

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, August 8, 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. 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
H. Hettinga, Director of Engineering Services
M. Kopp, Assistant Director of Parks and Recreation Services
D. Plamondon, Deputy Director of Planning Services
R. Paterson, Inspection 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 – July 25, 2005

#307/05 DINWOODIE/KNOWLES

THAT the Regular Board Meeting minutes of July 25, 2005 be adopted as circulated.

CARRIED

2. DELEGATION

2.1 North Westside Community Association/North Westside Fire Protection re: Referendum

Fire Chief Wayne Carson; Harry Pospolita, President of the North Westside Community Association; Ian Kilpatrick, Vice President and Chairman of Fire Advisory Committee; and Jim Edgson were introduced and Mr. Edgson addressed the Board highlighting the North Westside Fire Protection District's need to replace fire fighting equipment and how this may be financed. Three scenarios were presented to finance the fire departments needs: Municipal Financing, \$50 parcel tax for 5 years or a \$40 parcel tax. The mil rate is currently at maximum and the only way it can be increased is through a referendum. The

community association was asked to put forward a resolution to its members at this year's AGM and in July 2005 the following resolution was adopted..."That the North Westside Community Association support a five year parcel tax for the North Westside Fire Protection District to begin in the 2006 taxation year and finish a firm five years later after the 2010 taxation year and that this parcel tax should be \$50.00 per year and that a referendum on the \$50.00 parcel tax take place during the November 2005 Regional District elections."

The community continues to communicate with area residents to seek approval for a referendum.

#308/05 DINWOODIE/NOVAKOWSKI

THAT the presentation from the North Westside Community Association/North Westside Fire Protection regarding the need for fire equipment and the options to finance such equipment purchases be received;

AND THAT the Regional Board authorize a referendum be held on November 19, 2005 seeking the assent of the electors for a \$50.00 parcel tax for the North Westside Fire Protection District to begin in the 2006 taxation year for a maximum of a five year period;

AND FURTHER THAT staff prepare a bylaw for the Regional Board's approval.

CARRIED

3. CORRESPONDENCE

No Board action required/requested.

4. UNFINISHED BUSINESS

No Board action required/requested.

5. FINANCE DEPARTMENT

5.1 Regional District of Central Okanagan Security Issuing Bylaw No. 1122, 2005, **1st, 2nd and 3rd readings and Adoption** (All Directors - Weighted Vote)

Staff noted an error in the report for Bylaw No.1122 (Bylaw No. 1113 should read borrowing authority remaining should read \$210,000 not \$2100,000.00)

5.2 Regional District of Central Okanagan Security Issuing Bylaw 1123, 2005, **1st, 2nd and 3rd readings and Adoption** (All Directors - Weighted Vote)

#309/05 HEIN/DINWOODIE

THAT Regional District of Central Okanagan Security Issuing Bylaw No. 1122, 2005 be given first, second and third readings, reconsidered and adopted this 8th day of August 2005.

AND THAT Regional District of Central Okanagan Security Issuing Bylaw No. 1123, 2005 be given first, second and third readings, reconsidered and adopted this 8th day of August 2005.

CARRIED

6. PLANNING DEPARTMENT

6.1 Agricultural Land Reserve Appeal (All Directors – Unweighted Vote)

- a) Application for Exclusion from the ALR for 614334 B.C. Ltd. (owners) and Milagro Advisory Services Inc. (agent) located adjacent to Westside Road. (A-05-03) Westside Electoral Area (*All Directors*)

Staff reviewed the application as per the Board report dated July 28, 2005 and the rationale for recommending the application not be authorized by the Board to proceed to the Land Reserve Commission.

#310/05 DINWOODIE/KNOWLES

THAT the Regional Board hear from the applicant Peter Klimuk.

CARRIED

Peter Klimuk:

- Mr. Klimuk spoke on behalf of this application as well as 6.1b) application A-05-04 for Jennifer Drought highlighting:
- Only 50% of land is aerable – slope analysis showed 40% of slope is 20% or greater. Did not undertake analysis of Drought property but combined estimate of Drought property is 8 acres for a combined total of about 14 acres.
- The properties are similar to other properties that have been excluded (Zdralek property in Casa Loma).
- Environmental benefits -- no more pesticides to seep into Lake Okanagan.
- Land is isolated from other ALR lands.
- Has the Regional Board ever refused to ‘authorize’ a recommendation so applicant cannot go forward to ALC?
- Believes at no time was there a hint that the application is premature or to defer until a neighborhood plan is completed. Feels blindsided.
- Requests the application be forwarded to ALC even without support. With the staff recommendation the applicant is unable to make an appeal to the ALC.

Discussion:

- The Regional District has not authorized a neighborhood plan for the area. It is currently considered a study area.
- What is the timing of Raymer Study? Staff noted it is at least one year to 16 months.
- Not supportive of exclusion. If the Board is serious about the Westbank Town Centre Plan there is a need to support the objectives in order to protect agricultural land. Strongest way to state a position is not to forward the application.
- If the Board only forwards applications in support of exclusion the ALC will not be aware of other applications that were not authorized. Staff noted that the Board report would still be forwarded to the ALC for their information.
- If the application is not forwarded the applicant has no other opportunity to go forward to the ALC.
- Non-support of an application highlights to the Commission the Board does not support exclusion.
- Some of the land is steep and not typical of agricultural land. The applicant hired an agrologist to complete a report – enough of a question for the Commission to review
- Applicant requests 'his day in court'.
- Has this land been considered for future sewer and water? Staff: No, it is not part of the Liquid Waste Management Plan.
- What does the OCP say regarding the lands? Subject to further review. Application is premature. There has been no determination made of urban growth need in this area to warrant exclusion of the property from the ALR.

#311/05 NOVAKOWSKI/DINWOODIE

THAT ALR application A-05-03 for 614334 B.C. Ltd (owner) located adjacent to Westside Road to allow exclusion of the property from the Agricultural Land Reserve *NOT* be supported by the Regional Board.

CARRIED

ACTION: It was agreed that ALR applications should be discussed at a Planning and Environment meeting prior to coming to the Board.

- b) Application for Exclusion from the ALR for Jennifer Drought (owner) and Milagro Advisory Services Inc. (agent) located adjacent to Westside Road. (A-05-04) Westside Electoral Area (*All Directors*)

#312/05 DINWOODIE/NOVAKOWSKI

THAT ALR application A-05-04 for Jennifer Drought (owner) located adjacent to Westside Road to allow exclusion of the property from the Agricultural Land Reserve *NOT* be supported by the Regional Board.

CARRIED

- c) Application for Exclusion from the ALR for H. & I. Mueller / E. Blank (owners) located adjacent to Boucherie, Sunnyside & Perley Roads. (A-05-05) Westside Electoral Area (*All Directors*)

Staff reviewed the application as per the Board report dated July 28, 2005 and the rationale for recommending the application not be authorized by the Board to proceed to the Land Reserve Commission.

#313/05 SHEPHERD/DINWOODIE

THAT the Regional Board hear from the applicant Horst Mueller.

CARRIED

Mr. Horst Mueller:

Highlighted the difficulties he is experiencing with the land: cannot find anyone to operate the vineyard; problem with transients, thefts, birds (cannot use cannons as land is only 100 meters across and property is surrounded by residential homes); sewer line on the property; more suitable for a gated community than to growing grapes; ground is hard clay but with irrigation it is better but not great; not economical.

Discussion:

- How long have you owned property? Since 1993.
- How large is the property? 18 acres
- Is the 18 acres a viable size for a farm? It is small and not large enough to employ more than 2 individuals. It is difficult to make a living.
- What other crop or use would be suitable? The applicant has not explored other options ie: goat farm. Apples were grown at one time and then removed and grapes planted.
- Is this the largest piece of land in the immediate area? Yes. Quails Gate Winery is nearby.
- Does the applicant wish to proceed to the Commission without Board support? Yes.

#314/05 HARRIMAN/DAY

THAT ALR application A-05-05 for H. & I. Mueller/E. Blank (owners) located adjacent to Boucherie, Sunnyside & Perley Roads to allow exclusion of the property from the Agricultural Land Reserve *NOT* be supported by the Regional Board.

CARRIED

- d) Application for Subdivision within the ALR for Ken & Susan Blacklock (owners) located adjacent to Harold & Elliott Roads. (A-05-06) Westside Electoral Area (*All Directors*)

Staff reviewed the application as per the Board report dated July 28, 2005 and the rationale for recommending the application not be authorized by the Board to proceed to the Land Reserve Commission.

#315/05 DINWOODIE/NOVAKOWSKI

THAT the Regional Board hear from the applicant Ken Blacklock.

CARRIED

Mr. Ken Blacklock:

- Noted the application is to subdivide within the land reserve and is not an exclusion.
- 1995 application to subdivide on the West side of property was turned down to ALC.
- Since that time the applicant has consulted with Ministry of Agriculture and RDCO staff and felt there was support.
- 70% of area consists of land sloping (30% slope and treed).
- Centre area of the land is a low-lying depression although it is flat. At one time, apples were planted there but because of frost danger agricultural uses are not viable. 2.3 hectares in size
- Believes objectives of OCP are preserved.

#316/05 DINWOODIE/SHEPHERD

THAT ALR application A-05-06 for Ken & Susan Blacklock, located adjacent to Harold & Elliott Road, to allow subdivision of the property as per the plan submitted with the application, be supported by the Regional Board and forwarded to the Land Reserve Commission.

CARRIED (Hein opposed)

7.1 INSPECTION SERVICES DEPARTMENT

- 7.1 Building Violation – Lot 17, Plan 17232, District Lot 2926, 30 Traders Cove Road (Westside Electoral Area) Notice to be placed on Title – Owners: Koushnir and Clubine (*All Directors - Unweighted Vote*)

#317/05 NOVAKOWSKI/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot 17, Plan 17232, O.D.Y.D., pursuant to Section 57 of the Community Charter Act, and pursuant to that section of the Community Charter Act, further information regarding the notice be limited to the fact that:

1. The construction of a swimming pool and structural repairs to the dwelling have not been issued building permits, 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 Regional Rescue Boat Motor Replacement (*All Directors - Unweighted Vote*)

#318/05 GRAY/KNOWLES

THAT the Regional Board approve the purchase from Dockside Marine of two 2006 225-horse-power Mercury Optimax motors for a total cost (including installation and taxes) of \$31,069.13;

AND FURTHER THAT the funds for the purchase of these motors be withdrawn from the reserve funds of the Regional District's Regional Rescue Program.

CARRIED

ACTION: Due to the fact the boats are being operated by a variety of individuals, Staff were asked to review options available to extend the life of the boat motors.

10. OTHER BUSINESS

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation

No report. The next meeting is schedule for September 1st.

b) Transportation

Ron Westlake, Transportation Manager, has requested approval of 18 transit passes for the Media Career Placement Program for Canada World Youth for a period of three months (September-November 2005).

#319/05 HEIN/DINWOODIE

THAT the Regional Board approves 18 transit passes for the Media Career Placement Program for Canada World Youth for a period of three months (September-November 2005).

CARRIED

c) Planning and Environment

The final draft of the agricultural plan will be reviewed at the next Planning & Environment meeting scheduled for August 10th.

d) Engineering

The next meeting of the Engineering Committee is scheduled for August 11th. Gellatly Road will be discussed at that time.

e) Air Quality

The next meeting of the Regional Air Quality Meeting is scheduled for August 31st.

f) Governance and Services

No report. The next meeting of the Governance & Services Committee is scheduled for September 16th.

g) Westside Issues

The next meeting of the Westside Issues Committee is scheduled for August 15th. Issues the committee are reviewing include: purchase of the Westbank Elementary school property, leasing agreement for a junior hockey team, management of North Westside park.

10.2 Director Items

a) August 22 Regional Board Meeting

It was suggested that the August 22 Board meeting be cancelled and if a meeting is required before the next regularly scheduled meeting in September the Chair will call a meeting.

#320/05

HEIN/SHEPHERD

THAT the August 22 Regional Board meeting be cancelled subject to reinstatement by the Chair.

CARRIED

b) Fire Hazard in Regional Parks

It was suggested that with the increased hot weather pattern that it may be appropriate to remind the public of fire risks in the park. The question was also raised regarding the need for signage in regional parks to highlight what the fire hazard is. Staff confirmed that this signage is being budgeted in next years parks budget.

ACTION: Communication staff to send a press release reminding the public of the fire hazards in the parks.

11. ADJOURN IN CAMERA

#321/05 HEIN/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 land issue.

CARRIED

There being no further business the meeting was adjourned at 9:35 p.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

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