



## 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 2:33 p.m. Thursday, April 5, 2018 at the Penticton Lakeside Resort and Convention Centre, 21 Lakeshore Drive, 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"  
Director P. Waterman, District of Summerland

### MEMBERS ABSENT:

### STAFF PRESENT:

B. Newell, Chief Administrative Officer  
G. Cramm, Administrative Assistant

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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 April 5, 2018 be amended by adding Item E2 Approval of Declarations of State of Local Emergency and removing Item C3 Zoning Bylaw Amendment. - **CARRIED**

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#### 1. Consent Agenda – Corporate Issues

- a. Electoral Area "E" Advisory Planning Commission Appointment  
*THAT the Board of Directors appoint Brent Rowland as a member of the Electoral Area "E" Advisory Planning Commission for a term ending November 30, 2018.*
- b. Electoral Area "A" Advisory Planning Commission – March 19, 2018  
*THAT the Minutes of the March 19, 2018 Electoral Area "A" Advisory Planning Commission be received.*
- c. Electoral Area "C" Advisory Planning Commission – February 20, 2018  
*THAT the Minutes of the February 20, 2018 Electoral Area "C" Advisory Planning Commission be received.*
- d. Electoral Area "E" Advisory Planning Commission – March 12, 2018  
*THAT the Minutes of the March 12, 2018 Electoral Area "E" Advisory Planning*

*Commission be received.*

- e. Electoral Area “H” Advisory Planning Commission – February 20, 2018  
*THAT the Minutes of the February 20, 2018 Electoral Area “H” Advisory Planning Commission be received.*
- f. Kaleden Recreation Commission – March 6, 2018  
*THAT the Minutes of the March 6, 2018 Kaleden Recreation Commission be received.*
- g. Community Services Committee – March 15, 2018  
*THAT the Minutes of the March 15, 2018 Community Services Committee be received.*
- h. Planning and Development Committee – March 15, 2018  
*THAT the Minutes of the March 15, 2018 Planning and Development Committee be received.*

*THAT the Board of Directors authorize the inclusion of text amendments to the Industrial Zone Update Amendment Bylaw No. 2783 to include “cannabis production” as a permitted type of “manufacturing” in the General Industrial (I1) and Heavy Industrial (I2) Zones.*

- i. RDOS Regular Board Meeting – March 15, 2018  
*THAT the minutes of the March 15, 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. Development Variance Permit Application – 148 Alder Avenue, Electoral Area “D”
    - i. Permit No. D2017.173-DVP
    - ii. Responses Received  
[Additional Responses](#)

To vary the minimum exterior side setback from 4.5 metres to 2.6 metres.

*THAT the Board of Directors approve Development Variance Permit No. D2017.173-DVP.*

**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. DEVELOPMENT SERVICES – Building Inspection**

1. Building Bylaw Infraction: Permit 18260 – Addition and Renovations to Dwelling, 2434 Oliver Ranch Road, Electoral Area “D”

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 1, District Lot 2710, Plan 32089, 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**

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2. Building Bylaw Infraction: Permit 18085 – Winery Retail, 2434 Oliver Ranch 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 1, District Lot 2710, Plan 32089, 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**

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3. Building Bylaw Infraction: Permit 18928 – 8093 Princeton-Summerland Road, Electoral Area “F”

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

**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 3 and an undivided 1/3 share in Lot 1 Plan KAP55324, District Lot 2893, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333.

**CARRIED**

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4. Building Bylaw Infraction: Permit 18340 – 2016 West Bench Drive, Electoral Area “F”

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

**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 23, Plan KAP8224, District Lot 5076, ODYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

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5. Building Bylaw Amendment
  - a. Bylaw No. 2333.10, 2018

To incorporate changes to the 2018 Fees and Charges Bylaw with respect to calculating Building Permit Fees.

**RECOMMENDATION 8 (Unweighted Rural Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2333.10, 2018 Regional District of Okanagan-Similkameen Building Amendment Bylaw be read a first, second and third time and be adopted. - **CARRIED**

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

1. Zoning Bylaw Amendment – 2404 87<sup>th</sup> Street, Electoral Area “A”
  - a. Bylaw No. 2451.22, 2018
  - b. Responses Received

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

**RECOMMENDATION 9 (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 first and second time and proceed to a public hearing;

AND THAT the holding of the public hearing be scheduled for the Regional District Board meeting of May 3, 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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2. Zoning Bylaw Amendment – “Regal Ridge” Site Specific Zoning Review, Electoral Area “A”
  - a. Bylaw No. 2451.23, 2018
  - b. Responses Received

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 Large Holdings One (LH1), 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 10 (Unweighted Rural Vote – Simple Majority)****It was MOVED and SECONDED**

THAT the matter of Zoning Bylaw Amendment – “Regal Ridge” Site Specific Zoning Review, Electoral Area “A” be deferred until the April 19, 2018 Board meeting.

**CARRIED**

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

This item was removed from agenda.

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4. Official Community Plan & Zoning Bylaw Amendments – Industrial Updates, Electoral Areas “A”, “C”, “D”, “E” & “F”
  - a. Bylaw No. 2783, 2018
  - b. Responses Received  
[Additional Responses](#)

The public hearing for this item was held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.

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. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 11 (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 read a third time. - **CARRIED**

Opposed: Directors Siddon, Bush, Christensen

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5. Official Community Plan & Zoning Bylaw Amendments – Small Holdings One (SH1) Zone Review, Electoral Areas “D-2” and “E”
  - a. Bylaw No. 2797, 2018
  - b. Responses Received  
[Additional Responses](#)

The public hearing for this item was held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.

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. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 12 (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 read a third time. - **CARRIED**

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6. Official Community Plan & Zoning Bylaw Amendments – Large Holdings Three (LH3) Zone Review, Electoral Areas “D-2”
  - a. Bylaw No. 2455.30, 2018
  - b. Bylaw No. 2603.12, 2018
  - c. Bylaw No. 2603.13, 2018
  - d. Responses Received  
[Additional Response](#)

The public hearing for this item was held Thursday, April 5, 2018 at 9:00 a.m. at the Penticton Lakeside Resort & Convention Centre, Salon A, 21 Lakeshore Drive West, Penticton.

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. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

**RECOMMENDATION 13 (Unweighted Rural Vote – 2/3 Majority)**

**It was MOVED and SECONDED**

THAT Bylaw No. 2603.12, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw, be read a third time and adopted.

AND THAT Bylaw No. 2603.13, 2018, Electoral Area “D-2” Official Community Plan Amendment Bylaw and Bylaw No. 2455.30, 2018, Electoral Area “D-2” Zoning Amendment Bylaw be read a third time. - **CARRIED**

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**D. FINANCE**

1. Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure
  - a. Bylaw No. 2801, 2018
  - b. Grant Application Form

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

**It was MOVED and SECONDED**

THAT Bylaw No. 2801, 2018, Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw be read a first, second and third time and be adopted. - **CARRIED**

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**E. LEGISLATIVE SERVICES**

1. Enabling Waiver of Development Cost Charges
  - a. Bylaw No. 2803, 2018

To define, and make provision for, those circumstances where a Development Cost Charge may be waived.

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

THAT the Regional District Bylaw 2803, 2018, being a bylaw of the Regional District of Okanagan Similkameen to provide for Development Cost Charges to be waived or reduced be read a first, second and third time. - **CARRIED**

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ADDENDUM
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2. [Approval of Declaration of State of Local Emergency \(Unweighted Corporate Vote – Simple Majority\)](#)

[PowerPoint presentation](#)

**It was MOVED and SECONDED**

THAT the Board of Directors consent to the Declaration of a State of Local Emergency issued by the Chair on March 27, 2018 to remain in force for seven days until April 3, 2018 at midnight unless cancelled in the vicinity of Kearns Creek at Willowbrook in the Regional District of Okanagan-Similkameen, Electoral Area C, due to the threat of flooding and debris flow that may threaten life, safety and cause significant property damage; and

THAT the Board of Directors request the Minister of State for Emergency Preparedness to extend the Declaration of the State of Local Emergency in the vicinity of Kearns Creek at Willowbrook due to expire on April 3, 2018 at midnight for a further seven days to April, 10 2018, at midnight.

**CARRIED**

Paul Edmonds, Emergency Management Program Coordinator, provided an overview of the flooding situation in the south Okanagan.

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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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Directors Bauer, Schafer and Hovanes vacated the meeting at 4:10 p.m.



2. Directors Motions

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3. Board Members Verbal Update

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**H. ADJOURNMENT**

By consensus, the meeting adjourned at 4:25 p.m.

APPROVED:

CERTIFIED CORRECT:

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K. Kozakevich  
RDOS Board Chair

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B. Newell  
Corporate Officer