

# REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

## BOARD of DIRECTORS MEETING



Thursday, October 3, 2024  
RDOS Boardroom  
101 Martin Street, Penticton, BC V2A 5J9

MEMBERS PRESENT: Chair M. Pendergraft, Electoral Area "A"  
Vice-Chair S. Coyne, Town of Princeton  
Director J. Bloomfield, City of Penticton  
Director G. Bush, Electoral Area "B"  
Director A. Fedrigo, Electoral Area "E"  
Director R. Gettens, Electoral Area "F"  
Director R. Graham, City of Penticton  
Director I. Gilbert, City of Penticton  
Director D. Holmes, District of Summerland  
Director M. Johansen, Town of Oliver  
Director R. Knodel, Electoral Area "C"  
Director H. Konanz, City of Penticton  
Director T. Roberts, Electoral Area "G"  
Director M. Taylor, Electoral Area "D"  
Director C. Watt, City of Penticton  
Director J. Wiebe, Village of Keremeos  
Alt. Director G. Manning, Electoral Area "I"  
Alt. Director J. King, Town of Osoyoos

MEMBERS ABSENT: Director B. Coyne, Electoral Area "H"  
Director S. McKortoff, Town of Osoyoos  
Director S. Monteith, Electoral Area "I"  
Director M. Van Alphen, District of Summerland

STAFF PRESENT: J. Zaffino, CAO  
N. Evans-MacEwan, CFO  
C. Malden, Corporate Officer  
N. Sime, Legislative Services Clerk

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The meeting was called to order at 12:49 pm.

### A. APPROVAL OF AGENDA

#### MOVED and SECONDED

That the Agenda for the RDOS Board Meeting of September 5, 2024 be adopted.-**CARRIED**

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

##### APPROVED and SECONDED

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

#### A.1.1 Advisory Planning Commissions

##### A.1.1.1 Electoral "I" Advisory Planning Commission

*THAT the Minutes of the August 6, 2024 Electoral "I" Advisory Planning Commission meeting be received.*

##### A.1.1.2 Electoral "E" Advisory Planning Commission

*THAT the Minutes of the September 9, 2024 Electoral "E" Advisory Planning Commission meeting be received.*

A.1.2 Parks and Recreation Commissions

A.1.2.1 Similkameen Parks and Recreation Commission

*THAT the Minutes of the September 10, 2024 Similkameen Parks and Recreation Commission meeting be received.*

A.1.2.2 Okanagan Falls Parks and Recreation Commission

*THAT the Minutes of the August 22, 2024 Okanagan Falls Parks and Recreation Commission meeting be received.*

A.1.2.3 Kaleden Parks and Recreation Commission

*THAT the Minutes of the August 20, 2024 Kaleden Parks and Recreation Commission meeting be received.*

A.1.3 Corporate Services Committee

*THAT the Minutes of the September 5, 2024 Corporate Services Committee meeting be adopted.*

A.1.4 Environment and Infrastructure Committee

*THAT the Minutes of the September 5, 2024 Environment and Infrastructure Committee meeting be adopted.*

A.1.5 RDOS Board of Directors Meeting

*THAT the Minutes of the September 5, 2024 RDOS Board of Directors meeting be adopted.*

A.1.6 RDOS Board of Directors Meeting

*THAT the Minutes of the August 15, 2024 RDOS Board of Directors meeting be adopted.*

A.2 Consent Agenda - Development Services

**MOVED and SECONDED**

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

A.2.1 Development Variance Permit Application — Electoral Area "A" (A2024.024-DVP)

THAT Development Variance Permit No. A2024.024-DVP, to allow for the construction of a single detached dwelling at 13821 148<sup>th</sup> Avenue, be approved.

A.2.2 Development Variance Permit Application — Electoral Area “H” (H2024.0028-DVP)

THAT Development Variance Permit No. H2024.028-DVP, for one single detached dwelling, one greenhouse and four accessory building at 1245 Baker Hill Road, be approved.

A.2.3 Temporary Use Permit Application – Electoral Area “D” (D2024.019-TUP)

THAT Temporary Use Permit No. D2024.019-TUP, to allow for a recycling materials and drop-off facility at 5009 Veterans Way, Okanagan Falls, be approved.

**B. DEVELOPMENT SERVICES - Building Inspection**

B.1 Building Bylaw Infraction – 2611 Green Mountain Road, Keremeos BC

*The Chair enquired whether the property owner or agent was available to address the Board; however they were not.*

**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 District Lot 2988 SDYD Plan 25027, 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 October 31, 2024 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**

B.2 Building Bylaw Infraction – 429 North Beach Road Electoral Area "F"

*The property owner or agent was present to address the Board.  
There was a request that the recommendation be split in to two parts.*

**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 18, Plan 11635, District Lot 2694, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2805, 2018;-**CARRIED**

**Opposed: Directors S. Coyne, and Konanz**

**MOVED and SECONDED**

AND THAT if after October 31, 2024 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.-**DEFEATED**

**Opposed: Directors S. Coyne, Bloomfield, Bush, Fedrigo, Gettens, Graham, Holmes, Johansen, Knodel, King, Konanz, Manning, Pendergraft, Taylor, Watt, Wiebe**

**C. DEVELOPMENT SERVICES - Rural Land Use Matters****C.1 Floodplain Exemption Application — Electoral Area “E” (E2024.002-FPE)****MOVED and SECONDED**

THAT the Board of Directors approve a floodplain exemption for Lot 5, Plan KAP11557, District Lot 210, SDYD, being 3535 3<sup>rd</sup> Street, Naramata, in order to permit the development of a single detached dwelling within the floodplain setback and below the flood construction level of a creek, subject to the following condition:

- i. a statutory covenant is registered on title in order to:
  - a. “save harmless” the Regional District against any damages as a result of a flood occurrence; and
  - b. secure the recommendations contained within the Flooding Hazard Assessment report, dated July 17, 2024, prepared Mike Walsh, P.Eng., of Skmana Engineering Ltd.-**CARRIED**

**C.2 Park Land Dedication Proposal – Electoral Area “I” (I2021.002-PLD)****MOVED and SECONDED**

THAT the Board of Directors require the owner of the land described as Lot 5, Plan EPP74523, District Lot 105S, SDYD (199 Alder Avenue, Kaleden) provide cash-in-lieu of park land, in accordance with Section 510(1)(b) of the *Local Government Act*, and

THAT an amount of \$82,000.00 be paid to the Regional District as fulfillment of the requirements of Section 510(1)(b) of the *Local Government Act* for the subdivision of the property described as Lot 5, Plan EPP74523, District Lot 105S, SDYD (199 Alder Avenue, Kaleden) within six (6) months.-**CARRIED**

C.3 Temporary Use Permit Application – Electoral Area “A” (A2024.017-TUP)

**MOVED and SECONDED**

THAT Temporary Use Permit No. A2024.017-TUP, to allow vacation rental use at #3-8401 120<sup>th</sup> Avenue, subject to confirmation of strata rules, be approved.-**CARRIED**

**Opposed:** Director Fedrigo

C.4 Temporary Use Permit Application – Electoral Area “C” (C2022.022-TUP)

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

**MOVED and SECONDED**

THAT the applicant’s request for a six month extension until April 3, 2025 to obtain required approvals from the Ministry of Water, Land, and Resource Stewardship be refused;

AND THAT Temporary Use Permit No. C2022.022-TUP, to allow an “outdoor storage” use and residential occupancy of two recreational vehicles (RVs) at 380 Wilson Mountain Road, be denied.-**DEFEATED**

**Opposed:** Directors Bush, Fedrigo, Knodel, Roberts, and Pendergraft

**MOVED and SECONDED**

THAT the applicant be provided an extension until April 3, 2025 to obtain required approvals from the Ministry of Water, Land, and Resource Stewardship.-**CARRIED**

**Opposed:** Director Taylor

C.5 Temporary Use Permit Application – Electoral Area “C” (C2024.018-TUP)

**MOVED and SECONDED**

THAT Temporary Use Permit No. C2024.018-TUP, to allow an accessory use on a vacant parcel at 680 Wilson Mountain Road, be approved.-**CARRIED**

C.6 Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “C” (C2024.010-ZONE)

THAT the Electoral Area “C” Official Community Plan Amendment Bylaw No. 2452.24, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.41, 2024, be denied.

**MOVED and SECONDED**

THAT the Electoral Area “C” Official Community Plan Amendment Bylaw No. 2452.24, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.41, 2024, 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 October 3, 2024, 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. 2452.24, 2024, 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 October 17, 2024;

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” (E2024.014-ZONE)

**MOVED and SECONDED**

THAT the Electoral Area “E” Official Community Plan Amendment Bylaw No. 3010.02, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.46, 2024 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 October 3, 2024, 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. 3010.02, 2024, 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 October 17, 2024;

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 “D” D2021.015-ZONE

**MOVED and SECONDED**

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.06, 2023, be adopted.-  
**CARRIED**

- C.9 Zoning Bylaw Amendment – Electoral Area “D” (D2024.007-ZONE)

**MOVED and SECONDED**

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.40, 2024, be adopted.-  
**CARRIED**

**D. PUBLIC WORKS**

- D.1 Application of Crown Land Tenure for Renewal of Statutory Right of Way for Water Infrastructure in the Olalla Water System

**MOVED and SECONDED**

THAT the Regional District acquire the Statutory Right of Way from the Province, without term, over the land described as ‘that part of District Lot 18S SDYD known as the Sunrise MC except Plan KAP71060, together with that unsurveyed Crown Land Similkameen Division of Yale District shown on Plan 39433 adjacent to DL’S 2061 AND 2570 SDYD’, containing 0.533 hectares, for the purposes of constructing, operating, removing, replacing, reconstructing, repairing and safeguarding thereon a water pipeline and all the Works of the Regional District’s Olalla Water System appurtenant thereto.-**CARRIED**

**E. FINANCE**

- E.1 Bylaw No. 3092, 2024 – Area “B” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw

**MOVED and SECONDED**

THAT Bylaw No. 3092, 2024 being Electoral Area “B” Community Works (Gas Tax) Reserve Fund Expenditure Bylaw for the contribution of \$58,000 to fund improvements to Kobau Park be given first, second, third reading and adopted.-**CARRIED**

- E.2 Bylaw 3053.02, 2024 Budget Amendment

**MOVED and SECONDED**

THAT Bylaw No. 3053.02, 2024, being a bylaw to amend the 2024-2028 Five Year Financial Plan, be read a first, second and third time and be adopted.-**CARRIED**

- E.3 Bylaw No. 3093, 2024 Electoral Area “H” Community Facilities Reserve Fund Expenditure Bylaw

**MOVED and SECONDED**

THAT Bylaw 3093, 2024 being Electoral Area “H” Community Facilities Reserve Fund

Expenditure Bylaw for the contribution of \$140,000 to fund a bush truck be given first, second, third and adoption.-**CARRIED**

E.4 Electoral Area 'B-G' - Keremeos Recreation Facility Reserve Expenditure

**MOVED and SECONDED**

THAT Bylaw No. 3088, 2024, being a bylaw to authorize an expenditure of \$10,000 from the Electoral Area 'B-G'- Keremeos Recreation Facility Capital Reserve to fund the purchase of an upgraded transformer for the Similkameen Recreation Centre be given first, second, and third reading and be adopted.-**CARRIED**

E.5 Bylaw No. 3091, 2024 – Area “C” Community Works Fund (Gas Tax) Reserve Expenditure Bylaw

**MOVED and SECONDED**

THAT Bylaw No. 3091, 2024 being the Electoral Area “C” Community Works (Gas Tax) Reserve Fund Expenditure bylaw for the contribution of \$100,000 to construct a basketball court in Oliver be given first, second, third reading and adopted.-**CARRIED**

**F. LEGISLATIVE SERVICES**

F.1 Sage Mesa Water Service

**MOVED and SECONDED**

THAT Sage Mesa Water System Service Establishment Bylaw No. 3075, 2024, being a bylaw to establish the Sage Mesa Water System as a service of the Regional District of Okanagan-Similkameen, and Sage Mesa Water System Loan Authorization Bylaw No. 3076, 2024, being a bylaw to authorize the borrowing of up to \$33,034,000.00 for capital upgrades to the Sage Mesa Water System, be read a first, second, and third time and be forwarded to the Inspector of Municipalities for approval; and

THAT upon approval of the Inspector, elector assent for Bylaw No. 3075, 2024, and Bylaw No. 3076, 2024, be obtained within the service area through an Assent Voting (referendum) process in accordance with the *Local Government Act*; and,

THAT the assent vote take place on Saturday, April 12, 2025; and,

THAT Gillian Cramm be appointed as the Chief Election Officer and Marc Aucoin be appointed as Deputy Chief Election Officer for the Sage Mesa Water System Assent Vote; and,

THAT the assent vote question be:

‘Are you in favour of the Regional District of Okanagan-Similkameen adopting Sage Mesa Water System Service Establishment Bylaw No. 3075, 2024, to provide for water service for a portion of Electoral Area “F”; and, Bylaw No. 3076, 2024, Sage Mesa Loan Authorization Bylaw to authorize the long-term borrowing of up to \$33,034,000.00



(Thirty-three million, thirty-four thousand dollars) for capital upgrades to the Sage Mesa Water System?'-**CARRIED**

Director Graham left the meeting at 2:45pm.

- F.2 RDOS Business Licensing Service Establishment Bylaw No. 3078, 2024

**MOVED and SECONDED**

THAT RDOS Business Licensing Service Establishment Bylaw No. 3078, 2024 be adopted.-  
**CARRIED**

- F.3 Chain Lake – Shinish Creek Diversion and Dam

**MOVED and SECONDED**

THAT Chain Lake-Shinish Creek Service Establishment Amendment Bylaw No. 1382.01, 2024, and Chain Lake-Shinish Creek Loan Authorization Bylaw No. 3063, 2024, be read a first, second and third time and be forwarded to the Inspector of Municipalities for approval; AND,

that elector approval for Bylaw No. 1382.01, 2024, and Bylaw No. 3063, 2024, be obtained through a petition process in accordance with Section 408 of the *Local Government Act*.-**CARRIED**

- F.4 E911 Loan Authorization Bylaw No. 3064, 2024

**MOVED and SECONDED**

THAT Bylaw No. 3064, 2024 RDOS 9-1-1 Emergency Service Loan Authorization Bylaw be adopted.-**CARRIED**

**G. CAO REPORTS**

- G.1 Verbal Update

**H. OTHER BUSINESS**

- H.1 Chair's Report

- H.2 Directors Motions

- H.2.1 Motion - Director Taylor

**MOVED and SECONDED**

THAT staff identify options and propose next steps for the property at 605 Willow Street, Okanagan Falls.-**CARRIED**

- H.3 Board Members Verbal Update

**I. CLOSED SESSION**

THAT in accordance with Section 90(1)(c),(i),(k) and (2)(b) of the *Community Charter*, the Board close the meeting to the public on the basis of labour relations or other employee relations, the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public, and the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

*The meeting closed to the public at 12:52 pm and recessed at 1:15 pm due to time constraints. The meeting reconvened and closed to the public at 3:15 pm re-opened to the public at 3:43 pm.*

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

**September 5<sup>th</sup> in camera meeting**

The Corporate Officer reported that at the September 5, 2024, closed session of the Corporate Services Committee, the following resolution was passed:

THAT RDOS Board support a financial contribution towards the City of Penticton's 2024/2025 Temporary Winter Shelter including:

- \$4,400 for November and December 2024
- \$8,800 for January until end of April 2025

AND THAT RDOS funding contribution be subject to:

- City of Penticton Council approval of a 6-month lease
- City of Penticton Council approval of the Temporary Use Permit (TUP)
- City of Penticton's approval of an agreement with BC Housing for operation of a winter shelter

AND THAT RDOS Board request that the City of Penticton present a comprehensive report in the spring of 2025, outlining the overall operations of the Temporary Winter Shelter.

**K. ADJOURNMENT**

**MOVED and SECONDED**

THAT the meeting adjourn at 3:47 pm.-**CARRIED**

M. Pendergraft, Chair

C. Malden, Corporate Officer