

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, May 30, 2005

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. Hobson (City of Kelowna)
B. Winsby, alternate for D. Knowles (Westside Elect. Area)
L. Novakowski (Westside Elect. Area)
S. Shepherd (City of Kelowna)

Regrets: R. Hein (District of Lake Country)

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 – May 9, 2005

1.2 Public Hearing Meetings – April 18, 2005, May 9 & 16, 2005

#211/05 NOVAKOWSKI/HANSON

THAT the Regular Board Meeting minutes of May 9, 2005 be adopted as circulated;

AND FURTHER THAT The Public Hearing Meeting minutes of April 18, 2005, May 9, 2005 and May 16, 2005 be received.

CARRIED

Directors Gray and Day arrived at 7:05 p.m.

2. DELEGATION

2.1 John Slater, Chair – Okanagan Basin Water Board (OBWB)

Okanagan Basin Water Board (OBWB) Chair, John Slater, and staff member, Greg Armour addressed the Board regarding the proposal to enhance the effectiveness of the OBWB.

The Water Board is requesting agreement for changes in the OBWB practices:

- Permit the OBWB to approve its own annual budget for a five year period and requesting an additional \$.02 per thousand of assessment.
- Permit the OBWB to administer a Water Conservation and Quality initiatives program.
- Add 3 members to the Water Board (non-voting on budget issues)
- Establish an Okanagan Water Stewardship Council
- Hire staff as necessary to administer the water conservation initiatives program.

Discussion:

- Federal/provincial governments request five-year budget commitments in order to access many grants.
- Need local term vision.
- Gives the organization the ability to move forward with achievable goals.
- The additional \$.02 per thousand of assessment from the Central Okanagan would raise approximately \$245,000 per year. As well, the region would be eligible for approximately \$175,000 in grants for water program initiatives.
- The three additional board members representation would be designated from the: Okanagan Nation Alliance, Water Supply Association of B.C. and the Water Stewardship Council.
- How will OBWB report back to the regional districts over the five year period? Three representatives from each regional district remain on the board and would continue to keep members informed.
- OBWB would use the Fraser Basin Council model as a start for the program.
- Regional District would vet the applications for grant funds.
- The changes to OBWB would not remove authority from any water purveyors.
- The change is long overdue and welcomed by the Board.

#212/05 NOVAKOWSKI/DINWOODIE

THAT the Okanagan Basin Water Board (OBWB) presentation be received;

AND FURTHER THAT the Regional Board of the Regional District of Central Okanagan endorses the Okanagan Basin Water Board (Water Board) implementing the following:

- Permit the Water Board to approve its own 5-year annual capital and operating budgets;
- Permit the Water Board to administer a Water Conservation and Quality Improvement Initiatives Program;
- Permit the addition of three members to the Water Board;
- Permit formation of an Okanagan Water Stewardship Council to act in an advisory role to the Water Board;
- Permit hiring of additional staff as required.

CARRIED

3. CORRESPONDENCE

3.1 Union of BC Municipalities (UBCM) re: 2005 Community Excellence Awards

UBCM is now accepting 2005 Community Excellence Awards submissions for the following categories: Best Practices; Leadership and Innovation; and Partnerships-Local Government-School Board Collaboration. The Board briefly reviewed possible submissions: school board tree planting partnership; Mission Creek Phase 2; Mount Boucherie/school board initiatives (soccer fields); Trepanier on/off ramp.

#213/05 CANNAN/HARRIMAN

THAT the May 12, 2005 letter from UBCM regarding the 2005 Community Excellence Awards be received;

AND FURTHER THAT staff identify possible programs and criteria for the awards.

CARRIED

3.2 Association of BC Forest Professionals re: 2006 Forest Capital of BC

The Association of BC Forest Professionals' letter of May 9, 2005 invites the Regional District to apply to be named the 2006 Forest Capital of British Columbia.

#214/05 SHEPHERD/DAY

THAT the May 9, 2005 letter from the Association of BC Forest Professionals regarding the 2006 Forest Capital of BC be received.

CARRIED

3.3 Union of BC Municipalities re: Fuel Management – Pilot Projects Request for Expression of Interest

UBCM has launched a pilot program, Fuel Management-Pilot Projects, which will be administered by UBCM and funded by the Ministry of Forests, Protection Branch. The program is designed to investigate the effectiveness and viability of various fuel management methodologies.

#215/05 DINWOODIE/CANNAN

THAT the May 24, 2005 letter from UBCM regarding fuel management-pilot projects request for expression of interest be received;

AND FURTHER THAT the Director of Parks & Recreation review the criteria and possible programs to submit for pilot project funding.

CARRIED

4. UNFINISHED BUSINESS

No Board action required/requested.

5. FINANCE DEPARTMENT

No Board action required/requested.

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding a resolution for the future detailed plan of the Westbank Town Centre Area (*All Directors*)

Director Gray excused himself due to a conflict of interest at 7:42 p.m.

- Staff noted that there has been limited feedback from Westbank First Nation.
- The Agricultural plan will be completed and presented to the Land Commission and the Regional Board.
- How effective will the process be until the road network plan is completed? Commission not necessarily in agreement that roads are the best definition. The road network plan will not define the town center but is integral to the town center.

#216/05 NOVAKOWSKI/DINWOODIE

WHEREAS the objective of the Westbank Town Centre Strategy is to create a healthy and vibrant town centre and:

THAT the Agricultural Land Commission is looking for a stable, long-term platform for future decision-making and a successful, efficient town centre and;

THAT the undertaking of the Agricultural Plan is part of the commitment and;

THAT should land be excluded from the Agricultural Land Reserve an additional and more detailed plan to determine the final land use locations and types, finalize residential densities, the location of roadways, open space and walkway planning, details for buffering, infrastructure and service planning, is important and;

THEREFORE the Regional District will, considering the future exclusions of the Agricultural Land Commission, schedule a detailed town centre plan based upon the parameters of the Westbank Town Centre Strategy to commence in 2006 with an appropriate budget to undertake a comprehensive process.

CARRIED

- b) Report regarding the Voluntary Development Permit for Mark Anthony Properties located adjacent to Mission Hill Road (*All Directors*)

In conjunction with a rezoning of the property in 2003, the property owner agreed to complete a voluntary development permit. The development permit represents a voluntary understanding between the property owner and the Regional District.

Director Gray returned to the meeting at 7:55 p.m.

#217/05 CANNAN/DAY

THAT the May 5, 2005 report regarding the voluntary development permit for Mark Anthony Properties be received.

CARRIED

- c) Report regarding Land and Water B.C. Inc., referral application for a lease to allow a limestone/ dolomite quarry in the vicinity of Bald Range Creek (CL-05-01) (*All Directors*)

Staff reviewed the referral application and identified the mining area on the overhead. The proposed lease is for a 30-year period. The Advisory Planning Commission, Lakeview Irrigation District, and Environmental Advisory Committee recommendations were reviewed.

Discussion:

- How does the community become informed of the application? Land and Water BC notifies surrounding property owners.
- The applicant, Jeff Austin, noted that Land and Water BC requires public notification in the newspaper and this has been done. He has also met directly with Lakeview Irrigation and the RDCO Environmental Advisory Committee. The mines branch has also asked for advertisement.
- Concern was expressed regarding traffic and road maintenance and that local residents be made aware of the applicant's plan. It was noted that the road into the site is a private road.
- The question was raised regarding the reclamation of the site and the amount of bond required. It was noted that the Ministry of Energy & Mines sets the bond limit.
- Jim Edgson, Chair of the Westside North APC, commented on their review of the application and that the plans have been communicated to residents.

#218/05 DINWOODIE/NOVAKOWSKI

THAT Crown Land referral application CL-05-01 for Western Canada Limestone Ltd. be conditionally supported subject to;

- Completion of a traffic impact assessment if required by the Ministry of Transportation to determine the impact of additional heavy truck traffic on Westside Road;
- All road issues being resolved to the satisfaction of the appropriate agencies including the Ministry of Forests;

- Submission of a drainage management plan to address the issues identified in the April 26, 2005 letter from Lakeview Irrigation District's engineer;
- A buffer zone be established as per the recommendation of the Environmental Advisory Committee;
- Submission of an adequate security deposit to ensure that reclamation of the site is in conformance with the plans submitted to, and approved by the Chief Inspector with the Ministry of Energy and Mines;
- Placement of fencing and adequate signage in the area advising of danger due to blasting and extraction activities occurring within an open pit operation;
- Truck haulage to be limited as per the recommendation of the APC;
- Approval by the Ministry of Energy and Mines for the expanded pit and to ensure that the quarry is being operated in accordance with the '*Reclamation and Environmental Protection Handbook for Sand, Gravel and Quarry Operations in BC*'.

CARRIED (Hanson opposed)

- d) Report regarding Land and Water B.C. Inc., referral application for a License of Occupation to allow a communication site in the vicinity of Chute Lake Road (CL-05-02) (*All Directors*)

Staff reviewed the referral application and presented a map on the overhead.

Discussion:

- The question was raised whether other sites have been considered in order to provide benefit to Joe Rich.
- CBC staff, Rob Smith, reviewed the reasons why this area is best suited to provide reception to the proposed area of Glenmore and Glenrosa. At this time CBC is not looking to provide service to other areas but encouraged Director Hanson to contact CBC to discuss the matter.

#219/05 HANSON/CANNAN

THAT application CL-05-02 for the Canadian Broadcasting Corp. be supported subject to all activities (including road construction) in and around the wetland area being avoided to ensure that hydrology of the area is not altered and wildlife species are not disturbed;

AND THAT a drainage and sediment control plan be submitted and reviewed by RDCO Environmental staff prior to the access road being constructed;

AND FURTHER THAT the Planning Services Department Report dated May 18th, 2005 be forwarded to Land and Water B.C. Inc. for their information.

CARRIED

#220/05 HANSON/HARRIMAN

THAT a letter be forwarded to CBC to request they pursue a review of reception in the Joe Rich area.

CARRIED

6.2 Development Variance Permits (Unweighted Vote)

- a) Development Variance Application for 435133 B.C. Ltd. (owner) and Rick Bruschinsky (agent) located adjacent to Lakeview Drive (VP-05-05) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

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

#221/05 NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-05-05 for 435133 B.C. Ltd. (owner) to vary Section 7.1.3 of Zoning Bylaw No. 871 by reducing the minimum parcel frontage in the R1 Single Detached Housing zone from 18.0 metres (59.0 ft.) to 8.0 metres (26.25 ft) for proposed Lot 5 on the attached plan of subdivision prepared by D.E. Pilling & Associates, dated April 2005.

CARRIED

6.3 Bylaws: (First Reading) (Unweighted Vote)

- a) Land Use Contract Amendment No. 183-2 for Arnold Fitzner (owner) to discharge the Land Use Contract in its entirety and to zone the parcel R1 Single Detached Housing located adjacent to Wellington Road and Lindsay Court (LUCA183-2) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#222/05 DINWOODIE/NOVAKOWSKI

THAT Land Use Contract Amendment Application LUCA183-2 Bylaw No. 183-2 for Arnold Fitzner (owner) be given first reading this 30th day of May 2005;

AND FURTHER THAT the application be scheduled for a Public Hearing.

CARRIED

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

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

#223/05 DINWOODIE/NOVAKOWSKI

THAT Zoning Amendment Bylaw No 8781-88 for 0702989 B.C. Ltd (owner) be given second and third readings this 30th day of May, 2005;

AND FURTHER THAT consideration of fourth and final readings be withheld pending;

- Receipt of Preliminary Layout Approval for subdivision and Zoning Amendment Bylaw No. 871-88 approval from the Ministry of Transportation;
- Registration of a Section 219 covenant limiting the development to a maximum of 91 compact housing lots.

CARRIED

Director Gray excused himself due to a conflict of interest at 8:50 pm

- b) Zoning Amendment Bylaw No. 871-97 for Ewings Estates Ltd. (owner) and David Jones (agent) to amend the text of the P1 Park and Open Space zone by deleting from the Permitted Uses Table, Section 13.1.1, on part of Lot 2, Plan 1965 except plans 2570 & B7383 the word “Seasonal” located adjacent to Westside Road (Z04/21) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#224/05 DINWOODIE/SHEPHERD

THAT Zoning Amendment Bylaw No. 871-87 for Ewings Estates Ltd. (owner) be given second and third readings this 30th day of May 2005;

AND FURTHER THAT consideration of fourth and final readings be withheld pending;

- Approval of Zoning Amendment Bylaw No. 871-97 from the Ministry of Transportation;
- Registration of Section 219 covenant(s) for the protection of Morden Creek and to incorporate the recommendations from the Ministry of Water, Land and Air Protection regarding vertical and horizontal setbacks from Okanagan Lake.

CARRIED

Director Gray returned to the meeting at 8:51pm

6.5 Bylaws: (Reconsideration and Adoption) (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) Central Okanagan East Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#225/05 HANSON/DINWOODIE

THAT Joe Rich Rural Land Use Bylaw Amendment No. 730-11 (application RLUB-02-02) be reconsidered and adopted this 30th day of May 2005.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

No Board action required/requested.

8. PARKS AND FACILITIES DEPARTMENT

- 8.1 Award of Contract – Gellatly Nut Farm Regional Park – Park Services and Landscaping (*All Directors - Weighted Vote*)

#226/05 DINWOODIE/WINSBY

THAT the Regional Board approve the award of a contract to Sierra Landscaping Ltd., to complete the work as described in the tender documents issued May 9, 2005, for the Gellatly Nut Farm Regional Park Services and Landscaping, at a contract price of \$495,039.10;

AND FURTHER THAT the contract price of \$495,039.10 be paid for through the allocation of \$421,375.00 from the Gellatly Nut Farm Regional Park Canada/BC Infrastructure Grant, \$41,790.05 from the Gellatly Nut Farm Society, and \$31,874.05, to be reallocated from the Bertram Creek Regional Park pavilion project, which will not be constructed until 2006.

CARRIED

- 8.2 Award of Contract – Westside Park Mowing & Maintenance (*All Directors - Weighted Vote*)

#227/05 SHEPHERD/CANNAN

THAT the Regional Board approve the awarding of a Grounds and Turf Maintenance contract (as attached) for the years 2005, 2006, and 2007 to O.H.H.C. Holdings Ltd. at a cost of \$20,550.00, \$24,530.00, and \$24,530.00 plus taxes for each of the three consecutive years to a total of \$69,610.00 plus taxes.

CARRIED

9. NEW BUSINESS

9.1 Westside Electoral Area – Grants in aid (*All Directors - Unweighted Vote*)

#228/05 DINWOODIE/WINSBY

THAT a Westside Electoral Area grant-in-aid in the amount of \$400.00 be made to the Westside Thunder Masters Swim Club to assist in attendance at the World's Masters games to be held in Edmonton in the summer of 2005.

AND THAT a Westside Electoral Area grant-in-aid in the amount of \$200.00 be made to the Friends of Fintry who will forward that grant to Mr. John Sugars to assist in publishing costs for memoirs of his father regarding early days in the Fintry area. It is understood that the Friends of Fintry are going to match the \$200.00 grant with one of their own.

CARRIED

9.2 Regional District of Central Okanagan Sunnyside Water System Service Area Amendment Bylaw No. 1118, 2005 **1st, 2nd and 3rd readings** (*All Directors - Unweighted Vote*)

#229/05 NOVAKOWSKI/DINWOODIE

THAT Regional District of Central Okanagan Sunnyside Water System Service Area Amendment Bylaw No. 1118, 2005 be given first, second and third readings this 30th day of May 2005.

CARRIED

9.3 Regional District of Central Okanagan Water Systems Amending Bylaw No. 1119, 2005, **1st, 2nd and 3rd readings and Adoption** (*All Directors - Unweighted Vote*)

#230/05 DINWOODIE/WINSBY

THAT Regional District of Central Okanagan Water Systems Amending Bylaw No. 1119, 2005 be given first, second and third readings, reconsidered and adopted this 30th day of May 2005.

CARRIED

- 9.4 Regional District of Central Okanagan Debt Servicing Fee Bylaw No. 1120, 2005 **1st, 2nd and 3^d readings and Adoption** (All Directors - Unweighted Vote)

#231/05 GRAY/HARRIMAN

THAT Regional District of Central Okanagan Debt Servicing Fee Bylaw No. 1120, 2005 be given first, second and third readings, reconsidered and adopted this 30th day of May 2005.

CARRIED

- 9.5 Proclamation – Access Awareness Day – June 4, 2005 (All Directors - Unweighted Vote)

#232/05 SHEPHERD/NOVAKOWSKI

WHEREAS: All community members should have equity in opportunities, and full participation in community life, and

WHEREAS: It is instrumental to educate and inform all our citizens in our community of the important part they play in making it accessible to all, and

WHEREAS: Providing designated parking spaces is essential to the economic, social and physical well-being of all British Columbians (both able and disabled) in order to contribute and remain active in their community, and

WHEREAS: The citizens of the Regional District of Central Okanagan recognize the call for individual and group action by the government, disability organizations, and the driving public to reserve the use of the available specially designated spots for those who indeed require this benefit.

BE IT RESOLVED THAT the Regional Board of the Regional District of Central Okanagan do hereby proclaim Access Awareness Day – Saturday, June 4, 2005, a day of individual and group action to provide equitable opportunities and an accessible community for all our citizens.

CARRIED

10. OTHER BUSINESS

10.1 Director Items

There were no director items requiring action.

11. ADJOURN

There being no further business the meeting was adjourned at 9:05 p.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

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