

Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, July 7, 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
W. d'Easum, Chief Administrative Officer
K. Arcuri, Director of Planning Services
K. Roth, Director of Inspection Services
B. Vos, Director of Parks and Recreation Services
T. Bouwman, Human Resources Assistant (recording secretary)

Robert Hobson, Chair brought the meeting to order at 7:37 p.m.

1. MINUTES

1.1 Public Hearing – June 16, 2003

1.2 Regular Board Meeting – June 16, 2003

#268/03 NOVAKOWSKI/DAY

THAT the Public Hearing minutes of June 16, 2003 be received,

AND FURTHER THAT the regular board meeting minutes of June 16, 2003 be adopted as circulated.

CARRIED

2. DELEGATION

2.1 Glen Lucas, B.C. Fruit Growers Association, re: Bird Control Guidelines

Penny Gamble, President BC Fruit Growers Association distributed a publication "Bird Control in Agricultural Areas". She reviewed the publication stating that the purpose of this initiative is to highlight some proactive initiatives to protect crops and to ease conflict with neighbours. Birds damage not only the fruit they eat, but also the fruit next to it. They have been actively working on a number of

initiatives such as: Pilot project on starling control; Development of voluntary bird control guidelines; Establish 3 year pilot Peer Advisory Group. They request the Regional District consider being a contributing partner in this initiative.

Glen Lucas, B.C. Fruit Growers Association advised that the grape, fruit and cherry growers have all committed to funding and believe they can get it matched by the provincial government. They would like to see the Regional District provide funding in the future. They are estimating an annual budget of \$32,000 for 2003 which does not require Regional District participation. Next year they would request \$1,000 per year from each Regional District. If they receive regular contributions each year from both growers and Regional Districts they feel it would be sustainable.

The pilot 3-year Peer Advisory Group is an intermediary group that will meet with neighbours and farmer trying to find middle ground on bird control methods. The two-year pilot project is taking place in the Central Okanagan, Okanagan Similkameen and Creston areas.

It was suggested an informational pamphlet on bird control methods be published for people living next to orchards or considering purchasing neighbouring property. There was discussion about various methods such as sound reflectors being placed between the cannons and the houses and the use of falcons.

#269/03

SHEPHERD/DINWOODIE:

THAT the Regional Board provide support in principle for the BC Fruit Growers' Association initiatives to protect crops and ease conflict with neighbours pilot project on starling control; Development of voluntary Bird Control Guidelines; Establish 3 year pilot Peer Advisory Group.

CARRIED

ACTION: The Regional District of Central Okanagan staff provide information to the BC Fruit Growers' Association to apply for a grant-in-aid of \$1,000.00 for this initiative.

ACTION: This information will be presented to the three Regional District Chairs at their next meeting.

3. CORRESPONDENCE

3.1 Report regarding an application for a Permanent Change to a Liquor License for Duport Enterprises Ltd. (owners) and Bob McPherson (agent) located adjacent to Drought Road. (LL-03-01) (*All Directors*)

Director of Planning reviewed memorandum saying that the Planning Department supports the change of hours as they believe the new hours will not negatively impact other users in the area. The Advisory Planning Commission does not support this change in hours. No comments have been received from the

RCMP. The public was informed they may provide comments, but none were received.

No comments were received from the gallery.

#270/03

NOVAKOWSKI/GRAY:

THAT the Regional Board recommends the request for an amendment to the liquor-primary license for Whiski-Jack's Pub, located at 2442 Drought Road in downtown Westbank, in order to change to the hours of operation from:

10 am to 12 am Sunday to Thursday and 11 am to 1 am Friday and Saturday; to

10 am to 1 am Sunday to Thursday and 10 am to 2 am Friday and Saturday;
for the following reasons:

- The change in the hours of operation will have a negligible impact on the potential for noise and on the community in general;
- There are no cabarets or other liquor-primary licensed establishments in close proximity to the subject property, which are factors known to contribute to vandalism and rowdy behaviour;
- The requested change in the permitted hours of operation is consistent with the hours currently permitted for other liquor-primary licensed establishments within the City of Kelowna, and should be consistent throughout the region;
- There have been no comments received from the community in response to notification of the proposed change of hours of operation;
- The land use is supported by the policies of the Westbank OCP and the Westbank Town Centre Plan.

AND FURTHER THAT the Regional Board's comments on the prescribed considerations are as outlined in the report from the Planning Service Department, dated July 2nd, 2003.

AND FURTHER THAT the Regional Board direct Planning Services Department staff to forward the appropriate resolution to the Liquor Control and Licensing Branch in Victoria.

CARRIED

- 3.2 Letter: Robert Pellatt, Commission Secretary, British Columbia Utilities Commission, re: BC Hydro and Power Authority Proposal regarding a Heritage Contract, Stepped Rates and Access Principles

#271/03

KNOWLES/DINWOODIE:

THAT the June 17, 2003 letter from Robert Pellatt, Commission Secretary, British Columbia Utilities Commission, re: BC Hydro and Power Authority Proposal regarding a Heritage Contract, Stepped Rates and Access Principles be received.

CARRIED

ACTION: Director Harriman will attend the regional inquiry session held tomorrow in Vernon and report further information to the Regional Board meeting.

3.3 Letter: Ted Armstrong, Chairman, Cariboo Regional District, re: Province Wide Strategy for Management of Invasive Plants

The Cariboo Regional District has provided \$1,500.00 to the Fraser Basin Council who has been contracted to deal with noxious and invasive alien plants which is a province wide initiative.

#272/03

SHEPHERD/CANNON:

THAT the Regional Board provide support in principal for the notion of a province-wide strategy for management of invasive plants and would like to receive further information from the Fraser Basin Council prior to October.

CARRIED

4. UNFINISHED BUSINESS

No Board action required/requested

5. FINANCE DEPARTMENT

5.1 Regional District of Central Okanagan Security Issuing Bylaw No. 1023, 2003, **1st, 2nd and 3^d readings** (*All Directors - Unweighted Vote*)

#273/03

HEIN/DAY

THAT Regional District of Central Okanagan Security Issuing Bylaw No. 1023, 2003 be given first, second and third reading this 7th day of July 2003.

CARRIED

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

a) Report regarding the new Provincial Liquor Licensing Regulations – Proposed Policy Changes. (*All Directors*)

The Director of Planning advised that these changes are to update policy with current liquor licensing changes. Policy & Procedure changes were supported by Planning & Environment Committee who supported the recommendations. The procedures make reference to a 'public hearing', but should read 'public meeting'. This affects only the Regional District electoral areas.

#274/03

SHEPHERD/DINWOODIE:

THAT the Regional Board approve the attached revised liquor licensing policy;

AND FURTHER THAT the Regional District Policy and Procedures Manual be amended by replacing the existing liquor license application procedure policies with the revised policies shown in attached “Schedule A”;

AND FURTHER THAT Planning Services Department staff prepare a bylaw to amend Regional District of Central Okanagan Zoning Bylaw No. 871 to update the provisions of Bylaw No. 871, as per the recommendations in the Planning Services Department’s report of June 27, 2003.

AND FURTHER THAT one year after final reading the policies will be reviewed by the Planning & Environment Committee who will provide a report to the Board.

CARRIED

ACTION: “Schedule A” should be changed to read ‘public meeting’ in areas it reads public hearing.

ACTION: The bylaw will be reviewed by the Planning & Environment Committee one year after it receives final reading.

ACTION: Section 3 should be amended to read: ...“Adhoc Committee” be established to provide input.

6.2 Bylaws: (First Reading) (Unweighted Vote)

- a) Zoning Amendment Bylaw No. 871-58 for Connemara Farms Ltd. (owners) and Tony Stewart (agent) to amend Zoning Bylaw 871, 2000 Section 7.1.1 by adding a site specific use after Accessory Building & Structures, located adjacent to Gregory Road. (Z03/06) Westside Electoral Area (*Electoral Areas Only*)

#275/03

DINWOODIE/NOVAKOWSKI:

THAT Zoning Amendment Bylaw No. 871-58 application (Z03/06) be given first reading;

AND FURTHER THAT the park dedication/road access issues be resolved to the satisfaction of the Parks Department prior to the scheduling of a Public Hearing;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Zoning Amendment Bylaw No. 871-58 approval from the Ministry of Transportation.

CARRIED

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

- a)i) Official Community Plan Amendment Bylaw No. 672-17 for Towncor Investment Group Inc. (owner) and Renaissance Architecture Planning Inc. (agent) to amend the Lakeview Official Community Plan designation from Institutional to Neighbourhood Village Commercial located adjacent to Anders and Olalla Roads. Westside Electoral Area (*All Directors*).

#276/03

DINWOODIE/KNOWLES:

THAT Official Community Plan Amendment Bylaw No. 672-17 and Zoning Amendment Bylaw No. 871-54 application (Z03/02) be given second and third readings;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Official Community Plan Amendment Bylaw No. 672-17 approval from the Ministry of Community, Aboriginal and Women's Services and Zoning Amendment Bylaw No. 871-54 approval from the Ministry of Transportation.

CARRIED

- a)ii) Zoning Amendment Bylaw No. 871-54 for the above to amend the zoning from P2 Institutional and Assembly and C3 Gasoline Service Station to C1 Town Centre Commercial. (Z03/02) (*Electoral Areas and Kelowna Fringe Area*)

#277/03

DINWOODIE/NOVAKOWSKI:

THAT Zoning Amendment Bylaw No. 871-54 for the above to amend the zoning from P2 Institutional and Assembly and C3 Gasoline Service Station to C1 Town Centre Commercial be given second and third readings.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

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

#278/03

HEIN/KNOWLES

THAT the Building Statistics Summary for June 2003 be received.

CARRIED

- 7.2 Building Violation – Lot 21, Plan 13335, District Lot 539, 116 Siemens Road, Notice to be Placed on Title – Owner: Pattie (*All Directors - Unweighted Vote*)

The Director of Inspection Services advised that notice be placed on this property, as there are two outstanding building permits. Staff have tried unsuccessfully to inspect the building and letters sent have not been replied to.

#279/03

NOVAKOWSKI/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot 21, Plan 13335, 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. There are two building permits, one for a detached garage and covered stairway, built under authority of Building Permit #7596/99 and the other for interior/exterior alterations and two level deck, built under authority of Building Permit #8272/00, both permits have not been finalized, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835.

CARRIED

8. PARKS AND FACILITIES DEPARTMENT

- 8.1 B.C. Infrastructure grant for the Gellatly Nut Farm Regional Park (*All Directors - Unweighted Vote*)

The Director of Parks & Recreation Services advised there is urgency to submit this to the province for the Canada/BC Infrastructure program for the development of the Gellatly Nut Farm, thus it is being presented before the development plan and business plan have been completed. The first draft of the business plan has been developed with the Gellatly Nut Farm Society and staff will be meeting with them shortly. The grant application is submitted electronically and staff have 10 days after the resolution to submit additional boards resolution/documents. Staff will work diligently with the society to ensure the business plan is complete so that it will be included within the 10-day time frame.

There was concern expressed that this initiative does not overshadow the Mt. Boucherie expansion project. Minister Thorpe indicated this is not competing with Mt. Boucherie grant.

Staff was thanked for all their hard work on this project.

#280/03

KNOWLES/DINWOODIE:

THAT the Regional Board approve the submission of a grant application to the Canada / British Columbia Infrastructure program for the development of Gellatly Nut Farm Regional Park in the amount of \$600,000 based on the Regional District five year financial plan.

AND FURTHER THAT the Regional Board approve that the application be made jointly with the Gellatly Nut Farm Society.

AND FURTHER THAT the Regional Board approve the development of Gellatly Nut Farm Regional Park in 2005 using \$200,000 allocated for park development in the Regional District's 5-Year Financial Plan.

AND FURTHER THAT the Regional Board approve the continuing operation and maintenance of Gellatly Nut Farm Regional Park as allocated in the Regional District's 5-Year Financial Plan.

CARRIED

- 8.2 Relocation of Telus service to residence in Reiswig Regional Park (*All Directors - Unweighted Vote*)

#281/03

HEIN/KNOWLES:

THAT the Regional Board grant a statutory right of way to Telus Communications to relocate services to underground at Reiswig Regional Park.

CARRIED

- 8.3 Offer to Purchase, DL 4761, ODYD, Angus Drive property, Surplus Westside Park Land, Zoning Amendment Bylaw No. 871-31 (*All Directors – Weighted Vote*)

The Director of Parks & Recreation advised that two offers were submitted.

#282/03

DINWOODIE/KNOWLES:

THAT Regional District of Central Okanagan accept the offer to purchase of \$207,000.00 (Two Hundred and Seven Thousand Dollars) submitted by Joseph & Gayle Lavigne for the purchase of D.L. 4761, O.D.Y.D. (Angus Drive).

CARRIED

- 8.4 Offer to Purchase, Lot 8, Plan 43094, D.L. 2599, ODYD, Shannon Place property, Surplus Westside Park Land, Zoning Amendment Bylaw No. 871-29 (*All Directors – Weighted Vote*)

Director of Parks & Recreation advised that two bids were received. Cost of the subdivision, water, sewer will be taken out of funds received from the sale and the remainder will be put towards the Westside contribution for purchase of the Gellatly Nut Farm.

#283/03

DINWOODIE/KNOWLES:

THAT Regional District of Central Okanagan accept the offer to purchase of \$73,000.00 (Seventy Three Thousand Dollars) submitted by Wayne Schnitzler for the purchase of Lot 8, D.L. 2599 O.D.Y.D. Plan 43094. (Shannon Place).

CARRIED

9. NEW BUSINESS

9.1 Regional District of Central Okanagan Dog Regulation and Impounding Amendment Bylaw No. 1024 **1st, 2nd and 3rd readings and Adoption** (*All Directors - Unweighted Vote*)

#284/03

HEIN/HARRIMAN:

THAT Regional District of Central Okanagan Dog Regulation and Impounding Amendment Bylaw No. 1024, 2003 be given first, second and third readings, reconsidered and adopted this 7th day of July 2003.

CARRIED

10. OTHER BUSINESS

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation: No report.

b) Transportation: At the second meeting of the Regional Transportation Advisory Committee the Minister of Transportation apologized for not including the committee on the decision to sell the Coquihalla. The committee is required to come forward with recommendations for capital projects for next year in the general Thompson Okanagan area. Would like to bring back information about potential projects. Heartland Roads plan, used for improving secondary roads, has received funds for this year. It is estimated that approximately \$150 – 200 million will be spent in this area from funds collected through the 3.5 cent gas tax although there are no plans for the Westbank bypass initiative. Funds are being allocated for a new bridge, but not sure when it will be received. There are not many loud voices for funds to be spent in the Okanagan-Similkameen.

c) Planning and Environment: Procedure for neighbourhood plan function. Most significant events are the ALR exclusion application for the Westbank town centre as well as Westside OCP update.

d) Engineering: No report.

- e) Air Quality: The District of Peachland had an information session on the smoke control bylaw and they are going to participate but make it stronger. Reviewed the agricultural wood grinding for orchard replacement as well as the chipping incentive program and are also looking at doing a phase I project within the next year for which they are working on the budget. Health Study option as well as an indoor wood burning bylaw will be brought forward.
- f) Governance and Services: No Report
- g) Westside Issues: There have been two well-attended community governance process meetings with support from the Provincial Government. The Terms of Reference are to be adopted at the next meeting. Meetings are rotated throughout community. Grant in aid package for Westside museum who lost funding.

Kelowna Youth and Family Services provide counselling for families and children and would like to know if Westside is interested in providing this service.

10.2 Director Items

Director Knowles: Project Review committee Mt Boucherie expansion – coming to fruition and will report at next board meeting. Finalization of value analysis completed this week and it all looks good.

Mayor Hein: Exotic Animal Bylaw will be discussed in Lake Country. A committee is currently working on a cultural study that is funded by HRDC. The committee is establishing terms of reference for the consultant who will compile answers to various questions such as more decision making with the Land Commission and land use.

Director Shepherd: Received news release regarding Doug Skarra, RDCO custodian converting cleaning solutions to “green” cleaning solutions and commends him on a job well done.

ACTION: Board to send letter to Doug Skarra congratulating him on “green” cleaning solution initiative for Robert Hobson’s signature.

Harriman: “Green” cleaning solutions will be addressed at the District of Peachland.

ACTION: Challenge other Municipalities to go green cleaning

Mayor Gray: Received a letter regarding a person who received a speeding ticket for \$173.00 on Westside Road stating how the information could not be correct as the amount fined is equivalent to travelling 21 – 40 km above the posted speed limit which is too fast for that road. He will reply to letter.

Director Hanson: The Administrator is interviewing people for Joe Rich Volunteer Fire Chief position and thanked him for his efforts. She asked if Highway 33 is being included on transportation thoughts. There is a proposal for uphill passing

lanes within Kelowna for highway 33 (in 10 year plan). Commended the City of Kelowna on the new sign erected on Highway 33.

Director Cannan: Inquired about what stage the Crystal Mountain matter was at. This will be presented at the next Regional Board meeting. The Heritage Minister was in town regarding the TransCanada Highway with interesting debate. He also said that Senator Fitzpatrick talked about heritage status for Gellatly Nut Farm saying it is still being discussed.

#285/03

NOVAKOWSKI/DINWOODIE

THAT the Electoral Area Directors and Chairman attend the Police Cost Workshop scheduled on July 15, 2003 in Kamloops.

CARRIED

Director Dinwoodie: Connecting Communities agenda is out and the UBCM newsletter is in everyone's mailbox.

Director Novakowski: The Westbank pier/diving platform is very popular with kids, but residents on Angus Road are concerned about the noise. Safety is an issue as there have been boats in the diving area - staff should consider roping off the area. There has been observation with security contractor having problems with the kids and they are reluctant to call police. He asks the Parks Department to review the security contract as perhaps there is need for supervision during the day. Also encouraged them to work with residents to come to a resolution.

Director Novakowski is a member of the EDC Board and represents a committee formed to promote retail and commercial activity on the Westside. One key factor in this is partnering with Westbank First Nations on promoting economic activity.

There was lengthy discussion as to the best method of pursuing this. Including all the information from Westbank First Nations land for our land use maps would be beneficial for the whole community. The Chair would like to meet with the Chief in the near future.

#286/03

NOVAKOWSKI/DINWOODIE

THAT Director Novakowski enter into preliminary discussions with the Economic Development Commission Board regarding EDC together with the Westbank First Nations to promote economic development promotion on the Westside and report back to the Regional Board.

CARRIED

ACTION: Send a letter of congratulations to Chief Louie, Westbank First Nation on self-government and looking forward to arranging a meeting with them in the near future. Include our support in principal on bypass initiative.

Director Hein: Met with Chief Lyle Brewer of the Okanagan First Nation who is interested in developing a protocol agreement between the District of Lake Country and Okanagan First Nation. Director Hein thought perhaps the City might want to be included in the protocol agreement as the respective boundaries cross. This agreement is significant as it allows them to meet and discuss common issues and inform respective councils on sensitive native issues such as traditional use of land, land claims, etc. Discussions with Okanagan First Nations have brought up many things common to the whole area such as sewer issues, land claim issues, access issues. Director Dinwoodie commented it would be valuable to have Westside, District of Lake Country and City of Kelowna Directors attend this meeting. He will be attending a meeting with INAC and will see if there is any funding left in that program to have a proper event with the Okanagan First Nation.

Director Day: Nothing to report

11. ADJOURN

#287/03

HEIN/SHEPHERD

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

CARRIED

There being no further business the meeting as adjourned at 9:45 p.m.

CERTIFIED TO BE TRUE AND CORRECT

Robert Hobson (Chair)

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