

**Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, March 10, 2003**

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- Directors
- R. Cannan (City of Kelowna)
  - C. Day (City of Kelowna)
  - A. Dinwoodie (Westside Elect. Area)
  - B. Given, alternate for W. Gray (City of Kelowna)
  - P. Hanson (Ellison/Joe Rich Elect. Area)
  - B. Harriman (District of Peachland)
  - R. Hobson (City of Kelowna)
  - R. Hein (District of Lake Country)
  - D. Knowles (Westside Elect. Area)
  - S. Shepherd (City of Kelowna)
- Regrets
- L. Novakowski (Westside Elect. Area)
- Staff
- W. d'Easum, Chief Administrative Officer
  - K. Arcuri, Director of Planning Services
  - B. Vos, Director of Parks & Recreation Services
  - M. Drouin, Administrative Assistant (recording secretary)

Robert Hobson, Chair brought the meeting to order at 7:05 p.m.

The following amendments were made to the agenda:

Withdraw:

- 6.2a) Development Permit,
- 7.1 Building Violation
- 7.2 Building Violation

Add:

- 9.3 Grant-in-aid

**1. MINUTES**

- 1.1 Public Hearing – February 24, 2003
- 1.2 Regular Meeting – February 24, 2003

**#110/03**

**DINWOODIE/CANNAN**

THAT the Public Hearing minutes of February 24, 2003 be received;

AND FURTHER THAT the regular minutes of February 24, 2003 be adopted as amended.

- 8. Add – and that staff contact the Society to give them the information on how to apply for this particular process.
- 10.2 (f) amend to read “requesting a meeting to trigger the Regional District’s regular protocol agreement”

**CARRIED**

**2. DELEGATION**

- 2.1 Economic Development Commission - Diana Cabott, Chair - Update on Strategic Plan

Diana Cabott, Chair of the Economic Development Commission addressed the Board and introduced herself as the new Chair of EDC. The new members of the Commission's Board were highlighted. Robert Fine, Executive Director, reviewed the Commission's successes over the past year, core activities for 2003, business retention, attraction and facilitation.

Mr. Fine responded to queries on the Commission's strategic plan.

**#111/03 SHEPHERD/DAY**

THAT the Economic Development Commission's March 4, 2003 draft Strategic Plan be received.

CARRIED

**3. CORRESPONDENCE**

- 3.1 City of Burnaby – Mayor Derek Corrigan re: Deregulation in B.C.'s Energy Sector

**#112/03 SHEPHERD/HEIN**

THAT the February 14, 2003 letter from City of Burnaby Mayor, Derek Corrigan, regarding B.C.'s Energy Sector be received.

CARRIED

**4. UNFINISHED BUSINESS**

- 4.1 Report re: Purchase of Fire Trucks - Joe Rich Fire Protection Area (*All Directors - Unweighted Vote*)

The technical committee's report and recommendations were presented to the Board for consideration and review. The recommendations were based on the conclusions that:

- the current level of fire service to Joe Rich must either be maintained or improved,
- American LaFrance is not prepared to cancel any of the proposed units,
- by working with American LaFrance the best case scenario is developed for all concerned.

The Board thanked Chief Zimmerman and the technical committee for the advice they have provided to the Regional District.

The Board reviewed the recommendations with Chief Zimmerman and asked whether there will be a need for specialized training for the firefighters. It was confirmed there will be no special training requirements for the upgraded truck. The end-cost of the vehicle will be determined once final consultation has been completed with the members of the Joe Rich Fire/Rescue to review the 'add on' equipment requirements.

It was once again noted that the decision to purchase the vehicles has been made and that the decision cannot be reversed without incurring liability and a cost to the community.

The Board discussed the need for a public meeting with the residents of Joe Rich to clarify the current situation, financing and tax implications, and the proposed recommendations. It was agreed that the public meeting is to be scheduled as soon as possible. The Board will deal with the technical committee's recommendations following the public meeting.

**#113/03**

HANSEN/DINWOODIE

THAT the Regional Board approve in principle the recommendations of the Technical Committee;

AND THAT a letter be sent to the residents of Joe Rich addressing the proposal to purchase the fire trucks;

AND FURTHER THAT a public information meeting be held to inform the residents what the recommendations are to purchase the fire trucks.

CARRIED

It was noted that there continues to be updates and changes to regulations for the 520+ small rural fire departments across British Columbia which has increased the standards and regulatory framework to these departments and that it may be time for an overall review our rural fire departments ie:

- how the management systems work
- community consultation processes so that not only the communities can learn what the fire departments are having to comply with but also that they can understand how the process works.

**#114/03**

DINWOODIE/HARRIMAN

THAT the Engineering Committee discuss how to undertake an overall review of the rural fire departments.

CARRIED

**5. FINANCE DEPARTMENT**

No Board action required/requested

**6. PLANNING DEPARTMENT**

**6.1 Correspondence (Weighted Vote)**

- a) Report on Award of Contract for Westside Water Resource Management Plan (*All Directors*)

**#115/03**

**DINWOODIE/HARRIMAN**

THAT the Regional Board support the award of contract for services by Summit Environmental Consultants Ltd. to undertake a water resource management plan for 'Trepanier Landscape Unit' (Peachland to Shorts Creek Community Watersheds);

AND FURTHER THAT a contract for services be completed for a total price of \$115,265 including expenses, disbursements and GST.

*Amendment:*

**DINWOODIE/HARRIMAN**

THAT a referral letter be forwarded to the Okanagan First Nation to inform them that this process is taking place.

CARRIED

**6.2 Development Permits (Unweighted Vote)**

- a) Application for an Environmentally Sensitive Area Development Permit for Lorne Dobbin (owner) and D.E. Pilling & Assoc. (agent) located adjacent to Asquith Road and Wildhorse Road. (DP-02-10) Westside Electoral Area (*Electoral Areas Only*)

***WITHDRAWN FROM AGENDA***

- b) Application for a Development Permit for Duck Lake Enterprises (owners) and D.E. Pilling and Assoc. (agent) located adjacent to Shannon Lake Road. (DP-02-14) Westside Electoral Area (*Electoral Areas Only*)

Mr. Arcuri noted the agent has submitted a letter in response to concerns raised regarding drainage and erosion control explaining how these issues will be addressed.

**#116/03**

**DINWOODIE/KNOWLES**

THAT Development Permit application DP-02-14 for Duck Lake Enterprises (owners) located adjacent to Shannon Lake Road be approved based on the updated site plan prepared by D.E. Pilling & Associates Ltd. dated November 2002.

CARRIED

Area residents identified themselves to the Chair and explained they were told by staff they would be allowed to address their concerns to the Board this evening.

**#117/03**

DINWOODIE/KNOWLES

THAT the Board hear from the residents in the gallery regarding their concerns with the development permit application.

CARRIED

- Robert Logan, 194 Crystal Springs, expressed concerns regarding blasting in the development and damage to existing homes. He was told by Regional District staff that they are powerless to stop blasting. He wants the contractor to be aware of blasting concerns. He is not opposed to the project.
- Fred Rice, resident of Crystal Springs, noted a letter was sent earlier to the Regional District expressing his concerns of safety, erosion and blasting. He read the letter.

Mr. Pilling responded to the concerns and noted in the past the blasting contractor has addressed the resident's concerns. He noted it will likely be same contractor and that the contractor will be notifying local residents of the blasting times.

Mr. Arcuri noted that the Regional District does not have the ability to regulate blasting other than indirectly through the noise bylaw. The Province is responsible for the blasting regulations.

**#118/03**

DINWOODIE/HARRIMAN

THAT the Director of Inspection develop a report to the Planning & Environment Committee on the regulatory requirements regarding blasting.

CARRIED

**6.3 Development Variance Permits (Unweighted Vote)**

- a) Application for a Development Variance Permit for David and Martina Pelletier (owners) and D.E. Pilling & Assoc. (agent) located adjacent to Lenz Road. (VP-02-19) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

Chair Hobson asked if there was anyone in the gallery who deemed their property to be affected by the development variance. Mr. Arcuri noted that Planning Services recommends non-support due to contravention of the Regional District building bylaw and the BC Building Code. The Building Code requires a minimum setback of 1.2 metres from the side property line for a manufactured home with no fire resistance rating and with a window opening.

Mr. Pilling addressed the board and highlighted his disagreement with the contravention and reviewed the history of the property. It was noted that it would be very expensive to move the home.

Concern was expressed regarding the liability of the Regional District should it approve the variance as it would not meet the fire rating in the building code.

**#119/03**

**SHEPHERD/CANNAN**

THAT the Development Variance Permit application VP-02-19 be *DEFERRED* until the next Board meeting pending further information on the liability of the Regional District.

CARRIED (Dinwoodie, Harriman, Hanson, Knowles opposed)

Correction of the report numbers between 6.3(b) and 6.3(c) was made

- b) Application for a Development Variance Permit for First Island Financial Services Ltd. (owners) and Garry Gilchrist (agent) located adjacent to Gellatly Road. (VP-03-01) Westside Electoral Area (*Electoral Areas Only*)

Chair Hobson asked if there was anyone in the gallery who deemed their property to be affected by the variance. There was no-one.

**#120/03**

**DINWOODIE/HANSON**

THAT the Regional Board approve Development Variance Permit application VP-03-01 for First Island Financial Services Ltd. (owners) located adjacent to Gellatly Road to allow for:

- 1) a reduction of the minimum lot area required in the R3B zone, as per Section 10.2.2 of Zoning Bylaw No. 871, from 1600 square metres (17,232 sq ft) to 440 square metres (4736 sq ft) on proposed Lots 35 – 56 and 106 – 135;
- 2) a reduction of the required side yard setback in the R3B zone from 4.5 metres (14.8 ft) to 0.0 metres, as per Section 10.2.6 of Zoning Bylaw No. 871, for proposed Lots 35 – 56 and 106 – 135, in order to allow for a common party wall between each “pair” of duplex lots;
- 3) a reduction of the minimum parcel frontage requirement in the R3B zone, from 30.0 metres (98.4 ft) to 11.01 metres (36.12 ft), as per Section 10.2.4 of Zoning Bylaw No. 871, for proposed Lots 35 – 56 and 106 – 135;
- 4) a reduction of the minimum parcel frontage requirement in the RC1 zone from 12.0 metres (39.4 ft) to 6.51 metres (21.36 ft), as per Section 9.2.3 of Zoning Bylaw No. 871, for proposed Lot 93 and to 6.38 metres (20.93 ft) for proposed Lot 94; and

- 5) an increase in the maximum allowable lot coverage in the R3B zone from 35% of the parcel area to 60%, as per Section 10.2.10 of Zoning Bylaw No. 871, as per Zoning Bylaw No. 871.

CARRIED

- c) Application for a Development Variance Permit for Paul and Elisabeth Herbert (owners) and Heidi Simkins (agent) located adjacent to Harding Road. (VP-03-02) Westside Electoral Area (*Electoral Areas Only*)

Chair Hobson asked if there was anyone in the gallery who deemed their property to be affected by the variance. Mr. Arcuri noted that the Planning Services Department is recommending non-support as noted in the March 3, 2003 report to the Board.

Heidi Simkins addressed the Board on behalf of her parents and addressed their concerns.

**#121/03**

DINWOODIE/HARRIMAN

THAT the Regional Board approve Development Variance Permit for Paul and Elisabeth Herbert (owners) application VP-03-02 to exempt the proposed four-lot subdivision from the required installation of a storm drain system, curb and gutter, sidewalks and underground wiring adjacent to Harding Road, as per Scheduled C-3 of Subdivision and Development Servicing Bylaw #704.

CARRIED

**6.4 Bylaws: (Bylaw To Be Amended At First Reading) (Unweighted Vote)**

- a) Broadview Neighbourhood Plan Bylaw No. 686-16 (New Town Planning Services) by amending the land use designation from Agriculture to Low Density Residential and Mixed Density Residential and from, Mixed Density Residential to Low Density Residential - Westside Electoral Area (*All Directors*)

**#122/03**

GIVEN/DAY

THAT the Regional Board amend first reading of Official Community Plan Amendment Bylaw No. 686-16 as per the report dated March 4, 2003;

AND FURTHER THAT the Regional Board is satisfied that the process followed to date satisfies Section 879 of the Local Government Act regarding OCP consultation.

CARRIED

**6.5 Bylaws: (Second and Third Readings) (Unweighted Vote)**

- a) Zoning Amendment Bylaw No. 871-50 for Lunelli Enterprises Ltd. (owner) and Lynn Welder Consulting Ltd. (agent) to amend the zoning from R1 Single Detached Housing to C1 Town Centre Commercial located adjacent to Churchill Road. (Z02/14) - Westside Electoral Area (*Electoral Areas Only*)

**#123/03**

**DINWOODIE/KNOWLES**

THAT Zoning Amendment Bylaw No 871-50 application Z02/14 for Lunelli Enterprises Ltd. (owner) be given second and third readings this 10<sup>th</sup> day of March 2003;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Zoning Amendment Bylaw No. 871-50 approval from the Ministry of Transportation.

CARRIED

**6.6 Bylaws: (Reconsideration and Adoption) (Unweighted Vote)**

- a) Zoning Amendment Bylaw No. 871-52 for Victor Projects Ltd. (owners) and Protech Consultants Ltd. (agent) to amend the zoning from R2 Duplex Housing to R1 Single Detached Housing located adjacent to Chief Tomat Elementary School in the vicinity of East Boundary Road (Z02/16) Westside Electoral Area (*Electoral Areas Only*)

**#124/03**

**DINWOODIE/KNOWLES**

THAT Zoning Amendment Bylaw No. 871-52 application Z02/16 be reconsidered and adopted this 10<sup>th</sup> day of March 2003.

CARRIED

**7. INSPECTION SERVICES DEPARTMENT**

- 7.1 Building Violation – Lot 40, Plan 5381, District Lot 507, 101-1699 Ross Road (Westside Electoral Area) Notice to be placed on Title – Owner: Bresmore Enterprises Ltd. (*All Directors - Unweighted Vote*)

***WITHDRAWN FROM THE AGENDA***

- 7.2 Building Violation – Lot 66, Plan 5381, District Lot 2687, 829 Douglas Road (Westside Electoral Area) Notice to be placed on Title – Owner: Gidda (*All Directors - Unweighted Vote*)

***WITHDRAWN FROM THE AGENDA***



**8. PARKS AND FACILITIES DEPARTMENT**

- 8.1 Hydraulic Lake, McCulloch Reservoir, and Okanagan Lake Forest Service Recreation Sites (*All Directors - Unweighted Vote*)

Mr. Vos noted another contract has been received regarding the Okanagan Lake Forestry Campsite. Concern was expressed whether entering into the contract will have any effect if the Province decides to proceed with the sale of leasehold lots on water reservoirs.

**#125/03 SHEPHERD/HANSON**

THAT the Regional Board approve the Regional District entering into a five-year Management and Maintenance Agreements for Hydraulic Lake, McCulloch Reservoir and Okanagan Lake Forestry Campsites.

CARRIED (opposed Hein)

**9. NEW BUSINESS**

- 9.1 Regional District of Central Okanagan Municipal Employees Disclosure Bylaw No. 1010, 2003, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings and Adoption** (*All Directors - Unweighted Vote*)

**#126/03 DINWOODIE/KNOWLES**

THAT Regional District of Central Okanagan Municipal Employees Disclosure Bylaw No. 1010, 2003 be given first, second and third readings, reconsidered and adopted this 10<sup>th</sup> day of March 2003.

CARRIED

- 9.2 Report re: Advertising at bus stops and benches (*All Directors - Unweighted Vote*)

**#127/03 DINWOODIE/GIVEN**

THAT the Regional Board approve advertising of a Request for Proposal for advertising on bus stop benches and shelters for the Westside Transit Services.

Amendment:  
DINWOODIE/GIVEN

AND FURTHER THAT the Ministry of Highways be asked to add this in their policy.

CARRIED

- 9.3 Grant-in-aid – Westside Celebration Society for the annual celebrate Canada/Westside Daze Celebration event (*All Directors - Unweighted Vote*)

**#128/03**

DINWOODIE/HEIN

THAT a Westside Electoral Area Grant-in-aid in the amount of \$2,000 be allocated to the Westside Celebration Society for the annual celebrate Canada/Westside Daze Celebration event.

CARRIED

**10. OTHER BUSINESS**

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation

Director Shepherd noted there is a need to schedule a meeting to review the final Parks budget. It was agreed to meet March 25<sup>th</sup>, 8:30 a.m. The next regular meeting is scheduled for March 13<sup>th</sup>.

b) Transportation

Chair Hobson noted the Transportation Task Force met with Chief Louie to review the Westbank First Nation bridge proposal. Discussions involved working together on regional transportation issues. The next meeting of the Regional Transportation Committee is scheduled for May 8<sup>th</sup> at 1:30 p.m.

c) Planning and Environment

Director Dinwoodie noted the Crystal Mountain Workshop is scheduled for March 17<sup>th</sup>. The next regularly scheduled meeting is March 12<sup>th</sup>.

d) Engineering

The next meeting of the Engineering Committee is scheduled for April 3<sup>rd</sup>.

e) Air Quality

Chair Shepherd noted the wood stove exchange program is underway with great media coverage occurring. The Okanagan Airshed Coalition in the North Okanagan has met and she and staff will continue to be involved with the committee. A good news story with Westbank First Nation--they have adopted the Regional District Smoke Control Bylaw and are committed to enforcing it with the assistance of the Westside Fire Protection. Discussions on the emissions inventory for the Okanagan continue. Environment Canada has contacted staff with regards to the 'Scrape It Program' which offers rebates to get older vehicles off the road. Staff are reviewing the criteria on the program.

f) Governance and Services

The next meeting of the Governance & Services Committee is scheduled for April 11<sup>th</sup>.

10.2 Director Items

- a) Community letter to Joe Rich residents

**ACTION:** Director Harriman asked that the draft letter to the Joe Rich residents be circulated to the Board prior to mailing.

**11. ADJOURN 'IN CAMERA'**

**#129/03**

**DAY/DINWOODIE**

THAT pursuant to Section 242.2 of the Local Government Act, the Board adjourn and convene to an 'In-Camera' session to discuss a legal issue.

**CARRIED**

There being no further business, the meeting was adjourned by the Chair at 10:30 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**

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**Robert Hobson (Chair)**

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**W.B. d'Easum (Chief Administrative Officer)**