

**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 29, 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  
M. Kopp, Assistant Director of Parks and Recreation  
D. Plamondon, Deputy Director of Planning Services  
H. Reay, Director of Financial Services  
K. Roth, Director of Inspection Services  
B. Vos, Director of Parks and Recreation  
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order at 8:00 p.m. following a Public Hearing.

**1. MINUTES**

- 1.1 Public Hearing – November 22, 2004
- 1.2 Regular Meeting – November 15, 2004

**#473/04 HARRIMAN/HANSON**

THAT the Public Hearing minutes of November 22, 2004 be received;

AND FURTHER THAT the Regular Board Meeting minutes of November 15, 2004 be adopted as circulated.

CARRIED

**2. DELEGATION**

- 2.1 Jack Peters and Sara Shaak – Okanagan Film Commission

Jack Peters, Chair and Sara Shaak, Film Commissioner, presented an update on the activities of the Okanagan Film Commission during 2004. Highlights included:

- Securing \$2.1 million of production activity in the Okanagan region (8 months of 12)
- Enhancing community exposure through the media (75% increase in media coverage)
- Producing a high quality Production Guide to market the region internationally
- Increased digital inventory of locations
- Securing 31 productions in the region (up from 10 in 2003)
- Funding from a variety of sources including the Provincial Regional Film Commissions Assistance Program, Boundary Economic Development Commission and the three regional districts
- Funding request for 2005 remains at the same level as 2004 at \$85,000.
- A focus for next year is to stabilize funding from the Province and to ensure regional district funding is equitable.

*Discussion:*

A discussion ensued regarding the Province's and regional district's commitment to fund the Film Commission. It was noted that funding through the Ministry of Small Business has been declining annually. There are no criteria for funding from the Ministry. UBCM and B.C Film Commission representatives are meeting with the Province to lobby for a stable, equitable and ongoing funding commitment. As well, the Okanagan Film Commission will be meeting with the Regional District of North Okanagan and Regional District of Okanagan-Similkameen to request ongoing and equitable funding.

4.3 moved to this section

**3. CORRESPONDENCE**

3.1 Okanagan Mainline Municipal Association (OMMA) – 2005 OMMA Convention

The 2005 OMMA convention is scheduled to be held April 27-29, 2005 in Salmon Arm. The deadline for OMMA resolutions to be considered at the 2005 Annual Meeting is Friday, February 25, 2005.

**#474/04 HEIN/NOVAKOWSKI**

THAT the November 8, 2004 letter from C. Mayes, OMMA President regarding the call for resolutions for the 2005 OMMA Convention, proposals for 2007 OMMA Convention and the call for 2005/2006 OMMA Executive Nominations be received;

AND FURTHER THAT an appropriate door prize be forwarded to OMMA for the 2005 OMMA Convention.

CARRIED

**4. OLD BUSINESS**

- 4.1 Regional District of Central Okanagan Green Bay Sewer System Local Service Area Amending Bylaw No. 1076, 2004 **Adoption** (*All Directors - Unweighted Vote*)

**#475/04 KNOWLES/DINWOODIE**

THAT Regional District of Central Okanagan Green Bay Sewer System Local Service Area Amending Bylaw No. 1076, 2004 be reconsidered and adopted this 29<sup>th</sup> day of November 2004.

CARRIED

- 4.2 OMMA Resolution re: Tax-exempt Transit Benefits (*All Directors - Unweighted Vote*)

**#476/04 SHEPHERD/DINWOODIE**

WHEREAS, the use of a public transit system promotes economic benefits, assists in reducing harmful air emissions and contributes to the reduction in the use of fossil fuels;

AND WHEREAS, if users of a public transit system were provided an opportunity to claim their user costs as tax-exempt benefit, there would be increased use of public transit systems;

THEREFORE BE IT RESOLVED THAT the Regional District of Central Okanagan recommends the Okanagan Mainline Municipal Association encourage and support the Union of BC Municipalities to pursue the issue of tax-exempt transit benefits with both the Provincial and Federal Governments.

CARRIED

- 4.3 Mount Boucherie Expansion Phase II (*All Directors*)

Staff confirmed that the Regional Board approved a capital budget of \$7,331,618 for Mount Boucherie Phase II and authorized staff to undertake cost estimates for an arena of approximately 1,300 seats. Preliminary costing has come in at \$533,712 over the capital budget. Included within this cost are construction, design and price escalation contingencies of \$870,074 but the 15% project contingency the Board has requested on capital projects are not included.

It was noted that the Westside Parks & Recreation Commission at its November 28<sup>th</sup> meeting agreed with the staff recommendation for the design and tendering for an arena of approximately 700 seats. The Mount Boucherie Expansion Committee does not agree with the staff recommendation.

The Westside Issues Committee at its November 29<sup>th</sup> special meeting recommended the 1,300 seat arena mainly due to the fact that the Society has committed to raise an additional \$150,000.

Staff reviewed the funds that could be re-allocated to the capital budget: which total \$376,435. In order to fund the shortfall estimates the Transfer to Reserves would need to be increased in 2005 by \$157,277.

Staff reviewed:

- That there is \$807,074 in contingencies which include the design, construction and price escalation but that there is no project contingency fund;
- The project will be tendered through project management not as one complete tender;
- It is believed the savings incurred by tendering through project management is about 2%;
- The design of the building has been reduced to 'bare bones';
- The Mount Boucherie Expansion Society has committed to raise \$400,000 to cover the cost of any extras such as air conditioning, seats, sound system, sports floor, concession equipment, etc. ;
- The level of risk involved--the greatest risk of building a larger facility would be if the Society is unable to raise the additional \$150,000 from the community;
- The current tax rate is .34.3 cents per thousand of assessment. At the time of referendum it was .36 cents but has been reduced due to the rate of growth on the Westside.

**#477/04**      KNOWLES/DINWOODIE

Amended by  
Resolution  
#495/04

THAT the Regional Board support tendering and construction of a 1350 seat, second ice facility at Mount Boucherie Multiplex rather than a 700 seat facility and to accommodate such a facility, the Regional District shall:

- Utilize all legitimate financial tools and means to reduce the deficit on the Mt. Boucherie Multiplex Phase II expansion, including but not restricted to the tax requisition gain from growth in assessed values;
- Stay within the rate of taxation as per the referendum;
- Seek a commitment from the Mt. Boucherie Expansion Society to raise sufficient funds to ensure there is not a deficit in the construction of a 1350 seat arena, such fundraising to a maximum of \$150,000.00

CARRIED

(The Board agreed to add 4.4 to the agenda)

4.4      Trails BC - Myra Canyon Bypass Trail

In follow-up to the September 27, 2004 regular Board Meeting whereby staff were directed to explore the opportunity to enter into a partnership with the Province to match funds to complete the Myra Canyon Bypass Trail, the Province

has confirmed \$15,000 in funding for the completion of the Trail. Trails BC has forwarded a budget for completing the trail. The total budget for rebuilding the Trail is \$108,992 of which \$85,870 has been raised through the Province, Regional District and Interior Savings.

**#478/04**     SHEPHERD/HEIN

THAT FURTHER to the Regional Board resolution #407/04 of September 27, 2004, a maximum of \$15,000 be allocated from the 2005 regional grant in aid budget to complete the Myra Canyon Bypass Trail.

CARRIED

**5.     FINANCE DEPARTMENT**

No Board action required/requested.

**6.     PLANNING DEPARTMENT**

**6.1 Correspondence (Unweighted Vote)**

- a) Report regarding the appointment of a new member to the Westside South Advisory Planning Commission (*All Directors*)

**#479/04**     DINWOODIE/KNOWLES

THAT Ben R. Stewart be appointed as a member of the Westside South Advisory Planning Commission for a term of two years or until a successor is appointed.

CARRIED

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

- a) Extension of a Development Permit Application for Mark Anthony Properties Ltd. (owner) and Art Phillips (agent) located adjacent to Mission Hill Road. (DP-03-20) Westside Electoral Area (*Electoral Areas only*)

**#480/04**     NOVAKOWSKI/DINWOODIE

THAT Development Permit application DP-03-20 for Mark Anthony Properties Ltd. (owner) located adjacent to Mission Hill Road be granted a 6-month extension.

CARRIED

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

- a) i) Rescind first reading of Official Community Plan Amendment Bylaw #785-7 for Walderush Country Manor Ltd. (owner) and New Town Planning Inc. (agent) located adjacent to Bear Creek Road. Westside Electoral Area (*All Directors*)

Staff confirmed that the application is outdated, the applicant has not responded to notification letter of October 7<sup>th</sup> and no additional information has been submitted to indicate that the outstanding issues have been resolved.

**#481/04**      HEIN/DINWOODIE

THAT first reading of Official Community Plan Amendment Bylaw No. 785-7 for Walderush Country Manor Ltd (owner) granted September 8, 2003 be rescinded this 29<sup>th</sup> day of November 2004.

CARRIED

- ii) Rescind first reading of Zoning Amendment Bylaw No. 871-62 for the above. (Z03/10) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe area*)

**#482/04**      CANNAN/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-62 be rescinded this 29<sup>th</sup> day of November 2004.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-88 for 0702989 BC Ltd. (owner) and Protech Consultants Ltd. (agent) to amend the zoning from RU2 Rural 2 to RC1 Compact Housing and P1 Park and Open Space located adjacent to Daimler Drive. (Z04/12) Westside Electoral Area (*Electoral Areas only*)

**#483/04**      NOVAKOWSKI/KNOWLES

THAT Zoning Amendment Bylaw No. 871-88 (application Z04/12) be given first reading, as amended this 29<sup>th</sup> day of November 2004;

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

- Information/plans identifying whether a local road connection of Auburn Road to Shannon Ridge Road and/or Ensign Way is physically possible;
- A traffic impact study, as per the comments from the Ministry of Transportation;
- Information/plans identifying how the proposed drainage system will deal with existing Marlow/Marshall springs and Marshall brook, and how storm water from the development will be directed to an approved storm drainage system;

- An amended site plan that identifies adequate building envelopes on all lots adjacent to the stream channel recognizing the comments and recommendations contained in the June 14, 2004 Environmental Impact Assessment and Remediation report with respect to the protection of Marshall Brook.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-87 for R. & L. Kryger / Westville Homes / 561908 BC Ltd. (owners) and D.E. Pilling & Associates Ltd. (agent) to amend the zoning from:
- RU2 Rural 2 to RC1 Compact Housing and R3A Multiple Housing (Low Density);
  - RU6 Small Holdings to RC1 Compact Housing and P1 Park and Open Space;
  - R3A Multiple Housing (Low Density) to RC1 Compact Housing and P1 Park and Open Space located adjacent to Asquith Road. (Z04/11) Westside Electoral Area (*Electoral Areas Only*)

**#484/04      DINWOODIE/NOVAKOWSKI**

THAT Zoning Amendment Bylaw No. 871-87 for R. & L. Kryger/Westville Holes/561908 BC Ltd (owners) be given second and third readings this 29<sup>th</sup> day of November 2004;

AND FURTHER THAT consideration of fourth and final readings be withheld pending the following:

- Receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation;
- Registration of a Section 219 covenant restricting the development to a maximum of 100 residential units on DL 703, to establish a 10-metre wide no-build/no-disturb buffer along the west boundary of DL 703, and to protect the P1 zoned area.

CARRIED

**6.6 Bylaws: (Reconsideration and Adoption) (Unweighted Vote)**

- a) i) 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 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*)

**#485/04**      DINWOODIE/KNOWLES

THAT Official Community Plan Amendment Bylaw No. 686-38 be reconsidered and adopted this 29<sup>th</sup> day of November 2004.

CARRIED

ii) Zoning Amendment Bylaw No. 871-86 for the above to amend the zoning from RU2 Rural 2 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*)

**#486/04**      NOVAKOWSKI/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-86 be reconsidered and adopted this 29<sup>th</sup> day of November 2004.

CARRIED

**7.      INSPECTION SERVICES DEPARTMENT**

- 7.1      Building Violation – Lot 41, Plan 31551, 7825 Sunvalley Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title - Owner: Ellsworth (*All Directors - Unweighted Vote*)
- 7.2      Building Violation – Lot 1, Plan 34975, 4518 June Springs Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title - Owner: Dawe (*All Directors - Unweighted Vote*)
- 7.3      Building Violation – Block 84, District Lot 3190, Plan 777, 3323 Preston Road (Westside Electoral Area) Notice to be placed on Title - Owner: Powell (*All Directors - Unweighted Vote*)

**#487/04**      HEIN/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot 41, Plan 31551, 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 #8253/00, 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.

AND FURTHER THAT the Regional District Board direct that a notice be filed on the title of Lot 1, Plan 34975, 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 garage, built under authority of Building Permit #9169/02, 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.

AND FURTHER THAT the Regional District Board direct that a notice be filed on the title of Block 84, District Lot 3190, Plan 777, 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 wood fireplace insert, installed under authority of Building Permit #9896/02, has not been finalized, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835. The permit cannot be closed under a final inspection has been done.

CARRIED

- 7.4 Building Violation – Lot A, Plan 43339, 6631 Highway 33 East (Ellison/Joe Rich Electoral Area) Notice to be placed on Title - Owner: Robinson (*All Directors - Unweighted Vote*)

Staff noted that construction of a single-family dwelling was started without a building permit. The owner has not contacted staff on this matter.

Mr. Robinson was in attendance and addressed the Board on the matter. He noted that he has been in contact with staff and that there is legal action pending regarding a shared water system and that further work on the property cannot proceed until the legal issue is resolved.

**#488/04**      SHEPHERD/CANNAN

THAT the Title Notice for Building Violation – Lot A, Plan 43339, 6631 Highway 33 East (Ellison/Joe Rich Electoral Area) be *DEFERRED* until Regional District staff meet with Mr. Robinson in an attempt to resolve the outstanding issues of Building Permit #9068/01.

CARRIED

**8.      PARKS AND RECREATION DEPARTMENT**

No Board action required/requested

**9.      NEW BUSINESS**

- 9.1 Award of Contract – Solid Waste Management Plan Review (*All Directors - Weighted Vote*)

**#489/04**      NOVAKOWSKI/DAY

THAT the Regional Board authorizes the award of the contract for the Solid Waste Management Plan review to Earth Tech for the amount of \$75,946, including GST, which falls within budgeted estimates.

AND FURTHER THAT the cost of the review is paid from the Solid Waste Management Reserve Fund.

CARRIED

9.2      Award of Contract – UV Equipment Installation for Westside Wastewater Treatment Plant (*All Directors - Weighted Vote*)

**#490/04**      KNOWLES/NOVAKOWSKI

THAT the Regional Board authorize the award of the contract for UV Equipment Installation for the Westside Wastewater Treatment Plant to the lowest bidder, Interior Instrument Tech Services, for the amount of \$22,900 plus GST.

CARRIED

9.3      Okanagan Water Management Partnership (*All Directors - Unweighted Vote*)

It was noted that the Okanagan Basin Water Board has recently sent a letter to the effect that although the OBWB has not endorsed the specifics of the Partnership white paper, but to develop an acceptable and effective initial step to guarantee sustainable water supplies the Board requests feedback on these important issues.

**#491/04**      CANNAN/HARRIMAN

In view of the growing necessity to integrate all aspects of water resource management within the Okanagan and Similkameen water sheds by taking an efficient, coordinated and basin-wide approach; and in order to ensure the livability and economic sustainability of the region in the face of inevitable population growth and climate changes;

BE IT THEREFORE RESOLVED that the Regional District of Central Okanagan supports, in principle, the proposal of the Okanagan Partnership for the establishment of an Okanagan Basin Water Management Council, building on the existing mandate of the Okanagan Basin Water Board. The new Water Management Council would embrace a broader range of delegated authorities, an expanded executive committee, and a broadly based water stewardship council, as proposed in the White Paper prepared by the Okanagan Partnership Society.

AND FURTHER THAT the Regional District of Central Okanagan encourage immediate discussion with our regional district partners, Okanagan Basin Water Board, and provincial MLAs and federal representatives to determine the steps to be followed to achieve an Okanagan Basin Water Management Council.

AND FURTHER THAT the information on the establishment of an Okanagan Basin Water Management Council be forwarded to local water purveyors, First Nations and municipal councils.

CARRIED

- 9.4 Waiving of Rental Fee Mount Boucherie Complex – RDCO Children’s Christmas Party

**#492/04** DINWOODIE/NOVAKOWSKI

THAT the room rental fee for the Mount Boucherie complex be waived for the December 19, 2004 Annual RDCO Children’s Christmas Party.

CARRIED

**10. OTHER BUSINESS**

10.1 Director Items

- a) UBCM – Crime Prevention and Community Safety – Working with Youth In Your Community

Director Dinwoodie updated the Board on the UBCM – Crime Prevention and Community Safety – Working with Youth In Your Community Workshop which he attended November 24-25, 2004. Presentations included a youth perspective on the use of Crystal Meth. Workshop information will be placed in the Board reader file.

- b) Film Commission Funding

Director Dinwoodie, President of UBCM and Sara Shaak, President of the Regional Film Commissions Association of British Columbia, will be meeting with the Province in the near future to discuss the Regional Film Commissions Assistance Program.

**#493/04** DINWOODIE/CANNAN

THAT Chair Hobson be authorized to travel with Director Dinwoodie and Sara Shaak to meet with the Province regarding funding of the Film Commission.

CARRIED

c) Interior Health Authority – Capital Planning Update

Staff were requested to circulate the minutes of the meeting (December 8, 2003) with the Interior Health Authority regarding the Capital Planning Update.

d) Crystal Meth Brochure

Director Gray noted that the Crystal Meth brochure which the Regional District was a funding partner with the Interior Health Authority and Westbank First Nation has been printed and is now being distributed. Other venues for publishing the brochure (ie: buses, bus shelters) are being reviewed.

*ACTION:* Staff will circulate a copy of the Crystal Meth brochure and distribution list to the Board.

e) Fraser Basin Conference

Chair Hobson updated the Board on the 2005 Fraser Basin Conference held in Vancouver, November 26-27, 2004. Conference material will be placed in the Board reader file. It was noted that the planning software, Quest, which the Okanagan Similkameen uses was highlighted. Some directors were reviewed the software at the FCM conference last year.

*ACTION:* Planning & Environment Committee to discuss the Quest software program and how the Regional District might use it.

f) Cultural Corridor Steering Committee

Chair Hobson noted that a new society for the Okanagan Cultural Corridor has been formed. New guides will be produced in partnership with TOTA and will include wine maps. It was also suggested they may wish to include an agricultural tour map. Sandra Kochan will address the Board in the new year to update the Board on the direction of the Cultural Corridor.

**11. ADJOURN IN CAMERA**

**#494/04** HARRIMAN/KNOWLES

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

CARRIED

There being no further business the meeting was adjourned at 9:55 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)**