

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 29, 2006

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
M. Kopp, Parks and Recreation
D. Plamondon, Deputy Director of Planning Services
H. Reay, Director of Financial Services
K. Roth, Director of Inspection Services
B. Vos, Director of Parks and Recreation
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order at 7:03 p.m.

1. MINUTES

- 1.1 Regular Board Meeting – May 8, 2006
- 1.2 Public Hearing – May 1 and May 17, 2006

#226/06 GIVEN/NOVAKOWSKI

THAT the Regular Board Meeting minutes of May 8, 2006 be adopted as circulated;

AND FURTHER THAT the Public Hearing minutes of May 1, 2006 and May 17, 2006 be received.

CARRIED

2. DELEGATION

- 2.1 Steve Carr, Executive Director, Integrated Land Management Bureau (ILMB) re: Okanagan Reservoir Lake Lease Lots

Steve Carr addressed the Board and reviewed the ILMB policy development, scope of potential solutions and dialogue which has occurred to date regarding lake lease lots.

- Current situation – 146 lease lots on the reservoir lakes – not all lots are waterfront.
- Cottage owners have expressed an interest in purchasing the lots. In some cases lots have been in the family for generations.
- In other areas of the province, the Province has been willing to look at selling the land if requested by the leaser.
- Lease fees are increasing exponentially with the increase in the value of the land. BC Assessment values the land and buildings.
- In some circumstances there is increased risk with water quality.
- ILMB is not under the same policy context as Land and Water BC was. They are not trying to meet revenue targets on the government side
- Lease fees are part of legislation and there is no indication the Province intends to change this.
- Lease lots a secure form of tender.
- Two technical meetings have been held to date. Convened stakeholders including: IHA, cottage owners, water purveyors and regional district staff. Potential solutions are being discussed including bylaw, land act reserves, covenants on the sale, potential to adjust boundaries.
- Stakeholders are being engaged to look for creative solutions. The Province is not looking for approval from Regional Districts.
- First Nations are being consulted to identify issues relevant to land claims. Any sale will have referral application to First Nations.
- The Province's interest is to manage land in a sustainable way, interested in solutions, not in the business of creating conflicting situations.
- The Province is moving away from the leasing business across the province. The wish is to move toward a freehold title.
- 97% of land in BC in Crown land. The question was raised what percentage are leased lands? Mr. Carr will confirm the percentage.
- Two meetings have occurred to date. It is likely two further meetings will be held before public forums are held. The Board requested to be kept informed on the process and asked for development of a clear policy and criteria to include the remainder of lands surrounding lakes as concern was expressed that other lots may be created in the future.

3. CORRESPONDENCE

3.1 UBCM re: Community Wildfire Protection Planning Grant Approval (*All Directors - Unweighted Vote*)

UBCM confirmed that the Regional District has received approval for a \$15,000 Community Wildfire Protection Planning Grant. Funding has been provided by the Ministry of Forests.

#227/06 DINWOODIE/KNOWLES

THAT the May 5, 2006 letter from UBCM confirming approval of \$15,000 for the Community Wildfire Protection Planning Grant be received.

CARRIED

3.2 City of Kelowna re: Mayor's Environmental Achievement Awards (*All Directors - Unweighted Vote*)

The City of Kelowna confirmed that the Regional District has been awarded the Mayor's Environmental Achievement Award. The Regional District's environmental advisory committee are applauded for their efforts on the work being done to preserve and protect the environment.

#228/06 SHEPHERD/NOVAKOWSKI

THAT the May 15, 2006 letter from the City of Kelowna congratulating the Regional District on being awarded the City of Kelowna's Mayor's Environmental Achievement Award be received.

CARRIED

4. UNFINISHED BUSINESS

4.1 Approval of Country Rhodes Boundary Expansion Transition Agreement & Financial Impact (*All Directors - Weighted Vote*)

Staff presented the final agreement proposed from the City of Kelowna. Director Hanson requested that the taxpayers in Ellison be informed of the agreement and financial impact. Although the decision to join the City of Kelowna is made by the residents of Country Rhodes strata, the Director notes the decision has an impact on all residents of Ellison and requested information on the impact be communicated to them. Staff noted that the residents association has been provided the background information.

#229/06 HANSON/REID

THAT the Country Rhodes Boundary Expansion Transition Agreement be approved;

AND FURTHER THAT an information letter be sent to Ellison residents explaining the background and transition agreement for Country Rhodes boundary expansion.

CARRIED

5. FINANCE DEPARTMENT

5.1 Regional District of Central Okanagan Financial Statements (for year ended December 31, 2005) (*All Directors - Unweighted Vote*)

#230/06 GIVEN/KNOWLES

THAT the Regional District of Central Okanagan Financial Statements for the year ended December 31, 2005 be approved.

CARRIED

5.2 Statement of Financial Information for the Fiscal Year 2005 (*All Directors - Unweighted Vote*)

As per the Local Government Act, the schedule of remuneration and expenses paid to, or on behalf of the elected and appointed officials as well as employees earning over \$75,000 was presented. In addition, the schedule of payments made for the provision of goods or services was presented for review.

#231/06 DINWOODIE/REID

THAT the Statement of Financial Information for the fiscal year 2005 be received.

CARRIED

6. PLANNING DEPARTMENT

6.1 Correspondence (*Unweighted Vote*)

- a) Report regarding provincial approval of a grant for the “Review of Wildfire Hazard Mitigation Processes and Procedures”.

The Union of BC Municipalities informed the Regional District that it has been approved to receive a grant in the amount of \$15,000 to cover 50% of the costs of the project, “Review of Wildfire Hazard Mitigation Processes and Procedures”.

The project is scheduled to commence this fall and the funding is available upon completion of the project. The objectives of the program were highlighted.

#232/06 REID/SHEPHERD

THAT the May 15, 2006 Planning Services report on the Review of Wildfire Hazard Mitigation Processes and Procedures be received.

CARRIED

- b) Report regarding the Terms of Reference for the Lakeview Village Concept Plan 2006. (*All Directors*)

At their meeting of May 10, 2006 the Planning and Environment Committee requested a draft Terms of Reference be established for the Lakeview Village Concept Plan 2006. The important elements of the draft Terms of Reference related to the process including scope of work, list of steps, and an outline of public consultation were presented. Staff noted that any change in planning department priorities as well as budget implications will only affect the Westside. Any significant conflict with staffing resources or budget concerns will be brought back to the Board for review.

#233/06 DINWOODIE/KNOWLES

THAT the May 16, 2006 Planning Services report regarding the Terms of Reference for the Lakeview Village Concept Plan be received.

CARRIED

- c) Report regarding amending the Community Amenities Policy. (*All Directors*)

At its May 8, 2006 meeting, the Regional Board approved the *Community Amenity Policies*. Following the Board's decision, the Planning and Environment Committee met and advised that the intent was to apply the policy at time of application for Zoning or Official Community Plan amendment. An amendment to the policy is presented.

#234/06 REID/DINWOODIE

THAT the Regional District of Central Okanagan *Community Amenities Policy 3.34* be amended to apply to Zoning Bylaw or Official Community Plan applications.

CARRIED

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

- a) Development Variance Permit for Bresmore Enterprises Ltd. (owner) and Brad Plewes (agent) located adjacent to Ross Road. (VP-06-10) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

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

#235/06 NOVAKOWSKI/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-06-10 for Bresmore Enterprises Ltd. (owner) located adjacent to Ross Road to vary Zoning Bylaw No. 871 Section 8.1.5.2 in the RMP (Manufactured Home Park) zone to

- Reduce the required distance from the side boundary of the manufactured home space from 1.5 meters to 1.375 meters for Unit #206.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-101 for Fortune Four Ventures Ltd. (owner) and D. E. Pilling & Associates Ltd. (agent) to amend the zoning from RU2 Rural 2 to R1 Single Detached Housing and P1 Park and Open Space located adjacent to Lakeview Cove Road. (Z05/02) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

It was noted that D. Pilling has addressed procedures to deal with concerns expressed at the Public Hearing with regard to blasting. It was noted that R. Milne's letter has been circulated to the Board.

#236/06 KNOWLES/NOVAKOWSKI

THAT Zoning Amendment Bylaw No. 871-101 (application Z05/02) for Fortune Four Ventures Ltd. (owner) be given second and third readings this 29th day of May 2006;

AND FURTHER THAT consideration of fourth and final readings be withheld pending receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation.

CARRIED

- b) Zoning Amendment Bylaw No. 871-113 for 0722339 B.C. Ltd. (owner) and New Town Planning Services Inc. (agent) to amend the zoning from A1 Agricultural to R3C Town Centre Multiple Housing located adjacent to Brown Road. (Z05/14) Westside Electoral Area (*Electoral Areas Only*)

#237/06 DINWOODIE/NOVAKOWSKI

THAT Zoning Amendment Bylaw No. 871-113 (application Z05/14) for 0722339 B.C. Ltd. (owner) be given second and third readings this 29th day of May 2006;

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

- Zoning Amendment Bylaw No. 871-113 approval from the Ministry of Transportation;
- Confirmation from the Agricultural Land Commission and Ministry of Agriculture and Lands that they support the proposed buffering/solid screen and proposed setback variances for buildings 'B' and 'D' next to the ALR;
- Registration of a Section 219 covenant on title that conveys to future purchasers that they are located in close proximity to the ALR and there is the possibility of agricultural nuisances such as noise, dust and odors.

CARRIED

- c) i) Official Community Plan Amendment Bylaw No. 1050-11 for Catana Developments Ltd. (owner) and D.E. Pilling & Assoc. Ltd. (agent) to amend the Westside Official Community Plan designation from Low Density/Single Detached Residential and Intensive Residential to Low Density Multiple Family located adjacent to Shannon Lake Road and Shannon Lake Golf Course. Westside Electoral Area (*All Directors*)

#238/06 DINWOODIE/NOVAKOWSKI

THAT Official Community Plan Bylaw No. 1050-11 for Catana Developments Ltd. (owner) be given second and third readings this 29th day of May 2006;

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

- OCP Amendment Bylaw No. 1050-11 approval from the Ministry of Community Services;
- Receipt of Preliminary Layout Approval for subdivision from the Ministry of Transportation;
- Registration of a Section 219 covenant for the 'enhanced area' along the north portion of the property.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-117 for the above to amend the zoning from P1 Park and Open Space, R1 Single Detached Housing, and RC1 Compact Housing to R3A Multiple Housing (Low Density). (Z05/18) Westside Electoral Area (*Electoral Areas Only*)

#239/06 KNOWLES/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-117 be given second and third readings this 29th day of May 2006.

CARRIED

6.4 **Bylaws: (Reconsideration and Adoption)** (*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 Road and Wiig Road. (Z05/20) Westside Electoral Area (*Electoral Areas Only*)

#240/06 NOVAKOWSKI/KNOWLES

THAT Zoning Amendment Bylaw No. 871-119 be reconsidered and adopted this 29th day of May 2006.

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*)

#241/06 KNOWLES/REID

THAT Official Community Plan Amendment Bylaw No. 785-12 be reconsidered and adopted this 29th day of May 2006.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-120 for the above to amend the zoning from C2 Neighbourhood Commercial to R1 Single Detached Housing. (Z05/21) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

#242/06 NOVAKOWSKI/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-120 be reconsidered and adopted this 29th day of May 2006.

CARRIED

7. INSPECTION SERVICES DEPARTMENT

- 7.1 Regional District of Central Okanagan Dog Regulation and Impounding Amendment Bylaw No. 1167, 2006, **1st, 2nd and 3^d readings, and Adoption** (*All Directors - Unweighted Vote*)

#243/06 GIVEN/KNOWLES

THAT Regional District of Central Okanagan Dog Regulations and Impounding Amendment Bylaw No. 1167, 2006 be given first, second and third readings, reconsidered and adopted this 29th day of May 2006.

CARRIED

8. PARKS AND RECREATION DEPARTMENT

- 8.1 Gellatly Nut Farm Society – Liquor Permit Application (*All Directors - Unweighted Vote*)

Staff confirmed that they will be bringing a policy forward for liquor applications at the Gellatly Nut Farm Regional Park.

#244/06 CLARK/KNOWLES

THAT the Regional Board approve an application by the Gellatly Nut Farm Society and Westbank Rotary Club to serve beer and wine at a joint Business After Business session for the Westbank and District Chamber of Commerce on Tuesday, June 13, 2006 between the hours of 6:00 p.m. and 7:30 p.m. at the Gellatly Nut Farm Regional Park.

CARRIED

9. NEW BUSINESS

- 9.1 Regional District of Central Okanagan Subdivision and Development Servicing Amendment Bylaw No. 1168, 2006, **1st, 2nd and 3^d readings, and Adoption** (All Directors - Unweighted Vote)

#245/06 KNOWLES/DINWOODIE

THAT Regional District of Central Okanagan Subdivision and Development Servicing Amendment Bylaw No. 1168, 2006 be given first, second and third readings, reconsidered and adopted this 29th day of May 2006.

CARRIED

- 9.2 Regional District of Central Okanagan Sewer System Service Area 103 – Glenrosa Phase 2 Establishment Bylaw No. 1169, 2006, **1st, 2nd and 3^d readings** (All Directors - Unweighted Vote)

#246/06 NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Sewer System Service Area 103 – Glenrosa Phase 2 Establishment Bylaw No. 1169, 2006 be given first, second and third readings this 29th day of May 2006.

CARRIED

- 9.3 Regional District of Central Okanagan Sewer System Service Area 103 – Glenrosa Phase 2 Loan Authorization Bylaw No. 1170, 2006 **1st, 2nd and 3^d readings** (All Directors - Weighted Vote)

#247/06 NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Sewer System Service Area 103 – Glenrosa Phase 2 Loan Authorization Bylaw No. 1170, 2006 be given first, second and third readings this 29th day of May 2006.

CARRIED

- 9.4 Proclamation – June 4-11, 2006 “Seniors’ Week 2006’

#248/06 DAY/KNOWLES

Whereas seniors are a diverse population within a society that supports its members throughout the life continuum, and recognizes individual rights to dignity, respect, autonomy and choice, and

Whereas seniors in British Columbia through their various contributions have helped to establish a province with reflects a unique, economic, cultural and ethnic heritage, and

Whereas the Government of British Columbia is committed to ensuring that the voices of seniors are heard, and that seniors are valued as partners in shaping the future of this province, and

Whereas harmony among generations can be fostered by a deeper understanding of what it means to grow old, and

Whereas Seniors' Week is a time to acknowledge the diversity of seniors and to increase public awareness of their vital role in British Columbia society, and

BE IT RESOLVED THAT the Regional Board of the Regional District of Central Okanagan do hereby proclaim and declare that June 4-11, 2006 inclusive be known as Seniors' Week.

CARRIED

9.5 Regional District of North Okanagan – Regional Board presentation

Director Dinwoodie has been invited to speak to the Regional Board of the Regional District of North Okanagan about our experiences with regional growth strategy. Director Dinwoodie suggested a planning staff member also attend to answer questions.

#249/06 DINWOODIE/BAKER

THAT Director Dinwoodie and a planning staff be authorized to attend the Regional District of North Okanagan June 7th Regional Board meeting.

CARRIED

10. OTHER BUSINESS

10.1 Director Items

a) Canada West Foundation

The question was raised whether the Canada West Foundation provides grants to Society's and whether the Gellatly Nut Farm Society could apply to the Foundation. It is believed the Foundation is not a granting organization but staff were requested to check out their website and forward any pertinent information to the Society.

b) Doug Findlater

It was noted that Westside Governance committee member Doug Findlater has been admitted to hospital for heart surgery. A get-well card will be sent on behalf of the Regional Board.

11. ADJOURN IN CAMERA

#250/06 **DINWOODIE/KNOWLES**

THAT pursuant to Section 90 of the Community Charter the Regional Board adjourn and convene to an 'In-Camera' session to discuss a legal and land issue.

CARRIED

There was no further business the meeting was adjourned at 8:37 p.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

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