

**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, April 25, 2005**

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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 (Central Okanagan East 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  
M. Kopp, Assistant Director Parks and Recreation  
D. Plamondon, Deputy Director of Planning Services  
B. Vos, Director of Parks and Recreation Services  
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order at 7:00 p.m.

**1. MINUTES**

- 1.1 Regular Board Meeting – April 11, 2005
- 1.2 Public Hearing – April 11, 2005

**#170/05 DINWOODIE/KNOWLES**

THAT the Regular Board Meeting minutes of April 11, 2005 be adopted as circulated;  
AND FURTHER THAT the Public Hearing minutes of April 11, 2005 be received.

CARRIED

**2. DELEGATION**

- 2.1 Okanagan Basin Water Board ***Withdrawn from the agenda***

Chair John Slater, OBWB Chair, will address the Board on the OBWB proposal at the May 30<sup>th</sup> Board meeting.

**3. CORRESPONDENCE**

- 3.1 Minister John van Dongen, Ministry of Agriculture, Food and Fisheries re: Grant for Noxious Weed Control Program

The Ministry of Agricultural, Food and Fisheries grant of \$15,000 is in support of the continued weed management efforts in the region. The grant is based on operations of a noxious weed control program. The Minister noted Ministry funding for weed committees is limited and due to the expansion in the number of weed committees, it may be necessary to reduce the funding amounts provided in future years.

**#171/05 DINWOODIE/KNOWLES**

THAT the April 14, 2005 letter from Minister John van Dongen, Ministry of Agriculture, Food and Fisheries regarding a grant in the amount of \$15,000 for the 2005/2006 Noxious Weed Control Program be received.

CARRIED

- 3.2 Okanagan Military Museum Society – Robert Hadgraft, President re: Thank You

Okanagan Military Museum Society sent a thank you letter and certificate of appreciation for the 2005 Regional grant in aid.

**#172/05 NOVAKOWSKI/HARRIMAN**

THAT the April 19, 2005 thank you letter and certificate of appreciation from the Okanagan Military Museum Society be received.

CARRIED

- 3.3 Greyhound Canada Transportation Corp. re: Reduction in Frequency that affects bus service

Greyhound Canada informed the Board that they have filed an application with the B.C Passenger Transportation Board for a reduction in minimum frequency that affects bus service between Kelowna and Penticton and Vernon.

**#173/05 SHEPHERD/KNOWLES**

THAT the April 15, 2005 letter from Greyhound Canada Transportation Corp regarding the reduction in frequency of buses that may affect bus service in the region be received;

AND FURTHER THAT a letter be sent expressing concern that the reduction of routes are occurring at a time when growth in the Central Okanagan continues to increase.

CARRIED

3.4 Federation of Canadian Municipalities re: Members' Advisory – Urge MPs to Pass the Federal Budget

FCM expressed concern to its members that all the progress made toward a New Deal for cities and communities is at risk if the Budget legislation is not passed before an early election call. Funds committed in the Budget and destined for municipal governments could be delayed or even lost.

**#174/05** DINWOODIE/NOVAKOWSKI

THAT the April 15, 2005 Federation of Canadian Municipalities Members' Advisory requesting members urge their MPs to pass the Federal budget be received;

AND FURTHER THAT a letter be forwarded to local MPs and copied to leaders of the opposition parties, urging support to pass the Federal budget.

CARRIED

Director Gray arrived at 7:05 p.m.

**4. UNFINISHED BUSINESS**

No Board action required/requested.

**5. FINANCE DEPARTMENT**

No Board action required/requested.

**6. PLANNING DEPARTMENT**

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

- a) Development Variance Permit Application for Jason Shaw (owner) located adjacent to Sunnyside Road. (VP-05-04) Westside Electoral area (*Electoral Areas and Kelowna Fringe Area*)

Staff reviewed the DVP noting two letters had been received:  
-P. Carew, 1070 Sunnyside Road – no objection to the height of the retaining wall but would like assurance that any trees planted be restricted in height to not more than 5-6 meters in order to protect their view.  
- Shari & David Smyth, 1079 Sunnyside Road – expressed concern that there should be a railing or barrier in place to prevent possible injury between the proposed wall and the road where there will be a large vertical drop. In addition, if the retaining wall is over 5' an additional retaining wall should be built, stepped back from the 5' wall. Asked why work has begun on the retaining wall without prior approval.

Chair Hobson asked if there was anyone in the gallery who deemed their property affected by the variance. There was no comment.

The applicant advises the area will be fully landscaped with cedars.

*Discussion:*

- Is there any information on the file why the encroachment is necessary? Staff noted that there is only encroachment on Crown land not private land. The Ministry of Transportation has granted the necessary permit to allow for the construction of the retaining wall.
- The proposed retaining wall will ensure slope stability and provide safe, maneuverable access and parking area on site
- Concern was expressed that a barrier should be required along the wall and the cedars to be planted, to protect individuals from a potential accident.

**#175/05**      DINWOODIE/KNOWLES

THAT the Regional Board approve Development Variance Permit application VP-05-04 for Jason Shaw (owner) located adjacent to Sunnyside Road to vary Section 3.10.5 of Zoning Bylaw No. 871 by increasing the maximum height for a retaining wall located within 1.0 metre from a parcel line, from 1.5 metres (4.9 ft) to 2.1 metres (7.0 ft), as indicated on the attached drawing prepared by JMS Engineering Ltd., dated March 6, 2005:

- The Board also requested that the Ministry of Transportation (MOT) consider amending the applicant's permit to require a protective barrier at the top of the wall within the MOT road right-of-way.

CARRIED

**6.2 Bylaws: ( First, Second, Third plus Reconsideration and Adoption)**  
**(Unweighted Vote)**

- a) Procedures Amendment Bylaw No. 944-2 to amend Bylaw No. 944, 2003 for the Regional District of Central Okanagan. (*All Directors*)

**#176/05**      HEIN/KNOWLES

THAT Development Applications Procedures Amendment Bylaw No. 944-2 be given first, second and third readings, reconsidered and adopted this 25<sup>th</sup> day of April 2005.

CARRIED

**7. INSPECTION SERVICES DEPARTMENT**

- 7.1 Building Violation – Lot 19, Plan 30525, 3530 Weston Road (Central Okanagan East Electoral Area) Notice to be placed on Title – Owner: Drake (*All Directors - Unweighted Vote*) **WITHDRAWN FROM THE AGENDA**
- 7.2 Building Violation – Lot 1733, District Lot 3998, Lease #339146, Beaver Lake Road (Central Okanagan East Electoral Area) Notice to be placed on Lease – Owner: Gussen (*All Directors - Unweighted Vote*) **WITHDRAWN FROM THE AGENDA**

**8. PARKS AND FACILITIES DEPARTMENT**

- 8.1 Crown Land Application CL03-08 – Rose Valley Regional Park – Land & Water BC Inc. referral application – statutory right-of-way over Crown Land to permit a reservoir site, pipeline and an access road (*All Directors - Unweighted Vote*)

**#177/05 HEIN/NOVAKOWSKI**

THAT the Regional Board support Crown Land application CL-08-03 submitted by Lakeview Irrigation District to permit a reservoir site, pipeline and reservoir access road over Crown lands identified as District Lot 1119, ODYD, together with the unsurveyed Crown land adjacent to District Lot 503, ODYD;

AND THAT all environmental mitigation recommendations contained in the Environmental Impact Assessment reports dated September 2, 2004 and February 24, 2005 be completed as a condition of Regional District of Central Okanagan support for the implementation of the utility works within Rose Valley Regional Park;

AND FURTHER THAT over Crown lands which the Regional District has secured a license of occupation (#336760) to operate and maintain as Rose Valley Regional Park, the portion of the proposed reservoir access road to be located within the park will be maintained in good repair and be limited to operational use by the Lakeview Irrigation District.

CARRIED

Discussion:

- The question was raised whether dialogue with the Province has begun for the continuation of a license of occupation for Rose Valley Regional Park. The current 10-year license will be expiring. Staff confirmed that the 2005 workplan includes working on a stronger tenure for all license of occupations.

**ACTION:** Staff will to obtain a copy of the City of Nanaimo's letter to the Province and draft a similar letter from the Regional District with regard to secure tenure for licence of occupation.

8.2 Approval of Fuel Management Strategy (*All Directors - Unweighted Vote*)

**#178/05** DINWOODIE/HARRIMAN

THAT the Regional Board adopt the Fuel Management Strategy prepared by Diamond Head Consulting Ltd. for Regional District of Central Okanagan parks as a component in the creation of a Regional District Fire Management Plan.

AND FURTHER THAT the Regional Board adopt the work plan for fuel modification, trail building, and pine beetle control efforts for 2005.

CARRIED

8.3 2005 Communities in Bloom Competition Registration (*All Directors - Unweighted Vote*)

In discussion it was agreed that Westbank First Nation should also be approached to consider working in cooperation with the Regional District on the Communities in Bloom competition.

*ACTION:* Staff to contact City of Kelowna staff to gather information on what the City has done in the past for the Communities in Bloom competition.

**#179/05** NOVAKOWSKI/KNOWLES

THAT the Regional Board approve the registration of the Westside Electoral Area Parks Service Program in the “2005 Communities in Bloom” competition;

AND FURTHER THAT the Regional District continue to work with the Westside Electoral Area community service groups and Westbank First Nation in promoting the community benefit principles of the Communities in Bloom program.

CARRIED

8.4 Mount Boucherie Phase II Multiplex “Raising the Roof” Fundraising Proceeds Allocation (*All Directors - Unweighted Vote*) **WITHDRAWN FROM THE AGENDA**

8.5 Rotary Club of Westbank Centennial Celebration – Request to serve alcohol at Gellatly Nut Farm Regional Park (*All Directors - Unweighted Vote*)

As part of the commitment to the Rotary Club and their fundraising efforts for the Gellatly Nut Farm Society, the Society has agreed to host an ‘invitation only’ Westbank Rotary Centennial Celebration in the park. They have requested approval to serve alcohol at the event.

Staff noted the Regional District has a policy with respect to beer gardens but to date alcohol has never been allowed at events within a regional park.

**#180/05**     DINWOODIE/KNOWLES

THAT the Regional Board approve issuing a permit to the Gellatly Nut Farm Society to serve alcohol at the Rotary Club of Westbank Centennial Celebration to be held at the Gellatly Nut Farm Regional Park on Friday, May 13, 2005.

AND FURTHER THAT this permit is subject to a liquor license being obtained and the adherence to all federal, provincial and local government statutes and bylaws.

CARRIED

**9.     NEW BUSINESS**

9.1     Appointment of 2005 Election Officials (*All Directors - Unweighted Vote*)

**#181/05**     HEIN/DAY

THAT pursuant to Section 41(1) and 41(2) of the *Local Government Act*, Lyla Lindsay be appointed Chief Election Officer with power to appoint other election officials as required for the administration and conduct of the 2005 General Local Elections;

AND FURTHER THAT Tina Bouwman and Jennifer Maximuik be appointed Deputy Chief Election Officers for the 2005 General Local Elections.

CARRIED

9.2     Award of Contract - Westside Regional Wastewater Treatment Plant Stage 2 Upgrades, Effluent Filter (*All Directors - Weighted Vote*)

**#182/05**     NOVAKOWSKI/DINWOODIE

THAT the Regional Board authorize the award of contract for the Westside Regional Wastewater Treatment Plant Stage II Upgrade, Effluent Filter to the lowest bidder, Maple Reinders Inc. for the amount of \$956,000.00 plus GST.

CARRIED

9.3     Federal/Provincial Infrastructure Funding Applications for 2005 (*All Directors - Unweighted Vote*)

**#183/05**      DINWOODIE/KNOWLES

THAT the Regional Board support the submission of the application for funding assistance under the British Columbia Community Water Improvement Program, for Project No. 4139 Westbank Water Treatment Plant;

AND FURTHER THAT the priority of current applications submitted for consideration is as follows:

- Priority I - Westside Regional Wastewater Treatment Plant Expansion – Stage II
- Priority II - Westbank Water Treatment Plant – Westbank Irrigation District

CARRIED

- 9.4      Westside Electoral Area Grant in Aid - Westside Response Society (\$300) (*All Directors - Unweighted Vote*)

**#184/05**      NOVAKOWSKI/DINWOODIE

THAT a Westside Electoral Area grant in aid in the amount of \$300.00 be allocated to the Westside Response Society.

CARRIED

- 9.5      Air Quality Committee – Revised Terms of Reference (*All Directors - Unweighted Vote*)

An updated Terms of Reference has been approved by the Air Quality Committee and is brought forward for Board approval. As the goals of the committee and issues that are dealt with have broadened, the Air Quality Committee requested that the Terms be updated.

**#185/05**      SHEPHERD/HARRIMAN

THAT the Regional Board approve the revised Air Quality Committee Terms of Reference.

CARRIED

Director Cannan arrived at 7:40 p.m.

**10.      OTHER BUSINESS**

10.1      Director Items

a) Westside Road Intersection

Director Novakowski noted that in follow-up to last week's meeting with UDI (Urban Development Institute) where discussion occurred regarding



the need for a coordinated effort in completing the new Okanagan Lake Bridge and the Westside road intersection, a request was made to have a letter forwarded to the Ministry of Transportation highlighting the importance of completing both projects concurrently and also noting the importance of the Boucherie Road intersection for the continued flow of Westside traffic.

It was agreed that Westbank First Nation should be contacted first to confirm whether an agreement has been completed with the Province for the intersection.

**#186/05**      NOVAKOWSKI/DINWOODIE

THAT a letter to be sent to the Ministry of Transportation thanking them for the commitment to complete the bridge and Westside Road interchange;

AND THAT the letter should stress the importance of the Westside Road intersection being completed concurrent with the new Okanagan Lake Bridge, as well as the importance of the Boucherie Road intersection to improved traffic flow;

AND FURTHER THAT a similarly worded letter be sent to the Ministry of Transportation on behalf of the Westside Directors.

CARRIED

b) Degradation of Environment on Westside Properties

Director Shepherd raised the issue regarding the new developments on the Westside that have recently been stripped of all vegetation. Staff noted that these properties received zoning approval in the 1980's and early 90s and that under the recently adopted Westside Community Plan and the existing guidelines this type of scarring would not be allowed. Staff noted that they have spoken to the developer about their re-vegetation plan and will continue to work with them.

*ACTION:* Planning staff to arrange a Board tour of the affected areas, as well as a few other developments for comparison.

**11.    ADJOURN IN CAMERA**

**#187/05**      HEIN/DAY

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

CARRIED

There being no further business the meeting was adjourned at 8:10 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)**