Ducks Unlimited Canada for the services detailed in the Request for Proposals and the submitted Proposal for the Okanagan Falls Constructed Wetland Project.

CARRIED

F. COMMUNITY SERVICES – Protective Services

1. Repeal of Emergency Services Bylaw No. 2566, 2011
 - a. Bylaw No. 2807, 2018
 - b. Bylaw No. 2566, 2011

RECOMMENDATION 26 (Unweighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2807, 2018, being a bylaw of the Regional District to repeal Emergency Services Bylaw No. 2566, 2011 be read a first, second, third time and be adopted. - **CARRIED**

G. LEGISLATIVE SERVICES

1. Keremeos Fire Truck Acquisition Loan Authorization Bylaw
 - a. Bylaw No. 2802, 2018

RECOMMENDATION 27 (Weighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Keremeos Fire Truck Acquisition Loan Authorization Bylaw No. 2802, 2018 be read a first, second and third time and be forwarded to the Inspector of Municipalities for Ministry approval prior to electoral approval; and,

THAT the Board of Directors authorize that elector approval for the adoption of the bylaw be obtained through an assent vote in accordance with Part 4 of the Local Government Act, and

THAT the assent vote process be conducted in conjunction with the General Local Election on October 20, 2018; and

THAT the question on the assent vote ballot be “Are you in favour of the Regional District of Okanagan-Similkameen adopting Bylaw No. 2802, 2018, a bylaw to authorize the long-term borrowing of \$350,000 for the acquisition of a fire truck for the Keremeos Fire Protection Service Area?”

CARRIED

ADDENDUM 2. Declarations of State of Local Emergency Approval**It was MOVED and SECONDED**

THAT the Board of Directors ratify the Declaration of a State of Local Emergency issued by Chair Kozakevich on 16 April 2018 to remain in force for seven days until 23 April 2018 at midnight unless cancelled, for the whole of Electoral Area “C” causing a threat to life, safety, or property from flooding; and,

THAT the Board of Directors ratify the Declaration of a State of Local Emergency for the areas surrounding Kearns Creek at Willowbrook expiring 10 April 2018 at midnight for a further seven days to 17 April 2018, at midnight; and

THAT the Board of Directors ratify the Declaration of a State of Local Emergency issued by Chair Kozakevich on 12 April 2018 to remain in force for seven days until 19 April 2018 at midnight, unless cancelled, for the area of Green Lake causing a threat to life, safety, or property from flooding; and,

THAT the Board of Directors extend the Declaration of the State of Local Emergency for the areas surrounding Green Lake due to expire 19 April, 2018 at midnight for a further seven days to 26 April 2018, at midnight.

CARRIED

H. CAO REPORTS

1. Verbal Update

I. OTHER BUSINESS

1. Chair’s Report
-

2. Board Representation

- a. Developing Sustainable Rural Practice Communities - *McKortoff*
 - b. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
 - c. Municipal Finance Authority (MFA) – *Kozakevich, Bauer*
 - d. Municipal Insurance Association (MIA) - *Kozakevich, Bauer*
 - e. Okanagan Basin Water Board (OBWB) – *McKortoff, Hovanes, Waterman*
 - a) Board Report – April 6, 2018
 - f. Okanagan Film Commission (OFC) – *Jakubeit*
 - g. Okanagan Regional Library (ORL) – *Kozakevich*
 - h. Okanagan Sterile Insect Release Board (SIR) – *Bush*
 - i. Okanagan-Similkameen Healthy Living Coalition - *Boot*
 - j. Okanagan-Similkameen Regional Hospital District (OSRHD) - *Brydon*
 - k. Southern Interior Beetle Action Coalition (SIBAC) - *Armitage*
 - l. Southern Interior Local Government Association (SILGA) – *Konanz*
 - m. Southern Interior Municipal Employers Association (SIMEA) – *Kozakevich, Martin*
 - n. Starling Control - *Bush*
 - o. UBCO Water Chair Advisory Committee – *Konanz*
-

3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT

By consensus, the meeting adjourned at 3:05 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer