

**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, November 1, 2004**

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Directors: R. Cannan (City of Kelowna)  
C. Day (City of Kelowna)  
A. Dinwoodie (Westside Elect. Area)  
B. Given, alternate for 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)  
B. Winsby, alternate for 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  
M. Kopp, Assistant Director Parks and Recreation  
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 at 7:00 p.m.

**1. MINUTES**

- 1.1 Public Hearing – October 18, 2004
- 1.2 Regular Meeting – October 18, 2004

**#426/04 HEIN/NOVAKOWSKI**

THAT the Public Hearing minutes of October 18, 2004 be received;

AND FURTHER THAT the Regular Board Meeting minutes of October 18, 2004 be adopted as circulated.

CARRIED

**2. DELEGATION**

- 2.1 Leslie Dieno, Executive Director and Don Nettleton, Treasurer, Okanagan Regional Library

Leslie Dieno provided an update on the Okanagan Regional Library's plans for 2005 budget year as it applies to the Regional District.

- Focusing on the Mission branch (sixth busiest) which will be relocated in the Capital News Centre
- Computerization – installed self-checkout machine
- A 10% (\$100,000) increase has been added to the library collection budget
- Started a quick read collection for top sellers
- Circulation remains fairly even. Increase in internet users and electronic resources
- Internet machines are heavily used. Waiting areas have been added.
- Story hours and summer reading programs will be presented in every branch and there will be no charge for these basic systems.
- Adding hours to Peachland branch
- Continuing to work on strategic plan over the next five years
- For the first time, a small amount of funding has been added for advertising public service announcements.
- Limiting annual tax assessment increases to between \$1-\$1.50. Average house in the Regional District would pay \$63 in taxes.
- Budget increase up approximately 4%. Tax increases not as great as the expenditure increase. Budget is projected over five years
- Canadian dollar helping the budget over the last couple of years. Prices tend to be reflected in US dollars.

### **3. CORRESPONDENCE**

- 3.1 Letter – UBCM re: Community Wildfire Protection Planning Grant Application

The grant was applied for on behalf of the Westside Fire Protection District for preparation of a wildfire protection plan and to assess risk areas for interface fires.

#### **#427/04 CANNAN/WINSBY**

THAT the October 18, 2004 letter from UBCM President, Aaron Dinwoodie, advising approval of the Community Wildfire Protection Planning Grant for the Westside Fire Protection District in the amount of \$4,922.00 be received.

CARRIED

- 3.2 Letter – Canadian EarthCare Society re: Okanagan Shuswap Land Resource Management Plan (OKSLRMP)

It was noted that EarthCare is looking for endorsement for their position. The Board agreed that rather than taking a position at this time, Chair Hobson will speak with Okanagan-Similkameen Regional District Chair Dan Ashton.

**#428/04**     HEIN/DAY

THAT the October 26, 2004 from the Canadian EarthCare Society regarding Okanagan Shuswap Land Resource Management Plan (OKSLRMP) be received.

CARRIED

Leslie Dieno arrived at 7:10 p.m. and presented the Okanagan Library update.

**#429/04**     DINWOODIE/HANSON

THAT the Okanagan Regional Library budget presentation be received.

CARRIED

**4.     OLD BUSINESS**

- 4.1     Regional District of Central Okanagan Prohibited Animal Amendment Bylaw No. 1073, 2004, **2<sup>nd</sup> and 3<sup>rd</sup> readings and Adoption** (*All Directors - Unweighted Vote*)

Following first reading of the bylaw, the SPCA, TRACS and the Humane Society were requested to provide comments regarding the proposal. Although the SPCA has responded, TRACS and the Humane Society have not responded.

K. Roth confirmed that correspondence was received from TRACS today stating no comment on the proposal.

**#430/04**     SHEPHERD/CANNAN

THAT Regional District of Central Okanagan Prohibited Animal Amendment Bylaw No. 1073, 2004 be given second and third readings, reconsidered and adopted this 1<sup>st</sup> day of November 2004.

CARRIED

- 4.2     Westside Sanitary Landfill Tender (*All Directors - Unweighted Vote*)

Staff have completed a detailed review of the landfill tender documents and landfill operations in order to prepare a more comprehensive tender with a more detailed scope of work and evaluation criteria.

**#431/04**     NOVAKOWSKI/HEIN

THAT the Regional Board support the retendering of the Westside Sanitary Landfill Contract based on the revised tender documents;

AND FURTHER THAT tender closing and commencement of the new contract commence as early as possible in 2005 for a five-year term.

CARRIED

4.3 Revised Deadline For Elector Response Form

Approval by the Province of the bylaws for the proposed Westside Land Purchase was received too late to meet the newspaper's deadline to place ads therefore the revised dates for the required statutory publishing require amending.

**#432/04** GIVEN/DINWOODIE

THAT the Regional Board approve changing the deadline for receiving elector response forms for the Westside land purchase alternative approval process to Wednesday, December 8, 2004.

CARRIED

**5. FINANCE DEPARTMENT**

No Board action required/requested.

**6. PLANNING DEPARTMENT**

**6.1 Correspondence (Unweighted Vote)**

- a) Report regarding Land and Water B.C. Inc. referral Application to allow a public walkway over Crown Foreshore located in the vicinity of Gellatly Road, (CL-04-10) Westside Electoral Area (*All Directors*)

**#433/04** NOVAKOWSKI/DINWOODIE

THAT Land and Water B.C. Inc. referral application (CL-04-10) for Blueberry Hill Holdings to allow a public walkway over Crown foreshore located in the vicinity of Gellatly Road be supported by the Regional Board subject to the following:

- Provision of a minimum 3-metre wide statutory right-of-way to secure the proposed walkway/boardwalk on the portion of Crown foreshore fronting Lot 5, Plan 316;
- Incorporation of the recommendations contained in the September 1998 EBA report into the License of Occupation;
- That final foreshore development plans be reviewed by RDCO Parks and Environmental staff prior to Land and Water B.C. Inc. approval, and that monitoring of construction improvements be required;

- All works pertaining to the foreshore improvements are to be in accordance with the requirements of the Ministry of Water, Land and Air Protection.

AND FURTHER THAT the Planning Services Department Report dated October 26<sup>th</sup>, 2004 be forwarded to Land and Water B.C. Inc. for their information.

CARRIED

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

- a) Application for a Development Permit for Wil-Pat Industries Ltd. (owners) and Kasian Kennedy Architecture, Interior Design & Planning Inc. (agent) located adjacent to Highway 97. (DP-04-16) 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 permit. There was no-one.

Staff noted that the proposal does not meet all the objectives of the Commercial Development Permit Area Guidelines contained within the Westbank Town Centre Plan, therefore must be considered by the Board. It was noted that these are only guidelines and are open to interpretation. Staff were asked to work with the Advisory Planning Commission to establish clear criteria and guidelines in the Commercial Development Permit Area Guidelines to recognize differences in communities and identify local differences in the 'rural village' or 'small town' theme.

### **#434/04 NOVAKOWSKI/DINWOODIE**

THAT Development Permit application DP-04-16 for Wil-Pat Industries Ltd. (owners) located adjacent to Highway 97 be approved based on the submitted site plan and elevation drawings prepared by Kasian Kennedy Architecture, Interior Design & Planning Inc., dated August 2004.

CARRIED

### **6.3 Development Variance Permits (Unweighted Vote)**

- a) Application for a Development Variance Permit for D. Kim and T. Nguyen (owners) and Apchin Design Group (agent) located adjacent to Timothy Place. (VP-04-07) 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 variance permit. There was no-one.

One letter of correspondence was received from Patricia Faye, 1262 McCallum Road, expressing opposition to the variance: encroachments may affect resale of property, view affected, location of retaining wall affects ability to use a backyard gate.

**#435/04**      NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-04-07 for D. Kim and T. Nguyen located adjacent to Timothy Place to vary Section 3.10.5 of Zoning Bylaw No. 871 by increasing the maximum height requirement for:

- 1) a concrete retaining wall adjacent to the west property line from 2.5 metres (8.2 ft) to 3.4 metres (11 ft) where it is located further than 1.0 metre (3.3 ft) from the property line, and from 1.5 metres (4.9 ft) to 2.4 metres (8 ft) where it is located within 1.0 metre of the property line; and
- 2) a concrete retaining wall adjacent to the east property line from 1.5 metres (4.9 ft) to 2.9 metres (9.5 ft) where it is located within 1.0 metre of the property line;

in order to allow for two over height retaining walls, as per the plans prepared by Apchin Design Group, dated July 16, 2003.

CARRIED

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

- a) i) Official Community Plan Amendment Bylaw No. 1050-4 for J. and S. Moore (owners) and D.E. Pilling and Associates Ltd. (agent) to amend the Westside Official Community Plan designation from Low Density/Single Detached Residential to Low Density Multiple Family located adjacent to Auburn Road and Daimler Drive. (*All Directors*)

Staff noted that they have received no response from the Ministry of Transportation on the future of Daimler Drive. While Daimler Drive is a dedicated road right-of-way, it is not constructed but does function as an informal walkway for pedestrians. Currently access to the proposed development would be from Auburn Road.

The question was raised whether there is public transit to the area? Staff were requested to provide a general overview of transit routes to the area for the Public Hearing.

**#436/04**      DINWOODIE/NOVAKOWSKI

THAT Official Community Plan Amendment Bylaw No. 1050-4 (application Z04/15) for J. and S. Moore (owners) located adjacent to Auburn Road and Daimler Drive be given first reading this 1<sup>st</sup> day of November 2004;

AND FURTHER THAT the scheduling of a Public Hearing be withheld pending receipt of the following;

- Information/plans identifying that adequate water (with fire flows) can be supplied for the development;
- Comments from the Ministry of Transportation, specifically as to the future status of Daimler Drive;

- A more detailed site plan clearly identifying building locations, access, & parking;
- Preliminary building plans with elevations;
- Resolution of the public walkway connection issue to the satisfaction of RDCO staff;
- Response from Westbank First Nation regarding archaeological resources of the property;
- Response from the Westside Fire Department regarding access to the multi-family building sites;
- Information plans that identify future road connection/emergency access options for the overall Shannon Lake Pre-Plan area;

CARRIED

- ii) Zoning Amendment Bylaw No. 871-91 for the above to amend the zoning from RU2 Rural 2 and P1 Park and Open Space to R3A Multiple Housing (Low Density). (Z04/15) Westside Electoral Area (*Electoral Areas Only*)

**#437/04**      NOVAKOWSKI/WINSBY

THAT Zoning Amendment Bylaw No. 871-91 be given first reading this 1<sup>st</sup> day of November 2004.

CARRIED

**7.      INSPECTION SERVICES DEPARTMENT**

- 7.1      Building Violation – Lot 3, Plan 22671, 4750 Scotty Creek Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title - Owner: Daoust (*All Directors - Unweighted Vote*) **WITHDRAWN FROM THE AGENDA-issue resolved**
- 7.2      Building Violation – Lot A, 21909, District Lot 4052, 11150 Three Forks Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title – Owner: Derksen (*All Directors - Unweighted Vote*) **WITHDRAWN FROM THE AGENDA-issue resolved**

**8.      PARKS AND RECREATION DEPARTMENT**

- 8.1      Park Dedication Proposal – Subdivision application 02-5264, Smith Creek Hills Phase 4, Proposed subdivision of proposed lot 1, KAP\_\_\_, DL3485, ODYD, (REM East ½ of DL3485, ODYD – Wildhorse Drive) (*All Directors - Unweighted Vote*)

**#438/04**      DINWOODIE/CANNAN

THAT the Regional Board approve the proposed donation of a linear park in conjunction with subdivision application 02-5264 and any future subdivision of Proposed Lot 1, KAP\_\_\_, DL 3485, ODYD (REM East ½ of DL 3485, ODYD) - Wildhorse Drive;

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

CARRIED

- 8.2 Park Dedication Waiver – Subdivision application 04-5315, Crystal Springs Mobile Home Park (proposed strata subdivision of Part of Proposed Lot A, Plan\_\_\_\_, DL2602, ODYD – Crystal Springs Mobile Home Park *(All Directors - Unweighted Vote)*)

**#439/04** NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve the proposed park dedication waiver in conjunction with subdivision application 04-5315 and any future subdivision of Proposed Lot A, Plan \_\_\_\_\_, DL 2602, ODYD – Crystal Springs Mobile Home Park;

AND THAT the proposed park dedication waiver is subject to the registration of a restrictive covenant on Proposed Lot A, Plan \_\_\_\_\_, DL 2602, ODYD – Crystal Springs Mobile Home Park, prohibiting the sale of the proposed strata lots;

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

CARRIED

**9. NEW BUSINESS**

- 9.1 Approval of Mutual Aid Agreement *(All Directors - Weighted Vote)*

The new agreement includes both the term of the agreement, and also identifies the equipment available and the charge-out rates for the various pieces of equipment. Two key changes to the previous agreement include: the establishment of a 3 year term for the agreement from the date of execution and the removal of the City of Kelowna's aerial ladder truck.

**#440/04** HARRIMAN/SHEPHERD

THAT the Regional Board approve and enter into the new Mutual Aid Agreement;

AND FURTHER THAT the Mutual Aid Agreement be forwarded to member municipalities for their approval.

CARRIED



- 9.2 Regional District of Central Okanagan Green Bay Road Sewer System Local Service Area Amending Bylaw No. 1076, 2004, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings** (*All Directors - Unweighted Vote*)

**#441/04** CANNAN/NOVAKOWSKI

THAT the Regional District of Central Okanagan Green Bay Road Sewer System Local Service Area Amending Bylaw No. 1076, 2004 be given first, second and third readings this 1<sup>st</sup> day of November 2004.

CARRIED

- 9.3 Proclamation: Veteran's Week 2004 – November 5-11 (*All Directors - Unweighted Vote*)

**#442/04** SHEPHERD/GIVEN

WHEREAS Canada has grown into a vibrant country, a nation shaped by its people, their courage, and their commitment to protecting and defending human rights, whenever and wherever they are threatened;

WHEREAS Canadians have and continue to put themselves in harm's way, often willing to offer their lives, to restore liberty and democracy throughout the world;

WHEREAS Peace and Freedom are not just words. They are values and beliefs worthy of sacrifice yesterday, today and tomorrow.

WHEREAS Canadian sacrifice and valour will be remembered forever as a rich legacy of peace, freedom and identity.

NOW THEREFORE the Regional District of Central Okanagan takes pride in honouring War Veterans and those who served on the home-front during the Second World War for their courage, their sacrifice and their valour.

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 November 4<sup>th</sup>.
  - b) Transportation  
No report

c) Planning and Environment

Staff confirmed that the Public Hearing notifications have been circulated for the November 8<sup>th</sup> Public Hearing and the Westside OCP Public Hearing November 22<sup>nd</sup>.

d) Engineering

Director Novakowski noted that the Engineering Committee is reviewing: potential sale of Joe Rich fire truck, West Nile virus update and budget, public meetings will be held in Glenrosa and Lakeview to discuss sewer upgrades, Westside parks contributing to sewer fees.

e) Air Quality

Director Shepherd noted the Air Quality Committee is reviewing: Agriculture chipping program wrapping up, recommendation is to extend the pilot program for another year for a total cost of \$50,000 while considering other funding sources and researching the SIR program and replant program. Forestry will be burning throughout the winter. Cash for Clunkers program has removed 185 vehicles. Wood Stove Exchange Program will be held March 1-31. Our region's program template is being used throughout the province. The Okanagan Airshed Coalition will be meeting with Minister Barisoff to bring him up-to-date on activities in the Okanagan.

f) Governance and Services

The next meeting of the Governance and Services Committee is scheduled for November 19<sup>th</sup>.

g) Westside Issues

The next meeting of the Westside Issues Committee is scheduled for November 8<sup>th</sup> and directors will discuss the potential joint application for the BC Disabled Games and WFN Cultural Centre on the Westside.

10.2 Director Items

a) Handidart

Director Cannan requested Handidart be put on the agenda for the next Transportation Committee meeting.

b) Jason Johnson, Chief Administrative Officer

The Board congratulated past-employee Jason Johnson on being hired as the Regional District of Okanagan Similkameen's Chief Administrative Officer.

**ACTION:** A letter of congratulations to be forwarded to J. Johnson on his appointment as CAO of Regional District of Okanagan Similkameen.

c) Tax-Exempt Transit Benefits for Canadian Workers

Many Canadian car commuters receive free or subsidized parking at their workplace without being taxed on this employment benefit. On the other hand, very few employees receive transit benefits and those who do are required to pay income tax on them. This unfair tax practice results in a strong incentive to drive and a strong disincentive to use transit and ultimately contributes to the destruction of our environment.

**#443/04**      **SHEPHERD/HARRIMAN**

THAT a letter be sent to the Prime Minister Martin to lobby for tax-exempt transit benefits for Canadian workers.

CARRIED

**11.      ADJOURN**

There being no further business the meeting was adjourned at 8:35 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**

\_\_\_\_\_  
**R. Hobson (Chair)**

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