

**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, September 10, 2007**

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Directors: J. Baker, (District of Lake Country)  
B. Clark (City of Kelowna)  
C. Day (City of Kelowna)  
B. Given (City of Kelowna)  
A. Dinwoodie (Westside Electoral Area)  
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)  
L. Derrickson (Westbank First Nation) [non-voting] *arrived at 7:05 p.m.*

Staff: W. d'Easum, Chief Administrative Officer  
I. Watson, Planner, Development Services  
H. Hettinga, Director of Engineering Services  
R. Paterson, Chief Building Inspector  
D. Plamondon, Director of Development Services  
B. Vos, Director of Parks and Recreation Services  
M. Drouin (recording secretary)

Chair Hobson brought the meeting to order at 7:00 p.m.

**1. MINUTES**

- 1.1 Public Hearing – August 20, 2007
- 1.2 Regular Board Meeting – August 20, 2007

**#339/07 DAY/KNOWLES**

THAT the Public Hearing minutes of August 20, 2007 be received;

AND FURTHER THAT the Regular Board meeting minutes of August 20, 2007 be adopted as circulated.

CARRIED

**2. DELEGATION**

No delegation.

**3. CORRESPONDENCE**

- 3.1 Minister Ida Chong, Minister of Community Services re: Asia Pacific Initiative

Minister Chong's letter of August 20<sup>th</sup> invites stakeholders to review the potential that Asia Pacific countries present for community economic development and diversification opportunities.

**#340/07**

**SHEPHERD/DINWOODIE**

THAT the August 20<sup>th</sup> letter from Minister Chong, Ministry of Community Services inviting stakeholders to review the potential that Asia Pacific countries present for community economic development and diversification opportunities be received;

AND FURTHER THAT the letter be forwarded to Economic Development Commission for their information.

**CARRIED**

**3.2 Thomas Pierce re: Westside Billboards**

Local resident T. Pierce is leading a community based fight against the proliferation of billboards on the Westside and seeks support from the Regional District.

Director Shepherd noted that the City of Kelowna acknowledged receipt of the correspondence. It was suggested that residents may wish to begin a community effort and write to companies that advertise on the Boards expressing their personal views.

*L. Derrickson arrived at 7:05 p.m.*

**#341/07**

**BAKER/KNOWLES**

THAT the August 19, 2007 correspondence from Thomas Pierce regarding Westside billboards be received.

**CARRIED**

**3.3 UBCM re: The British Columbia Climate Action Charter**

UBCM is asking for stakeholder support to be communicated at the UBCM Convention for the BC Climate Action Charter. Chair Hobson confirmed that UBCM has been negotiating with the Province and the Charter has been accepted by the Premier. Communities are being asked to sign on to the Climate Action Charter at this years Convention.

*Note: in order to allow further time for Board consideration this item was moved to later in the agenda for further discussion.*

**4. UNFINISHED BUSINESS**

4.1 Regional District of Central Okanagan Westside Fire Protection Service Area Amendment Bylaw

a) Bylaw No. 1215, 2007, **REPEAL** (*All Directors - Unweighted Vote*)

**#342/07**

**DINWOODIE/KNOWLES**

THAT Regional District of Central Okanagan Westside Fire Protection Service Area Amendment Bylaw No. 1215, 2007 be **REPEALED** this 10<sup>th</sup> day of September 2007.

**CARRIED**

b) Regional District of Central Okanagan Westside Fire Protection Service Area Amendment Bylaw No. 1217, 2007, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>d</sup> readings** (*All Directors - Unweighted Vote*)

**#343/07**

**DINWOODIE/NOVAKOWSKI**

THAT Regional District of Central Okanagan Westside Fire Protection Service Area Amendment Bylaw No. 1217, 2007 be given first, second and third readings this 10<sup>th</sup> day of September.

**CARRIED**

**5. FINANCE DEPARTMENT**

No Board action required/requested.

**6. PLANNING DEPARTMENT**

**6.1 Correspondence** (*Unweighted Vote*)

a) Report regarding appointments to the Westside North Advisory Planning Commission (0540-20-01) Westside Electoral Area (*All Directors*)

**#344/07**

**NOVAKOWSKI/SHEPHERD**

THAT Helmuth Mitchell and Don Bennison be appointed to the Westside North Advisory Planning Commission for a two-year period.

**CARRIED**

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

a) Development Permit Application for Lindwest Holdings Ltd. (owner) and Brad Miller, Norsteel Building Systems Ltd. (agent) located at 1279 Stevens Road. (DP-07-09) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

Development Services report dated August 28<sup>th</sup> outlined the application. Staff reviewed the application.

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

**#345/07**     DINWOODIE/KNOWLES

THAT the Regional Board approve the Development Permit application for Form, Character and Landscaping of a proposed, approximately 7.23 m (24 ft) high storage and supply building for Lindwest Holdings Ltd. (owner) located at 1279 Stevens Road subject to the following requirements:

- 1) The site plan and parking be in general accordance with Rev 3 2007-08-20 received August 31, 2007;
- 2) The elevations of the buildings to be constructed in general accordance with the drawing received May 7, 2007; and;
- 3) Finishes and colours to be in general accordance with the exterior colour scheme prepared by Embleton and Associates received April 16, 2007;
- 4) That a landscape plan prepared by a landscape architect to the satisfaction of Development Services Department staff, be deposited with the Regional District with landscaping shown in the landscaped areas of the approved site plan (Rev 3 2007-08-20 received August 31, 2007); and,
- 5) Deposit with the Regional District, prior to the issuance of any building permit, of a letter of credit or bank draft in the amount of \$12,588.00 (excluding GST) representing 125% of the estimate, to ensure installation of the landscaping and an automatic irrigation system within 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.

CARRIED

- b) Development Permit Application for Strata Corporation K681 (owner) and Chris Jaegli (agent) located at 2234 Golf Course Drive. (DP-07-20)  
Westside Electoral Area (*Electoral Areas only*)

Development Services report dated August 14<sup>th</sup> outlined the application. Staff reviewed the application.

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

One letter of concern was received from J. Hill, Lot 23 expressing concern about the slope stability and whether a retaining wall will be required. The parking area will not be located near this property.

**#346/07**      KNOWLES/NOVAKOWSKI

THAT the Regional Board approve the Development Permit application for Form, Character and Landscaping of a proposed four unit carport for Strata Corporation K681 (owner) located at 2234 Golf Course Drive subject to the following requirements;

- 1) The dimensions, elevations and cross-sections of the buildings to be constructed on the land be in general accordance with the drawing received June 2007, prepared by Greystokes Design Ltd., and that the siting of the carport be in accordance with the site plan received July 11, 2007 and outlining the proposed carport; and
- 2) Finishes and colours to be in general accordance with previously issued DP-06-22.
- 3) That the landscaping on the site be retained or rehabilitated in general conformance with existing landscaping.

CARRIED

- c) Development Permit Application for Poplar Point Developments Inc. (owner) and G.E. (Gux) Albrecht (agent) located at 2343 Dominion Road. (DP-07-21) Westside Electoral Area (Electoral Areas and Kelowna Fringe Area)

Development Services report dated August 10<sup>th</sup> outlined the application. Staff reviewed the application.

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

**#347/07**      DINWOODIE/KNOWLES

THAT the Regional Board authorizes the issuance of Development Permit DP-07-03 for Poplar Point Developments Inc. (owner) located at 2343 Dominion Road subject to the following:

- 1) The dimensions, siting, elevations and cross-sections of the buildings to be constructed on the land be in general accordance with drawings A1, A2, and A3 dated May 2007 by 4D Engineering Ltd. and drawing 7053-00 dated July 4, 2007;
- 2) The building be in general accordance with rendering A3 (with colour chips HC-87 & HC-84 attached) by 4D Engineering Ltd. received August 2, 2007;
- 3) The landscaping be in accordance with the drawings by Site 360 Sheet L-1 received July 9 and in accordance with the extension along the future cul-de-sac as per the letter by Site 360 dated August 30th;
- 4) Deposit with the Regional District of a letter of credit or bank draft in the amount of \$24,000 (excluding GST) representing 125% of the estimate, to ensure installation of the landscaping and an automatic irrigation system within 1 year of the issuance of the Development Permit, prior to the issuance of any Building Permits. This amount is refundable upon completion of the landscaping to the satisfaction of Regional District staff;

- 5) Receipt of written confirmation from the Westside Fire Department prior to the issuance of any Building Permits that any concerns they may have with the proposed development have been addressed to their satisfaction.

CARRIED

- d) Development Permit Application for Okanagan Hungarian Society (owner) and William L. Breti (agent) located at 1670 Ross Road and adjacent to Westgate Road. (DP-07-23) Westside Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

Development Services report dated August 14<sup>th</sup> outlined the application. Staff reviewed the application.

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

William Breti, agent, addressed the Board:

- Requested a delay for the installation of curb, sidewalks due to the non-profit organization not having the funds at this time.
- The Society is not against having to do the curb and gutter and sidewalks but they cannot afford it now. They need to get the building increased in size in order to raise the funds required to complete the work.
- No estimates have been done for the costs of curb and gutter and sidewalks.

*Board:*

- Do you have a timeline in mind to do the curb, gutter and sidewalks? No.
- How long of a delay is being requested? Once the addition is completed then funds could be raised to do this.
- Are there any other plans for the land? No, it is a popular facility that is well used and at no cost to the user.
- The Society cannot do a letter of credit as there are no funds available at this time.

The Board reviewed whether there is any legal mechanism to grant the variance but delay the installation of the curb, gutter and sidewalks and whether the Society could provide a letter of credit/bond for the work.

**#348/07**

DINWOODIE/KNOWLES

THAT Development Permit DP-07-23 for the Okanagan Hungarian Society (owner) located at 1670 Ross Road and adjacent to Westgate Road be *DEFERRED* to allow the owner/agent and staff the opportunity to review possible options available to the Society regarding the variance request.

CARRIED

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

- a) Development Variance Permit Application for Azura Management (Kelowna) Corp. (owner/applicant) located at 6808 Westside Road, south of Fintry Provincial Park (VP-06-19) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

Development Services report dated August 27<sup>th</sup> outlined the requested variance. The application was deferred by the Board at its August 20<sup>th</sup> regular meeting in order for staff to seek legal advice and allow the applicant time to submit a letter for exemption under the aquatic ecosystem development permit bylaw.

Staff reviewed the legal advice the Regional District received and noted that the applicant indicated that they have decided not to request an exemption. Mr. Stewart noted that the environmental assessment was delivered to the Regional District offices on Friday afternoon.

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

#### **#349/07 DINWOODIE/KNOWLES**

THAT the Regional Board approve Development Variance Permit application VP-06-19 for Azura Management (Kelowna) Corp. (owner) located at 6808 Westside Road, south of Fintry Provincial Park to vary Zoning Bylaw No. 871:

- section 11.5.2 by reducing the minimum parcel area from 1.0 hectare to 408 square metres,
- section 11.5.3 by reducing the minimum parcel frontage from 50 metres to 2.0 metres,
- section 3.10.5 by increasing the maximum height of a retaining wall from 2.5 metres to 4 metres.

#### **CARRIED**

**ACTION:** That the correspondence from Adrienne Murray Law Corporation and the Regional District's legal opinion be forwarded to the approving officer.

- b) Development Variance Permit Application for Tonia Demmers (owner) located at 11490 Hwy. 33 East. (VP-07-10) Central Okanagan East Electoral Area (*Electoral Areas only*)

Development Services report dated August 8<sup>th</sup> outlined the requested variance. Staff reviewed the application. A map showing the location of properties where the two letters of objection and five letters of support was reviewed. The two letters of opposition were provided to the applicant and time was provided for her to review.

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

The applicant, T. Demmers, addressed the Board stating she was not aware of the need for a building permit to rebuild the barn—she believed she could build on the existing footprint.

**#350/07**      HANSON/DINWOODIE

THAT the Regional Board approve Development Variance Permit application VP-07-10 for Tonia Demmers (owner) located at 11490 Hwy. 33 East (VP-07-10) to vary the Joe Rich Rural Land Use Bylaw No. 730, Section 10.6 side yard setback from 3 meters to 2.26 meters for the house, and, to vary Section 12 animal shelter setback from 15 meters to 2.82 meters.

CARRIED

**7.      INSPECTION SERVICES DEPARTMENT**

7.1      Building Statistics – August 2007 (*All Directors - Unweighted Vote*)

**#351/07**      BAKER/KNOWLES

THAT the Building Statistics for August 2007 where 78 permits were issued for a total construction value of \$10,196,900 be received.

CARRIED

7.2      Building Violation – Lot 312, Plan 26101, District Lot 3688, 323 Northern View Drive (Westside Electoral Area) Notice to be placed on Title – Owner: MacLaren (*All Directors - Unweighted Vote*)

**#352/07**      NOVAKOWSKI/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot 312, Plan 26101, O.D.Y.D., pursuant to Section 57 of the Community Charter Act, and pursuant to that section of the Community Charter Act, further information regarding the notice be limited to the fact that:

1.      The building permit for the subject single detached house, built under the authority of Building Permit #9620/02, has not been finalized, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835. The permit cannot be closed until a final inspection has been done.

CARRIED

7.3      Building Violation – Lot 34, Plan KAS695, District Lot 2601, 2617 Moore Road (Westside Electoral Area) Notice to be placed on Title – Owner: Koepke (*All Directors - Unweighted Vote*)



**#353/07**      DINWOODIE/KNOWLES

THAT the Regional District Board direct that a notice be filed on the title of Lot 34, Plan KAS695, O.D.Y.D., pursuant to Section 57 of the Community Charter Act, and pursuant to that section of the Community Charter Act, further information regarding the notice be limited to the fact that:

1. The building permit for the subject single family dwelling built under authority of Building Permit #9920/02, has not been finalized, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835. The permit cannot be closed until a final inspection has been done.

CARRIED

**8.      PARKS AND RECREATION DEPARTMENT**

- 8.1      Royal LePage Place Fee Waiver Request – Face-off for a Friend Fundraiser (*All Directors - Unweighted Vote*)

Parks and Recreation Services report dated September 5<sup>th</sup> outlined the request from the Jonathan Neitsch Trust for support of the Face-off for a Friend fundraising event which took place at Royal LePage Place on August 19<sup>th</sup>.

**#354/07**      DINWOODIE/NOVAKOWSKI

THAT the fees be waived for the use of Royal LePage Place on the afternoon of August 19, 2007 for the purposes of the Face-off for a Friend fundraising event;

AND FURTHER THAT the fees for meeting room usage be waived for the Trust for one meeting per month at the Mount Boucherie Community Centre;

AND FURTHER THAT the Trust provide upon completion of the event, a financial statement showing income, expenses and the amount from the fundraiser to be deposited into the Trust fund.

CARRIED

- 8.2      Gellatly Nut Farm Regional Park – Conservation Report (*All Directors - Unweighted Vote*)

Parks and Recreation Services report dated September 5<sup>th</sup> outlined the conservation plan is the last component of the Canada/BC Infrastructure grant provided to the Regional District for the development of the Gellatly Nut Farm Regional Park.

**#355/07**      SHEPHERD/KNOWLES

THAT the Regional Board approve the July 2007 Conservation Report for the Nut Drying Shed & Root Cellar, Lakeshore Cottage and 1945 Cabin at Gellatly Nut Farm Regional Park;

AND FURTHER THAT conservation reports for the heritage house and barn be completed before alterations are made to those buildings.

CARRIED

8.3 Regional Park Tenure Registration – Westside Electoral Area (*All Directors - Unweighted Vote*)

Parks and Recreation Services report of September 5<sup>th</sup> outlined that Regional Parks tenure identification and registration work is underway in conjunction with a proposed bylaw amendment (Regional Park Designation Bylaw) to incorporate newly acquired regional parks throughout the Central Okanagan. In some cases these parklands have serviced both Westside community and regional park needs and tenure clarification is now required.

**#356/07** SHEPHERD/DINWOODIE

THAT the Regional Board approve the preparation and registration of all necessary documentation for registration and/or application of appropriate access tenure charges associated with RDCO Regional Parks located within the Westside Electoral Area;

AND FURTHER THAT with regard to Kalamoair Regional Park (Collens Hill Road) that the preference is to apply for a road closure;

AND FURTHER THAT the *Regional Park Tenure Registration –Westside Electoral Area* report be evaluated by the interim Westside administrator.

CARRIED

**9. NEW BUSINESS**

9.1 The British Columbia Climate Action Charter

Board discussion continued from agenda item 3.3. It was noted the Charter provides a framework for engaging discussion and joint initiatives between local government and the Province.

**#357/07** BAKER/DINWOODIE

THAT the Regional Board of the Regional District of Central Okanagan agrees to 'sign on' to the British Columbia Climate Action Charter at the 2007 UBCM Convention;

AND FURTHER THAT staff be directed to develop a list of regional climate change initiatives to append to the Climate Action Charter, including but not limited to: Bus Rapid Transit, air quality initiatives, energy saving at Mount Boucherie, waste reduction initiatives.

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 September 20<sup>th</sup>.

b) Transportation

The next meeting of the Regional Transportation Committee is scheduled for October 25<sup>th</sup>.

c) Planning and Environment

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

d) Engineering

The next meeting of the Engineering Committee is scheduled for November 8<sup>th</sup>.

e) Air Quality

i) Regional District of Central Okanagan Smoke Control Regulatory Amendment Bylaw No. 1218, 2007, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading, and Adoption** (All Directors - Unweighted Vote)

The bylaw amendment is brought forward to clarify that the Regional District is not responsible for burning regulations except in the established fire protection department areas.

**#358/07** KNOWLES/DINWOODIE

THAT Regional District of Central Okanagan Smoke Control Regulatory Amendment Bylaw No. 1218, 2007 be given first, second and third readings, reconsidered and adopted this 10<sup>th</sup> day of September 2007.

CARRIED

ii) Okanagan Airshed Coalition – Request to invite the Okanagan Nation Alliance to participate as a partner (All Directors - Unweighted Vote)

**#359/07** KNOWLES/SHEPHERD

THAT the Regional Board of the Regional District of Central Okanagan supports the Okanagan Airshed Coalition inviting the Okanagan Nation Alliance to participate as a partner in the Okanagan Airshed Coalition through a Memorandum of Understanding.

CARRIED

f) Governance and Services

It was agreed to cancel the September 21<sup>st</sup> Governance & Services Committee meeting as there are no agenda items at this time.

It was noted that staff are determining what the Regional District will look like post transfer of services to the new Westside municipality which will begin to occur over the next year. Once the review is completed a Governance & Services Committee meeting will be scheduled in October.

g) Westside Issues

The next scheduled meeting of the Westside Issues Committee is scheduled for September 17<sup>th</sup>.

h) Sustainability Steering Committee

No report

10.2 Director Items (verbal)

No Board action required/requested.

**11. ADJOURN**

There being no further business the meeting was adjourned at 8:45 p.m.

**CERTIFIED TO BE TRUE AND CORRECT**

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**R. Hobson (Chair)**

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