

**Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, May 12, 2003**

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- Directors
- R. Cannan (City of Kelowna)
  - C. Day (City of Kelowna)
  - A. Dinwoodie (Westside Elect. Area)
  - 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
  - J. Johnson, Manager of Current Planning
  - H. Hettinga, Director of Engineering Services
  - H. Reay, Director of Financial Services
  - K. Roth, Director of Inspection Services
  - B. Vos, Director of Parks and Recreation Services
  - M. Drouin, Administrative Assistant (recording secretary)

Robert Hobson, Chair brought the meeting to order at 7:00 p.m.

***Presentation to Regional District Staff:*** Mike Roche and Stacey Harding

Chair Hobson congratulated and presented a Certificate of Horticulture to Regional District staff members Mike Roche and Stacey Harding.

**1. MINUTES**

- 1.1 Public Hearing Minutes – April 28, 2003
- 1.2 Regular Board Meeting – April 28, 2003

**#186/03**

HEIN/HARRIMAN

THAT the Public Hearing minutes of April 28, 2003 be received;

AND FURTHER THAT the Regular Board meeting minutes of April 28, 2003 be adopted as circulated.

CARRIED

**2. DELEGATION**

No delegation

**3. CORRESPONDENCE**

- 3.1 Receipt of petition from residents of Fintry Delta re: backyard cooking fires/campfires

**#187/03 DINWOODIE/NOVAKOWSKI**

THAT a petition from residents of Fintry Delta noting that they do not oppose cooking fires, camp fires or backyard burning in their neighborhood be received;

AND FURTHER THAT the petition be forwarded to Inspection Services for staff to confirm what the Ministry of Forest boundaries are in the area and report back to the Board with appropriate recommendation.

CARRIED

*ACTION:* Staff to forward a copy of the petition to Air Quality Committee for their information.

- 3.2 Correspondence - Thompson-Nicola Regional District and Urban Development Institute - Kelowna re: Closure of the Kamloops Land Titles Office

a) Report – Proposed closure of the Kamloops Land Title Office (*All Directors - Unweighted Vote*)

**#188/03 SHEPHERD/HEIN**

THAT the copy of a April 9, 2003 letter to Minister Stan Hagen from the Chair John Ranta, Thompson-Nicola Regional District and the April 24, 2003 copy of a letter from Ken Webster, President, Urban Development Institute – Kelowna Chapter regarding the Kamloops Land Titles Office be received.

AND FURTHER THAT the Regional Board request that the Kamloops Land Title Office not be closed for the reasons expressed by the Thompson-Nicola Regional District and the Kelowna Chapter of the Urban Development Institute.

CARRIED

**4. UNFINISHED BUSINESS**

**4.1 Myra Canyon Forest Service Roads**

The Board was updated on the progress of the effort to find funds for upgrading the Myra Canyon and Little White Forest Service Roads. MLA John Weisbeck is communicating with various ministries to find funding for the project. It was noted that the Canada/BC Infrastructure Program clearly states monies cannot be used for repairs, that the Regional District must prioritize the applications submitted and only the top three will be considered. The board agreed they are not prepared to jeopardize million dollar grant applications for a project of this nature. As well, liability issues are of concern to the Regional District. The Board agreed if a society can be nominated under the Infrastructure Grant program, the Region would put forward their \$7000 as the Society's portion of the Infrastructure grant.

*ACTION:* The Chair to write the Minister of Forests to confirm the Board has authorized a one-time contribution of \$7000 to assist with the maintenance of the Myra Canyon and Little White Forest Service Roads and that the contribution is dependent on the Province coming up with \$14,000 in matching funds.

**5. FINANCE DEPARTMENT**

**5.1 Report re: Funds held in trust for Mt. Boucherie Expansion (*All Directors - Unweighted Vote*)**

**#189/03 HEIN/KNOWLES**

THAT The Regional Board approved the release of community raised funds, held in trust by the Regional District, to the Mt. Boucherie Expansion Society for the purpose of developing a marketing plan and undertaking a public opinion poll on the expansion plans. These funds are to be released as required, rather than in one lump sum.

AND FURTHER THAT the Society be requested to communicate with the donors the intended use for the funds.

CARRIED

**6. PLANNING DEPARTMENT**

**6.1 Correspondence (*Unweighted Vote*)**

- a) Report regarding Land and Water B.C. Inc. referral application for a Crown Grant (direct sale of Crown Land) to permit a community park located north of Peachland Creek. (CL-03-01) Westside Electoral Area (*All Directors*)

**#190/03**      HARRIMAN/SHEPHERD

THAT the Land and Water B.C. Inc. application for the District of Peachland for a Crown Grant (direct sale of Crown Land) to allow a community park be supported subject to the following:

- Completion of an Environmental Assessment for review and approval by the Ministry of Water, Land and Air Protection. The assessment should address the issues identified in the minutes from the April 24, 2003 Environmental Advisory Committee meeting;
- Resolution of the Regional Growth Strategy and the LRMP issues identified in the Planning Services Department comments section of this report;

AND THAT the subject lands be rezoned appropriately if Land and Water B.C. Inc. approves the application;

AND FURTHER THAT the Planning Services Department report dated May 5<sup>th</sup>, 2003 be forwarded to Land and Water B.C. Inc. for their information and consideration.

CARRIED

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

- a) Application for a Development Variance Permit for John Denison (owner) and Terre Consultants Ltd. (agent) located adjacent to Westside Road. (VP-02-14) 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 proposed development variance. There was no-one.

The Board discussed the ability for the system to respond in the event of a fire and power outage and whether the Regional District is exposing itself to liability. It was noted that the National Fire Standard dictates the water standards requirements.

**#191/03**      KNOWLES/DINWOODIE

THAT the Regional Board approve Development Variance Permit for John Denison (owner) located adjacent to Westside Road, application VP-02-14, to vary the requirement for proposed lots in the RU3 zone to connect to a community water system, as per Schedule C.3 of Subdivision and Development Servicing Bylaw No. 704, in order to allow for both lots in a proposed one-lot subdivision to be serviced by a domestic water source from Okanagan Lake

CARRIED (Hein opposed)

**6.3 Bylaws: (Bylaw To Be Amended at First Reading) (Unweighted Vote)**

- a) Zoning Amendment Bylaw No. 871-51 initiated by the Regional District Planning Services Department proposing a number of administrative changes to Regional District Zoning Bylaw No. 871, 2000. (Z02/15) (*All Directors*)

**#192/03**      NOVAKOWSKI/KNOWLES

THAT Zoning Amendment Bylaw No. 871-51 be given first reading this 12<sup>th</sup> day of May, 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. 871-51 from the Ministry of Transportation, and registration of a Section 219 covenant on the title of Lot 2, Plan 1965, DL 3329 which ties the most recent site plan for the development to the property (prepared by Russell N. Shortt, BCLS, dated January 30, 2003).

CARRIED

**6.4 Bylaws: (First Reading) (Unweighted Vote)**

- a) i) Official Community Plan Amendment Bylaw No. 672-18 for 435133 B.C. Ltd. (owner) and Les Campbell (agent) to amend the Lakeview Official Community Plan designation from Recreation and Conservation to Residential Low Density located in the vicinity of Thacker Drive Westside Electoral Area (*All Directors*)

**#193/03**      DINWOODIE/CANNAN

THAT Official Community Plan & Zoning Amendment Bylaw No.'s 672-18 for 435133 B.C. Ltd. (owner) located in the vicinity of Thacker Drive, application (Z03/03), be given first reading this 12<sup>th</sup> day of May, 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 Official Community Plan Amendment Bylaw No. 672-18 from the Ministry of Community, Aboriginal, and Women's Services, and receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-55 for the above to amend the zoning from RU2 Rural 2 to R1 Single Detached Housing. (Z03/03) (*Electoral Areas and Kelowna Fringe Area*)

**#194/03**      KNOWLES/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-55 be given first reading this 12<sup>th</sup> day of May, 2003.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-42 for Morningside Estates Ltd. (owners) and D.E. Pilling & Assoc. (agent) to amend the zoning from R1 Single Detached Housing to R2 Duplex Housing adjacent to Yorkton Road. (Z02/06) Westside Electoral Area (*Electoral Areas Only Peachland FRINGE*)

**#195/03**      NOVAKOWSKI/KNOWLES

THAT Zoning Amendment Bylaw No. 871-42 be reconsidered and adopted this 12<sup>th</sup> day of May 2003.

CARRIED

**7.      INSPECTION SERVICES DEPARTMENT**

- 7.1      Building statistics report – April 2003 (*All Directors - Unweighted Vote*)

**#196/03**      HEIN/KNOWLES

THAT the building statistics for the month of April 2003 reporting that 98 permits were issued with a total construction value of \$7,543,699.71 be received.

CARRIED

- 7.2      Region Wide Building Statistics report – March 31, 2003 (*All Directors - Unweighted Vote*)

**#197/03**      DAY/HARRIMAN

THAT the region-wide building statistics report to the end of March 31, 2003 be received.

CARRIED

**8. PARKS AND FACILITIES DEPARTMENT**

8.1 Report re: Joe Rich Community Hall Local Service Area Counter-petition  
(All Directors - Unweighted Vote)

a) Regional District of Central Okanagan Joe Rich Community Hall  
Service Establishment Bylaw No. 1015, 2003, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>**  
**readings** (All Directors - Unweighted Vote)

**#198/03** HANSON/CANNAN

THAT the Joe Rich Community Hall Local Service Area Counter-petition report be received.

CARRIED

**#199/03** HANSON/KNOWLES

THAT Regional District of Central Okanagan Joe Rich Community Hall Service Area Establishment Bylaw No. 1015, 2003 be given first, second and third reading this 12<sup>th</sup> day of May 2003.

AND THAT the bylaw be forwarded to the Inspector of Municipalities for approval;

AND THAT the Regional District of Central Okanagan seek the approval of the electors by counter-petition;

AND FURTHER THAT be it resolved that the estimated number of electors eligible to sign the counter petition is seven hundred and fifty three.

CARRIED

**9. NEW BUSINESS**

9.1 Westbank Community Library – funds for a handicapped access door  
(Westside Electoral Area Directors -Weighted Vote)

**#200/03** NOVAKOWSKI/DINWOODIE

THAT the April 25, 2003 letter from Don Nettleton, Financial Manager, Okanagan Regional Library regarding funds for a automatic access door be received;

AND FURTHER THAT up to a maximum of \$3,500 be provided through the equipment reserve fund to pay for the installation of an automatic access door to the Westbank Community Library.

CARRIED

- 9.2 Westside Electoral Area Grant-in-aid (\$300) – Westbank & District Chamber of Commerce for Key Business Awards 2003 (*All Directors - Unweighted Vote*)

**#201/03** NOVAKOWSKI/KNOWLES

THAT a Westside Electoral Area grant-in-aid in the amount of \$300 be allocated to the Westbank & District Chamber of Commerce for the 2003 Key Business Awards.

CARRIED

*Discussion:* In the past, one dinner has been provided to the award ceremony with the grant. The Westside directors agreed that the full grant-in-aid is to go toward the business award and that they will pay for their own dinner costs.

- 9.3 Westside Electoral Area Grant-in-aid (\$400) – Mount Boucherie Secondary School for Dry Grad 2003 (*All Directors - Unweighted Vote*)

**#202/03** DINWOODIE/KNOWLES

THAT a Westside Electoral Area grant-in-aid in the amount of \$400 be allocated to the Mount Boucherie Secondary School for Dry Grad 2003.

CARRIED

- 9.4 Approval of expenses for the Chair to attend the Regional District Chairs and Administrators Meeting “Regional Districts and the Impact of the Community Charter” (*All Directors - Unweighted Vote*)

Chair Hobson noted that he is unavailable to attend the meeting and that Vice-Chair Aaron Dinwoodie will attend the June 6<sup>th</sup> meeting on his behalf.

**#203/03** HEIN/KNOWLES

THAT the Regional Board approves the travel expenses for the Vice-Chair to attend the June 6, 2003 Regional District Chairs and Administrators Meeting “Regional Districts and the Impact of the Community Charter”.

CARRIED

- 9.5 Release of ‘In Camera’ minutes regarding land acquisition issues (*All Directors - Unweighted Vote*)



**#204/03**      HARRIMAN/CANNAN

WHEREAS, from time to time, the Board of the Regional District of Central Okanagan meets in an 'In Camera' session to discuss and give direction with regard to possible land acquisitions for Regional District purposes;

AND WHEREAS, at such time as the land acquisition process is concluded, there is no longer a requirement for the 'In Camera' minutes of the Board to remain confidential;

THEREFORE, be it resolved:

- 1) 'In Camera' minutes regarding the purchase of specific parcels of land for Regional District purposes may be made available publicly any time after the conclusion of purchase and registration of sale for a particular parcel of land.
- 2) In all cases, in order to ensure that there is no further need for confidentiality, the item should be referred to the Chief Administrative Officer for final approval prior to release.
- 3) Other matters dealt with in an 'In Camera' meeting may be made public, where appropriate, by Board resolution taking into account the effect that the release of such information might have on any individual and any privacy rights or other provisions of the *Freedom of Information and Protection of Privacy Act*.

CARRIED

9.6      Award of contract – Westside Regional Wastewater Treatment Plant Stage II Expansion (*All Directors - Weighted Vote*)

The board reviewed the difference spread in the contract prices received from the four companies who submitted a tender and expressed concern on the wide-difference in the fee structure. Mr. Hettinga highlighted the process involved in the selection of the consultant noting the proposals were reviewed based on the Engineering Department's Proposal Evaluation Policy which has been approved by the Board. It was agreed to defer the awarding of the contract until Engineering Services provides further detailed information on the criteria used to evaluate the tender.

**#205/03**      GRAY/CANNAN

THAT the Regional District *DEFER* the award of a contract to complete the preliminary design, detail design and tendering for the proposed Stage II Expansion of the Westside Regional Wastewater Treatment Plan until the next Regional Board meeting scheduled for May 26<sup>th</sup>.

CARRIED

**ACTION:** The Board to receive a copy of the Proposal Evaluation Policy used to review tenders. In addition, confirmation is to be given whether GST is included in the final total.

**10. OTHER BUSINESS**

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation

Director Shepherd noted the next Parks Advisory Committee is to be held tomorrow at 9:15 a.m. Discussion occurred on whether at least one board or staff member is going to attend the Parks Forum and the importance of networking with the wide-range of individuals attending the Forum from across North America.

**#206/03 HARRIMAN/GRAY**

THAT the Regional Board authorize a member of the Board or Parks staff to attend the Parks Forum being held in Victoria in June 2003.

CARRIED

b) Transportation

Chair Hobson circulated a draft letter to Premier Campbell regarding the privatization of the Coquihalla Highway & the increase in tolls. The Board discussed the letter and suggested alternative wording, options and the need to develop a strategy. Chair Hobson noted that he will attend a meeting tomorrow that the Kelowna Chamber of Commerce has called to discuss options. Discussion included:

-public consultation needs to be considered

-ask the question would you consider other options if presented to you?

-extend an invitation to the Minister of Transportation and staff to meet at the earliest opportunity to review public concerns and discuss other options

-is the Chamber the best vehicle to communicate directly with Province on alternatives

c) Planning and Environment

Director Dinwoodie noted the Planning & Environment meeting has been cancelled due to lack of agenda items. Staff confirmed that they have been in contact with staff at Land & Water BC Inc. and that due to staff illness a joint meeting has not taken place. At report on the Crystal Mountain resort proposal will be brought to the board at the earliest opportunity.

**ACTION:** Staff to bring report to Westside Issues Committee on the Westbank Town Centre Plan lot appeal.

- d) Engineering  
Director Novakowski noted the next meeting of the Engineering Committee will take place June 5.
  
- e) Air Quality  
Director Shepherd  
The 2003-2207 Air Quality Committee's Planning Flowchart was circulated to the Board. A workshop to review the Agricultural Wood Residue report was held on April 29<sup>th</sup>. The Engineering Committee has been asked to further review the tub grinding option and report back to the Air Quality Committee (AQC). The AQC is looking at incentives for a flail mower program. The Okanagan Airshed Coalition will be signing an MOU on June 6<sup>th</sup>.

*ACTION:* The costs associated with the planning flowchart are to be brought forward to the Board for review.

**#207/03**      SHEPHERD/HANSON

THAT the Central Okanagan Regional Air Quality Committee's 2003-1007 Program Planning Flowchart be received.

CARRIED

- f) Governance and Services  
Chair Hobson noted the next meeting of the Governance & Services Committee is scheduled for June 13.

10.2 Director Items

- a) Westbank Town Centre Highway Approaches Maintenance

Director Dinwoodie noted that the Chamber contacted the Regional District to discuss a possible partnership to maintain the Highway 97 approaches to the Westbank Town Centre. The Provincial government has indicated that they will no longer pay for the maintenance and enhancement of the Westbank highway approaches.

**#208/03**      DINWOODIE/NOVAKOWSKI

THAT the Regional Board approve entering into a partnership agreement with the Westbank & District Chamber of Commerce and other community groups to maintain and enhance the Highway 97 approaches to Westbank Town Centre;

AND FURTHER THAT the Regional District apply for a permit from the Provincial government for the two highway accesses as outlined in red on the plan;

AND FURTHER THAT staff estimate the annual maintenance cost for the subject lands that will affect the Westside Parks budget;

AND FURTHER THAT the partnership agreement, maintenance costs and the provincial license be brought back to the Regional Board at a subsequent meeting for final approval.

AND FURTHER THAT a committee be formed with the Westbank & District Chamber of Commerce, Bravo Westside, Parks Department and one Westside electoral area director to facilitate a partnership to maintain and enhance the approaches to the Westbank Town Centre.

CARRIED

b) Reinstatement of Community Health Councils

*ACTION:* Director Shepherd requested an April 10, 2003 letter from the Village of Burns Lake regarding reinstatement of community health councils be brought forward at the next Board meeting.

c) Casa Loma Community Association

Chair Hobson noted that the Casa Loma Community Association has invited the Board to a site tour of the Bruschinsky development proposal. It was recommended that if a site tour is to be arranged with the Community Association that it should include the developer, Regional District staff and the board members who are available to attend. It was agreed that the letter be forwarded to the Westside Electoral Area directors to arrange if they so wish and that the date and time be communicated to the Board.

d) Safety barriers on Hwy.33/Falconridge Crescent

Director Hanson expressed concern about the safety of the area of road on Hwy 33 and Falconridge Crescent. It was noted that the Ministry of Transportation is responsible for roads.

**#209/03**

HANSON/SHEPHERD

THAT the Regional Board support a request of Director Hanson for the Ministry of Transportation to install safety barriers between Falconridge Crescent along Hwy 33.

CARRIED

**11. ADJOURN**

**#210/03**

HARRIMAN/DAY

THAT pursuant to Section 242.2 of the Local Government Act, the Board adjourn and convene to an 'In-Camera' session to discuss property and personnel issues.

CARRIED

There being no further business the meeting as adjourned at 9:50 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**

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**Aaron Dinwoodie (Vice Chair)**

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