

Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, April 28, 2003

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

H. Hettinga, Director of Engineering Services
K. Arcuri, Director of Planning 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 7:10 p.m.

A moment of silence took place to remember Wallace (Wally) Bennett, the first chair of the Regional District of Central Okanagan who died on April 27th.

Presentation to Regional District Staff: Murray Hanson & Allan Yaciw

Chair Hobson congratulated and presented a Certificate of Qualification and Certificate of Apprenticeship in the trade of carpenter to Regional District staff members Murray Hanson and Allan Yaciw.

1. MINUTES

- 1.1 Public Hearing Minutes – March 26, 2003
- 1.2 Special Board Meeting – March 28, 2003

Amend 2.3 - 4th paragraph – to read “It was agreed that the Regional District contact Minister Thorpe to inform him that the Regional District does not have the funds necessary for this project and ask the Province to provide funds for an infrastructure grant to upgrade the Myra Canyon Service Forest Road.”

1.3 Regular Board Meeting – April 7, 2003

#165/03 DINWOODIE/SHEPHERD

THAT the Public Hearing Minutes of March 26, 2003 be received;

AND FURTHER THAT the Special Board Meeting minutes of March 28, 2003 be adopted as amended;

AND FURTHER THAT the Regular Board Meeting minutes of April 7, 2003 be adopted as circulated.

CARRIED

2. DELEGATION

2.1 Ken Campbell, Chair, Ad Hoc Committee on Access Roads to Myra Canyon re: Infrastructure grant

Ken Campbell, Chair of the Ad Hoc Committee on Access Roads to Myra Canyon, gave a presentation to the Board requesting the Regional District's support for upgrading portions of the Myra Canyon and Little White Forest Service Roads. Until last year, the roads were upgraded and maintained by the Ministry of Forests. The Ministry discontinued this work but the Province has not provided an alternative for their upkeep. The roads have deteriorated and are now the source of many complaints from users and parts are becoming a safety hazard. It was noted that in excess of 45,000 visitors per year use the trail. In January the Federal government named the KVR a national historic site.

The Ad Hoc Committee of volunteers came together last summer to facilitate a strategy to fill the void created when the Ministry of Forests discontinued work on the service roads. The committee has met with the Province and it has been suggested by Minister Thorpe that the Regional District apply for a Federal/Provincial Infrastructure (Tourism) Grant. The Committee's request for \$7,000 from the Regional District is a one-time request in order to upgrade the roads for this season and allow time to review long-term funding with the Province.

The Board discussed the current status of the road, typical travel patterns and which road is travelled more heavily (Myra Canyon access), what lobbying has occurred with the Province, what the long-term plan is for funding the annual maintenance and what grant options may be available from the Regional District. The Board further discussed whether the Regional District should communicate with the Province highlighting that the road access is very important to tourism in the community, that the Regional District is prepared to contribute up to \$7,000 this year for maintenance and challenge the Province to fund the remainder of costs. The concern is timing as the road needs immediate maintenance.

#166/03 SHEPHERD/DINWOODIE

THAT the Regional Board agrees to provide a one-time grant of \$7,000 for the upgrading of those portions of the Myra Canyon and Little White Forest Service Roads which access the Myra Canyon hiking and cycling trail for the 2003 season on the condition other sources provide matching one-time funds up to \$14,000.

CARRIED

ACTION: Staff review the requirements of the Federal/Provincial Infrastructure Grant application and review Regional District funding sources.

2.2 Steve Berna, Executive Director, Municipal Finance Authority re: Community Bonds

Steve Berna, Executive Director of the Municipal Finance Authority, gave a brief review of the Municipal Finance Authority and community bonds – a rarely used alternative to conventional debenture borrowing available to BC Municipalities.

The bond is funded through the community instead of receiving funding through the sale of bonds on the bond market, community members can buy bonds in support of a local project. A project can be funded partially by a Community Bond and partially through a regular bond issue if desired. The interest paid to the bondholders (the community members) will be spent in the community.

Mr. Berna noted MFA has a project coordinator that will assist a municipality with the project if required. The Regional District would be required to set up an information meeting for the public if interested in proceeding. Mr. Berna would attend and explain the bond promotion to the community. The bonds are eligible for a self-directed RRSP. MFA would collect the monies and manage them. At this time, MFA is not charging to administer the project at present. The largest amount raised to date is just under \$200,000.

The Board questioned how the Regional District would proceed if interested in pursuing the program. The process to follow would be to decide on a project, review funding sources and investigate whether a MFA bond would be suitable.

#167/03 SHEPHERD/KNOWLES

THAT the report from the Municipal Finance Authority on Community Bonds be received

CARRIED

3. CORRESPONDENCE

No Board action required/requested

4. UNFINISHED BUSINESS

- 4.1 Regional District of Central Okanagan Westside Regional Sewer System Loan Authorization Bylaw No. 1011, 2003, **Adoption** (*All Directors - Weighted Vote*)

#168/03 NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Westside Regional Sewer System Loan Authorization Bylaw No. 1011, 2003 be reconsidered and adopted this 28th day of April 2003.

CARRIED

- 4.2 Regional District of Central Okanagan Westside Regional Sewer System Temporary Borrowing Bylaw No. 1012, 2003 **RESCIND Bylaw in its entirety** (*All Directors - Weighted Vote*)

It was noted that Bylaw No.1012 should not have been adopted until after Bylaw No. 1011, 2003 was approved by the Inspector of Municipalities therefore the bylaw is being rescinded in its entirety.

#169/03 DAY/SHEPHERD

THAT Regional District of Central Okanagan Westside Regional Sewer System Temporary Borrowing Bylaw No. 1012, 2003 be **RESCINDED** this 28th day of April 2003.

CARRIED

- 4.3 Regional District of Central Okanagan Westside Regional Sewer System Temporary Borrowing Bylaw No. 1014, 2003, **1st, 2nd and 3^d readings, and Adoption** (*All Directors - Weighted Vote*)

#170/03 DINWOODIE/HARRIMAN

THAT Regional District of Central Okanagan Westside Regional Sewer System Temporary Borrowing Bylaw No. 1014, 2003 be given first, second and third readings, reconsidered and adopted this 28th day of April 2003.

CARRIED

5. FINANCE DEPARTMENT

No Board action required/requested

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding the Ministry of Transportation's proposal for Right-of-Way and Rest Area Commercialisation (*All Directors*)

#171/03

HEIN/GRAY

THAT the Regional District of Central Okanagan supports the Ministry of Transportation's plan to contract with Mountain Media to revitalize the existing tourist information sign at the Hwy 97C pull-out 7 km west of Westbank, providing it is no larger than the existing sign, as proposed by Mountain Media in their April 18, 2003 submission;

AND THAT the Regional Board Chair forward a letter to the Ministry of Transportation outlining the Board's concerns with respect to any commercialisation of Highway rights-of-way and rest areas given that the proposals will be contrary to local land use regulations, development servicing regulations and business licensing;

AND THAT support is subject to removal or consolidation of the signs along the fence at the Hwy97C pull-out;

AND FURTHER THAT the Ministry of Transportation provide full consultation with all local governments prior to implementing any commercialisation proposal within our region.

CARRIED

- b) Report regarding the Central Okanagan Sensitive Ecosystem Inventory (*All Directors*)

#172/03

DINWOODIE/HEIN

THAT the *Sensitive Ecosystem Inventory-Central Okanagan 2000-2001* be received for information;

AND FURTHER THAT the Regional Board invite the Canadian Wildlife Service, the Conservation Data Centre, and the Inventory Team Leader (Kristi Iverson) to meet with members of the Board, members of the Environmental Advisory Committee, member municipalities and senior staff to present findings of the *Sensitive Ecosystem Inventory*.

CARRIED

- c) Report regarding the Crown Land Tourism Opportunity Study (*All Directors*)

#173/03 HEIN/CANNAN

THAT the Central Okanagan Regional Board of Directors receive the *Central Okanagan Crown Land Tourism and Commercial Recreation Opportunity Study*;

AND THAT the Regional District continue to work with provincial agencies in developing guidelines for land use and servicing on Crown land, in resolving issues within the Crown land tenure referral and development approval process, and in implementing action plans to support existing and new tourism developments and uses in the Central Okanagan;

AND FURTHER THAT the Board in principle supports the efforts by local and regional business, economic, recreation and tourist marketing associations to implement the identified crown land tourism and commercial recreation opportunities.

CARRIED

6.2 Development Variance Permits (*Unweighted Vote*)

- a) Application for a Development Variance Permit for Leslie and Donna Johnson (owners) located adjacent to Farmers Drive. (VP-03-03)
Ellison/Joe Rich Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

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

#174/03 HANSON/SHEPHERD

THAT the Regional Board approve Development Variance Permit application VP-03-03 for Leslie and Donna Johnson (owners) located adjacent to Farmers Drive to vary Schedule "C.2", Table C.2.1. of Subdivision and Development Servicing Bylaw No. 704 by reducing the minimum public road frontage requirement in the A1 zone for proposed Lot A, from 10% of the lot perimeter (116.25 metres) to 6.5% of the lot perimeter (76.0 metres), as per the revised proposed plan of subdivision prepared by Les Johnson dated March 4, 2003.

CARRIED

- b) Application for a Development Variance Permit for Hilary & Alan Caulfield (owners) and John Greenwood (agent) located adjacent to Nerie Road (VP-03-04) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

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

#175/03 DINWOODIE/NOVAKOWSKI

THAT the Regional Board approve Development Variance Permit application VP-03-04 for Hilary and Alan Caulfield (owners) located adjacent to Nerie Road to reduce the minimum parcel frontage requirement of Section 6.3.3 of the RU3 Rural 3 zone of Zoning Bylaw #871 on proposed Lot 2 from 30.0 metres to 14.5 metres, as per the attached *Plan of Proposed Subdivision* prepared by William E. Maddox, B.C. Land Surveyor.

CARRIED

- c) Application for a Development Variance Permit for Dennis and Karen Fraser (owners) located adjacent to Klein Road (VP-03-05) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

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

Mr. Arcuri noted that one letter had been received by Claudia and Robert Fowler (owner Lot 9) objecting to the variance. Their concerns are that the variance is not in keeping with the original design of cul-de-sac, the proposal will negatively impact their property value, privacy and view.

#176/03 DINWOODIE/KNOWLES

THAT the Regional Board approve Development Variance Permit application VP-03-05 for Dennis and Karen Fraser (owners) adjacent to Klein Road to vary Schedule "C.2", Table C.2.1 of Subdivision and Development Servicing Bylaw #704 by reducing the minimum public road frontage requirement in the R1 zone from 12.0 metres on a cul-de-sac and 18.0 metres at the 6-metre offset, to 11.29 metres on a cul-de-sac and 14.44 metres at the 6-metre offset for proposed Lot A, as shown on the attached plan of subdivision.

CARRIED

- d) Application for a Development Variance Permit for the Regional District of Central Okanagan (owners) located adjacent to Westside Road (VP-03-06) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

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

#177/03 NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-03-06 for the Regional District of Central Okanagan (owners) located adjacent to Westside Road to exempt a proposed fire hall development from the installation of the following servicing requirements of the P2 Zone, as per Subdivision and Development Servicing

Bylaw #704: community water system, sidewalks and walkways, curb and gutter, storm drainage, street lighting and underground wiring adjacent to Westside Road;

AND FURTHER THAT the request to vary the requirement for a community sewer system to allow for on-site sewage disposal be supported.

CARRIED

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

- a) Application for non-farm use in the ALR for Wilfred Rometsch / KMCS Ventures Ltd. (owners) and Keith Funk (agent) located adjacent to Highway 33. (A-02-08) Ellison/Joe Rich Electoral Area (*All Directors*)

There was consensus to remove the word 'conditionally support' from the motion and replace it with support.

#178/03 HANSON/HEIN

THAT the Regional Board support Agricultural Land Commission non-farm use application A-02-08 for Wilfred Rometsch/KMCS Ventures Ltd. (owners) (Eight Mile Ranch) located adjacent to Highway 33 subject to the approval of the Joe Rich Rural Land Use Bylaw amendment.

CARRIED

6.4 Bylaws: (First Reading) (Unweighted Vote)

- a) Joe Rich Rural Land Use Amendment Bylaw No. 730-11 for Wilfred Rometsch / KMCS Ventures Ltd. (owners) and Keith Funk (agent) to replace the Rural Tourist Commercial (RTC) designation with the Rural Tourist Commercial (Eight Mile Ranch) designation located adjacent to Highway 33. (RLUB-02-02) Ellison/Joe Rich Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

There was consensus to withhold the public hearing and geotechnical requirements until the ALR responds to the application. The public hearing will be held in the Joe Rich community.

#179/03 HANSON/CANNAN

THAT Joe Rich Rural Land Use Bylaw Amendment No. 730-11 (application RLUB-02-02) for Wilfred Rometsch/KMCS Ventures Ltd. (owners) located adjacent to Highway 33 be given first reading this 28th day of April 2003;

AND THAT the scheduling of a Public Hearing, to be held in the Joe Rich community, be withheld pending receipt of a detailed geotechnical report which addresses the concerns of Black Mountain Irrigation District;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of the following:

- Registration of a Section 219 covenant restricting the development to the site plan submitted on both parcels, and to incorporate the 15 metre setback from top of bank, as per the October 4, 2002 letter from EBA Engineering;
- Resolution of the walkway/covenant issues identified by the Parks Department in their response of July 2, 2002;
- Approval of ALR application (A-02-08) from the Agricultural Land Commission;
- Approval from the Ministry of Transportation regarding Joe Rich Rural Land Use Bylaw Amendment No. 730-11;
- Approval of the sewage disposal system from Interior Health and/or the Ministry of Water, Land and Air Protection.

CARRIED

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

- a) Broadview Neighbourhood Plan Bylaw No. 686-16 (New Town Planning Services) to amend 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*)

#180/03 DINWOODIE/NOVAKOWSKI

THAT Official Community Plan Amendment Bylaw No. 686-16 be given second and third readings this 28th day of April 2003;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of the following;

- Official Community Plan Bylaw Amendment No. 686-16 approval from the Ministry of Transportation and the Ministry of Community, Aboriginal, and Women's Services;
- Registration of a Section 219 covenant to address the Shannon Lake Road connection issue to the satisfaction of Regional District staff and the Ministry of Transportation.

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 Hoskins Road and Last Road. (Z03/01) Westside Electoral Area (*Electoral Areas Only*)

#181/03 NOVAKOWSKI/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-53 for M. Van Exan and S. Lyttle (owners) located adjacent to Hoskins Road and Last Road application (Z03/01) be given second and third reading this 28th day of April 2003;

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

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

- a) Zoning Amendment Bylaw 871-49 for Hilary and Alan Caulfield (owners) and John Greenwood (agent) to amend the zoning from R1 Single Detached Housing to RU3 Rural 3 located adjacent to Nerie Road. (Z02/13) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#182/03 DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw 871-49 application (Z02/13) be reconsidered and adopted this 28th day of April 2003.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

- 7.1 Building Violation – Lot C, Plan 18211, District Lot 506, 1135 Stevens Road (Westside Electoral Area) Notice to be placed on Title – Owner: Westville Dev. Ltd. (*All Directors - Unweighted Vote*)

#183/03 NOVAKOWSKI/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot C, Plan 18211, 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 freestanding sign, built under authority of Building Permit #6459/98, has not been finalized, which is a violation of Regional District of Central Okanagan Building Bylaw #835. The permit cannot be closed until a Schedule C from a professional engineer has been received.

CARRIED

8. PARKS AND FACILITIES DEPARTMENT

No Board action required/requested

9. NEW BUSINESS

9.1 Report re: Westside Issues Committee

Chair Hobson reported that the three Westside Area Directors have been meeting regularly since early January to discuss issues specific to the Westside. Due to the informal nature of the meetings, Directors have not had the benefit of the usual administrative support given to Board committees. The result has been that the directors find there is no follow-up from meeting to meeting. The Westside Directors request that a Westside Issues Committee be created and that administrative support be provided to the committee.

#184/03 DINWOODIE/NOVAKOWSKI

THAT the Regional Board approve the creation of a Westside Issues Committee;

AND THAT the committee membership consist of the three Westside directors with the Board Chair being ex-officio to the committee.

CARRIED

10. OTHER BUSINESS

10.1 Local artist – Kevin Ade’s work on display at the Regional District for April/May (*for information only*)

The work of local artist Kevin Ade, founder of the Friends of Brandt’s Creek, is on display on the Regional District art wall for the months of April/May 2003. The public is invited to come and view the work while on display.

10.2 Director Items

a) Air Quality Committee Workshop

The Board was reminded the workshop to review the draft report *Handling Options for Agricultural Wood Residue* is being held Tuesday, April 29th. The Okanagan Airshed Coalition will meet following the workshop.

b) Exotic Animal Bylaw

Director Shepherd requested that the draft exotic animal bylaw be allowed to be brought back to the Regional Board instead of the Governance and Services Committee as the next Governance meeting is not scheduled until June. The Board agreed to the request.

- c) Parks Advisory Committee meeting
The Board agreed to move the start time of the May 13th Parks Advisory Committee meeting from 8:30 a.m. to 9:00 a.m. due to some committee members commitment that morning.

- d) West Nile Virus
Mayor Gray noted that a presentation regarding the West Nile Virus will be given to the City of Kelowna Council at next Monday's Council meeting and invited other Board members to attend the session. The question was raised whether the Regional District does a sufficient job with mosquito control considering the virus is moving West. Mr. Roth noted the Regional District's program is a nuisance mosquito program only licensed to treat specific ponds that are not connected to fish bearing streams. It was noted that the Interior Health Authority is working with the Ministry of Health on a West Nile program for the Province.

ACTION: Staff to link to the Ministry of Health website to the Regional District website, as well as notify the District of Lake Country and District of Peachland of the website address.

- e) Joe Rich Community Petitions Committee
Director Hanson read the results of a petition from an April 9, 2003 letter from Laurie Takoff, Joe Rich Petition Committee. It was noted that the petition had been circulated prior to the Regional District's public meeting held in the Joe Rich community.

#185/03 HANSON/HEIN

THAT the April 9, 2003 letter from Laurie Takoff highlighting the results from a community petition regarding the Joe Rich Fire Department be received.

CARRIED

- f) Crystal Mountain
Director Dinwoodie requested an update on the status of the Crystal Mountain Development and meetings between Regional District and Provincial staff. Mr. Arcuri noted that meetings have occurred and a report will be forthcoming.

ACTION: Staff to update the Board on the Crystal Mountain Development project at the May 12th Regional Board meeting.

- g) Director's Office
Director Day noted that since the Bertram Creek meeting room is now being used as an office for the Communication Coordinator that Board members do not have access to a desk and phone when they come to the office.

ACTION: The Chair and Administrator to review the requirements for the Directors office.

- h) Regional Transportation Advisory Committee
Chair Hobson reported that he has been appointed to the Thompson-Okanagan Regional Transportation Advisory Committee. David Rush is the other appointee from the Kelowna area. There are 11 appointees to the committee. Bonnie Leonard, Chief of the Kamloops Indian Band was named Chair. The role of the committee is to provide advice to the government, identify priority projects and take a regional perspective on priorities. It is not the role of committee members to lobby for priorities in the area.

11. ADJOURN

There being no further business the meeting as adjourned at 9:35 p.m.

CERTIFIED TO BE TRUE AND CORRECT

Robert Hobson (Chair)

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