

Minutes of the *REGULAR MEETING* of the Regional District of Central Okanagan held in the Woodhaven Board Room, Regional District Offices on Monday, January 26, 2004

Directors R. Cannan (City of Kelowna)
C. Day (City of Kelowna)
P. Wannop, alternate for A. Dinwoodie (Westside Elect. Area)
W. Gray (City of Kelowna)
P. Hanson (Ellison/Joe Rich Elect. Area)
B. Harriman (District of Peachland)
B. Given, alternate for 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
J. Johnson, Manager of Current Planning
K. Roth, Director of Inspection Services
M. Drouin, Administrative Assistant (recording secretary)

W. d'Easum, Administrator, brought the meeting to order at 7:00 p.m.

#30/04 HEIN/GRAY

THAT Director Novakowski chair the regular board meeting of January 26, 2004.

CARRIED

1. MINUTES

- 1.1 Public Hearing Meeting – January 12, 2004
- 1.2 Regular Board Meeting – January 12, 2004

#31/04 HEIN/KNOWLES

THAT the Public Hearing meeting minutes of January 12, 2004 be received;

AND FURTHER THAT the Regular Board Meeting minutes of January 12, 2004 be adopted as circulated.

CARRIED

2. DELEGATION

No delegation

3. CORRESPONDENCE

- 3.1 Laureen Redman, Chair, Economic Development Commission re: Retail and business opportunities on the Westside

The Economic Development Commission board requests that the Regional Board and the Westbank First Nation Council sign a Memorandum of Understanding to promote economic development on the Westside. The Memorandum has been forwarded to the WFN Council for approval.

#32/04 HEIN/SHEPHERD

THAT the Regional District of Central Okanagan sign a Memorandum of Understanding with the Westbank First Nation to signify that a coordinated and cooperative effort will be undertaken to promote economic development on the Westside;

AND FURTHER THAT implementation be incorporated into the strategies of the Regional District of Central Okanagan.

CARRIED

4. UNFINISHED BUSINESS

- 4.1 Regional District of Central Okanagan Brent Road Fire Protection

- a) Regional District of Central Okanagan Brent Road Fire Protection Service Area Establishment Bylaw, No. 1044, 2003 **Adoption** (*All Directors - Unweighted Vote*)

#33/04 SHEPHERD/KNOWLES

THAT Regional District of Central Okanagan Brent Road Fire Protection Service Area Establishment Bylaw, No. 1044, 2003 be reconsidered and adopted this 26th day of January 2003.

CARRIED

- b) Regional District of Central Okanagan Brent Road Fire Protection Service Area Loan Authorization Bylaw No. 1045, **Adoption** (*All Directors - Weighted Vote*)

#34/04 WANNOP/KNOWLES

THAT Regional District of Central Okanagan Brent Road Fire Protection Service Area Loan Authorization Bylaw No. 1045, 2003 be reconsidered and adopted this 26th day of February 2003.

CARRIED

- c) Regional District of Central Okanagan Brent Road Fire Protection Service Area Temporary Borrowing Bylaw No. 1052, 2004, **1st, 2nd and 3^d readings, and Adoption** (All Directors - Weighted Vote)

#35/04 KNOWLES/HARRIMAN

THAT Regional District of Central Okanagan Brent Road Fire Protection Service Area Temporary Borrowing Bylaw No. 1052, 2004 be given first, second and third readings, reconsidered and adopted this 26th day of January 2004.

CARRIED

- d) Regional District of Central Okanagan Brent Road Fire Protection Service Area Parcel Tax Commutation Bylaw No. 1053, 2004, **1st, 2nd and 3^d readings, and Adoption** (All Directors - Unweighted Vote)

#36/04 KNOWLES/CANNAN

THAT Regional District of Central Okanagan Brent Road Fire Protection Service Area Parcel Tax Commutation Bylaw No. 1053, 2004 be given first, second and third readings, reconsidered and adopted this 26th day of January 2004.

CARRIED

5. FINANCE DEPARTMENT

No Board action required/requested

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding termination of the School Sites Acquisitions Agreement between the Regional District and School District No. 23. (All Directors)

#37/04 HEIN/KNOWLES

THAT the Regional District send a letter to School District No. 23 advising them that the Regional Board supports mutually terminating the School Sites Acquisitions Agreement and that it no longer be considered in effect.

CARRIED

Action: Staff to ask School District No. 23 what they plan to do with the money collected through the school sites acquisitions agreement.

- b) Zoning Amendment Bylaw No. 871-60 for 436178 B.C. Ltd (owners) and Khangura Engineering Ltd. (agent) to consider the request to terminate the Public Hearing and close the application. (Z03/08) Westside Electoral Area (*Electoral Areas and Kelowna Fringe*))

#38/04

WANNOP/KNOWLES

THAT the Public Hearing for Zoning Amendment Bylaw No. 871-60 for 436178 B.C. Ltd. (owner) application Z03/08 be terminated, and the application be closed as per the request of the property owner.

CARRIED

6.2 Development Variance Permits (Unweighted Vote)

- a) Application for a Development Variance Permit for Grant Steven (owner) and Tom Smithwick (agent) located adjacent to Casa Loma Road, (VP-03-22) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

Chair Novakowski asked if there was anyone in the gallery who deemed their property to be affected by the development variance.

Mr. Johnson noted that a late submission, via email, had been received January 23, 2004 from Mike Duggan on behalf of the Casa Loma Community Association expressing concern regarding public access to the lakefront and the Kalamoir Park trail.

Joe Hertz, 2691 Casa Loma Road addressed the Board. He noted that Mr. Duggan is not representing his views on behalf of the Casa Loma Neighborhood Association. He supports the application and does not believe the garage affects access to Kalamoir Park.

The applicant addressed the Board highlighting the four public accesses, plus the boat launch in the area.

#39/04

CANNAN/KNOWLES

THAT the Regional Board approve Development Variance Permit application VP-03-22 for Grant Steven (owner) located adjacent to Casa Loma Road to vary Section 7.1.4 of the R1 Regulations of Zoning Bylaw No. 871 by reducing the minimum front setback requirement from 4.5 metres (14.8 ft) to 2.25 metres (7'4½"), in order to allow for the siting of a garage addition to the existing residence;

AND FURTHER THAT the Regional Board vary Section 7.1.4 of the R1 Regulations of Zoning Bylaw No. 871 by reducing the minimum front setback requirement from 4.5 metres (14.8 ft) to 2.7 metres (8'10¼"), in order to enclose an empty courtyard for a recreation room addition.

CARRIED

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

- a) Joe Rich Rural Land Use Amendment Bylaw No. 730-11 for Wilfried Rometsch / KMCS Ventures Ltd. (owners) and Keith Funk (agent) to replace the Rural Tourist Commercial (RTC) designation with the Rural Tourist Commercial (Eight Mile Ranch) designation located adjacent to Highway 33. (RLUB-02-02) Ellison / Joe Rich Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#40/04 HANSON/SHEPHERD

THAT Joe Rich Rural Land Use Bylaw Amendment No. 730-11 (application RLUB-02-02) for Wilfried Rometsch / KMCS Ventures Ltd. (owners) be given first reading as amended this 26th day of January 2004;

AND THAT the application be scheduled for a Public Hearing to be held at the Joe Rich Community Hall on February 16, 2004;

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

- Registration of a Section 219 covenant restricting the development to the site plan submitted on both parcels, and to incorporate all recommendations contained in the December 5, 2003 report prepared by EBA Engineering;
- Resolution of the walkway/covenant issues identified by the Parks Department in their response of July 2, 2002;
- Approval from the Ministry of Transportation regarding Joe Rich Rural Land Use Bylaw Amendment No. 730-11;
- Approval of the sewage disposal system from Interior Health and/or the Ministry of Water, Land and Air Protection.

CARRIED

6.4 Bylaws: (First Reading) (Unweighted Vote)

- a) i. Official Community Plan Amendment Bylaw No. 686-36 for Dunfield Holdings Inc. (owner) and CTQ Consultants Ltd. (agent) to amend the Westbank Official Community Plan designation from Agricultural to Industrial located adjacent to Dunfield Road. Westside Electoral Area (*All Directors*)

#41/04 WANNOP/KNOWLES

THAT Official Community Plan No. 686-36 for Dunfield Holdings Inc. (owner) located adjacent to Dunfield Road be given first reading this 26th day of January 2004;

THAT the scheduling of the application for a Public Hearing be withheld pending confirmation that the issues identified by the Agricultural Land Commission in their response of December 8, 2003 have been addressed;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Zoning Amendment Bylaw No. 871-75 approval and receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation.

CARRIED

- ii. Zoning Amendment Bylaw No. 871-75 for the above to amend the zoning from A1 Agricultural to I3 Timber Processing and Manufacturing. (Z03/23) (*Electoral Areas and Peachland Fringe Area*)

#42/04 KNOWLES/WANNOP

THAT Zoning Amendment Bylaw No. 871-75 be given first reading this 26th day of January 2004.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

- 7.1 Building violation – Lot 3, Plan KAP54528, 7110 Goudie Road (Ellison/Joe Rich Electoral Area) Notice to be placed on Title – Owner: Perrodou (*All Directors - Unweighted Vote*)

#43/04 HANSON/HARRIMAN

THAT the Regional District Board direct that a notice be filed on the title of Lot 3, Plan KAP54528 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 construction of a barn has not been issued a building permit, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835.

CARRIED

8. PARKS AND FACILITIES DEPARTMENT

No Board action required/requested

9. NEW BUSINESS

- 9.1 Dog License Agent – Sunshine Pet Supplies (*All Directors - Unweighted Vote*)

#44/04 SHEPHERD/KNOWLES

THAT Sunshine Pet Supplies be appointed as an agent of the Regional District of Central Okanagan for the purpose of selling dog licenses.

CARRIED

9.2 Leasing of vehicles for Emergency Social Services Coordinator (*All Directors - Unweighted Vote*)

#45/04 HANSON/SHEPHERD

THAT the Regional District arrange for a leased vehicle for the Emergency Social Services Coordinator.

CARRIED

9.3 Fire Protection Brent Road Area – Establishment of a Reserve Account (*All Directors - Unweighted Vote*)

#46/04 WANNOP/KNOWLES

THAT the Regional Board support the establishment of a reserve account in the amount of \$5,000 with funds coming from the proposed Brent Road Local Service Area.

CARRIED

9.4 Records Management – approval of Classification and Retention Schedule (*All Directors - Unweighted Vote*)

#47/04 HEIN/SHEPHERD

THAT the Regional Board approve the Records Management Classification and Retention Schedule dated January 15, 2004 for the Planning Services Department, Parks and Recreation Department and Westside Parks of the Regional District of Central Okanagan.

CARRIED

10. OTHER BUSINESS

10.1 Director Items

a) Notice of motion – Director Hanson
Director Hanson gave notice of motion regarding a name change for Ellison/Joe Rich Electoral Area to Okanagan East.

An Order in Council is required and Letters Patent changed to facilitate this. Electoral Area 'I' was changed to Ellison/Joe Rich 1½ years ago. Concern was expressed that Okanagan East may be confused with provincial or federal electoral boundaries.

b) Conflict of Interest Policy

The City of Kelowna is reviewing the need for establishing a Conflict of Interest Policy. The Administrator will review the policy, once adopted, to see if it can be used by the Regional District.

c) Withdrawal of Coast Guard Services on Okanagan Lake

Director Novakowski attended the Marine Advisory Council meeting on January 14th. Concern was once again expressed regarding the withdrawal of Coast Guard services on Okanagan Lake. The Council has requested local government write the Federal government to have service reinstated.

#48/04 SHEPHERD/CANNAN

THAT a letter be sent to the Canadian Coast Guard to annually provide a Coast Guard presence in the Okanagan during the boating season.

CARRIED

d) Regional District of Central Okanagan Annual Report

The 2003 Annual Report was circulated to the Board. The report will be available on the website and copies available through the office.

#49/04 SHEPHERD/HARRIMAN

THAT the 2003 Regional District of Central Okanagan Annual Report be received.

CARRIED

10.2 Regional District Art wall – January/February – local artist Gordon Hartley
(for information only)

Local artist, Gordon Hartley, will have some of his artwork on display on the Regional District's art wall for the months of January and February.

11. ADJOURN

There being no further business the meeting was adjourned at 7:51 p.m.

CERTIFIED TO BE TRUE AND CORRECT

Len Novakowski (Chair)

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