

**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, January 10, 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 (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: H. Hettinga, Deputy Chief Administrative Officer  
K. Arcuri, Director of Planning Services  
M. Kopp, Assistant Director of Parks and Recreation  
D. Plamondon, Deputy Director of Planning Services  
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order at 8:17 p.m. following the Public Hearing

**1. MINUTES**

- 1.1 Public Hearing Meeting – December 6, 2004
- 1.2 Statutory Board Meeting – December 13, 2004
- 1.3 Regular Board Meeting – December 13, 2004

**#01/05 HANSON/DAY**

THAT the Public Hearing Meeting minutes of December 6, 2004 be received;

AND FURTHER THAT the Statutory Board Meeting minutes of December 13, 2004 and the Regular Board Meeting minutes of December 13, 2004 be adopted as circulated.

CARRIED

**2. DELEGATION**

- 2.1 Delegation: Sandra Kochan – Okanagan Cultural Corridor Project Update
- Sandra Kochan provided an update on the 2004 activities of the Cultural Corridor Project and plans for 2005.

- Mandate: “to identify, develop, package and promote authentic, market-ready, four-season cultural tourism experiences in the Okanagan-Similkameen region.”
- Encompasses three regional districts, 25 communities and over 200 attractions.
- Reviewed key activities in 2004; key partnerships and stakeholders
- Have partnered with the Thompson Okanagan Tourism Association (TOTA) for the 2005 print guide. The guide will be on the shelf by April 2005.
- New board elected this fall. Expanded advisory committee.
- Partnering with first nation groups.
- Expo 2005 advertising opportunity discussed. Sandra to follow-up with Mayor Gray to provide promotional material.
- Agri-tourism is a key part of the project.
- Wine Festival Society runs parallel and complimentary to the project
- Wine guide, wine map and cultural attractions will be included in one guide.
- Local awareness campaign needs to be done. Self-drive itineraries available. No specific marketing to the ski-hills.
- Western Diversification funding ends this spring. Applied for a regional grant in aid from the Regional District of Central Okanagan which to date has not been approved.

## 2.2 Delegation: Mike Kowaluk, Chair – Sterile Insect Release Program Update

Chair Kowaluk, Chair of the Sterile Insect Release Program provided an update of the SIR program.

- SIR Board preparing a transition plan to a post 2005 SIR program to address issues such as governance, environment, science and funding.
- SIR Board has commissioned a cost/benefit analysis, reviewed various governance options and is exploring funding and program scenarios.
- SIR Finance Committee meeting is scheduled for January 13<sup>th</sup> with a Board meeting scheduled for January 14<sup>th</sup>.
- When SIR Board determines a post 2005 program and financial plan all stakeholders will be consulted for continued support.
- Environmental benefits of SIR program were reviewed.
- There appears to be a perception that the program has not been effective. Not true. 2004 harvest sample in Zone 1 shows 80% of the acreage had no damage and 97% of the acreage is below the economic threshold of 0.5% codling damage. Zone 2 (Peachland to Ellison) have 79.7% of the acreage below the economic threshold. Zone 3 (Lake Country to Salmon Arm) is at 86.4%.
- Almost all growers rely only on Sterile Insect Release for codling moth control.
- Program is unparalleled in the world with food safety becoming more of an issue. Organophosphates is a major step for SIR being part of a distinctive marketing strategy to address changing world markets.
- SIR program continues to prove to be an effective, environmentally responsible control measure.
- GIS mapping is now available to help identify growers with infestation and can now work on a one to one basis with the growers.

- If program doesn't reach sustained maturity all efforts will be wasted.
- Success requires participation of all partners.. All share responsibility of protection of the environment.

**3. CORRESPONDENCE**

No Board action required/requested.

**4. UNFINISHED BUSINESS**

4.1 FCM Membership – Travel BC Optional Contribution (*All Directors - Unweighted Vote*)

In March 2004, the Regional Board agreed to obtain membership in the Federation of Canadian Municipalities on behalf of the electoral areas and co-ordinate regional membership with the municipalities. The 2005/2006 invoice includes an optional travel contribution which supports the participation of elected officials from small communities in FCM's National Board of Directors.

**#02/05 DINWOODIE/KNOWLES**

THAT the Regional Board approves the Federation of Canadian Municipalities (FCM) optional travel contribution which supports the participation of elected officials from small communities in FCM's National Board of Directors.

CARRIED

**5. FINANCE DEPARTMENT**

No Board action required/requested.

**6. PLANNING DEPARTMENT**

*6.1b was considered first; 6.1a and 6.1c were considered after item 6.4*

**6.1 Correspondence (Unweighted Vote)**

- a) Report requesting a Board resolution for E. & E. Barone (owners) and Belco Holdings Inc. (agent) allowing a 95-year lease for a "lease hold subdivision" located adjacent to Pritchard Drive. ((Z04/14) Westside Electoral Area (*All Directors*))

**#03/05**      NOVAKOWSKI/KNOWLES

THAT registration of a ninety-five (95) year lease for E. & E. Barone (owners) located adjacent to Pritchard Drive for a “lease hold subdivision” to satisfy a condition of the Agricultural Land Commission regarding buffering be supported.

CARRIED

- b) Report regarding Land and Water B.C. Inc., referral application for a License of Occupation for Green Bay Landing Inc. to allow a strata moorage dock facility located adjacent to Green Bay Road. (CL-04-13) (*All Directors*)

Staff noted that the previous dock was removed and a new dock facility was constructed prior to receipt of the required approval from Land and Water B.C. Inc. The contractor for the dock is experienced and it is believed would be aware of the regulations. The new dock extends 86 m. from the shoreline. Land and Water B.C. advises that this dock structure is similar to the dock fronting the Green Bay Bible Camp to the south. The Ministry of Water, Land and Air Protection has indicated concern with the process that has occurred and will be suggesting to Land and Water B.C. that prior to approval a qualified professional with knowledge of fish habitat requirements review the existing structure to determine if there are impacts to fish habitat values.

The Board questioned the referral approval process and expressed concern the applicant proceeded without the proper approvals and that if there is disturbance to the fish habitat who will enforce the remedial work and what penalty would the owner face? It was noted that this issue was discovered due to a complaint received by the Inspection Department.

**#04/05**      SHEPHERD/CANNAN

THAT support of referral application CL-04-13 for a License of Occupation for Green Bay Landing Inc. to allow a strata moorage dock facility be *DEFERRED* until the Regional Board has the opportunity to hear from Land and Water B.C. Inc. on how referral applications are processed and approved and from the applicant on why the dock was constructed prior to approval.

CARRIED

*ACTION:* Staff to contact Land and Water B.C. Inc. and the applicant to arrange for them to attend a Regional Board meeting to explain the referral application process for a dock facility and why the dock was constructed prior to approval.

- c) Report regarding Land and Water B.C. Inc., referral application for a License of Occupation to allow a strata moorage dock facility located adjacent to Pritchard Drive. (CL-04-14) (*All Directors*)

The Board reviewed the concerns noted by staff and the public regarding:

- The number of planned boat stalls is eighty (80), with a possible further eight (8) in the future (with 123 residential units) as opposed to another development relative to the upland project that allows a maximum of fifty (50) stalls (with 150 residential units). It was noted that the Land and Water B.C. Inc., the approving authority, determines the number of stalls allowed.
- The question was raised if the Strata Council wishes to apply for expansion of the marina in the future would the application come back to the Board for a referral. The Board expressed concern about future expansion and that it is desirable to approve the marina with no further increase in size allowed.
- Why have a lease perimeter which would allow for 88 slips if the Board recommendation is for 80 slips?
- Will silt buildup be a problem in the canal area due to location of dock? EBA consultants concluded it would not adversely affect the canal.
- Do not want to see the ability to rent watercraft from the site.
- Is there a requirement to have an area that is safe for swimmers? The applicant said there is no requirement for a swimming area but would review this.
- Will the marina be used for commercial purposes? No, the recommendation identifies the requirement for a pump-out facility for the strata owners and prohibits the sale of gasoline or other petroleum products.
- Who has authority of the area once leased? The lease is with the Crown and the Crown is responsible for the lease. There is no zoning over the area leased. The Regional District is only a referral agency. It was noted that the Regional District has the authority to zone the foreshore but have not done this in the past.
- Public needs to have a clear understanding of what is proposed and what input they have. Staff noted that it is recommended that the applicant be required to advertise and provide notice to land owners located within 300 meters of the moorage structure. Any concerns the public may have should be addressed to Land and Water B.C. Inc.

**#05/05**      HARRIMAN/HEIN

THAT an amendment to the referral application be included for 88 stalls.

DEFEATED (9 opposed, 2 in favor)

**#06/05**      DINWOODIE/NOVAKOWSKI

THAT support of referral application CL-04-14 for Elaine and Ermanno Barone for a License of Occupation to allow a strata moorage dock facility located adjacent to Pritchard Drive be conditional on the following:

- Approval by the Regional Board of the upland OCP/Zoning Amendment application (File: Z04/14);

- Approval from the Ministry of Water, Land and Air Protection, Fisheries and Oceans, and Transport Canada Marine;
- Applicant be required to advertise in a local newspaper and provide notice to all land owners located within 300 metres of the moorage structure for comment to Land and Water BC Inc., as per the Foreshore section of the Westbank OCP;
- That construction of the wharf facility not prohibit or restrict any person from passing on or over the subject Crown Lands, and that the sale of any gasoline or other petroleum products not be permitted;
- That the License of Occupation require the installation of pump-out facilities;
- If recommended by MWLAP, applicant is to obtain the services of a qualified professional to prepare an Environmental Impact report and that any recommendations be included in the License of Occupation;

Amendment

- That the location of wharf #1 be fifty (50) feet to the west (northerly wharf) in order to create a larger separation between the canal opening and the strata moorage;
- That a swimming area be properly identified;
- That no boat or motorized watercraft rental activity be allowed;
- That the number of boat stalls be limited to eighty (80), identified in accordance with the map presented;

AND FURTHER THAT the Planning Services Department Report dated December 30<sup>th</sup>, 2004 be forwarded to Land and Water B.C. Inc. for their information.

CARRIED

**6.2 Development Permits (Unweighted Vote)**

- a) Application for a Development Permit for Azura Management Corporation (owner) and Rositch Hemphill & Associates Architects (agent) located adjacent to Westside Road. (DP-04-15) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

Staff noted that further information received today from the Ministry of Transportation indicates non-support for the development permit due to safety concerns at the road intersection. The applicant was not in attendance.

**#07/05**

CANNAN/KNOWLES

THAT Development Permit application DP-04-15 For Azura Management Corporation (owner) located adjacent to Westside Road be *DEFERRED* until the applicant is informed of the Ministry of Transportation safety concerns.

CARRIED

### **6.3 Development Variance Permits (Unweighted Vote)**

- a) Application for a Development Variance Permit for First Island Financial Services Ltd. (owner) and Aral Construction Ltd. (agent) located adjacent to Gellatly Road. (VP-04-15) Westside Electoral Area (*Electoral Areas Only*)

Chair Hobson asked if there was anyone in the gallery who deemed their property to be affected by the development permit. There was no-one.

Staff noted two letters have been received:

Irene Trudeau – no concern with the application.

Robert and Doreen Fitzpatrick and Herbert and Lois Sayers – opposed to the variances expressing concern regarding whether revisions were part of the original plan.

#### **#08/05      NOVAKOWSKI/KNOWLES**

THAT the Regional Board approve Development Variance Permit application VP-04-15 for First Island Financial Services Ltd. (owner) located adjacent to Gellatly Road to vary the following requirements of Zoning Bylaw No. 871 for existing Lots 35 – 75, Plan KAS 1001, DL 487, ODYD and lots created by the proposed subdivision of Lot 2, Plan KAP45814, DL 487, ODYD, as follows:

- To vary Section 10.2.5 of Zoning Bylaw No. 871 by reducing the minimum front setback requirement in the R3B zone, previously varied under VP-03-01 from 6.0 metres to 4.5 metres, to a further 2.0 metres;
- To vary Section 10.2.6 of Zoning Bylaw No. 871 by reducing the minimum side setback requirement in the R3B zone, previously varied under VP-03-01 from 4.5 metres to 1.5 metres, to a further 1.2 metres;
- To vary Section 10.2.8 of Zoning Bylaw No. 871 by reducing the minimum rear setback requirement in the R3B zone, previously varied under VP-03-01 from 9.0 metres to 3.0 metres, to a further 2.0 metres.
- To vary Section 9.2.9 of Zoning Bylaw No. 871 by reducing the minimum setback required from parcels in another zone from 4.5 metres to 2.0 metres for Lots 57 – 75, Plan KAS 1001, and Part of Lot A, Plan KAP59133.

CARRIED

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

- a)i) Official Community Plan Amendment Bylaw No. 672-23 for 436178 B.C. Ltd. (owner) and Patrick Cotter Architect (agent) to amend the Lakeview Official Community Plan designation from Low Density Residential to Multiple Family/Intensive Residential and Recreation & Conservation located adjacent to Sunview Drive, Moonbeam Close and Westlake Road. Westside Electoral Area (*All Directors*)

**#09/05**      DINWOODIE/KNOWLES

THAT Official Community Plan Amendment Bylaw No. 672-23 for 436178 B.C. Ltd. (owner) be given second and third readings this 10<sup>th</sup> day of January 2005;

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

- 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 85 compact housing lots.

CARRIED

- ii) Official Community Plan Amendment Bylaw No. 1050-2 for the above to amend the Westside Official Community Plan designation from Low Density / Single Detached Residential to Intensive Residential and Park and Open Space. Westside Electoral Area (*All Directors*)

**#10/05**      NOVAKOWSKI/KNOWLES

THAT Official Community Plan Amendment Bylaw No. 1050-2 be given second and third readings this 10<sup>th</sup> day of January 2005.

CARRIED

- iii) Zoning Amendment Bylaw No. 871-79 for the above to amend the zoning from RU2 Rural 2 and R1 Single Detached Housing to RC1 Compact Housing and P1 Park and Open Space. (Z04/03) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

**#11/05**      DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-79 be given second and third readings this 10<sup>th</sup> day of January 2005.

CARRIED

- b)i) Official Community Plan Amendment Bylaw No. 686-39 for E. & E. Barone (owners) and Belco Holdings Inc. (agent) to amend the Westbank Official Community Plan designation from Agricultural to Tourist Commercial located adjacent to Pritchard Drive. Westside Electoral Area (*All Directors*)

**#12/05**      DINWOODIE/KNOWLES

THAT Official Community Plan Amendment Bylaw 686-39 (application Z04/14) for E. & E. Barone (owners) be given second and third readings this 10<sup>th</sup> day of January 2005;



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

- Approval from the Ministry of Community, Aboriginal and Women's Services of Official Community Plan Amendment Bylaw No.'s 686-39 and 1050-3;
- Approval from the Ministry of Transportation for permits to allow parking on the triangular piece of road right-of-way at the Pritchard Drive intersection, and for public access along the 3.04 metre road right-of-way next to the canal with a caveat that the strata development is responsible for maintenance of these areas;
- Registration of a covenant to restrict the development to a maximum of 123 residential units;
- Registration of the easement and lease agreements regarding the buffering strip (Row F), and for continued supply of irrigation water to Lot A;
- Registration of a 3-metre wide Statutory Right-of-Way above the high water mark across the entire lake frontage to secure a public accessible walkway.

CARRIED

- ii) Official Community Plan Amendment Bylaw No. 1050-3 for the above to amend the Westside Official Community Plan designation from Agricultural to Tourist Commercial. Westside Electoral Area (*All Directors*)

**#13/05**      DINWOODIE/KNOWLES

THAT the Official Community Plan Amendment Bylaw No. 1050-3 be given second and third reading this 10<sup>th</sup> day of January 2005.

CARRIED

- iii) Zoning Amendment Bylaw No. 871-90 for the above to amend the zoning from C5 Campground, Cabin, and Motel Commercial to C7 Tourist and Resort Commercial and to apply a site-specific amendment to the C7 zone. (Z04/14) Westside Electoral Area (*Electoral Areas Only*)

**#14/05**      KNOWLES/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-90 be given second and third reading this 10<sup>th</sup> day of January 2005.

CARRIED

*6.1a) and 6.1 c) was discussed at this time.*

**7. INSPECTION SERVICES DEPARTMENT**

- 7.1      Building Statistics – December 2004 and year-end January-December 2004

**#15/05**      DINWOODIE/NOVAKOWSKI

THAT the building statistics for December 2004 where 49 building permits were issued for a total construction value of \$8,185,700 be received;

AND FURTHER THAT the building statistics for the year January-December 2004 where 1,014 building permits were issued for a total construction value of \$70,757,281.50 be received.

CARRIED

**8.      PARKS AND FACILITIES DEPARTMENT**

No Board action required/requested.

**9.      NEW BUSINESS**

9.1      Award of contract – Area 701 – Montigny/Thacker Sanitary Sewer Project  
*(All Directors - Weighted Vote)*

**#16/05**      DINWOODIE/DAY

THAT the Regional Board authorize the award of the preliminary and detailed design for the Area 701 – Montigny / Thacker Sanitary Sewer Project to CTQ Consultants Ltd for the amount of \$69,514.00 plus GST.

CARRIED

9.2      Lakeshore Road Improvement Service Area

a)      Regional District of Central Okanagan Lakeshore Road Improvement Service Area Establishment Bylaw No. 1087, 2005, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings** *(All Directors - Unweighted Vote)*

**#17/05**      HANSON/SHEPHERD

THAT Regional District of Central Okanagan Lakeshore Road Improvement Service Area Establishment Bylaw No. 1087, 2005 be given first, second and third readings this 10<sup>th</sup> day of January 2005.

CARRIED

b)      Regional District of Central Okanagan Lakeshore Road Improvement Service Area Capital Financing Loan Authorization Bylaw No. 1088, 2005, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings** *(All Directors - Weighted Vote)*

**#18/05**      KNOWLES/HANSON

THAT Regional District of Central Okanagan Lakeshore Road Improvement Service Area Capital Financing Loan Authorization Bylaw No. 1088, 2005 be given first, second and third readings this 10<sup>th</sup> day of January 2005.

CARRIED

- 9.3      UBCM Information Meeting – Community Wildfire Protection Plans (*All Directors - Unweighted Vote*)

UBCM has utilized a portion of fire protection funding to undertake mapping of fuel management priorities in interface areas in BC. The mapping information produced and how it might be used will be reviewed at a session held in Kamloops, January 25.

*ACTION:* The Administrator to review which staff might attend the UBCM information meeting on Community Wildfire Protection Plans.

- 9.4      Workshop on the Value of Habitats and Animals Living in Riparian Zones of the Okanagan-Similkameen – January 21, 2005, Oliver, BC (*All Directors - Unweighted Vote*)

**#19/05**      DIKNWOODIE/KNOWLES

THAT the Regional Board approves the expenses for Director Novakowski to attend the Workshop on the Value of Habitats and Animals Living in Riparian Zones of the Okanagan-Similkameen – January 21, 2005, Oliver, BC.

CARRIED

- 9.5      Lobby efforts for the Westside Wastewater Treatment Plant Infrastructure Grant Application

**#20/05**      NOVAKOWSKI/HANSON

THAT the Regional Board approves the travel expenses for Director Dinwoodie to travel to Victoria with Regional District staff to lobby for the Westside Wastewater Treatment Plant Infrastructure Grant.

CARRIED

**10.      OTHER BUSINESS**

- 10.1      Verbal Reports Committee Chairs  
a)      Parks and Recreation

The next meeting of the Parks Advisory Committee is scheduled for February 10<sup>th</sup>.

b) Transportation

The next meeting of the Transportation Committee is scheduled for February 17<sup>th</sup>.

c) Planning and Environment

The next meeting of the Planning and Environment Committee is scheduled for January 12<sup>th</sup>.

d) Engineering

The next meeting of the Engineering Committee is scheduled for January 27<sup>th</sup>.

e) Air Quality

The next meeting of the Air Quality Committee is scheduled for January 26<sup>th</sup>.

f) Governance and Services

A special meeting of the Governance and Services Committee to review the 2005 regional grants in aid is scheduled for Tuesday, February 15<sup>th</sup>.

g) Westside Issues

The next meeting of the Westside Issues Committee is scheduled for January 18<sup>th</sup>. During 2005 the position of chair will rotate.

10.2 Director Items

a) Heart and Stoke Foundation

The annual Celebration Breakfast for the Heart & Stoke Foundation of B.C. is scheduled for February 3<sup>rd</sup>.

*ACTION:* Directors wishing to attend the fundraiser were requested to contact the Admin Assistant to make arrangements.

**11. ADJOURN**

There being no further business the meeting was adjourned at 11:20 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)**