

Minutes of the *REGULAR BOARD MEETING* of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Monday August 24, 2015

Directors: J. Baker (District of Lake Country)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
M. DeHart (City of Kelowna)
D. Findlater (District of West Kelowna)
C. Fortin (District of Peachland)
G. Given (City of Kelowna)
T. Gray (City of Kelowna)
P. Hanson (Central Okanagan East Electoral Area)
D. Ophus (District of West Kelowna)
B. Sieben (City of Kelowna)
L. Stack (City of Kelowna)

Regrets: C. Derickson (Westbank First Nation)

Staff: B. Reardon, Chief Administrative Officer
R. Fralick, Manager of Planning
C. Radford, Director of Community Services
M. Rilkoﬀ, Director of Financial Services
B. Smith, Communications
M. Drouin, Manager - Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given brought the meeting to order at 7:00 p.m.

2. ADDITION OF LATE ITEMS

9.2 Central Okanagan East Electoral Area Grant in Aid

3. ADOPTION OF THE AGENDA

#155/15

GRAY/FORTIN

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

4.1 Regular Board Meeting – July 27, 2015 and Public Hearing – July 27, 2015
(All Directors – Unweighted Vote)

#156/15

DEHART/BAKER

THAT the Regular Board meeting minutes of July 27, 2015 be adopted;

AND FURTHER THAT the Public Hearing minutes of July 27, 2015 be received.

CARRIED Unanimously

5. CORRESPONDENCE

- 5.1 Provincial-Union of BC Municipalities (UBCM) Green Communities Committee (*All Directors – Unweighted Vote*)

#157/15

STACK/OPHUS

THAT the Provincial-Union of BC Municipalities (UBCM) Green Communities Committee congratulatory letter of July 29, 2015 regarding RDCO's successful efforts to measure and reduce corporate greenhouse gas emissions for the 2014 reporting year be received for information.

CARRIED Unanimously

6. UNFINISHED BUSINESS

- 6.1 Service Area Boundary Amendments – Central Okanagan East Electoral Area
- a) Regional District of Central Okanagan Electoral Area "I" Local Transit Service Area Establishment Amending Bylaw No. 1358, 2015, **Adoption** (*All Directors – Unweighted Vote*)

#158/15

HANSON/CARSON

THAT Regional District of Central Okanagan Electoral Area "I" Local Transit Service Area Establishment Amending Bylaw No. 1358, 2015 be adopted this 24th day of August 2015.

CARRIED Unanimously

- b) Regional District of Central Okanagan Ellison Fire Protection Local Service Establishment Amending Bylaw No. 1359, 2015 **Adoption** (*All Directors – Unweighted Vote*)

#159/15

HANSON/BAKER

THAT Regional District of Central Okanagan Ellison Fire Protection Local Service Establishment Amending Bylaw No. 1359, 2015 be adopted this 24th day of August 2015.

CARRIED Unanimously

- c) Regional District of Central Okanagan Ellison Community Parks Specified Area Establishment Amending Bylaw No. 1360, 2015 **Adoption** (All Directors – Unweighted Vote)

#160/15

HANSON/CARSON

THAT Regional District of Central Okanagan Ellison Community Parks Specified Area Establishment Amending Bylaw No. 1360, 2015 be adopted this 24th day of August 2015.

CARRIED Unanimously

- d) Regional District of Central Okanagan Electoral Area 'I' Ellison Heritage Community Centre Local Service Area Establishment Amending Bylaw No. 1361, 2015 **Adoption** (All Directors – Unweighted Vote)

#161/15

HANSON/CARSON

THAT Regional District of Central Okanagan Electoral Area 'I' Ellison Heritage Community Centre Local Service Area Establishment Amending Bylaw No. 1361, 2015 be adopted this 24th day of August 2015.

CARRIED Unanimously

7. FINANCE & ADMINISTRATIVE SERVICES

- 7.1 Information Report – Purchase Commitments > \$100,000 2Q 2015 (All Directors – Unweighted Vote)

Staff report dated August 11, 2015 outlined the purchase commitments greater than \$100,000. It was noted there is an error in the report—the Recycling Depot & Waste Transfer Station Operations contract is for five years, not three as stated.

#162/15

BASRAN/BAKER

THAT the Regional Board, as per section 4.6 of the RDCO Purchasing Policy, receive for information the amended report on the purchase commitments which exceeded \$100,000 made during the second quarter ending June 30, 2015.

- Amendment to the Board report: Recycling Depot & Waste Transfer Station Operations contract is for 5 years, not 3 years.

CARRIED Unanimously

8. COMMUNITY SERVICES

Planning

Temporary Use Permit

- 8.1 Temporary Use Permit renewal for C. Stowell (owner) to allow a Medical Marihuana Production Facility on the 4.0 ha (9.88 acre) property adjacent to Paradise Valley Drive (TUP-14-01) Central Okanagan West Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated August 17, 2015 outlined the requirement for renewal of a temporary use permit for a 3-year period to allow a medical marihuana production facility. A renewal permit is requested in order to accommodate Health Canada inspection and licensing of the facility, and to complete the associated lot consolidation/boundary adjustment with the two adjoining parcels. Lot consolidation is 'on hold' until the Health Canada inspection is completed.

An overview of the current building on the site and requirement for lot consolidation was highlighted. A variance will be required for the existing building as it transverses only slightly into the 30-meter setback requirement. Once approved the facility will comply with minimum lot size requirement of the RDCO zoning bylaw.

It was noted that the District of Peachland was not consulted on the renewal application. Staff noted that renewal of permits such as this are not referred to the municipalities. This application does not relate to 'fringe area planning' as all municipalities are now part of electoral area planning. Electoral Area planning decisions are made at the Board table, not at Council tables.

Staff further noted that if Health Canada approved the facility 'tomorrow' renewal of the permit would not be required. The same conditions as the original permit apply to the renewal.

#163/15

OPHUS/FINDLATER

THAT the decision to renew the Temporary Use Permit (Application TUP-14-01) for C. Stowell be *POSTPONED* until the District of Peachland Council has been consulted on the permit renewal application.

DEFEATED (Opposed: Directors Stack, Basran, Baker, Sieben, Carson, Gray, Dehart, Given)

#164/15

BASRAN/BAKER

THAT the Temporary Use Permit (application TUP-14-01 – authorized July 28, 2014) for C. Stowell be renewed for an additional three years to permit a Medical Marihuana Production Facility;

AND THAT the applicant provide an update in writing to the Community Services Department six months after renewal of the permit regarding:

- Status of the lot consolidation/boundary adjustment application and an access permit with the Ministry of Transportation and Infrastructure, and
- Status of the application with Health Canada for a Marihuana for Medical Purposes Regulations (MMPR) licence.

AND FURTHER THAT the Temporary Use Permit shall expire in three years and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.

CARRIED (Opposed: Directors Findlater, Fortin)

Bylaws: (First Reading)

8.2 Zoning Amendment Bylaw No. 871-230 for R. & K. Ensign (owners) to amend the zoning from RU3 Rural 3 to RU3s Rural 3 (Secondary Suite) to develop a legal suite within a proposed single family dwelling adjacent to Trepanier Road (Z15/04) Central Okanagan West Electoral Area *(All Directors – Unweighted Vote)*

Staff report dated August 17, 2015 outlined the zoning amendment. The owner intends to develop a legal suite within the proposed single detached house. The site plan was highlighted including a restrictive covenant area created for protection of Trepanier Creek. The applicant will be required to meet Interior Health regulatory requirements for the septic system.

#165/15

SIEBEN/BAKER

THAT Zoning Amendment Bylaw No. 871-230 (application Z15/04) be given first reading and that the application be scheduled for a Public Hearing.

CARRIED Unanimously

9. NEW BUSINESS

9.1 Kelowna Dirt Bike Club Annual Special Events Permit Request for 2015 *(All Directors – Unweighted Vote)*

The Kelowna Dirt Bike Club's special event is planned for the weekend of Sept. 5 & 6 in addition to one fundraising event, date to be confirmed. The agreement between the RDCO and the Club provides for annual application to the Regional Board requesting waiver of the bylaw requirements under the RDCO Noise Bylaw No. 403 for their special race events.

The question was raised if staff has received any noise complaints. There have been no complaints received at the Regional District. Wayne Unger, President of the Club addressed the Board and noted they have received no complaints as well. The Club actively sound test the bikes at the events.

The Board congratulated the Club on a commendable job in development of the track and sound activities at its events.

#166/15

BASRAN/BAKER

THAT the Regional Board approve two (2) Special Event Permits for the Kelowna Dirt Bike Club for September 5 & 6, 2015;

AND FURTHER THAT the Club be required to inform Bylaw Enforcement staff in advance of the date and name of the second special event.

CARRIED Unanimously

9.2 Central Okanagan East Electoral Area Grant in Aid

Staff report dated August 20, 2015 outlined the request from the Joe Rich Ratepayer's and Tenant's Society for financial assistance for their community block watch signage. Ministry of Transportation and Infrastructure has approved their installations. The community will fundraise for the rest of the cost of block watch signage.

#167/15

HANSON/OPHUS

THAT a Central Okanagan East Electoral Area Grant in Aid of \$1,983 be allocated to the Joe Rich Ratepayer's and Tenant's Society for their community block watch signage.

CARRIED Unanimously

10. DIRECTOR ITEMS

Director Carson noted that an unsightly premise house in the North Westside has had its signage removed. In addition, he noted that government funding has been announced for upgrades to the Killiney water systems.

There were no items requiring Board action.

11. ADJOURN IN CAMERA

#168/15

OPHUS/STACK

THAT pursuant to Section 90 (k) (i) of the *Community Charter* the Regional Board adjourn and convene to an 'In-Camera' session to discuss:

- Negotiations and related discussions respecting the proposed provision of a municipal service that is at the preliminary stages.
- Receipt of advice that is subject to solicitor-client privilege.

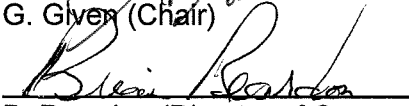
CARRIED Unanimously

There being no further business the meeting was adjourned at 7:50 p.m.

CERTIFIED TO BE TRUE AND CORRECT



G. Given (Chair)



B. Reardon (Director of Corporate Services)