

**APPROVED FEB. 24, 2003**

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

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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)

W. d'Easum, Chief Administrative Officer  
H. Hettinga, Director of Engineering Services  
J. Johnson, Manager of Current Planning  
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 7:15 p.m.

**1. MINUTES**

1.1 Regular Meeting – January 27, 2003

**#53/03**

HEIN/KNOWLES

THAT the Regular Minutes of January 27, 2003 be adopted as circulated.

CARRIED

**2. DELEGATION**

No delegation

**3. CORRESPONDENCE**

3.1 Letter – C.N. Mayes, Mayor – District of Salmon Arm re: Federal Government Spending/Municipal Infrastructure (*All Directors - Unweighted Vote*)

**#54/03**

HEIN/DINWOODIE

THAT the January 16, 2003 letter from Mayor C.N. Mayes, District of Salmon Arm re: Federal Government Spending/Municipal Infrastructure be received.

CARRIED

- 3.2 Letter – Jim Abram, Director, BC Citizens for Public Power re: BC Hydro (*All Directors - Unweighted Vote*)

**#55/03**

SHEPHERD/DINWOODIE

THAT the following letters be received;

- January 17, 2003 letter from Jim Abram, Director, BC Citizens for Public Power re: BC Hydro
- February 7, 2003 letter from Dave Seibel, Country Managing Director, Accenture BC re: BC Hydro be received.

CARRIED

- 3.3 Letter – Peter Jmaeff, Administrator – District of Peachland re: Fringe Area Planning (*All Directors - Unweighted Vote*)

**#56/03**

HARRIMAN/SHEPHERD

THAT the January 30, 2003 letter from Peter Jmaeff, Administration, District of Peachland re: Fringe Area Planning be received.

CARRIED

*ACTION:* Planning & Environment Committee to review and clarify the fringe area boundaries at a future meeting.

- 3.4 Letter – Dave Seibel, Country Managing Director, Accenture re: BC Hydro & Jim Abram's letter (*All Directors - Unweighted Vote*)

Letter received in resolution #55/03

**4. UNFINISHED BUSINESS**

- 4.1 Regional District of Central Okanagan Westside Streetlighting Local Service Area Amending Bylaw No. 1000, 2003, **Adoption** (*All Directors - Unweighted Vote*)

**#57/03**

DINWOODIE/KNOWLES

THAT Regional District of Central Okanagan Westside Streetlighting Local Service Area Amending Bylaw No. 1000, 2003 be reconsidered and adopted this 10<sup>th</sup> day of February 2003.

CARRIED

- 4.2 Regional District of Central Okanagan Westbank Streetlighting Local Service Area Amending Bylaw No. 1001, 2003, **Adoption** (*All Directors - Unweighted Vote*)

**#58/03**

NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Westbank Streetlighting Local Service Area Amending Bylaw No. 1001, 2003 be reconsidered and adopted this 10<sup>th</sup> day of February 2003.

CARRIED

- 4.3 Report re: Fire Trucks – Joe Rich Fire Protection Area (*All Directors - Unweighted Vote*)

The Regional Board at its January 27, 2003 meeting requested that the technical committee, comprised of the regional fire chiefs, review the requirements for tender # 52 fire truck for the Joe Rich Fire Protection Area. The Committee's recommendations were reviewed by Chief G. Zimmerman which included:

- Continue to pursue the option of one tanker and one pumper, rather than two tankers and one pumper
- Consider entering into an automatic aid agreement with Kelowna, Ellison or both, in order that a tanker will be responding immediately upon a 9-1-1 call.
- Negotiate changes in the order of the units, if possible, including upsizing the tank capacity, equipping with 4-wheel drive, and installation of compressed foam.
- Create a five and twenty-year capital plan based on future community needs and anticipated growth.

The Board discussed the Technical Committee's recommendations and reviewed potential options. Mr. d'Easum explained that a purchase order has been issued for the fire trucks and that the legal opinion to the Board was this is a contract with the supplier.

HANSON/GRAY

**#59/03**

THAT the Regional Board authorizes the Administrator, and representatives of the technical committee, to meet with American LaFrance to determine the status of truck order, discuss options for modification and report back to the Board with recommendations;

AND FURTHER THAT the Technical Committee continue to review equipment requirements for the Joe Rich Fire Protection District.

CARRIED

- 4.4 Regional District of Central Okanagan Security Issuing Bylaw No. 1007, 2003, ***Adoption (All Directors - Weighted Vote)***

**#60/03**

DINWOODIE/DAY

THAT Regional District of Central Okanagan Security Issuing Bylaw No. 1007, 2003 be reconsidered and adopted this 10<sup>th</sup> day of February 2003.

CARRIED

**5. FINANCE DEPARTMENT**

No Board action required/requested

**6. PLANNING DEPARTMENT**

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

- a) Application for a Development Variance Permit for Terry Molsberry (owner) located adjacent to Paynter Road. (VP-02-20) 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 none.

**#61/03**

NOVAKOWSKI/KNOWLES

THAT the Regional Board approve Development Variance Permit for Terry Molsberry (owner) located adjacent to Paynter Road (application VP-02-20) to vary Section 7.1.12.2 of the R1 Regulations of Zoning Bylaw No. 871 by increasing the maximum height requirement for an accessory building, from 5.0 metres to 7.52 metres in order to permit construction of a 77.29 square metre detached garage.

CARRIED

**6.2 Bylaws: (First Reading) (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*)

**#62/03**

DINWOODIE/NOVAKOWSKI

THAT Zoning Amendment Bylaw No. 871-50 (application Z02/14) for Luneli Enterprises Ltd. (owner) located adjacent to Churchill Road be given first reading this 10<sup>th</sup> day of February 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. 871-50 approval from the Ministry of Transportation.

CARRIED

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

**#63/03**

DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-52, for Victor Projects Ltd. (owner) located adjacent to East Boundary Road (application Z02/16) be given first reading this 10<sup>th</sup> day of February 2003;

AND FURTHER THAT the application be scheduled for a Public Hearing.

CARRIED

**6.3 Bylaws: (Second and Third Readings) (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*)

**#64/03**

DINWOODIE/DAY

THAT Zoning Amendment Bylaw 871-49 for Hilary and Alan Caufiled (owners) located adjacent to Nerie Road (application Z02/13) be given second and third readings this 10<sup>th</sup> day of February 2003;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Preliminary Layout Approval fro subdivision and approval of Zoning Amendment Bylaw No. 871-49 from the Ministry of Transportation.

CARRIED

- b) To amend the Official Community Plans to incorporate Form & Character Development Permit Guidelines for the RC-1, Compact Housing Zone.
  - i) Official Community Plan Amendment Bylaw No. 785-3, Westside Official Community Plan Westside Electoral Area (*All Directors*)
  - ii) Official Community Plan Amendment Bylaw No. 672-14, Lakeview Official Community Plan Westside Electoral Area (*All Directors*)
  - iii) Official Community Plan Amendment Bylaw No. 686-23, Westbank Official Community Plan Westside Electoral Area (*All Directors*)

**#65/03**

DINWOODIE/NOVAKOWSKI

THAT the following bylaws be given second and third readings this 10<sup>th</sup> day of February 2003:

- Official Community Plan Amendment Bylaw No. 785-3, Westside Official Community Plan Westside Electoral Area
- Official Community Plan Amendment Bylaw No. 672-14, Lakeview Official Community Plan Westside Electoral Area
- Official Community Plan Amendment Bylaw No. 686-23, Westbank Official Community Plan Westside Electoral Area

CARRIED

## **7. INSPECTION SERVICES DEPARTMENT**

7.1 Building Statistics for January 2003 (*All Directors - Unweighted Vote*)

**#66/03**

HEIN/GRAY

THAT the building statistics for the month of January 2003 be received which indicates that 64 permits were issued for a total construction value of \$4,416,983.

CARRIED

7.2 Building Violation – District Lot 3891, Brenda Mines Road (Westside Electoral Area) Notice to be placed on Title – Owner: Lee (*All Directors - Unweighted Vote*)

**#67/03**

NOVAKOWSKI/DAY

THAT the Regional District Board direct that a notice be filed on the title of District Lot 3891, 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 #6069/97, has not been finalized, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835. The permit cannot be closed until a final inspection has been done.

CARRIED

**8. PARKS AND FACILITIES DEPARTMENT**

- 8.1 Gellatly Nut Farm Regional Park Concept and Site Development Plans – Request for Proposals Submission Review – Proposal Review & Selection (*All Directors - Weighted Vote*)

**#68/03**

DINWOODIE/NOVAKOWSKI

THAT the Regional Board approve the completion of an agreement for contracting the services of Forecon Consulting Services to complete a study as described in the Request for Proposals issued December 11, 2002 for the preparation of a Site Concept Plan and Site Development Plan for Gellatly Nut Farm Regional Park;

AND FURTHER THAT a “Consulting Services Agreement” be completed between the Regional District of Central Okanagan and Forecon Consulting Services for a total contract price of \$44,735.00 (inclusive of expenses, disbursements and GST).

CARRIED

- 8.2 2003 Special Parks District Forum (Capital Regional District) (*All Directors - Unweighted Vote*)

**#69/03**

HEIN/KNOWLES

THAT the Regional Board approve the Regional District of Central Okanagan’s participation in the Special Parks District Forum;

AND THAT the representatives from the Regional Parks Advisory Committee participate in the Special Parks District Forum including: Director Sharon Shepherd, Chair of the Regional Parks Advisory Committee; Director Colin Day of the City of Kelowna, Director Bob Harriman of the District of Peachland, Director Rolly Hein of the District of Lake Country, Director Patty Hanson of Ellison/Joe Rich Electoral Area and Director David Knowles of Electoral Area Westside;

AND FURTHER THAT the expenses be covered by the Regional Board Travel Budget.

CARRIED

- 8.3 Rose Valley Regional Park – Road Dedication (*All Directors - Unweighted Vote*)

**#70/03**

SHEPHERD/NOVAKOWSKI

THAT the Regional Board consent to a road dedication of approximately 1500 square metres of Rose Valley Regional Park to facilitate the upgrading of Westlake Road as shown in the report dated February 10, 2003;

AND FURTHER THAT the road dedication area will be re-graded and restored as per the Ministry of Transportation requirements.

CARRIED

8.4 Kalamoior Park Sanitary Sewer Forcemain Construction (*All Directors - Unweighted Vote*)

**#71/03**

HANSON/NOVAKOWSKI

THAT the Regional Board approve the construction of a 300mm diameter sanitary sewer force main through the northwest corner of Kalamoior Park as shown in the report dated February 10, 2003;

AND FURTHER THAT the park be returned to pre-construction condition as shown on the photos attached to the report of February 10, 2003. This will include re-establishing of the talus slopes, hydro seeding, and planting of native bushes.

CARRIED

8.5 Joe Rich Ratepayers and Tenants Society Lease Agreement – Joe Rich Centre (*All Directors - Unweighted Vote*)

**#72/03**

SHEPHERD/HARRIMAN

THAT the Regional Board *DEFER* the decision regarding a three-year lease agreement with the Joe Rich Ratepayers and Tenants Society for operation and maintenance of the community portion of the Joe Rich Centre in order to allow communication to occur between the Joe Rich Fire Department, Joe Rich Ratepayers and Tenants Society and Regional District staff.

CARRIED

Discussion:

The question arose whether the community has been advised of the lease agreement and whether discussions have occurred with the Joe Rich Fire Department. Mr. Vos noted that an email had been received from a concerned citizen of Joe Rich that the community has not been advised of the lease agreement. The Board agreed to defer the lease agreement approval until the further communication has occurred between all parties.

8.6 BC Hydro Power Smart Agreement (*All Directors - Unweighted Vote*)

**#73/03**

SHEPHERD/DINWOODIE

THAT the Regional Board approve entering into an agreement with B.C. Hydro to participate in their Power Smart Partner Program;

AND THAT a letter of commitment be signed and sent to B.C. Hydro within 90 days;

AND FURTHER THAT the Regional District of Central Okanagan work with B.C. Hydro to develop and implement a Power Smart strategy for all the Regional District's facilities using B.C. Hydro.

CARRIED



- 8.7 Park Dedication Proposal – Subdivision Application 02-5259 (Lot A – Plan 18429, D.L. 485, O.D.Y.D., Except Plans 18846, 22092 & 25856, and Northerly 15 Chains of D.L. 485, Except Plans 41453, 42401 & 43347 – Lucinde Road (Westside Electoral Area) *(All Directors - Unweighted Vote)*)

**#74/03**

DINWOODIE/KNOWLES

THAT the Regional Board approve park dedication requirements in conjunction with subdivision application 02-5259 and any future subdivision of Lot A – Plan 18429, D.L. 485, O.D.Y.D., Except Plans 18846, 22092 & 25856, and Northerly 15 Chains of D.L. 485, Except Plans 41453, 42401 & 43347;

AND FURTHER THAT the applicant will donate contiguous areas of land with slopes in excess of 30% as park (open space), as illustrated in the attached plan of subdivision, outlining a total park land area of 7.59ha. (18.75 acres);

AND FURTHER THAT upon donation, by the applicant, of all contiguous land areas with slopes in excess of 30%, park dedication requirements shall be calculated on a reduced development area of 13.99ha. (34.57 acres) which results in a total of 0.6995ha.(1.73 acres) of required park land dedication area;

AND FURTHER THAT if registration of the proposed subdivision is completed within one (1) year of Regional Board approval of subdivision application 02-5259, the applicant shall provide a letter of credit and/or bank receipt & agreement for \$12,653.99 as a form of security for the 0.1138ha. proposed neighbourhood park;

AND FURTHER THAT the applicant shall register a covenant against Remainder Lot A, Plan 18429 D.L. 485, O.D.Y.D. for the provision of the 0.1138ha. neighbourhood park at the time of future subdivision of that lot;

AND FURTHER THAT the applicant shall provide a letter of credit and/or bank receipt & agreement for \$29,500.00 as security for future rockfall hazard mitigation work to be undertaken within select areas of the proposed park (open space) site;

AND FURTHER THAT in lieu of dedicating the outstanding 0.1875 ha park land requirement, the applicant construct a non-urban standard walkway (as described in RDCO Bylaw No.704 or as approved by the RDCO Manager – Park Planning & Development) to a maximum tendered value of \$20,648.91;

AND FURTHER THAT the construction of the above walkway will be undertaken by the applicant in consultation with RDCO Parks & Recreation Department staff, initiating at the northwest corner of proposed 25-lot subdivision and progressing through the proposed open space to the edge of the proposed future development area, adjacent to Lakeview Road on the western edge of the subject application area;

AND FURTHER THAT if the subdivision registration is not completed within a one year time frame from the date of RDCO Board review, a re-evaluation of the park dedication requirements will be required for further review by the Westside Parks & Recreation Commission and the Regional Board.

CARRIED

8.8 John Dupuis Park Statutory Right-of-Way *(All Directors - Unweighted Vote)*

**#75/03**

DAY/DINWOODIE

THAT the Regional Board approve a statutory right-of-way to allow for the construction of a 200mm diameter sanitary sewer collection sewer along the northwest property boundary of John Dupuis Park as shown in the report dated February 10, 2003;

AND THAT the park will be returned to pre-construction condition as shown in the photos in the report dated February 10, 2003. Any area disturbed during construction will be regraded with topsoil and turfed. The fence and backstop will be returned to their original locations should removal be required during construction. Any trees removed or disturbed will be replaced;

AND FURTHER THAT a water service connection will be installed to the park as part of the sanitary sewer collection system project to a location determined by Park staff.

CARRIED

8.9 New Appointment to the Westside Parks and Recreation Commission *(All Directors - Unweighted Vote)*

**#76/03**

NOVAKOWSKI/KNOWLES

THAT the Regional Board appoint Kevin Bouchier to the Westside Parks and Recreation Commission for a two-year term commencing immediately and expiring December 2004.

CARRIED

**9. NEW BUSINESS**

9.1 Proclamation – ‘Heritage Week’ – February 17-23, 2003 *(All Directors - Unweighted Vote)*

**#77/03**

SHEPHERD/HANSON

WHEREAS ‘Heritage Day’ is a nationally recognized event held each year on the third Monday in February,

AND WHEREAS, the goal of Heritage Week is to increase public awareness of the importance of heritage in our everyday lives,

NOW THEREFORE BE IT RESOLVED that the Regional Board of the Regional District of Central Okanagan hereby proclaims the week of February 17-23, 2003 as ‘Heritage Week’.

CARRIED

- 9.2 Proclamation – ‘Kinsmen and Kinettes Day’ – February 20 and ‘Kinsmen and Kinettes Week – February 15 – 21, 2003 (*All Directors - Unweighted Vote*)

**#78/03**

DINWOODIE/NOVAKOWSKI

WHEREAS Kinsmen & Kinette Clubs of Canada has been a vibrant, responsible, all-Canadian association of service clubs devoted to the concept of serving its communities throughout Canada since its founding in Hamilton, Ontario on February 20, 1920;

AND WHEREAS Kinsmen & Kinette Clubs of Canada has been dedicated to meeting the needs of our community and has diligently sought the development and completion of timely, relevant programs to meet the needs and challenges of our constantly changing society,

AND WHEREAS Kinsmen & Kinette Clubs of Canada is celebrating its 83<sup>rd</sup> anniversary on February 20, 2003,

THEREFORE, the Regional Board of the Regional District of Central Okanagan hereby proclaims February 20, 2003 as ‘Kinsmen and Kinettes Day’ and February 15-21, 2003 as ‘Kinsmen and Kinettes Week’

CARRIED

- 9.3 Regional District Art Wall – artist for the months of February/March – Kelowna Palette Club (*for information only*)

The following artists work is being displayed on the Regional District Art Wall for the months of February-March 2003: Gabe Higazi, Ken Cochrane, Vicki Prince, Lori Breckenden, Carol Ursel, Betty Daft and Ilah Hockin.

The Board gave special thanks to the artists for their contribution to the art wall.

**10. OTHER BUSINESS**

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation

Director Shepherd noted the Regional District of Okanagan Similkameen is doing an inventory of all their park trails. The Regional District’s Parks Workplan includes a plan to inventory the District’s trails in the future.

b) Transportation

Due to conflicts with an Emergency Preparedness Workshop scheduled for March 6 it was agreed the Transportation meeting would be moved to March 5 at 1:30 pm.

c) Planning and Environment

The February 12 meeting of the Planning and Environment Committee has been re-scheduled to February 20 at which time a workshop on Crystal Mountain will be take place. Director Dinwoodie noted that the Broadview Neighborhood Plan and the deferred ALR applications will be coming back to the Board at its next meeting.

d) Engineering

Director Novakowski noted an Engineering Committee meeting was held February 6<sup>th</sup>. Discussions included: Okanagan Basin Water Board funding assistance of 18% to debt servicing; need for communication to the public well in advance of engineering projects; lack of sewer connection on lakeshore properties.

e) Okanagan Marine Advisory Council

Director Novakowski noted Alternate Director J. Harte attended a recent meeting of the Okanagan Marine Advisory Council at which time discussions occurred regarding the operator competency card program. A review of who can issue certificates will be done. As well discussion focused on the fact that BC is the only province without a Contravention Act.

f) Treaty Advisory Committee

Director Novakowski noted that four members of TAC will be attending the Community to Community Forum.

g) Air Quality

Director Shepherd highlighted the Air Quality Forum held in January was a great success; the Wood Stove Exchange Program is operating for the next month and \$15,000 in funding has been received for the Air Quality Airshed Development Program.

**#79/03**

**SHEPHERD/HANSON**

THAT the Chair send a letter to The Honourable David Anderson requesting that the Federal government keep the Mountain Weather Centre in Kelowna.

**CARRIED**

h) Governance and Services

The Governance and Services Committee meeting is scheduled for February 14<sup>th</sup>. Chair Hobson noted the meeting with School District No. 23 board has been moved from March 19<sup>th</sup> to April 2 at 7:00 p.m.

10.2 Director Items

a) Sale of lots on reservoir lakes

Chair Hobson noted that letters have been written opposing the sale of lots on reservoir lakes and that a meeting has been requested with Minister Thorpe to discuss the Provincial Governments plan to sell lots on reservoir lakes.

**11. ADJOURN TO IN CAMERA**

**#80/03**

HARRIMAN/HEIN

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

There being no further business, the meeting was adjourned by the Chair at 9:10 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**

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**Robert Hobson (Chair)**

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