

APPROVED MAY 7, 2020

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD MEETING

Minutes of the Regular Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 10:00 am on Thursday, April 16, 2020 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

- | | |
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| Chair K. Kozakevich, Electoral Area "E" | * Director R. Knodel, Electoral Area "C" |
| * Vice Chair D. Holmes, District of Summerland | * Director S. McKortoff, Town of Osoyoos |
| * Director M. Bauer, Village of Keremeos | * Director S. Monteith, Electoral Area "I" |
| * Director J. Bloomfield, City of Penticton | * Director R. Obirek, Electoral Area "D" |
| * Director T. Boot, District of Summerland | * Director M. Pendergraft, Electoral Area "A" |
| * Director G. Bush, Electoral Area "B" | * Director F. Regehr, City of Penticton |
| * Director B. Coyne, Electoral Area "H" | * Director T. Roberts, Electoral Area "G" |
| * Director S. Coyne, Town of Princeton | * Director J. Vassilaki, City of Penticton |
| * Director R. Gettens, Electoral Area "F" | * Director P. Veintimilla, Town of Oliver |
| * Director J. Kimberley, City of Penticton | |

MEMBERS ABSENT:

STAFF PRESENT:

- | | |
|--|--|
| B. Newell, Chief Administrative Officer | C. Garrish, Planning Manager |
| C. Malden, Manager of Legislative Services | L. Miller, Building & Enforcement Services Manager |
| M. Woods, Gen. Manager of Community Services | L. Bloomfield, Manager of Engineering |
| A. Reeder, Manager of Operations | J. Kurvink, Manager of Finance |

* denotes electronic attendance

Ministerial Order 83/2020 directed that, despite section 228 of the *Local Government Act*, a board may adopt a bylaw described in that section at the same meeting at which the bylaw passes third reading if the motion for adoption receives the majority of the votes cast.

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 16, 2020 be amended to remove Item B7 Development Procedures Bylaw Amendment. - **CARRIED**

1. Consent Agenda – Corporate Issues

- a. Electoral Area "E" Advisory Planning Commission – March 9, 2020
THAT the Minutes of the March 9, 2020 Electoral Area "E" Advisory Planning Commission meeting be received.
- b. Electoral Area "H" Advisory Planning Commission – March 17, 2020
THAT the Minutes of the March 17, 2020 Electoral Area "H" Advisory Planning Commission meeting be received.

- c. Corporate Services Committee – March 19, 2020
THAT the Minutes of the March 19, 2020 Corporate Services Committee meeting be received.

THAT the 2020 Business Plan be adopted by the Board of Directors

- d. RDOS Regular Board Meeting – March 19, 2020
THAT the minutes of the March 19, 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 — 244 Robinson Avenue, Electoral Area “E”
 i. Permit
 ii. Representation

THAT the Board of Directors approve Development Variance Permit No. E2020.001-DVP.

- b. Temporary Use Permit Application — 4383 Mill Road, Electoral Area “E”
 i. Permit
 ii. Representation

THAT the Board of Directors approve Temporary Use Permit No. E2020.001-TUP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

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

B. DEVELOPMENT SERVICES

1. Q1 Activity Report – For information Only

2. Ministry of Agriculture Consultation – Residential Flexibility in the ALR

RECOMMENDATION 4 (Unweighted Corporate – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District submit the following comments to the Ministry of Agriculture for the consultation on residential options in the ALR:

- allow a single “small” accessory dwelling on a property without the need for an application to the ALC;
- allow accessory buildings to be in the form of a garden suite, guest house, carriage suite or mobile home (CSA Z240);
- limit the maximum density of ancillary dwelling units on a parcel to one (1) secondary suite or (1) accessory dwelling;

- limit the maximum floor area of an accessory dwelling to 90.0 m²;
- not restrict the use of an accessory dwelling to farm labour or family members;
- not require that accommodation above a structure be limited to “existing” structures; and
- create a “Registry” of accessory dwellings approved by local government on lands in the ALR that does not impose undue reporting requirements on local governments.

CARRIED

3. Zoning Amendment Bylaw No. 2948.20, 2020 – Scheduling of Public Hearing

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT pursuant to section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw No. 2498.20, 2020; 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 No. 2498.20, 2020.

CARRIED

4. Zoning Amendment Bylaw No. 2886, 2020 – Scheduling of Public Hearing

RECOMMENDATION 6 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT pursuant to section 464 of the *Local Government Act*, the Regional District Board resolves to waive the holding of a public hearing for Zoning Amendment Bylaw No. 2886, 2020; 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 No. 2886, 2020.

CARRIED

5. Liquor and Cannabis Regulation Branch Referral – 2-8102 Highway 97, Electoral Area “C”

a. Representation

RECOMMENDATION 7 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT in accordance with Section 33(1) of the *Cannabis Control and Licencing Act*, the Regional District Board support an application from 1199357 B.C. Ltd. (Nimbus Cannabis) for a Non-medical Cannabis Retail Licence with operating hours from 9:00 am to 11:00 pm seven days a week to be located at 2-8102 Highway 97 (Lot 834, Plan KAP5650, District Lot 2450s, SDYD, Except Plan KAP73342 and KAP91344); and,

THAT the Board provide the following comments to the Liquor and Cannabis Regulation Branch:

- a. The property is located in the Service Commercial Zone (CS1) and the use is permitted in the CS1 zone.
- b. No significant negative impact on the community is anticipated if the application is approved.
- c. Residents were provided opportunity to provide their views on the licence application through a public notice inviting written comments on the application until March 6, 2020. The notice was published in the *Oliver Chronicle* on February 13, 2020 and February 20, 2020;

Castanet from February 12 to February 14, 2020; and posted on the municipal web site from February 4, 2020. Owners and tenants within 100 metres of the subject parcel were mailed notice on February 6, 2020. Further, a notification sign was posted on the subject property at 8102 Highway 97 from February 2, 2020 until April 2, 2020.

- d. All comments received prior to April 2, 2020 were provided to the Board of Directors.

CARRIED

6. Zoning Bylaw Amendment – 256 Copper Mountain Road, Electoral Area “H”
- a. Bylaw No. 2498.21
 - b. Representation

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2498.21, 2020, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time. - **CARRIED**

RECOMMENDATION 9 (Unweighted Corporate Vote – Simple 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 2498.21, 2020; 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 2498.21, 2020.

CARRIED

7. Development Procedures Bylaw Amendment – Scheduling of Public meetings during State of Provincial Emergency
- a. Bylaw No. 2500.15

This item was removed from the agenda.

C. PUBLIC WORKS

1. Q1 Environment Activity Report – For Information Only
-

2. Award of 2020 Dam Safety Reviews for Naramata Dams

RECOMMENDATION 10 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District award the “Naramata Dams 2020 Dam Safety Reviews” project to HATCH in the amount of \$231,970 plus applicable taxes; and

THAT the Regional District approve a contingency for the project in the amount of \$20,000.

CARRIED

3. Essential Services Mutual Aid Agreement
 - a. Agreement

RECOMMENDATION 11 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT the Regional District enter into agreement with our six member municipalities to provide mutual aid should any of their essential services be deemed at risk due to the pandemic.

CARRIED

D. COMMUNITY SERVICES

1. Q1 Protective Services Activity Report - For Information Only
-

2. Q1 Community Services Activity Report – For Information Only
-

E. FINANCE

1. Landfill Accounts Receivable Policy Update
 - a. Policy

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Landfill Customer Accounts Policy be amended as presented at the Board meeting on April 16, 2020. - **CARRIED**

2. 2020 Revenue Anticipation Borrowing Bylaw
 - a. Bylaw 2897

RECOMMENDATION 13 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2897, 2020 Regional District of Okanagan-Similkameen Revenue Anticipation Borrowing Bylaw to borrow up to \$6,000,000 to be repaid no later than December 31, 2020 be read a first, second and third time and be adopted. - **CARRIED**

F. LEGISLATIVE SERVICES**1. SILGA Resolution Amendments**

UBCM policy staff proposed amendments to the RDOS resolutions that had been forwarded to them from SILGA. Please refer to administrative report dated April 16, 2020 from CAO Bill Newell for the original RDOS submissions to SILGA.

a. Amendment 1: Restructuring Regional Governance in British Columbia

“WHEREAS the Province of British Columbia is responsible for delivering all university, school and health services (MUSH), and many municipal services throughout the Province; and,

WHEREAS the nature of local government is evolving and it may be time for a discussion on streamlining structure and powers to facilitate better communication, economies of scale and more transparent customer service:

THEREFORE BE IT RESOLVED that UBCM request the Province to work with local governments to identify the various services and programs offered by governments and agencies within the community, with a goal of establishing a public education/awareness program to offer clarity to residents about what services are provided by municipalities, regional districts, other orders of government and agencies, so they know who to contact when they have questions or concerns; and,

AND BE IT FURTHER RESOLVED that greater coordination and communication take place between orders of government and agencies about the services and programs offered, so they can better respond to public enquiries.”

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

THAT the amendment to the resolution regarding Restructuring Regional Governance in British Columbia be rejected; that the original motion be maintained and brought back to the Board to be re-worked. - **CARRIED**

b. Amendment 2: Indigenous Peoples' Representation

“WHEREAS the Province of British Columbia has enacted Bill 41-2019, the Declaration on the Rights of Indigenous Peoples Act to align BC's laws with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and,

WHEREAS UNDRIP includes Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and culture institutions while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State; and,

WHEREAS the Local Government Act does not allow for Indigenous peoples' representation at regional district tables when the regional district is situated in non-treaty territory:

THEREFORE BE IT RESOLVED that UBCM encourage the Province to, in consultation with BC Indigenous peoples and impacted local governments, explore amending the Local Government Act to include self-determined participation by BC Indigenous peoples as voting

regional district directors.”

It was MOVED and SECONDED

THAT the amendment to the resolution regarding Indigenous Peoples' Representation be amended by replacing “impacted local governments” in the fourth paragraph with “impacted regional districts” - **CARRIED**

2. Osoyoos Irrigation District Inclusion Request
 - a. Letter
 - b. Petition

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Regional District of Okanagan-Similkameen support the extension of the Osoyoos Irrigation District to include Lot 1, Plan KAP3459, Section, District Lot 42 & 100, SDYD, (PID 010-853-171), and further,

THAT the Regional District has no concerns about the inclusion of the subject property.

CARRIED

3. Fees and Charges Bylaw Amendment
 - a. Bylaw 2877.01

RECOMMENDATION 16 (Weighted Corporate Vote – Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2877.01 be read a first, second and third time and be adopted. - **CARRIED**

G. CAO REPORTS

1. Verbal Update
-

H. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions

- a. Notice of Motion - Director Roberts

THAT the Board postpones the Elected Official Compensation increase.

3. Board Members Verbal Update
-

I. ADJOURNMENT

It was MOVED and SECONDED

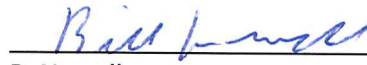
THAT the meeting adjourn at 12:41 p.m. - CARRIED

APPROVED:



K. Kozakevich
RDOS Board Chair

CERTIFIED CORRECT:



B. Newell
Corporate Officer