

Minutes of the *REGULAR BOARD MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, August 9, 2004

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. Adsett, Assistant Planner
H. Hettinga, Director of Engineering Services
M. Kopp, Assistant Director of Parks and Recreation
I. Lawrence, Planning Technician
G. Leier, Director of Human Resources
K. Roth, Director of Inspection Services
B. Vos, Director of Parks and Recreation
M. Drouin, Administrative Assistant (recording secretary)

R. Hobson, Chair brought the meeting to order at 7:18 p.m. following a Public Hearing.

1. MINUTES

- 1.1 Public Hearing – July 26, 2004
- 1.2 Regular Meeting – July 26, 2004

#313/04 DINWOODIE/HEIN

THAT the Public Hearing minutes of July 26, 2004 be received;

AND FURTHER THAT the regular Board meeting minutes of July 26, 2004 be adopted as circulated.

CARRIED

2. DELEGATION

No delegation.

3. CORRESPONDENCE

- 3.1 Rich Coleman, Solicitor General re: Kelowna Residential Tenancy Office Closure

Minister Coleman confirmed the Kelowna Residential Tenancy Office closure noting it is the beginning of a more efficient, client centered approach to the delivery of residential tenancy services. This new approach moves away from a paper-based, labour-intensive work system.

#314/04 DINWOODIE/HANSON

THAT the July 26, 2004 letter from Rich Coleman, Solicitor General regarding the Kelowna Residential Tenancy Office Closure be received.

CARRIED

- 3.2 Dr. Paul Hasselback, Sr. Medical Health Officer, Interior Health Authority, re: Emergency Treatment of Communities Demonstrating the Presence of West Nile Virus

The Interior Health Authority urges communities to make plans in the event of any significant virus presence, including possible efforts to control adult mosquitoes and limit the spread of the disease. The Regional District is working with municipal partners and Interior Health to provide the appropriate response should the virus surface in the area.

#315/04 HEIN/DAY

THAT the July 28, 2004 letter from Dr. Paul Hasselback, Sr. Medical Health Officer, Interior Health Authority, regarding Emergency Treatment of Communities Demonstrating the Presence of West Nile Virus be received.

CARRIED

4. OLD BUSINESS

- 4.1 Westside Regional Street Lighting Service

a) Declaration of Alternative Approval Process Results

#316/04 NOVAKOWSKI/DINWOODIE

THAT the Declaration of Alternative Approval Process results for the Westside Regional Street Lighting Service Area be received.

CARRIED

- b) Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004 **Adoption** (All Directors - Unweighted Vote)

#317/04 KNOWLES/NOVAKOWSKI

THAT Regional District of Central Okanagan Westside Regional Street Lighting Service Area Establishment Bylaw No. 1063, 2004 be reconsidered and adopted this 9th day of August 2004.

CARRIED

- 4.2 Regional District of Central Okanagan Fire Prevention Services Establishment Bylaw No. 1065, 2004 **Adoption** (All Directors - Unweighted Vote)

#318/04 HARRIMAN/KNOWLES

THAT Regional District of Central Okanagan Fire Prevention Services Establishment Bylaw No. 1065, 2004 be reconsidered and adopted this 9th day of August 2004.

CARRIED

- 4.3 Regional District of Central Okanagan Fire Prevention and Regulations Bylaw No. 1066, 2004 **Adoption** (All Directors - Unweighted Vote)

- 4.4 Regional District of Central Okanagan Fire Department Operative Amendment Bylaw No. 1067, 2004 **Adoption** (All Directors - Unweighted Vote)

#319/04 DINWOODIE/KNOWLES

THAT Regional District of Central Okanagan Fire Prevention and Regulations Bylaw No. 1066, 2004 be reconsidered and adopted this 9th day of August 2004.

AND FURTHER THAT Regional District of Central Okanagan Fire Department Operative Amendment Bylaw No. 1067, 2004 be reconsidered and adopted this 9th day of August 2004.

CARRIED

5. FINANCE DEPARTMENT

No Board action required/requested.

By consensus of the Board 9.1 was moved forward in the agenda.

9.1 North Westside Road Volunteer Fire Department, purchase of Snuffer Truck (*All Directors - Weighted Vote*)

Notice of motion was given at the July 26, 2004 Regional Board meeting to purchase a snuffer truck for the North Westside Road Volunteer Fire Department and based on review of information provided from the buyer, verbal comments received from the Fire Technical Advisory Committee and having the support of the community it is suggested to proceed with direct purchase rather than tendering based on the information provided. It was noted that no borrowing will be required to purchase the truck. The Board expressed concern that PST is required to be paid on the purchase of safety equipment

#320/04 DINWOODIE/NOVAKOWSKI

THAT the Regional District purchase one 2004 demonstration snuffer truck from Hub Fire in the amount of \$179,830 plus taxes;

AND FURTHER THAT THE North Westside Road Volunteer Fire Department work with the Fire Technical Advisory Committee to develop and come to a clear understanding and consensus on long-term equipment needs for the community.

CARRIED

#321/04 HARRIMAN/DINWOODIE

THAT a letter be forwarded to the Minister of Revenue, Rick Thorpe, requesting the Province consider removing the provincial sales tax on the purchase of safety equipment.

CARRIED

Chief Carson thanked the Board on behalf of the community.

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding an application for an amendment to a Special Occasion Liquor License for the Alliance for Injured Motorcyclists Canada (applicant) located adjacent to Highway 33. (LL-04-02) (*All Directors*)

#322/04 HEIN/HANSON

THAT the request to the BC Liquor Control and Licensing Branch for an amendment to the Special Occasion License for the Alliance for Injured Motorcyclists Canada, for an event located at Eight Mile Ranch in Joe Rich, in order to allow the service of hard liquor and extend the hours of operation of a beer garden from 10:00 am –10:00 pm to

10:00am – 12:00 am on August 20th and 21st, 2004, be given a recommendation of ‘no objection’ from the Regional Board for the following reasons:

- The subject property is a large rural acreage and there are no residences in close proximity to the licensed area, therefore, there should be a negligible impact on the potential for noise and on the community in general;
- The requests are to support a public non-profit fundraising event;
- The requested change in the permitted hours of operation has been endorsed by the RCMP;
- The land use is supported by the policies and Rural Tourist Commercial designation of the Joe Rich Rural Land Use Bylaw;

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

6.2 Development Permits (Unweighted Vote)

- a) Application for a Development Permit for Blueberry Hill Holdings Inc. (owner) and Kevin Ryan, Coast Architectural Group (agent) located adjacent to Gellatly Road. (DP-04-09) Westside Electoral Area (*Electoral Areas Only*)

The subject property was identified on the overhead. The proposal is to amend the zone to allow for a four-storey, 150-unit resort style development. The applicant has consulted the Gellatly Nut Farm Society which is located to the south. No concerns or objections to the proposal have been received. At a future date, the Regional Board will be required to consider a referral application from Land and Water BC for a marina, as well as a boardwalk on this subject property. The Ministry of Transportation and Westside Fire Protection had commented previously during the preparation of the CD zone for the resort development. Planning staff recommend that updated comments be received and addressed prior to the issuance of a building permit. No further comments have been received. The Westside APC supports the application.

Kevin Ryan, on behalf of the applicant, reiterated the points noted by staff.

The Board reviewed:

- Public access to the boardwalk – the access will be closed in the late evening
- Geothermal will be used
- Changes from the previous application were noted
- The development will be built in one phase
- The complex will be a strata suite hotel--owners have the option to rent their units. A small percentage of owners may live year round.
- Historic buildings will be relocated to the Gellatly Nut Farm at the developer's expense.

- Secondary road access would have a negative impact to the development at this time. As there will be a landscaped screen behind the property this should not be a problem in the future.
- No commercial marina is being planned.
- The road improvements to be completed as part of the development. The applicant is responsible for the area directly related to the property not off-site roads. Off-site road concerns were discussed. It was recommended that the Parks Department contact the Ministry of Transportation to discuss access to the boardwalk and report back to the Parks Advisory Committee. The Engineering Department to review the road network in the area and report back to the Engineering Committee.

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

#323/04 DINWOODIE/KNOWLES

THAT Development Permit application DP-04-09 for Blueberry Hill Holdings Inc. (owner) located adjacent to Gellatly Road be approved based on the site plan, elevation drawings and landscape plan submitted in conjunction with this application, subject to the following conditions:

- Deposit with the Regional District of a letter of credit or bank draft in the amount of \$330,300.00 in order to ensure installation of the landscaping and an automatic irrigation system within 1 year of the issuance of the Development Permit. This amount is refundable upon completion of the landscaping to the satisfaction of Regional District staff;
- Receipt of written confirmation from Ministry of Transportation and Westside Fire Rescue that any concerns they may have with the proposed development have been addressed to each agency's satisfaction prior to the issuance of any building permits.

CARRIED

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

- a) i) Official Community Plan Amendment Bylaw No. 672-24 for Rose Valley Ventures Ltd. (owner) and Fred Parent (agent) to amend the Lakeview Official Community Plan designation from Low Density Residential to Institutional, and to remove the Multiple Family DP designation from the property located adjacent to McDougall Road. Westside Electoral Area
(*All Directors*)

#324/04 DINWOODIE/KNOWLES

THAT Official Community Plan Amendment Bylaw No. 672-24 for Rose Valley Ventures Ltd. (owner) be given second and third readings this 9th day of August 2004;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-83 for the above to amend the zoning from RU2 Rural 2 to P2 Institutional and Assembly. (Z04/07) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

#325/04 NOVAKOWSKI/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-83 be given second and third readings this 9th day of August 2004.

CARRIED

- b) Zoning Amendment Bylaw No. 871-84 for BC Provincial Housing Rental Corp. (owners) and Scuka Enterprises Ltd. (agent) to amend the zoning from R3B Multiple Housing (Medium Density) to R3D Congregate Housing located adjacent to Gellatly Road. (Z04/08) Westside Electoral Area (*Electoral Areas Only*)

#326/04 DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-84 for BC Provincial Housing Rental Corp. (owner) located adjacent to Gellatly Road be given second and third reading this 9th day of August 2004;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of approval from the Ministry of Transportation.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-78 for James and Ginny Strachan (owners) and Amy Johnston (agent) to amend the zoning from RU1 Rural 1 to RU1s Rural 1 (Secondary Suite) located adjacent to Lakeshore Road. (Z04/02) Ellison / Joe Rich Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

#327/04 HANSON/KNOWLES

THAT Zoning Amendment Bylaw 871-78, application Z04/02, be reconsidered and adopted this 9th day of August 2004.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

7.1 Building Violation – Lot A, Plan 42018, 6862 Sunvalley Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title – Owner: McPherson (*All Directors - Unweighted Vote*) **WITHDRAWN FROM THE AGENDA**

7.2 Building Violation – Lot 2, Plan 17793, District Lot 486, 2441 Dobbin Road (Westside Electoral Area) Notice to be placed on Title – Owner: Lang (*All Directors - Unweighted Vote*)

#328/04 DINWOODIE/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot 2, Plan 17793, 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 subject fire damaged detached garage was constructed with no building permit on the above noted property.

CARRIED

7.3 Building Statistics for the month of July 2004 (*All Directors - Unweighted Vote*)

#329/04 NOVAKOWSKI/KNOWLES

THAT the Building Statistics for the month of July 2004 where 76 permits were issued with a total construction value of \$3,591,500 be received.

CARRIED

8. PARKS AND RECREATION DEPARTMENT

8.1 Parks And Recreation Contract Signing Policy (*All Directors - Unweighted Vote*)

#330/04 KNOWLES/HARRIMAN

THAT Parks and Recreation Services Contract Signing Policy be approved this 9th day of August 2004.

CARRIED

8.2 No Smoking Policy (*All Directors – Unweighted Vote*)

The Board discussed the need to designate smoking areas in facilities and parks. Staff will review which facilities and parks may require this designation. An education program will be used to advise people prior to the introduction of a new parks regulation bylaw.

#331/04 DINWOODIE/GRAY

THAT the Regional Board rescind resolution #266/00 – No Smoking Policy – Regional District Facilities;

AND FURTHER THAT the Regional Board adopt a ‘No Smoking Policy’ in Regional District parks and facilities as follows:

- Smoking shall not be permitted in any park and facility, except in areas so designated, which are owned or operated by the Regional District of Central Okanagan.

CARRIED

8.3 Fundraising Collaborative Arrangement with the Mount Boucherie Expansion Society (*All Directors - Weighted Vote*)

#332/04 NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve the Fundraising Collaborative Arrangement with the Mount Boucherie Expansion Society for fundraising initiatives.

CARRIED

8.4 Mount Boucherie Community Centre and Mount Boucherie Senior Secondary Joint Planning Committee (*All Directors - Unweighted Vote*)

#333/04 DINWOODIE/KNOWLES

THAT the Regional Board approve beginning the planning process for Phase III and Phase IV for the Mount Boucherie Community Centre in cooperation with School District No. 23 plans for the expansion of Mount Boucherie Secondary;

AND FURTHER THAT a joint planning committee be established including representatives from the Regional District, as well as representatives from School District No. 23, which would also include the architects for each organization;

AND FURTHER THAT the joint planning process begin in September 2004.

CARRIED

8.5 Multiplex Project Consulting Contract (*All Directors - Weighted Vote*)

It was noted that the project manager will be hired by the Regional District and that the Terms of Reference is being drafted.

#334/04 KNOWLES/DINWOODIE

THAT the Regional Board approve entering into a contract with Renaissance Architecture as the coordinating registered professional for the Mount Boucherie Multiplex Phase II project;

AND THAT the amount of this contract will have an upset fee of \$441,720.00;

AND FURTHER THAT these contract fees not include the geotechnical or material testing fees, nor will they include any fees related to the design and development of the new parking area.

CARRIED

8.6 Kalamoior Regional Park Management Plan – Proposed Technical Working Group (*All Directors - Unweighted Vote*)

It was agreed that a representative from the Friends of Kalamoior and the Casa Loma Resort should be part of the working group. The Parks Advisory Committee will give final approval to the nominees.

#335/04 DINWOODIE/SHEPHERD

THAT the Regional Board approve the Terms of Reference for a Technical Working Group to assist in the preparation of the Kalamoior Regional Park Management Plan with the following amendment:

- Add a representative from the Friends of Kalamoior and the Casa Loma Resort for a total of nine members.

CARRIED

8.7 Joe Rich Hall Local Service Area Alternative Approval Process (*All Directors - Unweighted Vote*)

The Board discussed the need for public community meetings to be held in advance so that residents are aware of the tax impact to their area. The bylaw timelines and tax impact to Joe Rich and Ellison will be provided when the bylaw is brought to the Board for 1st reading.

#336/04 HANSON/SHEPHERD

THAT the Regional Board approve establishing a local service area for the maintenance and operation of the Joe Rich Community Hall and surrounding amenities.

AND THAT the Regional District of Central Okanagan Joe Rich Community Hall Service Area Establishing Bylaw be prepared and forwarded to the Regional Board for approval;

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

AND FURTHER THAT the Regional District seek the approval of the electors by the Alternative Approval Process.

CARRIED

8.8 Proposed Statutory Right-of-Way for public access, Kalamoir Regional Park, Casa Loma Resort (*All Directors - Unweighted Vote*)

The Board reviewed:

- The resolution is in principal until further clarification and legal opinion.
- What is the financial contribution from Casa Loma Resort.? This information is to be brought back to the Board before final approval.
- Granting of a statutory right-of-way is subject to a legal opinion.
- The community of the Westside, not just Casa Loma, should be involved in the design, financing and construction of the public walkway.

#337/04 DINWOODIE/NOVAKOWSKI

THAT the Regional Board approve in principal a proposed Statutory Right-of-Way over Lot A, Plan 50429, D.L. 521; Lot A, Plan 41547, D.L. 521 and Strata Plan K468, D.L. 521 for the purposes of providing public access between Benedick Road and Kalamoir Regional Park;

AND FURTHER THAT the Casa Loma Resort will make a financial contribution to the construction of a publicly accessible walkway, to be located within the identified Statutory Right-of-way lands;

AND FURTHER THAT the granting of a Statutory Right-of-Way by Casa Loma Resort is further subject to the Regional District's support of an application by the resort to close the Ministry of Transportation Road Right-of-Way land located on Lot A Plan 50429, D.L. 521;

AND FURTHER THAT the Westside Community be involved in the design, financing and construction of the proposed public walkway, to be located within the proposed Statutory Right-of-Way lands;

AND FURTHER THAT final approval by the Regional Board of this project will be subject to completion of the works necessary to secure the proposed public walkway and Statutory Right-of-Way.

AND FURTHER THAT the granting of a Statutory Right-of-Way by Casa Loma Resort is subject to the Regional District not pursuing public access via the foreshore immediately adjacent to the Casa Loma Resort, or on the lands within Strata Plan K468, now, or during any future redevelopment with in the guidelines depicted on attached master plan by BKDI Architects and development synopsis, subject to obtaining a legal opinion.

CARRIED

9. NEW BUSINESS

9.2 North Westside Road Volunteer Fire Department, purchase of Snuffer Truck (*All Directors - Weighted Vote*) *DISCUSSED EARLIER IN THE AGENDA*

9.3 6th Canadian Urban Forest Conference (*All Directors - Unweighted Vote*)

ACTION: Staff to contact Ian Wilson, City of Kelowna, to see if it is possible to attend some of the sessions at no cost.

#338/04 HEIN/KNOWLES

THAT the information on the 6th Canadian Urban Forest Conference be received;

AND FURTHER THAT Director Hanson be approved to attend the 6th Canadian Urban Forest Conference.

CARRIED

9.4 Grant Application re: Westside Fire Protection District (*All Directors - Weighted Vote*)

#339/04 DINWOODIE/NOVAKOWSKI

THAT the Regional Board authorize staff to work with the Westside Fire Protection District staff on making application for funding from the Community Wildfire Protection Program through UBCM.

CARRIED

10. OTHER BUSINESS

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation

The next meeting of the Parks Advisory Committee is scheduled for Sept. 16th. The December 16th meeting will be rescheduled if a meeting is required at all.

b) Transportation

The next meeting of the Transportation Committee is scheduled for August 25 at 11:00 a.m.

c) Planning and Environment

The next meeting of the Planning & Environment Committee is scheduled for August 11th. Trepanier Landscaping Plan will be discussed at that time.

d) Engineering

The next meeting of the Engineering Committee is scheduled for August 12th.

e) Air Quality

The next meeting of the Air Quality Committee is scheduled for August 25th at 8:30 a.m.

f) Governance and Services

No report

g) Westside Issues

The next meeting of the Westside Issues Committee is scheduled for August 16th. Stockwell Day will be attending.

10.2 Director Items

a) Westside Traffic Concerns

It was noted that the way the Westside Road traffic signal is set, traffic on Hwy 97 is stopped when there is only one vehicle on Westside Road turning onto the highway thereby backing up traffic on the highway.

#340/04

DINWOODIE/CANNAN

THAT the Chair write a letter to the Ministry of Transportation to request the Westside Road intersection signal be extended so not to delay traffic on Highway 97

AND FURTHER THAT the Ministry be requested to begin discussions on the Westside interchange for bridge proposal.

CARRIED

ACTION: Chair Hobson to write Minister Falcon to set up an agreed upon meeting with the Regional Transportation Committee to discuss the bridge proposal.

b) Walk to Whistler Challenge

The City of Fort St. John has challenged communities throughout BC to "Walk To Whistler Challenge" to encourage citizens to become more physically active. A pedometer has been sent to participants and they are being requested to record their progress. Director Novakowski agreed to participate in the challenge.

c) BC Scouting Federation

A letter requesting financial support for a world jamboree has been received from the BC Scouting Federation. The request has been forwarded to the Westside Issues Committee for consideration.

d) Mathew Proteau

A letter expressing concern regarding no sidewalks on Elliott Road has been received. The letter has been forwarded to the Westside Issues Committee for review.

e) Regional District Staff Years of Service Luncheon

It was agreed that the luncheon will take place on October 13th following the Planning and Environment Committee meeting.

11. ADJOURN IN CAMERA

#341/04

HEIN/DINWOODIE

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.

There being no further business the meeting was adjourned at 9:25 p.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

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