

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING

Thursday, September 7, 2023

RDOS Boardroom

101 Martin Street, Penticton, BC V2A 5J9



|                  |   |   |
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| MEMBERS PRESENT: | Chair M. Pendergraft, Electoral Area "A"<br>Vice-Chair S. Coyne, Town of Princeton<br>Director J. Bloomfield, City of Penticton<br>Director G. Bush, Electoral Area "B"<br>Director B. Coyne, Electoral Area "H"<br>Director A. Fedrigo, Electoral Area "E"<br>Director R. Graham, City of Penticton<br>Director D. Holmes, District of Summerland<br>Director R. Knodel, Electoral Area "C"<br>Director H. Konanz, City of Penticton | Director S. McKortoff, Town of Osoyoos<br>Director J. Miller, City of Penticton<br>Director S. Monteith, Electoral Area "I"<br>Director T. Roberts, Electoral Area "G"<br>Director M. Taylor, Electoral Area "D"<br>Director M. Van Alphen, District of Summerland<br>Director J. Wiebe, Village of Keremeos<br>Alt. Director I. Gilbert, City of Penticton<br>Alt. Director P. Veintimilla, Town of Oliver |
| MEMBERS ABSENT:  | Director R. Gettens, Electoral Area "F"<br>Director M. Johansen, Town of Oliver   | Director C. Watt, City of Penticton   |
| STAFF PRESENT:   | B. Newell, Chief Administrative Officer<br>C. Garrish, Senior Manager of Planning Services  | C. Malden, Senior Manager of Legislative Services<br>B. Kent, Planner I<br>S. Duong, Planner II   |

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The meeting was called to order at 11:31 am.

### A. APPROVAL OF AGENDA

#### MOVED and SECONDED

That the Agenda for the RDOS Board Meeting of September 7, 2023 be adopted.-**CARRIED**

#### A.1 Consent Agenda - Corporate Issues

##### MOVED and SECONDED

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

#### A.1.1 Advisory Planning Commissions

##### A.1.1.1 Electoral Area "D" Advisory Planning Commission Minutes

*THAT the Minutes of the August 14, 2023 Electoral Area "D" Advisory Planning Commission meeting be received.*

A.1.1.2 Electoral Area "E" Advisory Planning Commission Minutes

*THAT the Minutes of the August 14, 2023 Electoral Area "E" Advisory Planning Commission meeting be received.*

A.1.2 Naramata Water Advisory Committee Minutes

*THAT the Minutes of the July 5, 2023 Naramata Water Advisory Committee meeting be received.*

A.1.3 Protective Services Committee

*THAT the Minutes of the August 17, 2023 Protective Services Committee meeting be received.*

A.1.4 Corporate Services Committee

*THAT the Minutes of the August 17, 2023 Corporate Services Committee meeting be received.*

A.1.5 Environment and Infrastructure Committee

*THAT the Minutes of the August 17, 2023 Environment and Infrastructure Committee meeting be received.*

A.1.6 RDOS Board of Directors Meeting

*THAT the Minutes of the August 17, 2023 RDOS Board of Directors meeting be received.*

A.2 Consent Agenda - Development Services

**MOVED and SECONDED**

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

A.2.1 Temporary Use Permit Application – Electoral Area “F” (F2023.023-TUP)

THAT Temporary Use Permit No. F2023.023-TUP, to allow a vacation rental use at 432 Highway 97, be approved.

**B. DEVELOPMENT SERVICES - Rural Land Use Matters**

B.1 Letter of Concurrence (Telus) – Electoral Area “I” (I2023.001-CL)

Director Taylor asked the Board to consider a presentation from a resident who is significantly affected by the proposed location of the tower. Consent to hear the resident was unanimous.

**MOVED and SECONDED**

THAT the Board permit a presentation on this issue.-**CARRIED**

**MOVED and SECONDED**

THAT a “Letter of Concurrence” be sent to Innovation, Science, and Economic Development Canada in relation to a proposed telecommunication tower BC109948 to be located at 1609 Green Lake Road.-**CARRIED**

**Opposed: Directors Graham, Roberts, Veintimilla**

- B.2 Development Variance Permit Application — Electoral Area “E” (E2023.020-DVP)

**MOVED and SECONDED**

THAT Development Variance Permit No. E2023.020-DVP, to formalize an indoor cannabis production building at 2864 Arawana Road, be approved.-**CARRIED**

**Opposed: Director Monteith**

- B.3 Temporary Use Permit Application – Electoral Area “H” (H2023.016-TUP)

*The property owner or agent was present to address the Board.*

**MOVED and SECONDED**

THAT the Board of Directors deny Temporary Use Permit No. H2023.016-TUP.-

**DEFEATED**

**Opposed: Directors Bush, Knodel, Monteith, Pendergraft, Roberts, Taylor**

**MOVED and SECONDED**

THAT Temporary Use Permit No. H2023.016-TUP, to allow a tourist accommodation use at 175 Towers Road in Eastgate, be approved.-**CARRIED**

**Opposed: Directors B. Coyne, Fedrigo**

- B.4 Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “C” (C2023.003-ALC)

*The property owner or agent was present to address the Board.*

**MOVED and SECONDED**

THAT the application to the Agricultural Land Commission for a non-adhering residential use – Additional Residence for Farm Use at 3574 Fruitvale Way not be authorized to proceed.-**DEFEATED**

**Opposed: Directors Bloomfield, Bush, B. Coyne, S. Coyne, Graham, Konanz, McKortoff, Miller, Monteith, Veintimilla**

**MOVED and SECONDED**

THAT the RDOS Board “authorize” the application for a “non-adhering residential use – Additional Residence for Farm Use” at 3574/3570 Fruitvale Way (Lot A, District Lot 2450S, SDYD, Plan 38732) to proceed to the Agricultural Land Commission.-**CARRIED**

**Opposed: Directors Fedrigo, Gilbert, Holmes, Knodel, Roberts, Taylor, Van Alphen, Wiebe**

- B.5. Agricultural Land Commission Referral (Non-Adhering Residential Use) – Electoral Area “C” (C2023.004-ALC)

*The property owner or agent was present to address the Board.*

**MOVED and SECONDED**

THAT the application for a non-adhering residential use – Additional Residence for Farm Use to retain an oversized accessory dwelling for farm labour accommodation at 3502/3542/3548 Fruitvale not be authorized to proceed to the Agricultural Land Commission.-**CARRIED**

**Opposed: Directors Bloomfield, Bush, B. Coyne, Konanz, Miller, Monteith, Pendergraft, Veintimilla**

- B.6 Electoral Area “E” OCP Bylaw No. 3010, 2023 (E2021.027-ZONE)

**MOVED and SECONDED**

THAT Bylaw No. 3010, 2023, a bylaw to adopt the Electoral Area “E” Official Community Plan and to repeal Bylaw 2458, 2008, be sent to the Electoral Area “E” APC.-**CARRIED**

- B.7 Zoning Bylaw Amendment – Electoral Area “E” (E2023.008-ZONE)

**MOVED and SECONDED**

THAT Bylaw No. 2800.24, 2023, being a bylaw to amend the Okanagan Valley Zoning Bylaw to allow for an organics treatment and processing facility at 1313 Greyback Mountain Road, 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 Fedrigo; and,

THAT notice of the public hearing comply with the requirements of the *Local Government Act*.-**CARRIED**

**Opposed: Director Graham**

- B.8 Zoning Bylaw Amendment – Electoral Area “E” (E2023.002-ZONE)

**MOVED and SECONDED**

THAT Bylaw No. 2800.26, 2023, a bylaw to amend the Okanagan Valley Zoning Bylaw to allow an accessory dwelling on a parcel less than 1.0 ha in area at 3205 Rushbury Place in Naramata, be denied.-**CARRIED**

- B.9 Petition to Enter Service Area – Electoral Area “E” (E2022.008-SAP)

**MOVED and SECONDED**

THAT first, second and third readings of Bylaw No. 3001, 2023, a bylaw to extend the Naramata Water System to include the property at 3870 Vineyard Lane, be rescinded and the bylaw abandoned.-**CARRIED**

- B.10 Petition to Enter Service Area – Electoral Area “H” (H2023.001-SAP)

**MOVED and SECONDED**

THAT Bylaw No. 1574.03, 2023, a bylaw to amend the Tulameen Fire Prevention and Suppression Local Service Establishment Bylaw to include three properties on Coalmont Road, be adopted.-**CARRIED**

- B.11 Zoning Bylaw Amendment - Mobiles as “Accessory Dwellings” on parcels greater than 1.0 ha in area (X2023.007-ZONE)

**MOVED and SECONDED**

THAT Bylaw No. 2800.29, 2023, a bylaw to amend the Okanagan Valley Zoning Bylaw to allow for “mobile homes” as a type of accessory dwelling unit on parcels greater than 1.0 ha in area be adopted.-**CARRIED**

**C. FINANCE**

- C.1 Bylaw 3028, 2023 - Area “C” Growing Community Fund Reserve Expenditure Bylaw

**MOVED and SECONDED**

THAT Bylaw No. 3028, 2023, being a bylaw to withdraw \$300,000 from the Area “C” Growing Community Fund (GCF) Reserve to fund a capital upgrade of the Oliver Parks and Recreation Kitchen, be given first, second and third reading and adopted.-**CARRIED**

**D. LEGISLATIVE SERVICES**

- D.1 Elected Official Code of Conduct Policy

**MOVED and SECONDED**

1. THAT the Code of Ethics Policy be rescinded.
2. THAT the Elected Official Code of Conduct Policy as attached to the administrative report of September 7, 2023 be adopted.-**CARRIED**  
**Opposed: Director Holmes**

- D.2 Policy Review

**MOVED and SECONDED**

1. THAT the Communications Policy be adopted, as amended in the September 7, 2023 administrative report.
2. THAT the Information Systems Use and Social Media Policy be rescinded.
3. THAT the Social Media Policy, Information Systems Appropriate Use Policy, and Voyent Alert! Usage Policies, as presented in the September 7, 2023 administrative report, be adopted.-**CARRIED**

D.3 Request for Letter of Support – Okanagan Falls Legion

**MOVED and SECONDED**

THAT the Regional District provide a letter of support to Royal Canadian Legion Branch 227 (Okanagan Falls) for their New Horizons Grant application toward the cost of handicap toilets, safety bars, new furnace and automatic doors in the Legion facility.-

**CARRIED**

D.4 Bylaw Housekeeping

**MOVED and SECONDED**

THAT Bylaw No. 3029, 2023, a bylaw of the Regional District of Okanagan-Similkameen to repeal Bylaw Nos. 1505/94; 1638/95; and 2789/21; be read a first, second and third time and be adopted.

THAT first, second and third readings of Bylaw Nos. 2262/04; 2263/04; and 2285/04; being Mosquito Control bylaws that did not proceed, be rescinded and the bylaws abandoned.-**CARRIED**

D.5 Kaleden Volunteer Fire Department Level of Service

**MOVED and SECONDED**

THAT the Kaleden Volunteer Fire Department be authorized to operate as an Interior Operations Service Level fire department in accordance with the BCOFC Structure Firefighters Competency and Training Playbook.-**CARRIED**

**E. CAO REPORTS**

E.1 Verbal Update

**F. OTHER BUSINESS**

F.1 Chair's Report

F.2 Directors Motions

F.2.1 Motion - Director Roberts

**MOVED and SECONDED**

THAT S. 6.6 of the Board Procedure Bylaw be suspended to allow this notice of motion to be considered at the September 7<sup>th</sup> meeting.-**CARRIED**

**MOVED and SECONDED**

THAT the Board organize a joint RDOS staff and Board get together held at an offsite, catered venue.-**CARRIED**

**Opposed: Director Bush, Miller**

F.2.2 Notice of Motion – Director Fedrigo

THAT the Board have a discussion about applying for an ETSI-BC Grant, either regionally or sub-regionally, which closes at the end of October.

F.2.3 Motion – Director Konanz – Hwy 97 Alternative Route

**MOVED and SECONDED**

THAT S. 6.6 of the Board Procedure Bylaw be suspended to allow this notice of motion to be considered at the September 7<sup>th</sup> meeting. **-CARRIED**

**MOVED and SECONDED**

THAT the RDOS Board send a letter to the appropriate level of government for a permanent alternative road to Highway 97 from the South Okanagan to Kelowna. **-CARRIED**

F.3 Board Members Verbal Update

*Director B. Coyne left the meeting at 2:26 pm.*

**G. CLOSED SESSION - Receipt of Closed Session Minutes**

**MOVED and SECONDED**

THAT in accordance with Section 90(1)(c) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations. **-CARRIED**

*The meeting closed to the public at 2:26 pm and re-opened to the public at 2:40 pm*

**I. ITEMS COMING OUT OF CLOSED SESSION**

The Chair reported in open session that the Board of Directors resolved the following:

From the August 3, 2023, in camera Board meeting, “THAT Jim Zaffino be named as Deputy CAO to act in that capacity in the absence of the CAO;” and,

From the August 17, 2023 in camera Board meeting, “THAT the wages for the exempt group of employees be calculated using the most comparable positions from the benchmark jurisdictions in alignment with the Hay point method job evaluation analysis, and THAT the salary adjustments be effective September 1, 2023.”

**I. ADJOURNMENT**

**MOVED and SECONDED**

THAT the meeting adjourn at 2:41 pm. **-CARRIED**

**APPROVED:**

*“Original signed by:”*

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M. Pendergraft, Chair

**CERTIFIED CORRECT:**

*“Original signed by:”*

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B. Newell, Corporate Officer