

**Minutes of the *REGULAR BOARD MEETING* of the Regional District of Central Okanagan held at Regional District Offices, 1450 KLO Road, Kelowna, B.C. on Monday, September 27, 2004**

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Directors: R. Cannan (City of Kelowna)  
C. Day (City of Kelowna)  
A. Dinwoodie (Westside Elect. Area)  
W. Gray (City of Kelowna)  
P. Hanson (Ellison/Joe Rich Elect. Area)  
B. Harriman (District of Peachland)  
R. Hein (District of Lake Country)  
R. Hobson (City of Kelowna)  
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  
H. Hettinga, Director of Engineering Services  
D. Plamondon, Deputy Director of Planning Services  
K. Roth, Director of Inspection Services  
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order following a Public Hearing at 7:15 p.m.

Chair Hobson congratulated the Board and staff on winning the Leadership and Innovation Award from the Union of BC Municipalities for the Casa Loma Sewer Project. The award was presented during the recent UBCM convention in Kelowna. The Regional District has set a new benchmark for other municipalities to shoot for with its Casa Loma Trunk Sewer Project that was the successful result of an outstanding partnership with the Westbank First Nation.

In addition, Chair Hobson recognized and congratulated the City of Kelowna on a job well done organizing the UBCM Convention. Congratulations to Director Dinwoodie on being acclaimed President of UBCM. Chair Hobson was also re-elected as Director-at-large of the UBCM.

During the convention a presentation was made to the Regional District from Woodworks in recognition to the community for using wood products in the Mount Boucherie Complex.

**1. MINUTES**

- 1.1 Public Hearing – September 13, 2004
- 1.2 Regular Meeting – September 13, 2004
- 1.3 Regular Meeting – September 15, 2004

**#391/04**      **HEIN/NOVAKOWSKI**

THAT the Public Hearing minutes of September 13, 2004 be received;

AND FURTHER THAT the regular board meeting minutes of September 13, 2004 and September 15, 2004 be adopted as circulated.

**CARRIED**

**2.      DELEGATION**

2.1      Phil Carruthers, Woodland Manager, TFL Operation – Riverside Forest Products Ltd. re: Update on the TFL 49 Ecological Stewardship Plan

Phil Carruthers gave an update on the TFL 49 Ecological Stewardship Project:

- Results of the consultation process for the pilot project was presented to the Provincial cabinet in June 2004
- Under the Pilot Project Regulation, Riverside has prepared an Ecological Stewardship Plan (ESP)
- The ESP
  - o Will develop and validate a sustainable forest management system for Tree Farm Licence (TFL) 49
  - o Will establish an initial baseline state employing multi-scale concepts of ecological management
  - o Will utilize trade-off analysis, within and among ecological, economic and social components
  - o Provides a description of the multi-scale components and criteria and indicators used to achieve the desired future forest conditions on the TFL
- Riverside has begun the public review and comment process. The review process will be completed Nov.8
- The material for the ESP is available on the website at: [www.riverside.bc.ca](http://www.riverside.bc.ca)
- Anticipate the ESP will be approved by the Ministry of Forests later this year
- Proposing the effective date for the ESP will be April 1, 2005 coinciding with breakup
- The boundary for the TFL is the Coquihalla connector to Monty Lake

The Board discussed speeding up the process to harvest infected pine beetle trees, reforestation of appropriate species, burning forest debris as a tool where appropriate, independent audits are done on an annual basis, different riparian model is being used to ensure streamside protection, is there anything that can be done to fuel modification to assist in preventing interface fires.

**#392/04**      **SHEPHERD/DINWOODIE**

THAT the September 27, 2004 report by Riverside Forest Products Ltd regarding the TFL 49 Ecological Stewardship Plan be received.

**CARRIED**

**3. CORRESPONDENCE**

- 3.1 Wayne Dahlen, Mayor, City of Dawson Creek re: 2004 Community Excellence Awards – Leadership & Innovation, Regional District

**#393/04 HEIN/DINWOODIE**

THAT the September 13, 2004 letter from Wayne Dahlen, Mayor, City of Dawson Creek regarding the 2004 Community Excellence Awards – Leadership & Innovation, Regional District be received.

CARRIED

- 3.2 Frank Leonard, President UBCM re: Emergency Planning Grant Application

**#394/04 DINWOODIE/NOVAKOWSKI**

THAT the September 7, 2004 letter from Frank Leonard, President UBCM approving the Regional District's application for an Emergency Planning Grant in the amount of \$25,000.00 be received.

CARRIED

The funding will be used for Emergency Operations Centre staff training, to develop geographic and neighbourhood evacuation maps and to update the computer-based municipal mapping systems for the effective transfer of information in an emergency.

*ACTION:* Staff to ensure the communication section of the Emergency Plan is updated to include how to effectively communicate with Regional Board members during an emergency.

**4. OLD BUSINESS**

No Board action required/requested.

**5. FINANCE DEPARTMENT**

No Board action required/requested.

**6. PLANNING DEPARTMENT**

**6.1 Development Permits (Unweighted Vote)**

- a) Application for a Development Permit for Sunrise Construction Ltd. (owners) and Garry Tomporowski Architect Ltd. (agent) located adjacent to Shannon View Drive. (DP-04-12) 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 development permit. There was no-one.

**#395/04**

**DINWOODIE/KNOWLES**

THAT Development Permit application DP-04-12 for Sunrise Construction Ltd. (owners) located adjacent to Shannon View Drive 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 \$79,010.00 (\$40,625.00 for landscaping and \$38,385.00 for fencing) in order to ensure installation of the wrought iron fencing, 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 a plan prepared by a registered professional biologist which addresses the remediation of the previously disturbed site and protection of the undisturbed portion of the site, completed to the satisfaction of the Regional District's Environmental Technologist.
- 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**

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

- a) Application for a Development Variance Permit for Dunfield Holdings Inc. (owner) and CTQ Consultants (agent) located adjacent to Glenrosa Road interchange on Highway 97 South. (VP-04-12) Westside Electoral Area (*Electoral Areas and the Peachland Fringe Area*)

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.

**#396/04**      NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-04-12 for Dunfield Holdings Inc. (owner) to vary Section 3.10.5 of Zoning Bylaw No. 871 by increasing the maximum height requirement for a retaining wall located greater than 1.0 metre from a parcel line, from 2.5 metres to 2.7 metres for Wall #1; 4.2 for Wall #2; and 7.0 metres for Wall #3, in accordance with the August 2004 site plan prepared by CTQ Consultants Ltd., and drawings prepared by Elbury Dolan Consulting Ltd., dated July 14<sup>th</sup> and 27<sup>th</sup>, 2004 and August 4<sup>th</sup>, 2004.

CARRIED

- b) Application for a Development Variance Permit for S. Donald MacCulloch & the Owners Strata KAS 968(owners) and Morvil Contractors Ltd. (agent) located off Westside Road, south of Raymer Bay. (VP-04-03) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

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.

**#397/04**      DINWOODIE/KNOWLES

THAT the Regional Board approve Development Variance Permit application VP-04-03 for S. Donald MacCulloch & the Owners Strata KAS 968 (owners) located off Westside Road south of Raymer Bay, to vary Section 3.10.5 of Zoning Bylaw No. 871 by increasing the maximum height requirement for a retaining wall located within 1.0 metre of a parcel line, from 1.5 metres (4.9 ft) to 3.69 metres (12.1 ft) and, where located greater than 1.0 metre from a parcel line, from 2.5 metres (8.2 ft) to 3.69 metres (12.1 ft), in order to permit a proposed retaining wall, as shown on the attached plans.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-92 for Catana Developments Ltd. (owner) and D.E. Pilling & Associates Ltd. (agent) to amend the zoning from A1 Agricultural and R3A Multiple Housing (Low Density) to RC1 Compact Housing, R1 Single Detached Housing and P1 Park and Open Space located adjacent to Shannon Lake Road. (Z04/16) Westside Electoral Area (*Electoral Areas Only*)

**#398/04**      DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-92 (application Z04/16) for Catana Developments Ltd. (owner) located adjacent to Shannon Lake Road be given first reading this 27<sup>th</sup> day of September 2004;

AND FURTHER THAT the scheduling of the application for a Public Hearing be withheld pending the following:

- Receipt of the remaining referral agency comments;
- Information/plans from the applicant clarifying the intent of the P1 Enhanced Area.

CARRIED

- b)i) Official Community Plan Amendment Bylaw No. 686-39 for E. & E. Barone (owners) and Belco Holdings Inc. (agent) to amend the Westbank Official Community Plan designation from Agricultural to Tourist Commercial located adjacent to Pritchard Drive. Westside Electoral Area (*All Directors*)

**#399/04**      NOVAKOWSKI/DINWOODIE

THAT Official Community Plan Amendment Bylaw 686-39 (application Z04/14) for E & E Barone (owners) be given first reading this 27<sup>th</sup> day of September 2004;

AND FURTHER THAT the scheduling of the application for a Public Hearing be withheld pending the following:

- Receipt of comments from Land and Water B.C. Inc., the Ministry of Transportation, and the Ministry of Water, Land and Air Protection;
- Receipt of information/plans confirming that adequate fencing and buffering will be put in place along the revised ALR boundary, as per the September 3, 2004 recommendation from the Agricultural Land Commission;
- Confirmation that the development can meet the requirements for inclusion and connection into the Pritchard/Shanbooldard Water System;
- Confirmation that the appropriate Crown Land application has been submitted to Land and Water B.C. Inc. to allow the foreshore component of the development;
- Receipt of information/plans identifying how public access will be secured across the foreshore fronting the development.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-90 for the above to amend the zoning from C5 Campground, Cabin, and Motel Commercial to C7 Tourist and Resort Commercial and to apply a site-specific amendment to the C7 zone. (Z04/14) Westside Electoral Area (*Electoral Areas Only*)

**#400/04**      NOVAKOWSKI/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-90 be given first reading this 27<sup>th</sup> day of September 2004.

CARRIED

**6.4 Bylaws: (Second and Third Readings) (Unweighted Vote)**

- a) Official Community Plan Amendment Bylaw 686-38 for Green Bay Landing Inc. (owner) and D.E. Pilling & Associates Ltd. (agent) to amend the Westbank Official Community Plan designation from Multiple Family/Intensive Residential to Residential Low Density; and to designate Accreted Land adjacent thereto, to Residential Low Density and Multiple Family/Intensive Residential located adjacent to Green Bay Road. Westside Electoral Area (*All Directors*)

Concern was expressed to the applicant that it would be useful to delineate the high water line on the property so that the public are aware of where private and public lands are located.

**#401/04 DINWOODIE/KNOWLES**

THAT Official Community Plan Amendment Bylaw 686-38 for Green Bay Landing Inc. (owner) located adjacent to Green Bay Road be given second and third readings this 27<sup>th</sup> day of September 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 to consolidate the accreted land to the adjoining upland parcels.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-86 for the above to amend the zoning from RC1 Compact Housing to R1 Single Detached Housing; and to zone Accreted Land adjacent thereto, to RC1 Compact Housing and R1 Single Detached Housing (Z04/10) Westside Electoral Area (*Electoral Areas Only*)

**#402/04 NOVAKOWSKI/KNOWLES**

THAT Zoning Amendment Bylaw No. 871-86 be given second and third readings this 27<sup>th</sup> day of September 2004.

CARRIED

**7. INSPECTION SERVICES DEPARTMENT**

- 7.1 Regional District of Central Okanagan Prohibited Animal Amendment Bylaw No. 1073, 2004, **1<sup>st</sup> Reading**, (*All Directors - Unweighted Vote*)

- a) Recognized Facility Status for 'Croc Talk'

Staff received an application to have the "Croc Talk" operation listed as a recognized facility under the Prohibited Animal Bylaw. The current bylaw does not define the 'Croc Talk' operation as a recognized facility in the

bylaw. It was understood that when developing the original bylaw, that as the SPCA is recognized as an animal care authority, it would be appropriate for the SPCA to provide comment on the suitability of a recognized facility within the bylaw.

**#403/04**      CANNAN/HARRIMAN

THAT the Regional Board hear from the applicant of the 'Croc Talk' operation.

CARRIED

Brenda Bruce noted that she requested the SPCA provide a letter to the Regional District to recommend, or not recommend, their 'Croc Talk' operation. Staff confirmed that to date no comments have been received from the SPCA.

The Board questioned whether the SPCA has the expertise or knowledge to recommend facility status, whether the bylaw should have a requirement for liability insurance and, if approved, who ensures the facility operates in a healthy, safe environment. Staff confirmed that the Regional District does not have the expertise or knowledge to monitor the facility but that the SPCA is the organization recognized as the animal care authority.

**#404/04**      HEIN/SHEPHERD

THAT Regional District of Central Okanagan Prohibited Animal Amendment Bylaw No. 1073, 2004 be given first reading this 27<sup>th</sup> day of September 2004;

AND FURTHER THAT the "Croc Talk" application be referred to the Kelowna S.P.C.A., T.R.A.C.S., and the Humane Society to provide comment before October 25, 2004, prior to bringing the amending bylaw back to the Board for further consideration.

CARRIED

**8.      PARKS AND RECREATION DEPARTMENT**

No Board action required/requested.

**9.      NEW BUSINESS**

No Board action required/requested.

**10.     OTHER BUSINESS**

10.1    Director Items



a) Planning and Environment Meeting

Director Dinwoodie explained that there is a need to hold an additional Planning and Environment meeting to review Westside Official Community Plan.

**#405/04**      DINWOODIE/KNOWLES

THAT a special Planning and Environment Committee meeting be scheduled for Tuesday, October 5, 2004 at 9:00 a.m.

CARRIED

b) Meeting with School District No. 23 Trustees

It was noted that the Regional Board and School District Trustees try to meet once a year to discuss issues of importance to the two boards. It was agreed that the Regional Board had no issues to discuss at this time and that staff would contact the School District to see if there were any issues on a board-to-board level that require being addressed.

The Westside Directors noted they have two issues that need to be discussed with the School District: the DARE program and the Westbank Elementary School site.

*ACTION:* That should the School District Trustees not require a board-to-board level meeting this fall, staff to arrange a meeting between the Westside Directors, Chair Hobson and the School District.

c) Site Line Setback on Lakeshore Properties

*ACTION:* Planning Staff to review site line setback requirements on lakeshore properties as part of the zoning bylaw review.

d) Regional Business Licence

The Board discussed whether it would be feasible to introduce a multi-jurisdictional business licence within the Regional District. Staff noted that the Central Okanagan is the only regional district that offers business licenses. It was agreed: that it would be too late to institute any change this year; it would be for a mobile license versus community business license; and could include other communities within the Okanagan.

**#406/04**      **SHEPHERD/DINWOODIE**

THAT staff review implementing a multi-jurisdictional business license in the Central Okanagan and report back to the Regional Board with a proposal.

**CARRIED**

e) Myra Canyon Bypass Trail

It was noted that the Myra Canyon Bypass Trail project has a \$30,000 funding shortfall to complete the trail which bypasses the burnt out section of the Kettle Valley trestles. Director Gray explained that in discussions last week with The Honourable Bill Barisoff, Minister of Water, Land and Air Protection, the Minister agreed to match dollar for dollar if a partner could be found.

**#407/04**      **GRAY/DINWOODIE**

THAT the Regional District staff explore the opportunity to enter into a partnership with the Province to match the required funds, not to exceed \$15,000, to complete the Myra Canyon Bypass Trail.

**CARRIED**

*ACTION:* Chair Hobson to write Minister Barisoff explaining that the Regional District is exploring opportunities to match funds with the Province to complete the Myra Canyon Bypass Trail, ask whether there is a sense of urgency to complete the project this year, confirm the amount required, and highlight that the road access issue should not be part of this project but part of the overall management review of the area.

**11.      ADJOURN**

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

**CERTIFIED TO BE TRUE AND CORRECT**

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**R. Hobson (Chair)**

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