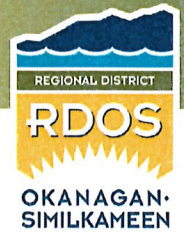


APPROVED MAY 9, 2019

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 2:46 p.m. Thursday, April 18, 2019 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director J. Bloomfield, City of Penticton
Director T. Boot, District of Summerland
Director G. Bush, Electoral Area "B"
Director B. Coyne, Electoral Area "H"
Director S. Coyne, Town of Princeton
Director R. Gettens, Electoral Area "F"
Director D. Holmes, District of Summerland
Director J. Sentes, Alt. City of Penticton

Director R. Knodel, Electoral Area "C"
Director S. McKortoff, Town of Osoyoos
Director S. Monteith, Electoral Area "I"
Director M. Pendergraft, Electoral Area "A"
Director R. Obirek, Electoral Area "D"
Director F. Regehr, City of Penticton
Director T. Roberts, Electoral Area "G"
Director J. Vassilaki, City of Penticton
Director P. Veintimilla, Town of Oliver

MEMBERS ABSENT:

Director J. Kimberley, City of Penticton

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services
J. Kurvink, Manager of Finance
C. Garrish, Manager of Planning

B. Dollevoet, General Manager of Development Services
J. Shuttleworth, Manager of Parks & Facilities
L. Miller, Manager of Building and Enforcement 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 18, 2019 be adopted. - **CARRIED**

1. Consent Agenda – Corporate Issues

a. Community Services Committee – April 4, 2019

THAT the Minutes of the April 4, 2019 Community Services Committee meeting be received.

b. Environment and Infrastructure Committee – April 4, 2019

THAT the Minutes of the April 4, 2019 Environment and Infrastructure Committee meeting be received.

THAT the Board of Directors provide a letter of support for the Carmi Recreation Trails Group application to Ministry of Forest, Lands and Natural Resource Operations and Rural Development to convert the Upper Carmi Intensive Recreation area to a Community Forest.

- c. Protective Services Committee – April 4, 2019
THAT the Minutes of the April 4, 2019 Protective Services Committee meeting be received.
- d. RDOS Regular Board Meeting – April 4, 2019
THAT the minutes of the April 4, 2019 RDOS Regular Board meeting be adopted.
- e. Kobau Park Annual General Meeting – March 5, 2019
THAT the minutes of the March 5, 2019 Annual General meeting be received.
- f. Kobau Park Commission– March 5, 2019
THAT the minutes of the March 5, 2019 Kobau Park Commission meeting be received.
- g. Similkameen Recreation Commission – March 5, 2019
THAT the minutes of the March 5, 2019 Similkameen Recreation Commission meeting be received.
- h. Similkameen Recreation Commission – April 2, 2019
THAT the minutes of the April 2, 2019 Similkameen Recreation Commission meeting be received.
- i. Area “F” Parks and Recreation Commission– March 13, 2019
THAT the minutes of the March 13, 2019 Area “F” Parks and Recreation Commission meeting be received.
- j. Kaleden Recreation Commission - March 13, 2019
THAT the minute of the March 13, 2019 Kaleden Recreation Commission meeting be received.
- k. Okanagan Falls Parks and Recreation Commission – March 14, 2019
THAT the minutes of the March 14, 2019 Okanagan Falls Parks and Recreation Commission meeting be received.
- l. Electoral Area “F” Advisory Planning Commission (APC) Appointments
THAT the Board of Directors appoint the following as members of the Electoral Area “F” Advisory Planning Commission until October 31, 2022: Gerard (Gerry) Lalonde, & Don Barron

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 — 1316 Smethurst Road, Electoral Area “E”
 - i. Permit
 - ii. Representations

THAT the Board of Directors approve Development Variance Permit No. E2019.002-DVP.
- b. Development Variance Permit Application — 2930 Arawana Road, Electoral Area “E”
 - i. Permit

THAT the Board of Directors approve Development Variance Permit No. E2019.007-DVP.
- c. Temporary Use Permit Application — 2589 Naramata Road, Naramata, Electoral Area “E”
 - i. Permit
 - ii. Representations

THAT the Board of Directors approve Temporary Use Permit No. E2019.003-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 – Building Inspection

1. Building Bylaw Infraction, 104 Lockie Road (expired building permit)

The Chair enquired whether the property owner was present to address the Board; however, they were not.

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 5, Plan KAP44042, District Lot 596, YDYD, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333. - **CARRIED**

C. DEVELOPMENT SERVICES – Untidy/Unsightly Bylaw Enforcement

1. Untidy and Unsightly Property Contravention, 5208 9th Avenue, Okanagan Falls

The Chair enquired whether the property owner was present to address the Board; however, they were not.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the RDOS commence the formal process to bring Lot 1, District Lot 374, SDYD, Plan KAP43911 (5208 – 9th Avenue) into compliance with the Regional District of Okanagan-Similkameen’s Untidy and Unsightly Premises Bylaw No. 2326, 2004. - **CARRIED**

D. DEVELOPMENT SERVICES – Rural Land Use Matters

1. Enforcement of Non-conforming Use, 833 Fish Lake Road, Electoral Area “F”

The Chair enquired whether the property owner was present to address the Board. The lawyer for the property owner addressed the Board.

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

THAT Regional District Board commence injunctive action with respect to the use of the property at 833 Fish Lake Road (legally described as Lot 1, Plan KAP293, District Lot 154, ODYD, Portion shown on Plan B951, Except Plan 30904) for the purposes of a motocross track. - **CARRIED**

Opposed: Directors Regehr, S. Coyne, B. Coyne, Bloomfield, Bauer, Bush, Vassilaki, Sentes, Knodel

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2. Official Community Plan (OCP) & Zoning Bylaw Amendments – 5021 Highway 97C (Elkhart Lodge), Electoral Area “H”
 - a. Bylaw No. 2497.10
 - b. Bylaw No. 2498.17
 - c. Draft covenant

To allow for a service station, drive-thru restaurant, commercial card-lock facility and highway maintenance yard (“outdoor storage”)

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2497.10, 2019, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.17, 2018, Electoral Area “H” Zoning Amendment 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 the report from the Chief Administrative Officer dated April 18, 2019, 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. 2497.10, 2019, 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 May 9, 2019;

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

AND THAT, prior to adoption, a statutory covenant is registered on the title of the subject property (legally described as Lot 1, Plan KAP68315, DL 4531, KDYD), in order to require that a Storm Drainage System including a Contamination Prevention System be installed on-site.

CARRIED

3. Agricultural Land Commission Referral (“non-farm” use) – 48 Savanna Road, Electoral Area “F”

To allow for farm labour accommodation in the Agricultural Land Reserve

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 48 Savanna Road (District Lot 3762, ODYD, Portion S ½) in Electoral Area “F” to proceed to the Agricultural Land Commission;

AND THAT the Agricultural Land Commission be advised that the Board of Directors supports the use of a statutory covenant registered under Section 219 of the *Land Title Act* in order to require that:

- the use of the sleeping units is restricted to farm labour only;
- the structure be removed from the property once an on-going need for farm labour no longer exists;
- the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another; and
- the foundation be temporary in nature (i.e. not concrete).

It was MOVED and SECONDED

THAT the motion be amended to remove requirement for temporary foundation. -

CARRIED

Question on the Main Motion

THAT the Board of Directors “authorize” the application for a “non-adhering residential use – additional residence for farm use” at 48 Savanna Road (District Lot 3762, ODYD, Portion S ½) in Electoral Area “F” to proceed to the Agricultural Land Commission;

AND THAT the Agricultural Land Commission be advised that the Board of Directors supports the use of a statutory covenant registered under Section 219 of the *Land Title Act* in order to require that:

- the use of the sleeping units is restricted to farm labour only;
- the structure be removed from the property once an on-going need for farm labour no longer exists;
- the structure be constructed or manufactured in a manner that makes it easily moveable from one location to another.

CARRIED

4. Official Community Plan (OCP) & Zoning Bylaw Amendments – 176 Chadwell Place, Electoral Area “D”
- a. Bylaw No.2603.17
 - b. Bylaw No. 2455.40
 - c. Responses Received

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw are related to the introduction of a Parks and Recreation (PR) Zone over the parcel at 176 Chadwell Place in the “Heritage Hills” community of Electoral Area “D”. The Regional District has recently acquired this parcel for parkland purposes.

RECOMMENDATION 9 (Unweighted Rural Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2603.17, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a third time and adopted.

It was MOVED and SECONDED

THAT the matter be postponed for six months – **CARRIED**

5. Early Termination of a Land Use Contract – 781 Highway 97, Okanagan Falls, Electoral Area “D”
 - a. Bylaw No.2603.18
 - b. Bylaw No. 2455.32

To replace Land Use Contract No. LU-12-D-76 with a Small Holdings Four (SH4) Zone.

RECOMMENDATION 10 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2603.18, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.32, 2019, Electoral Area “D” Zoning Amendment Bylaw be adopted. - **CARRIED**

E. COMMUNITY SERVICES – Rural Projects

1. Provincial License of Occupation Application – Okanagan Falls Public Boat Launch

To acquire tenure over the Crown foreshore parcel that underlies the public boat launch in Okanagan Falls for a ten-year period

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors support an application to the Province of British Columbia for a License of Occupation (LOO) over a Crown foreshore parcel in Okanagan Falls for 10 years. - **CARRIED**

F. FINANCE

1. Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure
 - a. Bylaw No. 2853
 - b. Drawings

RECOMMENDATION 12 (Weighted Corporate Vote – 2/3 Majority)

It was MOVED and SECONDED

THAT Bylaw No.2853, 2019, Oliver/Electoral Area C Parks & Recreation Society Services Capital Reserve Fund Expenditure Bylaw for the expenditure of \$165,000 towards improvements of the community centre administration area be read a first, second and third time and be adopted. - **CARRIED**

G. LEGISLATIVE SERVICES

1. Sun Valley Water System Borrowing Bylaw
 - a. Bylaw No. 2837

To abandon a bylaw that no longer has a purpose.

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT first, second and third readings of Bylaw No. 2837, 2018 Sun Valley Water System Borrowing Bylaw be rescinded and the bylaw abandoned. - **CARRIED**

2. Fireworks Regulation and Prohibition Bylaw
 - a. Bylaw No. 2854

To bring forward a bylaw prohibiting the sale or disposal of fireworks in Electoral Areas “D”, “F” and “I” before the expected fire season begins.

RECOMMENDATION 14 (Unweighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2854, 2019 Electoral Areas “D”, “F” and “I” Fireworks Regulation and Prohibition Bylaw be read a first, second and third time and be adopted. - **CARRIED**

H. CAO REPORTS

- a. Verbal Update
-

I. OTHER BUSINESS

1. Chair’s Report
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2. Board Representation

- a. BC Grape Growers Association and Starling Control – *Bush, Monteith (Alternate)*
- b. BC Rural Centre (formerly Southern Interior Beetle Action Coalition) – *Gettens, Obirek (Alternate)*
- c. Intergovernmental First Nations Joint Council - *Kozakevich, Bauer, Pendergraft*
- d. Municipal Finance Authority – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
- e. Municipal Insurance Association – *Kozakevich (Chair), Bauer (Vice Chair, Alternate)*
- f. Okanagan Basin Water Board - *McKortoff, Boot, Knodel, Pendergraft (Alternate to McKortoff), Holmes (Alternate to Boot), Monteith (Alternate to Knodel)*
- g. Okanagan Film Commission – *Gettens, Holmes (Alternate)*
- h. Okanagan Nation Alliance Steering Committee – *Kozakevich, Monteith (Alternate)*
- i. Okanagan Regional Library – *Kozakevich, Roberts (Alternate)*
- j. Okanagan-Kootenay Sterile Insect Release Board – *Bush, Knodel (Alternate)*

- k. Okanagan-Similkameen Regional Hospital District – *Veintimilla, Boot (Alternate)*
 - l. South Okanagan Similkameen Fire Chief Association – *Pendergraft, Knodel, Monteith, Obirek, Roberts*
 - m. South Okanagan Similkameen Rural Healthcare Community Coalition (formerly Developing Sustainable Rural Practice Communities) – *McKortoff, Bauer (Alternate)*
 - n. Southern Interior Municipal Employers Association – *Knodel, Kozakevich (Alternate)*
 - o. UBCO Water Research - Chair Advisory Committee – *Holmes, Bauer (Alternate)*
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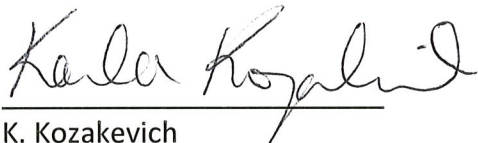
3. Directors Motions

4. Board Members Verbal Update

J. ADJOURNMENT

By consensus, the meeting adjourned at 4:35 p.m.

APPROVED:



K. Kozakevich
RDOS Board Chair

CERTIFIED CORRECT:



B. Newell
Corporate Officer