

**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, March 13, 2006**

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Directors: J. Baker, (District of Lake Country)  
B. Clark (City of Kelowna)  
C. Day (City of Kelowna)  
A. Dinwoodie (Westside Electoral Area)  
B. Given (City of Kelowna)  
P. Hanson (Central Okanagan East Electoral Area)  
R. Hobson (City of Kelowna)  
D. Knowles (Westside Electoral Area)  
L. Novakowski (Westside Electoral Area)  
G. Reid (District of Peachland)  
S. Shepherd (City of Kelowna)

Staff: W. d'Easum, Chief Administrative Officer  
K. Arcuri, Director of Planning Services  
D. Plamondon, Deputy Director of Planning Services  
H. Hettinga, Director of Engineering Services  
B. Vos, Director of Parks and Recreation  
L. Lindsay, Recording secretary

Chair Hobson brought the meeting to order at 7:09 p.m. following a Public Hearing.

**1. MINUTES**

- 1.1 Public Hearing Minutes – February 27, 2006
- 1.2 Regular Board Meeting – February 27, 2006

**#117/06 DINWOODIE/BAKER**

THAT the Public Hearing minutes of February 27, 2006 be received;

AND FURTHER THAT the Regular Board Meeting minutes of February 27, 2006 be adopted as circulated.

CARRIED

**2. DELEGATION**

No Delegation

**3. CORRESPONDENCE**

- 3.1 Ministry of Community Services re: Trepanier Creek Water Supply Dam and Intake Study grant approval

Minister Ida Chong confirmed the approval of a \$5,000 grant for the Trepanier Creek Water Supply Dam and Intake Study. H. Hettinga provided background regarding the application.

**#118/06**      NOVAKOWSKI/HANSON

THAT the February 24, 2006 letter from Minister Ida Chong, Ministry of Community Services, confirming the approval of a \$5,000 grant for the Trepanier Creek Water Supply Dam and Intake Study be received.

CARRIED

**4.      UNFINISHED BUSINESS**

4.1      Federation of Canadian Municipalities (FCM) Pine Beetle Resolution

Director Dinwoodie updated the Board on discussions at the Federation of Canadian Municipalities' March board meeting regarding expanding the mountain pine beetle program to include the western pine beetle and others. FCM has agreed to an emergency resolution being put forward to the FCM Conference. The resolution received the best possible result, emergent, Category A concurrence.

It was noted further that at this point there is no money available provincially for expanding pine beetle infestation programs.

**#119/06**      SHEPHERD/DINWOODIE

THAT the FCM resolution regarding pine beetle, as follows, be received;

“WHEREAS to build on the success of our FCM work on the mountain pine beetle,

WHEREAS forest pests such as the western pine beetle, and the douglas fir beetle are not currently included in funding support packages;

BE IT RESOLVED that the Federation of Canadian Municipalities will request the Federal government enhance the current beetle support programs by developing a comprehensive beetle strategy and funding support package for local government.

AND FURTHER THAT a copy of the emergency resolution be sent with a letter from the Regional Board to BC Minister of Forests Rich Coleman encouraging the province to increase funding for the same purpose.

CARRIED

4.2      Regional District of Central Okanagan Sewer System Service Area 103 – Glenrosa Phase 1 Amending Bylaw No. 1152, 2006, **Adoption** (All Directors - Unweighted Vote)

**#120/06**      NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Sewer System Service Area 103 – Glenrosa Phase 1 Amending Bylaw 1152, 2006 be reconsidered and adopted this 13<sup>th</sup> day of March 2006.

CARRIED

**5.      FINANCE DEPARTMENT**

No Board action required/requested.

**6.      PLANNING DEPARTMENT**

**6.1   Correspondence (Unweighted Vote)**

a)    Report on Public Hearing Correspondence. (*All Directors*)

Staff reviewed a proposed policy on submission of written correspondence for Public Hearings. As no board policy is in place it is being suggested that a policy be adopted.

Board members were advised that the public will be notified about the new policy on the Regional District website, and when the Planning Department sends notification letters to the public regarding upcoming planning matters.

**#121/06**      KNOWLES/HANSON

THAT the Regional Board approve the policy on Public Hearing Correspondence:

“Planning Services must receive any correspondence or other written submission submitted as part of a development application by 4:00 p.m. of the business day prior to the Public Hearing. Any correspondence or written submission received after this time will not be circulated to the Regional Board. However, this information may be read into the minutes at the Public Hearing by staff or by the public as speaking notes.”

CARRIED

b)    Report regarding Ministry of Energy and Mines Referral Application to allow a sand and gravel mine operation on private property located adjacent to Elliott and Harold Roads. (GREX-06-01) Westside Electoral Area (*All Directors*)

Staff reviewed the referral application. D. Plamondon advised that the intent of the application is to level off part of the owner’s farmland to make it more arable. He further stated that the permit was issued to the owner at noon today despite assurances recently given by the Ministry to the Planning Department that permits would not be approved before the Regional Board has dealt with them.

Staff added that it is still valuable to state the Regional District's conditions to the Ministry to give an environmental point of view.

**#122/06**      DINWOODIE/KNOWLES

THAT support of Ministry of Energy and Mines Referral Application GREX-06-01 for Ken & Susan Blacklock is conditional on the following;

- Registration of a Sec. 219 covenant to protect the green belt buffer identified on 'Proposed Development, Extraction Area & Volume, Schedule A-6' submitted with the application;
- Noise from operation be confined to the hours of 8:00 AM to 6:00 PM, Monday to Friday;
- Applicant to demonstrate that adequate dust control measures are in place prior to commencement of extraction;
- Submission of a reclamation plan by a qualified Professional Agrologist and associated performance bond to cover estimated reclamation, as per comments from the Ministry of Agriculture and Lands;
- Confirmation and approval from the Ministry of Transportation regarding disturbance and extraction activity along the Elliott Road right-of-way;
- Applicant to ensure that the interests of BC Hydro are addressed for the protection of power poles in the vicinity of the proposed extraction area.

AND FURTHER THAT the Planning Services Department Report dated March 6, 2006 be forwarded to the Ministry of Energy and Mines for their information.

With the permission of the mover and seconder of the motion, the words "Monday to Friday" were added to the motion under the second bullet.

CARRIED (opposed Hanson, Shepherd, Reid)

**#123/06**      DINWOODIE/REID

THAT the motion be tabled to hear from the applicant.

CARRIED

Mr. Blacklock confirmed that the permit states Monday to Friday as a restriction for noise from the operation. He asked whether the Regional District's noise bylaw or the permit applies to the time of operation. Mr. Plamondon replied that the permit conditions would override the bylaw.

**#124/06**      DINWOODIE/KNOWLES

THAT consideration of the main motion be resumed.

CARRIED

Board members asked:

- What notification was given to owners of properties surrounding the proposed gravel pit operation?
- Have all the Board's recommendations been address in the permit that was issued?

It was noted that issuing gravel pit permits is done through the province and the applications are referred to the Regional Board for input. The permit issued to Mr. and Mrs. Blacklock does not address the BC Hydro matter stated in the Board's motion.

Planning Department representatives will work with the province regarding the notification process.

*VOTE ON THE MOTION*

CARRIED (opposed Hanson, Shepherd, Reid)

**#125/06**

SHEPHERD/REID

THAT a letter be sent to the Minister of Energy and Mines with a copy to MLA's in the region, expressing the Regional Board's concern with respect to the Ministry issuing sand and gravel mine operation permits before receiving the Board's recommendations for conditions to place on the permit;

AND FURTHER THAT the Regional Board recommends that adjoining property owners adjacent to the gravel extraction site be notified of the Ministry's intention to issue a permit.

CARRIED

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

- a) Development Variance Permit Application for Ernie Marchinko (owner) located adjacent to Westshore Road. (VP-06-01) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

Staff reviewed the application.

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

Mr. Jim Edgson addressed the Board as Chair of the Westside -North Advisory Planning Commission. Although in support of the variance application, the APC has asked him to recommend that the Regional District put a process in place to prevent future occurrences. It is suggested that a point of inspection be added to the building inspection process to inspect footings before concrete is poured.

After discussion, the Board advised that the Advisory Planning Commission should put its request in writing to the Director of Inspection Services for further review and consideration.

**#126/06**      DINWOODIE/NOVAKOWSKI

THAT the Regional Board approve Development Variance Permit application VP-06-01 for Ernie Marchinko (owner) located adjacent to Westshore Road to vary RDCO Zoning Bylaw No. 871, s.7.1.4, by reducing the minimum front setback requirement in the R1 Single Detached Housing zone from 4.5 metres (14.8 ft) to 3.69 metres (12.10 ft) in accordance with the January 3, 2006 Site Improvement Survey, prepared by Advanced Surveying Ltd.

CARRIED

**6.3 Agricultural Land Reserve Appeal (All Directors – Unweighted Vote)**

- a) Application for subdivision within the ALR for B.C. Transportation Financing Authority (owner) and Urban Systems Ltd. (agent) located adjacent to Trepanier Creek Road. (A-06-01) Westside Electoral Area (*All Directors*)

Staff reviewed the application. Advisory Planning Commission comments indicated support with no conditions.

Board members questioned whether sufficient space is being left in the subdivision to allow future completion of an on/off ramp and also to provide a linear walkway connection for the Trepanier Creek Greenway.

Gary Marten, consultant to the Ministry, confirmed that the land has been reserved for future highway improvements and that the Ministry will meet with Parks to discuss the needs for the walkway.

**#127/06**      REID/DINWOODIE

THAT ALR application A-06-01 for the B.C. Transportation Financing Authority located adjacent to Trepanier Creek Road to allow subdivision of four existing parcels into six parcels of 4 ha in size and greater be supported, as per the plans submitted with the application subject to:

- confirmation in writing that lands will be reserved for future highway improvements in the area; and
- confirmation that land will be reserved for the development of the Trepanier Creek Greenway.

CARRIED

- b) Application for subdivision within the ALR for Gilbert and Jean Barry (owners) located adjacent to Trepanier Road. (A-06-02) Westside Electoral Area (*All Directors*) **WITHDRAWN FROM THE AGENDA**

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

- a) Zoning Amendment Bylaw No. 871-119 for Darwin Dev. Corp. (owner) and D.E. Pilling & Assoc. Ltd. (agent) to amend the zoning from P2 Institutional and Assembly to R1 Single Detached Housing located adjacent to Green Bay and Wiig Roads. (Z05/20) Westside Electoral Area (*Electoral Areas Only*)

**#128/06 NOVAKOWSKI/KNOWLES**

THAT Zoning Amendment Bylaw No. 871-119 (application Z05/20) for Darwin Dev. Corp. (owner) located adjacent to Green Bay and Wiig Roads be given second and third readings this 13<sup>th</sup> day of March 2006;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of a \$7000.00 Capital Cost fee towards the Sunnyside Water Utility.

CARRIED

- b) i) Official Community Plan Amendment Bylaw No. 785-12 for Artiad Ventures Ltd. (owner) and Randy Beggs (agent) to amend the North Westside Official Community Plan designation from Commercial to Residential Low Density located adjacent to Westside Road. Westside Electoral Area (*All Directors*)

**#129/06 DINWOODIE/KNOWLES**

THAT Official Community Plan Bylaw No. 785-12 for Artiad Ventures Ltd. (owner) located adjacent to Westside Road be given second and third readings this 13<sup>th</sup> day of March 2006;

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

- Zoning Amendment Bylaw No. 871-120 approval from the Ministry of Transportation;
- Registration of a Section 219 no-build/no-disturb covenant to protect the area below top of bank, as requested by RDCO Environmental Planning staff.

CARRIED

- b) ii) Zoning Amendment Bylaw No. 871-120 for the above to amend the zoning from C2 Neighbourhood Commercial to R1 Single Detached Housing. Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

**#130/06**      NOVAKOWSKI/DAY

THAT Zoning Amendment Bylaw No. 871-120 be given second and third readings this 13<sup>th</sup> day of March 2006.

CARRIED

**6.5**    **Bylaws: (Reconsideration and Adoption) (Unweighted Vote)**

- a)    Zoning Amendment Bylaw No. 871-116 for Garby Enterprises Ltd. (owner) and SQ Ventures & Worman Homes (agents) to amend the zoning from R1 Single Detached Housing to C1 Town Centre Commercial located adjacent to Dobbin and Hoskins Roads (Z05/17) Westside Electoral Area (Electoral Areas Only)

**#131/06**      NOVAKOWSKI/KNOWLES

THAT Zoning Amendment Bylaw No. 871-116 be reconsidered and adopted this 13<sup>th</sup> day of March 2006.

CARRIED

- b)    Official Community Plan Amendment Bylaw No. 1050-10 for Spring Point Management (proponent) and Protech Consultants Ltd. (agent) Okanagan to amend the Westside Official Community Plan to include the Shannon Lake West Concept Development Plan adjacent to Shannon Lake Road. (1050-10) (All Directors)

**#132/06**      KNOWLES/BAKER

THAT Official Community Plan Amendment Bylaw No. 1050-10 be reconsidered and adopted this 13<sup>th</sup> day of March 2006.

CARRIED

**7.**      **INSPECTION SERVICES DEPARTMENT**

7.1      Building Statistics – February 2006

**#133/06**      BAKER/HANSON

THAT the building statistics for February 2006 where 73 permits were issued for a total construction value of \$13,771,010 be received.

CARRIED



**8. PARKS AND FACILITIES DEPARTMENT**

- 8.1 Faulkner Creek Park Sanitary Sewer Installation (*All Directors - Unweighted Vote*)

**#134/06 NOVAKOWSKI/KNOWLES**

THAT the Regional Board accepts in principle a Statutory Right of Way over Lot 82, Plan KAP48428, which forms part of Faulkner Creek Park, to accommodate a sanitary sewer collection system that will become part of the Westside Regional Sanitary Sewer System;

AND THAT the alignment and configuration of the Statutory Right of Way be subject to further detailed design work, to be undertaken to the satisfaction of the Director of Parks and Recreation;

AND FURTHER THAT a restoration plan with a three year warranty period be designed and implemented by an accredited environmental restoration company, subject to the approval of the Director of Parks and Recreation;

AND FURTHER THAT a Development Permit for Aquatic Ecosystems, as per the Westside OCP Bylaw 1050 be obtained;

AND FURTHER THAT a Registered Professional Biologist be retained to monitor the construction and to ensure the park is restored in accordance with the Sensitive Terrestrial Ecosystem Development Permit Guidelines.

CARRIED

**9. NEW BUSINESS**

- 9.1 Central Okanagan East Electoral Area Grant In Aid – Joe Rich Community Hall (\$4,500) (*All Directors - Unweighted Vote*)

**#135/06 HANSON/DINWOODIE**

THAT a Central Okanagan East Electoral Area grant in aid in the amount of \$4,500 be allocated to the Joe Rich Ratepayers Association for the Joe Rich Community Hall to assist with hall expenses.

CARRIED

- 9.2 Westside Fire Advisory Committee (WFAC) Appointments (*All Directors - Unweighted Vote*)

**#136/06**      NOVAKOWSKI/KNOWLES

THAT the Regional Board appoint the following individuals to the Westside Fire Advisory Committee for a three (3) year term, effective January 1, 2006: Joe Strocen, Joe Bauer, George Young and David Cousins.

CARRIED

- 9.3      Regional District of Central Okanagan Green Bay Sewer System Local Service Area Frontage Tax Assessment Roll Amending Bylaw No. 1158, 2006, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings and Adoption** (*All Directors - Unweighted Vote*)

**#137/06**      KNOWLES/DAY

THAT Regional District of Central Okanagan Green Bay Sewer System Local Service Area Frontage Tax Assessment Roll Amending Bylaw No. 1158, 2006 be given first, second and third readings, reconsidered and adopted this 13<sup>th</sup> day of March 2006.

CARRIED

**10.      OTHER BUSINESS**

- 10.1      Reports Committee Chairs
- a)      Parks and Recreation  
Director Shepherd advised that a meeting of the Parks and Recreation Committee to review details of the budget as it relates to parks, will take place on Thursday, March 16, 2006 at 8:30 a.m.
  - b)      Transportation  
Chair Hobson noted that a recommendation regarding the transit service that came out of budget discussions will be dealt with in the recommendations from the Sustainability Steering Committee.
  - c)      Planning and Environment  
Director Novakowski advised there is a Planning and Environment Committee meeting on Wednesday, March 15th at 9:00 a.m.
  - d)      Engineering  
Director Dinwoodie noted that the next meeting of the Engineering Committee is on March 23<sup>rd</sup> at 9:00 a.m. On the agenda will be a presentation on the Gellatly Road, Phase I upgrade.
  - e)      Air Quality  
Director Knowles stated that Environment Canada and Health Canada are close to producing a cost benefit analysis that directly links air quality and health care costs. A written report is coming shortly. Chair Hobson has signed a revised Memorandum of Understanding promoting regional cooperation on air quality among the regional districts in the Okanagan.

The next air quality meeting is on Wednesday, March 29 at 8:30 a.m.

f) Governance and Services

Budget discussions take place on March 24<sup>th</sup> as per a letter to the Board from Chair Hobson.

g) Westside Issues

Director Dinwoodie invited Chair Hobson and Director Day to attend a Westside Issues meeting on Wednesday March 15<sup>th</sup> at 11:00 a.m. The meeting is with MLA Rick Thorpe to discuss road partnerships on sewer project overlays. The meeting is important to the governance process.

i) Grant in aid – Westside Daze

**#138/06**      DINWOODIE/NOVAKOWSKI

THAT a Westside Electoral Area grant in aid in the amount of \$2,500 be allocated to the Westside Celebration Society for Westside Daze.

CARRIED

h) Sustainability Steering Committee

i) Report from Feb 1 and 20, 2006 meetings

Chair Hobson outlined the four recommendations brought forward by the Sustainability Steering Committee. Items of discussion were:

- Committee members are to attend World Urban Forum taking place in Vancouver on June 19 – 23, 2006. It has been 30 years since this forum was held in Vancouver.
- The success or failure of the Four Pillars program.
- Attendees at the recent committee meeting included Westbank First Nation Chief Robert Louie and WFN staff Jim Montain, as well as City of Kelowna staff Ron Mattiussi.

**#139/06**      REID/KNOWLES

THAT the Regional Board approve the following recommendations from the Sustainability Steering Committee, THAT:

- 1) An application be made for feasibility funds through the 'New Deal' program in order to explore models of transit service delivery (Peachland to Lake Country).
- 2) Regional District staff be requested to develop a proposal for an Okanagan Ecosystem Legacy Project and report back to the Sustainability Steering Committee;
- 3) Director Dinwoodie to make a presentation to the Federation of Canadian Municipalities (FCM) Board of Directors regarding the Western Pine Beetle with the goal to obtaining FCM support for a Federal program to deal with the pine beetle problem.

4) Members of the Sustainability Steering Committee be authorized to attend the World Urban Forum in Vancouver, June 19-23, 2006.

CARRIED

The next meeting of the Sustainability Steering Committee takes place on Monday, March 27 at 7:00 p.m.

10.2 Director Items

Director Hanson reported:

There will be a meeting in Joe Rich the first week of April to review the Joe Rich Rural Land Use Bylaw.

Director Dinwoodie reported:

At the Federation of Canadian Municipalities meeting recently attended by Director Dinwoodie, two Okanagan initiatives were supported as follows:

- Sustainability grant resolution for the Okanagan partnership;
- Interprovincial pine beetle resolution.

Director Novakowski reported:

He attended a Community to Community Forum on March 10<sup>th</sup>. Prince George and Port Alberni are setting the example for fostering communications with the first nations in their areas. The forum attendees learned that it is important to have regular sessions between the first nations and local government in order for trust to evolve.

Director Novakowski suggests that the Regional Board consider meeting with Westbank First Nation to discuss the servicing agreement and Westbank Town Centre issues. Director Dinwoodie added that social relationships are also important in fostering communications with first nations.

Director Day reported:

He attended the provincial emergency planning workshop session recently, along with Directors Hanson and Knowles. He noted that the Central Okanagan's emergency plan is working very well and is indicative of a cooperative regional district.

Director Clarke reported:

Dr. Hasselback spoke with Kelowna City Council to inform them of new regulations for drinking water standards in the Okanagan, relating to turbidity levels adjustments. Canadian drinking water guidelines are now being applied to the Okanagan which will require more than one source of treatment and will be very expensive.

Chair Hobson suggested that Dr. Hasselback should be invited to speak to the Regional Board. He advised that the Regional District should be in discussions with our water purveyors. Some small systems in the Valley will have problems.

Director Knowles reported:

As an attendee of the provincial emergency planning workshop, Director Knowles noted that the Central Okanagan's emergency plan is held up as a model by the Province.

Westside Directors have a workshop scheduled with Westbank First Nation for Friday, March 17.

Director Baker reported:

The same water warning was announced to the District of Lake Country, however public health representatives out of Vernon addressed that Council, with some variation in the message.

Director Baker also attended the Community-to-Community Forum and found it very valuable. In addition, he was one of several mayors hosted by the RCMP to visit the RCMP training depot in Regina. He noted that more officers are being trained and there is some talk of central dispatch for Kelowna.

Director Reid reported:

A gravel pit in Trepanier has become contentious. Peachland residents feel their lifestyle is being impacted by the gravel operations. Unfortunately local government does not have jurisdiction.

Director Reid attended a policing meeting update of contracts with the province. Attendees were advised that as of April 1, 2007, municipalities under 5000 population and unorganized areas will have to pay 35% of their policing costs. There was no mention of ramp up.

Peachland Council recently met with Member of Parliament Stockwell Day, who is Minister of Public Safety. Discussions took place about Highway 97 Tier 1, policing costs and infrastructure grants.

Some discussion followed on how the Regional District should strategically deal with gravel pits.

Director Shepherd reported:

She recently made a presentation to the Westbank Rotary Club on the City of Kelowna's view of Westside governance and amalgamation of the Westside into Kelowna. She will pass on a copy of her speech.

The loan authorization bylaw for Country Rhodes is in process. The cost is \$800,000 for the sewer installation to that development.

City Council recently met with the Public Safety Minister regarding the impact of using RCMP officers at border crossings.

The information about changes to drinking water regulations is expected to be in the media tomorrow.

Discussion followed about a presentation on crystal meth attended by some Board members.

Director Hobson reported:

He and the Administrator attended a presentation at GVRD given to planners and local politicians by Peter Colthorpe, planner extraordinaire from the United States who promotes the notion of mixed use, walkable developments.

**11. ADJOURN**

There being no further business the meeting was adjourned at 9:00 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)**