

ADOPTED April 7, 2003

Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, March 24, 2003

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)
L. Novakowski (Westside Elect. Area)
S. Shepherd (City of Kelowna)

Staff W. d'Easum, Chief Administrative Officer
K. Arcuri, Director of Planning Services
H. Reay, Director of Financial Services
K. Roth, Director of Inspection Services
B. Vos, Director of Parks & Recreation Services
M. Drouin, Administrative Assistant (recording secretary)

Robert Hobson, Chair brought the meeting to order at 7:08 p.m.

The following amendments were made to the agenda:

Withdraw: 6.2 a) and 7.1

Add: Other Business – Mount Boucherie Expansion Phase II

1. MINUTES

1.1 Public Hearing – March 10, 2003

1.2 Regular Meeting – March 10, 2003

#130/03 NOVAKOWSKI/CANNAN

THAT the Public Hearing minutes of March 10, 2003 be received;

AND FURTHER THAT the regular minutes of March 10, 2003 be adopted as circulated

CARRIED

2. DELEGATION

2.1 Okanagan Innovative Forestry Society – Glen Dick, Executive Director

Glen Dick, Executive Director of the Okanagan Innovative Forestry Society, presented a proposal and request for a letter of support from the Regional Board for its uplift application to the Ministry of Forests (Kamloops Forest Region Manager) to increase the Allowable Annual Timber Harvest by 345,000m³/year in the Okanagan Timber Supply Area. The Forest Industries proposal is consistent with the objectives of the Cabinet approved Okanagan-Shuswap Land and Resource Management Plan. As part of public consultation process for the application, Mr. Dick reviewed the Okanagan IFPA proposal.

The board questioned the proposal and Mr. Dick responded to queries regarding:

- Whether small business will have access to the uplift.
- Whether water purveyors have been consulted. The Board requested that water purveyors be informed and support requested.
- The extent of the mountain pine beetle infestation and how it affects timber.
- Whether the proposal is consistent with the LRMP initiatives of the Regional District.
- Who and how many have attended the open houses.
- What other letters of support have been received.
- How the cut area is reforested and replanted.
- The economic impact and employment opportunity in the region.
- Timeline for the application. The deadline for receipt of letters of support is April 14.

#131/03 SHEPHERD/CANNAN

THAT the letter of support of the Okanagan Innovative Forestry Society uplift request be *DEFERRED* for two weeks until input is received from the water purveyors.

DEFEATED

#132/03 GRAY/DINWOODIE

THAT the Regional Board support the Okanagan Innovative Forestry Society uplift request;

AND THAT a letter be sent to water purveyors in the Okanagan Timber Supply Area requesting their input to the Okanagan IFPA on the proposal;

AND FURTHER THAT a letter be forwarded to the Ministry of Forests in support of the Okanagan Innovative Forestry Society uplift request to increase the allowable Annual Timber Harvest.

CARRIED (opposed Shepherd/Hanson/Cannan/Hein)

3. CORRESPONDENCE

- 3.1 Letter - Okanagan Mainline Municipal Association (OMMA) re: name change (*All Directors - Unweighted Vote*)

OMMA President, Ron Cannan, asked the board members to give him their top three choices by the end of the meeting.

#133/03

CANNAN/HANSON

THAT the March 20, 2003 letter from the Okanagan Mainline Municipal Association be received.

CARRIED

4. UNFINISHED BUSINESS

No Board action required/requested

5. FINANCE DEPARTMENT

No Board action required/requested

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding Transportation and Mobility Discussion Paper (*All Directors*)

#134/03

DINWOODIE/KNOWLES

THAT the Regional Board receives the Regional Growth Strategy Transportation and Mobility Discussion Paper and the companion report of Stakeholder Feedback;

AND THAT the Regional Board endorses use of the Discussion Paper as a reference document in negotiations of regional transportation system operation and investments;

AND FURTHER THAT the Discussion Paper be forwarded to Central Okanagan municipal and First Nation councils and to the Ministry of Transportation for information.

CARRIED

ACTION: Staff to confirm from the Ministry of Transportation the costs quoted in the *Planning for the Future* report 'Appendix A' for a 4-lane bridge of \$250 mil and 5-lane bridge of \$303 mil and what this estimate applies to.

- b) Report regarding Peachland Fringe Area Planning (*All Directors*)

#135/03

HARRIMAN/DINWOODIE

THAT the Regional Board support the Peachland fringe area planning boundaries which follow the Trepanier Community Watershed boundary and Glenrosa Road.

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 THE AGENDA

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) – (*Deferred from March 10, 2003 Regional Board Meeting*) 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 permit.

ACTION: Staff to review and report back on the Regional District's obligation to request public comment on development variance permits.

#136/03

DINWOODIE/HEIN

THAT the Regional Board approve Development Variance Permit for David and Martina Pelletier (owners) located adjacent to Lenz Road, application VP-02-19 to vary Section 8.1.5.2 of Zoning Bylaw #871 by reducing the required minimum setback from the side boundary of a manufactured home space in the RMP zone from 1.5 metres (4.9ft) to 0.61 metres (2.0ft) in order to allow the existing siting of a manufactured home on strata lot 84.

CARRIED

6.4 Agricultural Land Reserve Appeal (All Directors – Unweighted Vote)

- a) Application for exclusion from the ALR for Acorn Developments Ltd. (owner) and Sherwin Goerlitz (agent) located adjacent to Brown Road. (A-02-10) Westside Electoral Area (*All Directors*)

#137/03

NOVAKOWSKI/DINWOODIE

THAT the Regional Board authorizes ALR exclusion application A-02-10 for Acorn Developments Ltd. (owners) located adjacent to Brown Road to proceed to the Agricultural Land Commission (ALC);

AND THAT the Regional Board requests the ALC consider releasing the entire parcel of land in light of the Westbank Town Center requirements;

AND FURTHER THAT the Regional Board does not believe it makes good planning sense to divide the property with a road.

CARRIED

6.5 Bylaws: (Extension) (Unweighted Vote)

- a) Zoning Amendment Bylaw No. 871-28 for 455161 B.C. Ltd. (owner) and Bert Willms (agent) request a 6-month extension for their application located adjacent to Hwy 97 South. (Z01/13) Westside Electoral Area (*Electoral Areas Only*)

#138/03

NOVAKOWSKI/KNOWLES

THAT application Z01/12 for 455161 B.C. Ltd. (owner) be given a 6-month extension in order to conclude the outstanding requirements.

CARRIED

6.6 Bylaws: (First Reading) (Unweighted Vote)

- a) i) Official Community Plan Amendment Bylaw No. 672-5 for 435133 B.C. Ltd. (owner) and Rick Bruschinsky (agent) to amend the Lakeview Official Community Plan designation from Recreation and Conservation to Residential-Low Density and to Residential-Multifamily (Low to Medium Density) located adjacent to Campbell Road and Lucinde Road. Westside Electoral Area (*All Directors*)

#139/03

DINWOODIE/NOVAKOWSKI

THAT Official Community Plan Amendment Bylaw No. 672-6 for 435133 B.C. Ltd. (owner) located adjacent to Campbell Road and Lucinde Road be given first reading this 24th day of March 2003.

CARRIED

ACTION: Staff to determine the location of the public hearing.

- ii) Zoning Amendment Bylaw No. 871-6 for the above to amend the zoning from P2 Administration, Service and Assembly to RU2 Rural 2, R3A Multiple Housing (Low Density) & R1 Single Detached Housing; and from RU2 Rural 2 to R3A Multiple Housing (Low Density) & R1 Single Detached Housing (*Electoral Areas and Kelowna Fringe Area*)

#140/03

DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-6, application Z00/7 be given first reading this 24th day of March 2003.

AND THAT the scheduling of the Public Hearing be withheld pending receipt and further review of the following:

- Receipt of more detailed site grading, visual impact and tree retention plans for the 2 development sites, and a wildfire hazard assessment;
- Resolution of the park dedication issue to the satisfaction of the Parks Department;
- Comments from the Ministry of Transportation regarding the traffic impact study (and recent update of that study);
- An overall topographic plan for the area that identifies how a second access into the area is not physically possible.

AND THAT the Public Hearing be held at a location within the community (ie: Mount Boucherie Community Hall);

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Official Community Plan Amendment Bylaw No. 672-5 from the Ministry of Community, Aboriginal, and Women's Services, Preliminary Layout Approval for subdivision from the Ministry of Transportation, and protection of the archaeological feature via registration of a Section 219 covenant.

CARRIED

- b) Zoning Amendment Bylaw No. 871-53 for M. Van Exan and S. Lyttle (owners) to amend the zoning from R1 Single Detached Housing to C1 Town Centre Commercial located adjacent to Hoskin Road and Last Road. (Z03/01) Westside Electoral Area (*Electoral Areas Only*)

#141/03

KNOWLES/NOVAKOWSKI

THAT Zoning Amendment Bylaw No. 871-53 for M. Van Exan and S. Lyttle (owners) application Z03/01 be given first reading this 24th day of March 2003;

AND THAT the application be scheduled for a Public Hearing;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Zoning Amendment Bylaw No. 871-53 approval from the Ministry of Transportation.

CARRIED

6.7 Bylaws: (Reconsideration and Adoption) (Unweighted Vote)

- a) i) Official Community Plan Amendment Bylaw No. 785-6 for the Regional District of Central Okanagan (owners) to amend the Westside Official Community Plan designation from Large Holdings to Institutional and Utility Services located adjacent to Westside Rd. Westside Electoral Area (*All Directors*)

#142/03

DINWOODIE/NOVAKOWSKI

THAT Official Community Plan amending Bylaw No. 785-6 be reconsidered and adopted this 24th day of March 2003.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-48 for the above to amend the zoning from RU2 Rural 2 to P2 Institutional and Assembly. (Z02/12) (*Electoral Areas & Kelowna Fringe Area*)

#143/03

DAY/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-48 application Z02/12 be reconsidered and adopted this 24th day of March 2003.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

- 7.1 Building Violation – Lot 318, Plan 26101, District Lot 3688, 393 Northern View Drive (Westside Electoral Area) Notice to be placed on Title – Owner: Kazoakoff (*All Directors - Unweighted Vote*)

WITHDRAWN FROM THE AGENDA

- 7.2 Building Violation – District Lot 1375, 1375 Bouleau Lake Road (Westside Electoral Area) Notice to be placed on Title – Owner: Neuhaus (*All Directors - Unweighted Vote*)

#144/03

NOVAKOWSKI/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of District Lot 1375, O.D.Y.D., pursuant to Section 700(3) of the Local Government Act, and pursuant to that section of the Local Government Act, further information regarding the notice be limited to the fact that:

1. The building permit for the subject mobile home, placed under authority of Building Permit #6927/98, has not been finalized, which is a violation of Regional District

Central Okanagan Building Bylaw #835. The permit cannot be closed due to several outstanding items noted on the June 8, 2001 inspection report.

CARRIED

7.3 Building Violation – Lot A, Plan KAP63573, 7096 Goudie Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title – Owner: Preissl (*All Directors - Unweighted Vote*)

#145/03

HANSON/HEIN

THAT the Regional District Board direct that a notice be filed on the title of Lot A, Plan KAP63573, O.D.Y.D., pursuant to Section 700(3) of the Local Government Act, and pursuant to that section of the Local Government Act, further information regarding the notice be limited to the fact that:

1. The building permit for the subject dwelling, built under authority of Building Permit #7816/00 and the subject detached workshop, built under authority of Building Permit #7705/99, have not been finalized, which is a violation of Regional District Building Bylaw #835. The permits cannot be closed as no final inspections have been done.

CARRIED

8. PARKS AND FACILITIES DEPARTMENT

8.1 Report re: Joe Rich Community Hall Agreement (*All Directors - Weighted Vote*)

#146/03

HANSON/CANNAN

THAT the Regional Board approve entering into a one year contract (Contract One) with the Joe Rich Ratepayers and Tenants Society for the operation and maintenance of the Joe Rich Community Hall and surrounding amenities;

AND THAT the Regional District create a Local Service Area for the operation and maintenance of the Joe Rich Community Hall and surrounding amenities by Counter Petition;

AND FURTHER THAT the 2003 operation and maintenance funding requirements for the Community Hall remain part of the Fire Department budget.

CARRIED

9. NEW BUSINESS

- 9.1 Regional District of Central Okanagan Westside Regional Sewer System Temporary Borrowing Bylaw No. 1012, 2003, **1st, 2nd and 3^d readings and Adoption** (All Directors - Weighted Vote)

#147/03 HEIN/NOVAKOWSKI

THAT Regional District of Central Okanagan Westside Regional Sewer System Temporary Borrowing Bylaw No. 1012, 2003 be given first, second and third readings, reconsidered and adopted this 24th day of March 2003.

CARRIED

- 9.2 Regional District of Central Okanagan Westside Regional Sewer System Loan Authorization Bylaw No. 1011, 2003, **1st, 2nd and 3^d readings** (All Directors - Weighted Vote)

#148/03 KNOWLES/DAY

THAT Regional District of Central Okanagan Westside Regional Sewer System Loan Authorization Bylaw No. 1011, 2003 be given first, second and third readings this 24th day of March 2003.

CARRIED

- 9.3 Award of contract – Casa Loma/Lakeview Sanitary Sewer Collection System – Stage 1 (All Directors - Weighted Vote)

#149/03 DINWOODIE/DAY

THAT the Regional Board authorize the award of the contract for construction of the Casa Loma/Lakeview Sewer Collection System – Phase 1 to Intercoast Utilities for the amount of \$1,726,655.79 including GST.

CARRIED

10. OTHER BUSINESS

10.1 Mount Boucherie Expansion Phase II

The Regional Board at their February 24, 2003 meeting directed staff to facilitate a meeting to discuss the Mount Boucherie Expansion Phase II and to provide future direction for the referendum process. A report was presented to the Board in follow up to the meeting.

#150/03 DINWOODIE/KNOWLES

THAT the Regional Board approve a second quantity survey of the cost of the approved design concept for Phase II of the Mount Boucherie Master Plan;

AND THAT the required \$6000 to hire the consultant for the Quantity Survey be from the feasibility fund;

AND FURTHER THAT the Board appoint a Project Review Committee with the following members, Regional District staff to be appointed by the Administrator, a representative from the Westside Parks and Recreation Commission, a Westside Director – David Knowles, the Architect – Alexander Christianson from Renaissance Architecture Planning Inc., and four representatives from the Expansion Committee,

AND FURTHER THAT the Board approve hiring a coordinator for a three-month duration ending June 27, 2003 to a maximum cost of \$20,000.

CARRIED

10.2 Director Items

- a) Sustainable Mountain Communities Conference

#151/03 HEINDINWOODIE

THAT the March 20, 2003 letter from Dennis Shuler, Mayor of Banff, regarding the Sustainable Mountain Communities Conference scheduled for June 14-18, 2003 be received;

CARRIED

ACTION: Staff to review the benefits to the Regional District and who might attend the Sustainable Mountain Communities Conference and report back to the Planning and Environment Committee with a recommendation.

- b) Prohibited Animal Bylaw

Director Shepherd noted that members of the public are being invited to attend a public meeting on April 9th regarding the Draft Bylaw for Exotic/Prohibited Animals. The meeting is being held to present a draft of the proposed Prohibited Animal Bylaw and to obtain any comments from the public regarding the keeping of rare, potentially dangerous or exotic animals. Recommendations will then be presented to the Governance & Services Committee.

- c) Myra Canyon Forest Service Road

ACTION: Staff to explore the Canadian Infrastructure Program for possible funding opportunities for upgrading services to the Myra Canyon Forest Service Road.

11. ADJOURN

There being no further business, the meeting was adjourned by the Chair at 10:00 p.m.

CERTIFIED TO BE TRUE AND CORRECT

Robert Hobson (Chair)

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