

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, July 24, 2006

Directors: 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)

Regrets: J. Baker, (District of Lake Country)

Staff: W. d'Easum, Chief Administrative Officer
K. Arcuri, Director of Planning Services
H. Hettinga, Director of Engineering Services
M. Kopp, Assistant Director of Parks and Recreation
G. Leier, Director of Human Resources
D. Plamondon, Deputy Director of Planning 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 10, 2006
- 1.2 Public Hearing Minutes – July 10, 2006

#313/06 DINWOODIE/KNOWLES

THAT the Regular Board meeting minutes of July 10, 2006 be adopted as circulated;

AND FURTHER THAT the Public Hearing minutes of July 10, 2006 be received.

CARRIED

2. DELEGATION

- 2.1 Reg Volk re: Mission Creek Flooding

Joe Rich residents Reg Volk, Jules Morris and Mrs. E. Rantucci addressed the Board to highlight the damage and response to the earlier flooding of Mission Creek in the area of Joe Rich. Concern was expressed regarding who has authority and responsibility for property damage, clearing of debris in the creek, notification, addressing flood issues in the future.

It was noted that staff have provided a report to address the need for a meeting with the stakeholders to discuss the issues raised and clarify authority.

It was agreed to move to 4.1 at this time.

3. CORRESPONDENCE

3.1 Okanagan Mainline Municipal Association re: Association Name Change

The Okanagan Mainline Municipal Association's (OMMA) Executive is contacting its membership for input into train whistle practices and consideration to a name change. Should Board members have any suggestions for a name change they were advised to bring them forward to a future meeting.

#314/06 DINWOODIE/GIVEN

THAT the July 1, 2006 letter from the Okanagan Mainline Municipal Association (OMMA) regarding train whistle practices and consideration of a name change be received.

CARRIED

3.2 Minister Ida Chong, Ministry of Community Services re: 2006 Grant Allocations under the Regional District Basic (RDB) Grant Program

Minister Ida Chong wrote to inform that the Regional District under the Regional District Basic (RDB) grant program will be receiving \$60,000 in 2006. As the Regional District of Central Okanagan has no local community commissions there is no administration grant component. It was noted that this is the first grant of this nature for some years.

#315/06 REID/DINWOODIE

THAT the July 14, 2006 letter from Minister Ida Chong, Ministry of Community Services regarding the 2006 grant allocations under the Regional District Basic Grant Program and announcing a \$60,000 grant for the Regional District of Central Okanagan be received.

CARRIED

Director Day left the meeting

4. UNFINISHED BUSINESS

4.1 Report re: Mission Creek Flooding (*All Directors - Unweighted Vote*)

Further to the delegation, staff reviewed the issues surrounding the recent flooding of Mission Creek in the Joe Rich area. It was noted that Ministry of Environment staff are currently conducting a study on the creek and that it has yet to be completed; there has been miscommunication and confusion regarding

flooding responsibilities; the Regional District does not have authority over the creek; and Provincial Emergency Plan (PEP) staff have been involved and property owners who have sustained damage must apply to PEP (forms have been provided to property owners who have requested them from the Regional District). The next step is to get all stakeholders together to discuss alternatives to address future flooding.

#316/06 HANSON/GIVEN

THAT the Regional District invite residents adjacent to Mission Creek in the area of the Mission Creek bridge, and up stream of that bridge on Highway 33 (Joe Rich) to have a meeting to discuss possible alternatives that may be available to address future flooding concerns.

CARRIED

4.2 Sterile Insect Release Program *(All Directors - Unweighted Vote)*

The SIR Board has been working for some time to find a resolution to the issues of participation by the Regional District of Central Kootenay in the SIR program and how the SIR program would be structured after 2007. The SIR Board requests support from its partners to move forward.

#317/06 NOVAKOWSKI/KNOWLES

THAT the Board of the Regional District of Central Okanagan support the Sterile Insect Release Board in urging the Board of the Regional District of Central Kootenay to move ahead expediently with a process to determine that the Regional District's future status as a participant in the SIR program as per the SIR Board resolution of March 31, 2006;

AND FURTHER THAT the Regional Board supports the post 2007 SIR Program Structure as recommended by the SIR Board in the letter dated July 11, 2006 along with pages 1 thru 10 of Appendix 1 attached to that letter.

CARRIED

4.3 Westbank Chamber of Commerce – UBCM Tourism Grant *(All Directors - Unweighted Vote)*

Westbank Chamber of Commerce recently reviewed their business plan for a Community Tourism Development Program with the Westside Issues Committee (WIC). WIC recommends that the Regional Board approve moving forward with an application to UBCM for funding to support the proposal.

#318/06 DINWOODIE/KNOWLES

THAT the Westbank Chamber of Commerce business plan for Community Tourism Development be received;

AND THAT an application be made to UBCM for funding to support the proposal.

AND FURTHER THAT the Regional District of Central Okanagan accepts the terms and conditions of the program as set out in Section 6.4 of the UBCM Program Guidelines.

CARRIED

Director Day returned

4.4 Alternative Approval Process for Proposed RCMP Detachment Building Service Area;

Staff noted that a detailed plan and costing have been completed and that like many other projects throughout the province, costs are higher than anticipated. Discussions have been held with the RCMP regarding this and the RCMP have confirmed they are willing to move forward. Two building options were included in the staff report and both options remain on the table at this time. It was noted that one of the options includes underground parking but which adds \$1million to the project. It was noted that Ottawa has prohibited the RCMP from using underground parking—staff will follow-up with the RCMP on this issue.

- a) Regional District of Central Okanagan Westside RCMP Detachment Building Service Area Establishment Bylaw No. 1176, 2006, **1st, 2nd and 3rd readings** (All Directors - Unweighted Vote)

#319/06 DINWOODIE/NOVAKOWSKI

THAT the Regional District of Central Okanagan Westside RCMP Detachment Building Service Area Establishment Bylaw No. 1176, 2006 be given first, second and third readings this 24th day of July 2006.

CARRIED

- b) Regional District of Central Okanagan Westside RCMP Detachment Building Loan Authorization Bylaw No. 1177, 2006. **1st, 2nd and 3rd readings** (All Directors - Weighted Vote)

#320/06 NOVAKOWSKI/KNOWLES

THAT Regional District of Central Okanagan Westside RCMP Detachment Building Loan Authorization Bylaw No. 1177, 2006 be given first, second and third readings this 24th day of July 2006.

CARRIED

#321/06 **DINWOODIE/GIVEN**

THAT the Regional Board establishes the deadline for receiving elector responses for Bylaw No. 1177 to be Tuesday, October 3, 2006 and approves the estimated number of electors to be 19,606 for the service area to which the approval process applies;

AND FURTHER THAT the Regional Board approves the elector response forms and receives the information contained in the report dated July 24, 2006.

CARRIED

5. FINANCE DEPARTMENT

- 5.1 Regional District of Central Okanagan Security Issuing Bylaw No. 1175, 2006, **1st, 2nd and 3^d readings and Adoption** (*All Directors - Unweighted Vote*)

#322/06 **GIVEN/DAY**

THAT Regional District of Central Okanagan Security Issuing Bylaw No. 1175, 2006 be given first, second and third readings, reconsidered and adopted this 24th day of July 2006.

CARRIED

6. PLANNING DEPARTMENT

6.1 Development Permits (Unweighted Vote)

- a) Development Permit for 435133 B.C. Ltd. (owners) located adjacent to Casa Palmero Drive. (DP-06-17) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

Staff reviewed the application. Ministry of Transportation has signed off on the development. The question was raised whether there is enough room for a fire truck to turn around at the end of the roadway. Staff noted that Westside Fire have not yet commented and that this will need to be completed before a permit is granted. The question was raised why the form and character has not been provided. Staff noted that the elevation and finish schedule was requested beforehand but had not been submitted.

Two letters were received from Robert Cartwright, 2515 Campbell Road, stating no objection to the application but expressed concern about the volume of additional vehicle traffic.

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

#323/06

DINWOODIE/GIVEN

THAT the Regional Board authorize the issuance of Development Permit DP-06-17 for 435133 B.C. Ltd. (owners) located adjacent to Casa Palmero Drive subject to the following:

1. The dimensions and siting of the buildings to be constructed on the land be in general accordance with Schedule "A";
2. The landscaping be in general accordance with Schedule "B";
3. The elevations and cross-sections of the site be in general accordance with the drawings submitted by Barnett Dembek Architects Ltd. (dated June 12, 2006);
4. Deposit with the Regional District of a letter of credit or bank draft in the amount of \$248,980.00 to ensure installation of the landscaping and an automatic irrigation system, in accordance with the landscape plan dated June 12, 2006, within one (1) year of the issuance of the Development Permit. This amount is refundable upon completion of the landscaping to the satisfaction of Regional District staff;
5. Provide proof in writing for environmental monitoring by a Qualified Environmental Professional who will ensure compliance with the recommendations of the environmental overview (Makonis Consulting Report, November 4, 2005);
6. Registration of a "no build/no disturb" restrictive covenant, which incorporates the recommendations outlined in the geotechnical assessment (EBA Engineering Consultants Ltd., May 5, 2006), prior to the issuance of any Building Permits, and;
7. Receipt of written confirmation from the Westside Fire Department that any concerns they may have with the proposed development have been addressed to their satisfaction, prior to the issuance of any Building Permits.

CARRIED

Director Given left the meeting at 7:48 p.m.

- b) Development Permit for Happy Valley Resort Ltd. (owners) and Coast Architectural Group (agent) located adjacent to Pritchard Drive. (DP-06-23) Westside Electoral Area (*Electoral Areas Only*)

Staff reviewed the application. An amendment is being requested to the existing DP in form and character to increase the building height from 3 to 4 stories on buildings 4, 5 and 6, adding an additional 14 units, and no increase in parking. There is no significant change in form and character to the development.

An e-mail was received today from Terry Lunn, 3947 Camano Road, questioning the parking requirements, increased traffic and change to the covenant for increased density.

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

Mr. Funk of Newtown Planning addressed the Board reviewing the change requested. It was noted that:

- The site coverage is only 26%.
- 158 parking stalls are required as part of the development but 188 stalls are being provided.
- A two acre overflow parking area adjacent to the site has been leased (99 year lease).
- Gifting increase to reflect the number of additional units.
- Cooperative commitment with the Canal Society for dredging of the canal.
- Water services upgraded and improved fire flow which does not exist today.
- The developer has agreed to complete landscaping upgrades to the public beach access on Pritchard Drive.
- Visual impact is minimal to zero.
- Traffic within engineering standards.
- Capping density, C7 zone would allow many more units.
- One time density change.
- Reason for change: under existing disclosure agreement cannot bring any other changes forward, bank financing structured on existing disclosure, revenue is being reinvested to cover cost over-runs and sustain the development's high quality.

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

Discussion:

- Have units been sold? What is the process to consult with individuals who have pre-purchased? It was noted that the Superintendent of Brokers must approve the amendments as well and that all pre-purchasers on the top floor have the right to move up to the new top floor.
- There has been no change to the agreement with the Canal Society (Westside Waterways Association) of form and material.
- What improvements will be done to the beach access on Pritchard? Basic cleanup and landscaping improvements. The Parks Department will be consulted.

Mr. Jeff Shardelow – President of Westside Cays Waterways Association – represents 47 landowners in the neighborhood. The Association is not opposed to the development but expressed concern regarding assurance that the number of units will not be increased further (history shows increasing density); parking will not be adequate; impact on neighbors for increased height; that a fuel bunker will not be allowed; road upgrades will be needed with increased density and that increased gifting should go to roads; dredging agreement 50/50 cost sharing with Canal Society.

The applicant's representative noted there will be no fuel bunker and that no further increase in density is planned. Staff confirmed that no fuel facility was part of the original approvals and that there is no specific plan at this time regarding the use of the gifting funds.

#324/06 DINWOODIE/KNOWLES

THAT the Regional Board approve Development Permit DP-06-23 for Happy Valley Resort Ltd. (owner) located adjacent to Pritchard Drive, amending DP-05-08, based on the attached site plan and elevation drawings dated June 30, 2006, prepared by Coast Architectural Group, subject to the following conditions:

1. Registration of a covenant to restrict the development to a maximum of 158 residential units.
2. Receipt of written confirmation from Westside Fire Department that any concerns they may have with the proposed development have been addressed to their satisfaction, prior to the issuance of any further Building Permits.

CARRIED

6.2 Bylaws: (First Reading) (Unweighted Vote)

- a) Zoning Amendment Bylaw No. 871-129 for Rick Moodie (owner) to amend the zoning from R1 Single Detached Residential to R1(s) Single Detached Housing (Secondary Suite) located adjacent to Sunview Drive. (Z06/09) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

Staff reviewed the application. The amendment is designed to legalize an existing suite. The applicant will be required to obtain a building permit. No external changes to the structure are planned. Nine letters of support have been received. Parking requirements are being met.

The question was raised whether the Regional District increases sewer charges for a secondary suite. Staff will confirm if sewer charges will increase.

#325/06 NOVAKOWSKI/SHEPHERD

THAT Zoning Amendment Bylaw No. 871-129 (application Z06/09) for Rick Moodie (owner) located adjacent to Sunview Drive be given first reading this 24th day of July 2006;

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

CARRIED

7. INSPECTION SERVICES DEPARTMENT

- 7.1 Building Statistics – June 2006 (*All Directors - Unweighted Vote*)

#326/06 REID/GIVEN

THAT the building statistics for the month of June 2006 whereby 112 permits were issued for a total construction value of \$10,334,300 be received.

CARRIED

8. PARKS AND RECREATION DEPARTMENT

- 8.1 Regional District of Central Okanagan Recreation Facilities Regulation Amendment Bylaw No. 1178, 2006, **1st, 2nd and 3rd readings and Adoption** (All Directors - Unweighted Vote)

It was noted that explanatory notes have been added to but does not form part of the bylaw. The Province is now using this practice.

#327/06 GIVEN/REID

THAT Regional District of Central Okanagan Recreation Facilities Regulation Amendment Bylaw No. 1178, 2006 be given first, second and third readings, reconsidered and adopted this 24th day of July 2006.

CARRIED

- 8.2 Regional District of Central Okanagan Community Parks Regulation Amendment Bylaw No. 1179, 2006, **1st, 2nd and 3rd readings and Adoption** (All Directors - Unweighted Vote)

The question was raised [page 2, section 12 (2)] whether access of the public can be limited by persons holding a lawful permit. Staff noted that yes it can.

#328/06 REID/DINWOODIE

THAT Regional District of Central Okanagan Community Parks Regulation Amendment Bylaw No. 1179, 2006 be given first, second and third readings, reconsidered and adopted this 24th day of July 2006.

CARRIED

- 8.3 Regional District of Central Okanagan Regional Parks Regulation Amendment Bylaw No. 1180, 2006, **1st, 2nd and 3rd readings and Adoption** (All Directors - Unweighted Vote)

#329/06 REID/KNOWLES

THAT Regional District of Central Okanagan Regional Parks Regulation Amendment Bylaw No. 1180, 2006 be given first, second and third readings, reconsidered and adopted this 24th day of July 2006.

CARRIED

9. NEW BUSINESS

- 9.1 Westside Electoral Area Road Maintenance Strategy (All Directors - Unweighted Vote)

#330/06 DINWOODIE/NOVAKOWSKI

THAT the Engineering Department proceed with the preparation of a final draft report of the Westside Electoral Area Road Maintenance Strategy which will require additional site reconnaissance and surveys to ensure date integrity and accuracy;

AND FURTHER THAT the cost of the final draft report, estimated to be \$10,000.00, shall be paid for out of feasibility funds.

CARRIED

9.2 Asphalt Overlay - Montigny and Sussex Sanitary Sewer Projects (*All Directors - Unweighted Vote*)

Staff noted that historically the Ministry of Transportation had provided funds for asphalt overlays in other Lakeview projects but in the spring of 2006 informed the Regional District that no money is available for the Montigny and Sussex Road projects. As a result, Engineering staff reviewed the overall budgets and determined that there were insufficient funds to overlay the roads. Staff have been directed to review the budgets and recommend strategies to recovering the shortfall. Fees and structure may have to be adjusted.

#331/06 DINWOODIE/KNOWLES

THAT the Engineering Services Department is authorized to provide asphalt overlays on the roads in the Montigny and Sussex Road Sanitary Sewer Projects;

AND FURTHER THAT the extent of the asphalt overlay shall be consistent with the asphalt overlays carried out in other Lakeview Heights Sanitary Sewer service areas;

AND FURTHER THAT residents in future service areas are provided with notice, prior to the circulation of a petition, regarding whether or not the roads in their service area will be overlaid or patched;

AND FURTHER THAT upon completion of the Montigny and Sussex Road Sanitary Sewer Projects, the Engineering Services Department review the budgets and recommend strategies to the Regional Board for recovering the revenue shortfall.

CARRIED

9.3 Gellatly Road Loop – Functional Design Award (*All Directors - Weighted Vote*)

#332/06 NOVAKOWSKI/DINWOODIE

THAT the Regional Board award the functional design for Sections 'B' and 'C' of the Gellatly Road Loop to Urban Systems Ltd. in the amount of \$36,300.00 plus GST;

AND FURTHER that the cost of the functional design be paid out of developers' contributions.

CARRIED

- 9.4 Regional District of Central Okanagan Subdivision and Development Servicing Amendment Bylaw No. 1181, 2006, **1st, 2nd and 3rd readings and Adoption** (*All Directors - Unweighted Vote*)

#333/06 KNOWLES/GIVEN

THAT Regional District of Central Okanagan Subdivision and Development Servicing Amendment Bylaw No. 1181, 2006 be given first, second and third readings, reconsidered and adopted this 24th day of July 2006.

CARRIED

- 9.5 Compensation – Glenmore Recycling Depot (*All Directors - Unweighted Vote*)

Staff noted that since 1992 the Glenmore Landfill Recycling Depot has been operated as an unstaffed depot. Over the last three years, volumes have increased dramatically and have caused landfill staff to spend more time monitoring the depot. To compensate the City of Kelowna, it is recommended that funding for a .5 full-time employee be approved.

#334/06 HANSON/REID

THAT the Regional Board support that the City of Kelowna be compensated for a .5FTE (full-time employee) to oversee the operations of the Glenmore Landfill Recycling Depot.

CARRIED

- 9.6 Draft Solid Waste Management Plan (*All Directors - Unweighted Vote*)

Staff wish to proceed to address member municipalities and review the draft solid waste management plan. Once this consultation has been completed, the plan will be brought forward for Board approval.

#335/06 KNOWLES/REID

THAT the Regional Board receive the Draft Solid Waste Management Plan (SWMP);

AND FURTHER THAT Waste Reduction staff offer to make presentations to member municipality Councils about the SWMP.

CARRIED

- 9.7 Westside Electoral Area Grant in Aid – Okanagan Thompson International Sculpture Society (OTTIS) (Westside) - \$500 (*All Directors - Unweighted Vote*)

#336/06 NOVAKOWSKI/DINWOODIE

THAT a Westside Electoral Area grant in aid in the amount of \$500.00 be allocated to the Okanagan Thompson International Sculpture Society (OTTIS) Westside to assist in cleaning up the sculptures on Dobbin Road;

AND FURTHER THAT the Parks Advisory Committee be asked to explore the issue of obtaining ownership to some of the sculptures presently in the possession of OTTIS.

CARRIED

- 9.8 Regional District of Central Okanagan Westside Fire Protection Advisory Committee Amendment Bylaw No. 1182, 2006, **1st, 2nd and 3^d readings and Adoption** (*All Directors - Unweighted Vote*)

The Westside Fire Protection Advisory Committee requests the following: the current restriction for a maximum of two meetings per month be removed; include a member of the Regional Board as a voting member; and in its mandate provide advice on capital plans for the protection area. As well, the Committee requests retroactive payment for meetings held to date, in excess of the maximum two per month.

The question was raised how many retroactive meetings have occurred and whether the \$100 remuneration is not considered to be high. Staff noted approximately six meetings have been held and that the \$100 is less than the members received as Trustees.

It was noted that Regional District of Central Okanagan Westside Fire Protection Advisory Committee Bylaw No. 1154, Section 3 a) states “A Director of the Regional District, officer or employee is not eligible to be a member of WFAC but may attend any meeting of WFAC in a resource capacity”.

It was agreed that it would be inappropriate for a Board member to be considered as a voting member on an advisory committee and that this section of the amendment be removed.

#337/06 DINWOODIE/KNOWLES

THAT Regional District of Central Okanagan Westside Fire Protection Advisory Committee Amendment Bylaw No. 1182, 2006 be given first, second and third readings, as amended, reconsidered and adopted this 24th day of July 2006.

CARRIED

#338/06 DINWOODIE/KNOWLES

THAT the members of the Westside Fire Protection Advisory Committee be remunerated retroactively for the meetings, in excess of the maximum two meetings per month which have occurred since the Committee's formation in February 2006.

CARRIED

#339/06 DINWOODIE/HANSON

THAT the Regional Board authorizes the appointment of one Westside Director as liaison to the Westside Fire Protection Advisory Committee and one alternate, both of which will be named by the Westside Issues Committee.

CARRIED

10. OTHER BUSINESS

10.2 Director Items

a) Casa Loma Community Association – Refund of Park Rental Fee
The Community Parks Regulation Bylaw requires park rental fees to be paid for park use. A registered society may have their fees waived. As the Casa Loma Community Association is active in the community, it was requested that the 2005 fees for park use for their AGM be refunded.

#340/06 DINWOODIE/KNOWLES

THAT the Casa Loma Community Association be refunded the park rental fees paid in 2005 for John Depuis Park for their AGM.

CARRIED

b) Pacific NorthWest Economic Regional 16th Annual Summit
Director Dinwoodie updated the Board on his attendance at the Pacific NorthWest Economic Regional 16th Annual Summit. In cooperation with the Highway 97 Steering Committee stakeholders will continue to work on funding, cross border passport issue and craft a resolution to come forward in unison. Minister Stockwell Day will continue to follow the issues raised.

c) Treaty Advisory
Director Novakowski updated the Board on his attendance at Treaty negotiations. The pace of the meetings have increased and language is being finalized. The Committee is beginning to move forward with discussions on land negotiations.

d) SPCA complaints

Director Day noted complaints regarding barking dogs at the SPCA continue to be received from local residents. Staff noted that the Regional District does not enforce the City of Kelowna Noise Bylaw. It is believed the increase in noise complaints is directly related to the large seizure of dogs from Williams Lake and the fact that the SPCA does not have the ability to keep that number of dogs inside their facility at night. It was noted that kennel regulations (SPCA is zoned as a kennel) state dogs must be kept inside at night.

In follow-up to the previous Board discussion, letters have been sent to the BC-SPCA notifying them that the Board is concerned regarding the housing of seized animals from outside the region and that further review will be done at budget time.

#341/06 DAY/GIVEN

THAT Regional District staff follow-up with dog control complaints and the housing of dogs outside at the SPCA.

CARRIED

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)