



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD of DIRECTORS MEETING

Thursday, May 5, 2022
RDOS Boardroom
101 Martin Street, Penticton, BC V2A 5J9

MEMBERS	Chair M. Pendergraft, Electoral Area "A"	Director S. Monteith, Electoral Area "I"
PRESENT:	Vice Chair S. Coyne, Town of Princeton	Director R. Knodel, Electoral Area "C"
	Director K. Kozakevich, Electoral Area "E"	Director R. Obirek, Electoral Area "D"
	Director M. Bauer, Village of Keremeos	Director T. Roberts, Electoral Area "G"
	Director G. Bush, Electoral Area "B"	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 C. Watt, City of Penticton
	Director M. Johansen, Town of Oliver	Alt. Director L. Allison, Electoral Area "H"
	Director S. McKortoff, Town of Osoyoos	Alt. Director R. Barkwill, District of Summerland
MEMBERS	Director B. Coyne, Electoral Area "H"	Director J. Vassilaki, City of Penticton
ABSENT:	Director E. Trainer, District of Summerland	
STAFF	B. Newell, Chief Administrative Officer	C. Malden, Manager of Legislative Services
PRESENT:		

The meeting was called to order at 2:15 pm.

A. APPROVAL OF AGENDA

MOVED and SECONDED

That the Agenda for the RDOS Board Meeting of May 5, 2022 be adopted. – **CARRIED**

The Board observed a moment of silence for Missing and Murdered Indigenous Women, Girls, and Two Spirit Peoples.

- A.1 Consent Agenda – Corporate Issues
(Unweighted Corporate Vote - Simple Majority)

MOVED and SECONDED

THAT the Consent Agenda Corporate Services be adopted. – **CARRIED**

1. Advisory Planning Commissions
 1. Electoral Area "C" Advisory Planning Commission

THAT the minutes of the April 19, 2022 Electoral Area "C" Advisory Planning Commission meeting be received.
 2. Electoral Area "D" Advisory Planning Commission

THAT the minutes of the April 12, 2022 Electoral Area "D" Advisory Planning Commission meeting be received.
 3. Electoral Area "E" Advisory Planning Commission

THAT the minutes of the April 11, 2022 Electoral Area "E" Advisory Planning Commission meeting be received.
2. Parks and Recreation Committees
 1. Similkameen Parks and Recreation Commission

THAT the minutes of the April 12, 2022 Similkameen Parks and Recreation Commission meeting be received.
 2. Similkameen Parks and Recreation Commission Annual General Meeting

THAT the minutes of the April 12, 2022 Similkameen Parks and Recreation Annual General Meeting be received.
 3. OK Falls Parks and Recreation Commission

THAT the minutes of the April 7, 2022 OK Falls Parks and Recreation Commission meeting be received.
 4. Kaleden Parks and Recreation Commission

THAT the minutes of the April 19, 2022 Kaleden Parks and Recreation Commission meeting be received.
3. Commission Appointments

THAT the Board of Directors appoint Amanda Dean and Laura Dean to the Electoral Area "F" Parks and Recreation Commission for a two-year term, ending December 31, 2023.
4. Board and Committee
 1. Community Services Committee

THAT the Minutes of the April 21, 2022 Community Services Committee meeting be received.

2. Corporate Services Committee

THAT the Minutes of the April 21, 2022 Corporate Services Committee meeting be received.

3. Environment and Infrastructure Committee

THAT the Minutes of the April 21, 2022 Environment and Infrastructure Committee meeting be received.

4. Planning and Development Committee

THAT the Minutes of the April 21, 2022 Planning and Development Committee meeting be received.

5. Protective Services Committee

THAT the Minutes of the April 21, 2022 Protective Services Committee meeting be received.

6. RDOS Regular Board Meeting

THAT the minutes of the April 21, 2022 RDOS Regular Board meeting be adopted.

A.2 Consent Agenda – Development Services

MOVED and SECONDED

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

1. Temporary Use Permit Application – Electoral Area “C” (C2022.006-TUP)

THAT Temporary Use Permit No. C2022.006-TUP, to allow a vacation rental use at 503 Wilson Mountain Road, be approved.

2. Development Variance Permit Application — Electoral Area “H” (H2022.012-DVP)

THAT Development Variance Permit No. H2022.012-DVP, to allow for the construction of a retaining wall with a covered wood storage at 3313 Coalmont Road be approved.

B. DEVELOPMENT SERVICES – Building Inspection

B.1 Building Bylaw Infraction - Civic Address: 925 Salting Road, Naramata

The Chair enquired whether the property owner or agent was present to address the Board and they were not.

MOVED and SECONDED

THAT a Notice on Title, pursuant to Section 302 of the *Local Government Act* and Section 57 of the *Community Charter* be filed against the title of lands described as Lot 2, DL 210 Plan 17543, SDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018; and

THAT if after May 31, 2022, the property is not in compliance with the Regional District of Okanagan-Similkameen Building Bylaw No. 2805, 2018, injunctive action be commenced against the property owners. - **CARRIED**

C. DEVELOPMENT SERVICES – Rural Land Use Matters**C.1 Temporary Use Permit Application – Electoral Area “D” (D2022.005-TUP)**

The Chair enquired whether the property owner was present to address the Board and they did so.

MOVED and SECONDED

THAT Temporary Use Permit No. D2022.005-TUP, to allow a vacation rental use at 3136 Vaseaux Lake Crescent, be denied. - **CARRIED**

Opposed: Directors Bush, Knodel, Pendergraft

C.2 Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “H” (H2022.004-ALC)**MOVED and SECONDED**

THAT the application to the Agricultural Land Commission for a “non-adhering residential use – Additional Residence for Farm Use at 2751 Highway 5 A be authorized to proceed. – **CARRIED**

C.3 Zoning Bylaw Amendment – Electoral Area “A” (A2021.020-ZONE)**MOVED and SECONDED**

THAT Bylaw No. 2800.07, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw be read a first and second time and proceed to public hearing; and

THAT prior to scheduling of a public hearing, a statutory covenant be prepared for the property located at 8111/8123 148th Ave/13803 Highway 97, and legally described as Lot 459, Plan KAP5895B, District Lot 2450S, SDYD, Portion PL 1949, Except Plan H126, prohibiting the construction of any agri-tourism accommodation sleeping units on that property. - **CARRIED**

MOVED and SECONDED

THAT the holding of the public hearing be delegated to Director Pendergraft; and

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

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

C.4 Zoning Bylaw Amendment – Electoral Area “D” (D2021.015-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2800.06, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw, be read a first and second time.

AMENDMENT - MOVED and SECONDED

THAT Bylaw No. 2800.06, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw, proceed to public hearing. - **CARRIED**

Question on the main motion as amended:

THAT Bylaw No. 2800.06, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw, be read a first and second time and proceed to public hearing. - **CARRIED**

MOVED and SECONDED

THAT the holding of the public hearing be delegated to Director Obirek; and

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

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

THAT prior to adoption of the Okanagan Valley Zoning Amendment Bylaw No. 2800.06, 2022, a statutory covenant is registered on the title of Lots A & B, Plan EPP54703, District Lot 2883S, SDYD, in order that no building permit will be issued until:

1. the area identified as “Proposed Amenity Dedication Area”, and as shown on Attachment No. 3 in the Administrative Report from the Chief Administrative Officer dated May 5, 2022, has been donated to the Regional District in fee simple title; and,

2. the License of Occupation over Crown lands (Crown Lands File No. 3408764), and which involves a seating “pavilion” is transferred to the Regional District. – **CARRIED**

C.5 Zoning Bylaw Amendment – Electoral Area “D” (D2021.021-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2800.08, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw be read a first and second time and proceed to public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 2, 2022; and

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

C.6 Official Community Plan (OCP) Amendment – Electoral Area “E” (E2022.005-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2458.18, 2022, Electoral Area “E” Official Community Plan Amendment Bylaw be read a first and second time; and

THAT the Board of Directors considers, in accordance with Section 12(4)(b) of the Riparian Areas Protection Act, that the requirements for an Expedited Watercourse Development Permit contained in Bylaw No. 2876, 2020, provides a level of protection that is comparable to or exceeds that established by the Riparian Areas Protection Regulation; and

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated May 5, 2022, 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. 2458.18, 2022, 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 June 2, 2022; and

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

- C.7 Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “E” (E2021.014-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2458.17, 2022, a bylaw to amend the Electoral Area “E” Official Community Plan; and,

THAT Bylaw No. 2800.05, 2022, a bylaw to amend the Okanagan Valley Zoning 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 May 5, 2022, 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. 2458.17, 2022, 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 June 2, 2022; and,

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

- C.8 Zoning Bylaw Amendment – Electoral Area “E” (E2021.023-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2800.09, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw, be read a first and second time and proceed to public hearing. - **CARRIED**

MOVED and SECONDED

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

THAT the date, time, and place of the public hearing be scheduled 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**

- C.9 Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H” (H2021.024-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2497.13, 2022, a bylaw to amend the Area “H” Official Community Plan; and,

THAT Bylaw No. 2498.24, 2022, a bylaw to amend the Area “H” Zoning 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 May 5, 2022, 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. 2497.13, 2022, 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 June 2, 2022; and,

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

- C.10 Zoning Bylaw Amendment – Electoral Area “I” (I2021.026-ZONE)

MOVED and SECONDED

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.10, 2022, be read a first and second time and proceed to public hearing; and THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 2, 2022; and

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

Opposed: Directors Roberts, Bush

- C.11 Environmentally Sensitive Development Permit (ESDP) Area Review (X2020.009-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2912, 2022 a bylaw to update the Environmentally Sensitive Development Permit Area in Official Community Plans, be postponed; and

THAT Bylaw No. 2500.17, 2022, a bylaw to amend the Development Procedures Bylaw, be postponed. **CARRIED**

Opposed: Directors Roberts, Bauer, Knodel, Allison, Pendergraft

C.12 Okanagan Valley Zoning Amendment Bylaw No. 2800 (X2022.008-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2800.01, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw to address a number of mapping errors be read a first and second time and proceed to public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 2, 2022; and

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

C.13 Zoning Bylaw Amendment – Electoral Areas “A”, “C”, “D”, “E”, “F” & “I” - Regulation of Metal Storage Containers (X2020.006-ZONE)

MOVED and SECONDED

THAT second reading of Bylaw No. 2895, 2020, a bylaw to amend the Okanagan-Similkameen Metal Storage Container Regulations Zoning Bylaw, be rescinded. -

CARRIED

MOVED and SECONDED

THAT Bylaw No. 2895, 2020 be read a second time.

AMENDMENT - MOVED and SECONDED

THAT Bylaw No. 2895, 2020 be amended to introduce zoning regulations governing the use and placement of metal storage containers with the Okanagan Electoral Area zoning bylaws. - **CARRIED**

Question on the main motion as amended:

THAT Bylaw No. 2895, 2020 be read a second time as amended. - **CARRIED**

MOVED and SECONDED

THAT the holding of the public hearing be delegated to Chair Pendergraft; and

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

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

- C.14 Official Community Plan & Zoning Bylaw Amendments – Electoral Area “F” (F2021.018-ZONE)

Director Gettens requested that the recommendation be split and voted on separately

MOVED and SECONDED

THAT Bylaw No. 2790.04, 2022, a bylaw to amend the Electoral Area "F" Official Community Plan be read a third time. - CARRIED

MOVED and SECONDED

THAT Bylaw No. 2461.21, 2022, a bylaw to amend the Electoral Area "F" Zoning Bylaw be read a third time.

AMENDMENT - MOVED and SECONDED

THAT Bylaw No. 2461.21, 2022, a bylaw to amend the Electoral Area “F” Zoning Bylaw be amended to say that the minimum parcel size for subdivision is 2 hectares unless the proposed densification is serviced by community sewer and storm water management system. - CARRIED

Question on the main motion as amended:

THAT Bylaw No. 2461.21, 2022, a bylaw to amend the Electoral Area “F” Zoning Bylaw be read a third time as amended. – CARRIED

- C.15 Petition to Enter Naramata Fire Service Area – Electoral Area “E” (E2021.001-SAP)

MOVED and SECONDED

THAT Bylaw No. 2968, 2022, a bylaw to amend the Naramata Fire Prevention and Suppression Local Service Establishment Bylaw be read a first, second and third time. – CARRIED

- C.16 Official Community Plan (OCP) Amendment – Electoral Area “D” (D2021.022-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2603.23, 2022, a bylaw to amend the Electoral Area “D” Official Community Plan be read a third time and adopted. – CARRIED

- C.17 Watercourse Development Permit Area Update (X2022.002-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2950, 2022 being a bylaw to amend the Official Community Plan Bylaws to update watercourse development permit area guidelines and exemptions, be read a third time and adopted; and

THAT Bylaw No. 2500.25, 2022 being a bylaw to amend the Development Procedures Bylaw to introduce requirements for retroactive watercourse development permits, be read a third time and adopted. – **CARRIED**

- C.18 OCP Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E”, “F”, “H”, & “I” (X2022.001-ZONE)

MOVED and SECONDED

THAT Bylaw No. 2956, 2022, being a bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F”, “H”, and “I” Official Community Plan Bylaws, be read a third time and adopted.
- **CARRIED**

- C.19 Items Removed from Consent Agenda

No items were removed from Consent Agenda - Development Services.

D. FINANCE

- D.1 Receiving RDOS 2021 Audited Financial Statements

Sinead Scanlon, BDO Canada presented the RDOS 2021 Audited Financial Statements

MOVED and SECONDED

THAT the Audited Financial Statements of the Regional District of Okanagan Similkameen, as of December 31, 2021 be received: and

THAT all reported 2021 transactions be adopted as amendments to the 2021 Financial Plan. – **CARRIED**

E. LEGISLATIVE SERVICES

- E.1 Items Removed from Consent Agenda

No items were removed from Consent Agenda - Corporate Issues.

F. CAO REPORTS

- F.1 Verbal Update

G. OTHER BUSINESS

- G.1 Chair's Report
- G.2 Directors Motions
- G.3 Board Members Verbal Update

H. ADJOURNMENT

MOVED and SECONDED

THAT the meeting adjourn. - **CARRIED**

The meeting adjourned at 4:05 pm.

APPROVED:



Mr. Pendergraft, BBOS Board Chair

CERTIFIED CORRECT:



B. Newell, Corporate Officer