

APPROVED DECEMBER 3, 2020

**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 11:05 a.m. on Thursday, November 19, 2020 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"	Director S. Monteith, Electoral Area "I"
Vice Chair S. Coyne, Town of Princeton	Director R. Obirek, Electoral Area "D"
Director M. Bauer, Village of Keremeos	Director M. Pendergraft, Electoral Area "A"
Director G. Bush, Electoral Area "B"	Director T. Roberts, Electoral Area "G"
Director B. Coyne, Electoral Area "H"	Director K. Robinson, City of Penticton
Director R. Gettens, Electoral Area "F"	Director J. Sentes, City of Penticton
Director D. Holmes, District of Summerland	Director R. Barkwill, Alt. District of Summerland
Director M. Johansen, Town of Oliver	Director J. Vassilaki, City of Penticton
Director R. Knodel, Electoral Area "C"	Director C. Watt, City of Penticton
Director S. McKortoff, Town of Osoyoos	

MEMBERS ABSENT:

Director E. Trainer, 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 November 19, 2020 be adopted as amended by removing Item B.8. Development Variance Permit Application, and adding Item F.5., bringing forward the recommendation from the November 19, 2020 Corporate Services Committee meeting regarding Select Committees and External Agency Appointments. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Naramata Parks and Recreation Commission – September 28, 2020
THAT the Minutes of the October 15, 2020 Naramata Parks and Recreation Commission meeting be received.
- b. Okanagan Falls Recreation Commission – October 1, 2020
THAT the Minutes of the October 1, 2020 Okanagan Falls Recreation Commission meeting be received.
- c. Kaleden Parks and Recreation Commission – October 6, 2020
THAT the Minutes of the October 6, 2020 Kaleden Recreation Commission meeting be received.
- d. Area F Parks and Recreation Commission – October 7, 2020
THAT the Minutes of the October 7, 2020 Area F Recreation Commission meeting be received.

- e. Advisory Planning Commission, Electoral Area 'C' – September 8, 2020
THAT the Minutes of the September 8, 2020 Advisory Planning Commission, Electoral Area 'C' meeting be received.
- f. Advisory Planning Commission, Electoral Area 'D' – October 13, 2020
THAT the Minutes of the October 13, 2020 Advisory Planning Commission, Electoral Area 'D' meeting be received.
- g. Advisory Planning Commission, Electoral Area 'E' – October 26, 2020
THAT the Minutes of the October 26, 2020 Advisory Planning Commission, Electoral Area 'E' meeting be received.
- h. Advisory Planning Commission, Electoral Area 'I' – September 16 2020
THAT the Minutes of the September 16, 2020 Advisory Planning Commission, Electoral Area 'I' meeting be received.
- i. Letter of Support for Okanagan Falls Irrigation District Application
THAT the Regional District forward a letter to the OBWB in support of the Okanagan Falls Irrigation District's application to the Water Conservation and Quality Improvement grant program for the 'Metering OK Falls Parks and Agricultural Properties' project.
- j. Electoral Area "I" Kaleden Parks and Recreation Commission Appointments
THAT the Board of Directors appoint Debbie Shillitto, Marie-Eve Lamarche and Rick Johnson to the Electoral Area "I" Kaleden Parks and Recreation Commission for a two year term, ending December 31, 2021.
- k. Community Services Committee – October 15, 2020
THAT the Minutes of the October 15, 2020 Community Services Committee meeting be received.
- l. Corporate Services Committee – October 15, 2020
THAT the Minutes of the October 15, 2020 Corporate Services Committee meeting be received.
- m. Environment and Infrastructure Committee – October 15, 2020
THAT the Minutes of the October 15, 2020 Environment and Infrastructure Committee meeting be received.
- n. Planning and Development Committee – October 15, 2020
THAT the Minutes of the October 15, 2020 Planning and Development Committee meeting be received.

THAT Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be initiated.

THAT the proposed amendments to the ESDP areas be referred to the Electoral Area Advisory Planning Commissions.

THAT the Board of Directors initiate Official Community Plan Amendment Bylaw No. 2913, 2020

THAT the maximum floor area of a secondary suite and accessory dwelling be set at 125.0 m2 in the Draft South Okanagan Electoral Area Zoning Bylaw No. 2800

- o. Protective Services Committee – October 15, 2020
THAT the Minutes of the October 15, 2020 Protective Services Committee meeting be received.
- p. RDOS Regular Board Meeting – October 15, 2020
THAT the minutes of the October 15, 2020 RDOS Regular Board meeting be adopted.
- q. RDOS Regular Board Meeting – November 5, 2020
THAT the minutes of the November 5, 2020 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 Application – 203 West Bench Drive, Electoral Area “F”
 - i. Permit
That the Board of Directors approve Development Variance Permit No. F2020.014-DVP.
 - b. Development Variance Permit Application – Link Lake Road, Electoral Area “H”
 - i. Permit
 - ii. Representations
That the Board of Directors approve Development Variance Permit No. H2020.005-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. Development Variance Permit Application – 10147 146 Avenue, Electoral Area “A”
 - a. Permit

RECOMMENDATION 4 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors approve Development Variance Permit No. A2020.008-DVP.
CARRIED

- 2. Agricultural Land Commission Referral (“non-adhering residential use”) – 5317 Sunflower Street, Electoral Area “C”

RECOMMENDATION 5 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS “authorize” the application for a “non-adhering residential use” at 5317 Sunflower street (Lot 249 Plan KAP1789, DL 2450, SDYD) in Electoral Area “C” to proceed to the Agricultural Land Commission. - **CARRIED**

3. Zoning Bylaw Amendment – 500 Secrest Hill Road – Electoral Area “C”
 - a. Bylaw No. 2453.38, 2020
 - b. Representations

RECOMMENDATION 6 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2453.38, 2020, Electoral Area “C” Zoning Amendment Bylaw be read a third time and adopted. - **CARRIED**

4. Agricultural Land Commission Referral (Non-Farm Use) – 1543 Maple Street, Electoral Area “D”

It was MOVED and SECONDED

THAT the applicant be permitted to address the Board. – **CARRIED** (2/3 majority vote)

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the RDOS Board “authorize” the application to allow a warehouse as a non-farm use on the parcel located at 1543 Maple Street, Okanagan Falls (Lot 2, Plan 14822, District Lot 551, SDYD) to proceed to the Agricultural Land Commission. - **CARRIED**

5. Petition to Enter Service Areas – 3498 Arawana Forestry Road, Electoral Area “E”
 - a. Bylaw No. 1618.02, 2020
 - b. Bylaw No. 2190.08, 2020

RECOMMENDATION 8 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 1618.02, 2020, Naramata Street Lighting Local Service Establishment Amendment Bylaw be adopted;

AND THAT Bylaw No. 2190.08, 2020, Campbell Mountain Landfill Solid Waste Collection and Drop-Off Service Establishment Amendment Bylaw be adopted.

CARRIED

6. Agricultural Land Commission Referral (Subdivision) – 2860 Arawana Road & 3256 Juniper Drive, Electoral Area “E”

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board defer making a decision and directs that the Agricultural Land Commission Referral for 2860 Arawana Road and 3256 Juniper Drive be considered by the Electoral Area “E” Advisory Planning Commission (APC). - **CARRIED**

7. Electoral Area “G” Official Community Plan (OCP) Bylaw Implementation – Contract Award

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Board of Directors award the Electoral Area “G” Official Community Plan (OCP) Bylaw Project to EcoPlan in the amount of \$110,000.00. – **CARRIED**

Opposed: Director Bush

8. Development Variance Permit Application – 120 5th Street, Kaleden, Electoral Area “I”
This item was removed from the agenda.

9. Official Community Plan (OCP) and Zoning Bylaw Amendments – Proposed Dock Regulations – Okanagan Basin Lakes

- a. Bylaw No. 2862
- b. Representations

RECOMMENDATION 11 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2862, 2020 the Regional District of Okanagan-Similkameen Okanagan Basin Lakes Official Community Plan and Zoning Amendment Bylaw, be read a third time. - **CARRIED**

10. Development Procedures Bylaw Updated – Park Land Dedication Proposals

- a. Bylaw No. 2500.16

RECOMMENDATION 12 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Amendment Bylaw No. 2500.16, 2020, Regional District of Okanagan-Similkameen Development Procedures Bylaw Updated, be read a first, second and third time and adopted.
CARRIED

- 11. Official Community Plan (OCP) and Zoning Bylaw Amendments – Electoral Area “D” Residential Zone Update – Comprehensive Development (CD) Zones (Phase 3)**
- a. Bylaw No. 2603.20
 - b. Bylaw No. 2455.42
 - c. Representations

RECOMMENDATION 13 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2603.20, 2020, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.42, 2020, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors consider the process, as outlined in this report from the Chief Administrative Officer dated November 19, 2020, 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. 2603.20, 2020, 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 December 17, 2020;

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

CARRIED

C. PUBLIC WORKS

- 1. Okanagan-Kootenay Sterile Insect Release Program (SIR)**
- a. SIR Apportionment Options

RECOMMENDATION 14 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

1. THAT the Regional District of Okanagan Similkameen support apportioning the annual value tax burden of the SIR Program among participating Regional Districts using a hybrid formula that determines each Regional District's annual value tax requisition on:

- the Regional District's proportion of the previous year's converted assessment base (land and improvements) for the Program's service area as a whole, weighted at 75%; and,
- the Regional District's proportion of the previous year's total taxable acreage for the Program's service area as a whole, weighted at 25%; and,

2. THAT the Regional District of Okanagan Similkameen support phasing-in the new apportionment approach over a four-year period; and,

3. THAT the Regional District of Okanagan Similkameen support a request from the four participating Regional Districts to the Ministry of Municipal Affairs and Housing for an Order in Council to implement the new apportionment approach and phase-in provision.

CARRIEDOpposed: Director Holmes

2. Award of 2020-2021 Waste Composition Study

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

THAT the contract for the 2020-2021 waste composition study and composition comparison be awarded to Tetra Tech Canada Inc. for \$68,000 plus applicable taxes. - **CARRIED**

3. Award of RFP for Agricultural Chipping

RECOMMENDATION 16 (Weighted Corporate Vote – Majority)**It was MOVED and SECONDED**

THAT the contract for Agricultural Chipping be awarded to South Okanagan Tree Works for \$300 per hour plus applicable tax, estimated at \$75,000 per annum for a three year term, with an option for a three year extension. - **CARRIED**

D. COMMUNITY SERVICES

1. Provincial License of Occupation Renewal – KVR Osprey Lake to Faulder
 - a. Parcel Map

RECOMMENDATION 17 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors endorse an application to the Province of British Columbia for a Licence of Occupation renewal over the former Kettle Valley Rail right-of-way from Osprey Lake to Faulder for a period of ten (10) to thirty (30) years, legally described as in the report to the Board dated November 19, 2020 from CAO B. Newell. - **CARRIED**

E. FINANCE

1. Bylaw 2919 – Area “C” Community Works (Gas Tax) Reserve Expenditure Bylaw
 - a. Bylaw 2919, 2020

RECOMMENDATION 18 (Weighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2919, 2020, Electoral Area “C” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$5,000 to fund the extension of ductwork to increase heating efficiencies at the Willowbrook Fire Hall be given first, second, and third reading and adopted. - **CARRIED**

F. LEGISLATIVE SERVICES

1. Board Policy Review as considered at the October 15, 2020 Corporate Services Committee
 - a. Fleet Acquisition, Replacement and Disposal Policy
 - b. Exempt Employee Performance Planning and Review Policy
 - c. Public Complaint Resolution Policy
 - d. Official Recognition Policy
 - e. Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits Policy
 - f. Anti-Idling for RDOS Fleet Vehicles Policy
 - g. Proclamation Policy

RECOMMENDATION 19 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors adopt the amended “Fleet Acquisition, Replacement and Disposal Policy”, and the amended “Exempt Employee Performance Planning and Review Policy”; and,

THAT the Board of Directors adopt the “Public Complaint Resolution” and the “Official Recognition” policies; and further,

THAT the Board of Directors rescind the “Bylaw Enforcement – Pre-existing, Non-Compliant Buildings, Structures, or Things That Have Been Denied Variance Permits”, the “Anti-Idling for RDOS Fleet Vehicles” and the “Proclamation” policies.

CARRIED

2. Sickle Point Parkland Acquisition
 - a. Bylaw No. 2914
 - b. Bylaw No. 2915
 - c. Elector Response Form
 - d. Notice of AAP

RECOMMENDATION 20 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2914, 2020, being a bylaw of the Regional District of Okanagan Similkameen to amend Kaleden Recreation Programming and Facility Maintenance Service Establishment Bylaw 1554, 1994 to increase the requisition limit be given 1st, 2nd and 3rd readings;

THAT the Director for Electoral Area “1” consent to the adoption of Bylaw No. 2914, 2020;

THAT Bylaw No. 2914, 2020 be forwarded to the Inspector of Municipalities for approval;

THAT Bylaw No. 2915, 2020, being a bylaw of the Regional District of Okanagan Similkameen to authorize the long-term borrowing of not more than \$3,500,000 for the purchase of Lot A, Plan KAP55255, DL 1035, Land District 54, commonly known as Sickle Point, be given 1st, 2nd and 3rd Readings and be forwarded to the Inspector of Municipalities for approval;

THAT upon approval of the Inspector, participating area approval for Bylaw No. 2915, 2020 be obtained from the electorate within the Kaleden Recreation Programming and Facility Maintenance Service through an alternative approval process (AAP) in accordance with the *Local Government Act*;

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2915, 2020 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday February 8, 2021;

THAT the elector response form attached to the report dated November 19, 2020 be the approved form for Bylaw No. 2915, 2020 alternative approval process;

THAT the total number of eligible electors to which the alternative approval process applies is 1816;

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 182.

CARRIED

3. Electoral Area "E" Parkland Acquisition

- a. Bylaw No. 2917, 2020
- b. Bylaw No. 2918, 2020
- c. Elector Response Form
- d. Notice of AAP

RECOMMENDATION 21 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2917, 2020 Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service Establishment Amendment Bylaw, being a bylaw to increase the requisition limit for the service, be read a first, second and third time;

THAT the Director for Electoral Area "E" consent to the adoption of Bylaw No. 2917, 2020;

THAT Bylaw No. 2917, 2020 be forwarded to the Inspector of Municipalities for approval;

THAT Bylaw No. 2918, 2020, Electoral Area "E" Parkland Acquisition Loan Authorization Bylaw, being a bylaw of the Regional District of Okanagan-Similkameen to authorize the long-term borrowing of not more than \$900,000 for the purchase of 012-287-687, Parcel A(DD 46960F and Plan B3260) Block 135, DL 210, SDYD, Plan 519 in Naramata, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval;

THAT upon approval of the Inspector, participating area approval for Bylaw No. 2918, 2020 be obtained from the electorate within the Electoral Area "E" Recreation Programming, Parks and Facility Maintenance Local Service through an alternative approval process (AAP) in accordance with the Local Government Act;

THAT the deadline for submitting elector response forms in relation to Bylaw No. 2918, 2020 to the Manager of Legislative Services is no later than 4:30 p.m. on Monday February 8, 2021;

THAT the elector response form attached to the report dated November 19, 2020 be the approved form for Bylaw No. 2918, 2020 alternative approval process;

THAT the total number of eligible electors to which the alternative approval process applies is 1730;

THAT the number of elector responses required to prevent the bylaw from proceeding without a referendum is 173.

CARRIED

4. Bylaw Notice Enforcement Amendment Bylaw – Open Burning amendments
 a. Bylaw No. 2507.12, 2020

RECOMMENDATION 22 (Unweighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2507.12, 2020 Bylaw Notice Enforcement Amendment Bylaw, being a bylaw to amend the penalty schedule for open burning offences, be read a first, second and third time and be adopted. - **CARRIED**

5. Select Committees and External Agency Appointments

This item was discussed at the November 19, 2020 Corporate Services Committee earlier today and is brought before the Board for consideration.

RECOMMENDATION 23 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the appointments to select committees and external agencies be adjusted to reflect changes proposed in the November 19, 2020 report from the Chief Administrative Officer, as amended, with the removal of BC Rural Centre and UBCO Water Research Chair Advisory Committee.

CARRIED

G. CAO REPORTS

1. Verbal Update
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H. OTHER BUSINESS

1. Chair's Report
-

2. Board Representation

- a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
 - b. Municipal Finance Authority – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - c. Municipal Insurance Association – *Kozakevich (Chair), Holmes (Vice Chair, Alternate)*
 - d. Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
 - i. Okanagan Basin Water Board Report – October 2020
 - e. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
 - f. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
 - g. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*
 - h. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - i. Okanagan-Similkameen Regional Hospital District – *Sentes, McKortoff*
 - j. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - k. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
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3. Directors Motions

4. Board Members Verbal Update

I. ADJOURNMENT

By consensus, the meeting adjourned at 12:39 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer