

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, April 16, 2007

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)

Staff: K. Arcuri, Director of Planning Services
L. Hartley, Planning Services
H. Hettinga, Director of Engineering Services
M. Kopp, Assistant Director of Parks and Recreation Services
K. Roth, Director of Inspection Services
B. Vos, Director of Parks and Recreation Services
M. Drouin, Administrative Assistant (recording secretary)

Chair Hobson brought the meeting to order at 7:08 p.m. following a Public Hearing.

1. MINUTES

- 1.1 Special Board Budget Meeting – March 23, 2007
- 1.2 Regular Board Meeting – March 26, 2007

It was noted that M. Kopp was in attendance at the March 26th meeting.

#145/07 GIVEN/DAY

THAT the Special Board Meeting minutes of March 23, 2007 and the Regular Board Meeting minutes of March 26, 2007 be adopted.

CARRIED

6.1a) and 6.1c) were brought forward early in the agenda for discussion. Following these two agenda items the Board recessed and then reconvened at 8:05 p.m.

2. DELEGATION

- 2.1 Cary Berger, Coordinator – Victim Services

Coordinator of Central Okanagan Victim Services program, Cary Berger, provided a 2006 program overview for the Board including a review of the program objectives, the types of incidents involved in (criminal and non-criminal), and types of referrals obtained. In 2006, 64% of the referrals came from the RCMP, 28% self-referred and 8% were from other sources. The average monthly caseload is 162. It was noted that this past weekend Victim-Witness Services hosted the Police Victim Services of BC 22nd Annual Training Symposium.

3. CORRESPONDENCE

- 3.1 UBCM re: Public Transit Infrastructure Program Funding (*All Directors - Unweighted Vote*)

The Union of BC Municipalities (UBCM) advised that the Province of BC has asked UBCM to administer the Public Transit Infrastructure Program on its behalf. The Province will provide \$52.5 million to support investment in public transit infrastructure in BC.

#146/07 GIVEN/NOVAKOWSKI

THAT the April 2, 2007 letter from UBCM announcing the public transit infrastructure program funding be received;

AND FURTHER THAT staff be directed to complete a report on the impact of the funding (capital and operating) and recommended allocation of these funds and report directly to the Regional Board.

CARRIED

- 3.2 Water Supply Association of B.C. re: Request for support for changes to the Interior Health Authority's Turbidity Education and Notification Program (*All Directors - Unweighted Vote*)

The Water Supply Association of BC is requesting support for changes to the Interior Health Authority's turbidity education and notification program by supporting the District of Peachland's resolution to the OMMA convention.

#147/07 REID/DAY

THAT the Regional Board *DEFER* consideration of the Water Supply Association of B.C.'s request for support for changes to the Interior Health Authority's turbidity education and notification program, in order to allow the Kelowna Joint Water Use Committee an opportunity to review the issue and report back to the Regional Board.

CARRIED

- 3.3 Central Coast Regional District re: Continuation and Expansion of BC Ferries Route 40, Discovery Coast Passage, Port Hardy to Bella Coola (*All Directors - Unweighted Vote*)

The Regional Board of the Central Coast Regional District has requested support for the continuation and expansion of BC Ferries Route 40, Discovery Coast Passage between Port Hardy to Bella Coola.

#148/07 BAKER/SHEPHERD

THAT the Regional Board of the Regional District of Central Okanagan supports the continued and expanded provision of BC Ferries Route 40;

AND FURTHER THAT this support be communicated to the provincial ministries that can influence the decision of the Transportation Ministry.

CARRIED

3.4 Westbank First Nation re: Sewer Services Agreement (*All Directors - Unweighted Vote*)

Westbank First Nation has expressed interest in discussing the renewal of the Sewer Services Agreement. H. Hettinga noted that staff to staff discussions have begun.

#149/07 SHEPHERD/NOVAKOWSKI

THAT the April 3, 2007 letter from James Montain, Director Operations, Westbank First Nation regarding sewer services agreement be received;

AND FURTHER THAT staff be directed to meet with Westbank First Nation to discuss the renewal of the Agreement.

CARRIED

3.5 District of Lake Country – re: District of Lake Country Watershed – Extension of Municipal Boundary (*All Directors - Unweighted Vote*)

The District of Lake Country in its letter of March 26th to the Integrated Land Management Bureau notified the Regional District of its plan to request a boundary extension to include the watershed. It was noted that the District of Lake Country has had no discussions with the area director, City of Kelowna or Regional District staff regarding the application or the impact to the electoral area.

#150/07 REID/HANSON

THAT the March 26, 2007 letter from the District of Lake Country informing the Regional District of their intention to make application to extend their municipal boundaries to include the watershed be received;

AND FURTHER THAT a letter be forwarded to the District of Lake Country requesting the District commence discussions with the Regional District, Central Okanagan

Eastside Electoral Area director, and the City of Kelowna regarding the boundary expansion.

CARRIED

4. UNFINISHED BUSINESS

No Board action required/requested.

5. FINANCE DEPARTMENT

No Board action required/requested.

6. PLANNING DEPARTMENT

6.1 Correspondence (Unweighted Vote)

- a) Report regarding Ministry of Energy, Mines and Petroleum Resources Referral Applications, Westside & Central Okanagan East Electoral Areas (*All Directors*)

Planning Services report of April 11, 2007 outlined the District's concerns regarding sand and gravel extraction applications from the Ministry of Mines, Energy and Petroleum Resources and a request to change their approval process. Board members discussed:

- The need for the Province to work with local governments to establish criteria for applications;
- Public concerns about noise, traffic, intrusion into residential neighborhoods, safety issues were raised.
- Dialogue needed with the surrounding community before approvals are given.
- Aggregate supply and demand study has been done, what follow-up has been completed. It was noted the Plan identified some of the situations arising today and that a series of recommendations from a review panel are sitting with the Province. Courts have said the Province has the jurisdiction to make decisions and that case law has shown it is use of land not land use.
- UBCM has dealt with this issue many times to no avail.

#151/07

REID/DINWOODIE

THAT a letter from the Regional District Chair be forwarded to the Minister of Energy, Mines and Petroleum Resources (Ministry), with a copy to the area MLAs, requesting that the Ministry impose a mandatory requirement to convene a public information meeting for all sand and gravel extraction/quarry proposals within our region;

AND FURTHER THAT all public information meetings be convened by the Ministry and be held prior to Regional Board consideration of the referral application and prior to Ministry of Mines, Energy and Petroleum Resources consideration and approval.

CARRIED

6.1c) was discussed at this time

- b) Report regarding Ministry of Tourism, Sport and the Arts Referral Request for a proposed designated motorized recreation area. (CL-07-01) Westside Electoral Area (*All Directors*)

Planning Services staff report dated April 11, 2007 outlined a recommendation of non-support for a land referral application on an application to establish a designated recreational site for Okanagan Trail Riders (previously known as the Kelowna Dirt Bike Club). It was noted that there has not been enough information provided in order for the Regional District to review the impact of issues such as: environment, water, noise, public comments. It was noted the Ministry is the applicant and is responsible for the resource management.

#152/07 KNOWLES/BAKER

THAT provincial referral application (Ministry of Tourism, Sport and the Arts, application #3950) not be supported due to insufficient information and consultation;

AND FURTHER THAT, through the Land and Resource Management Plan Implementation and Monitoring Committee, a consultation program, which would include meaningful public input, be established that will enable the Ministry and the applicant to prepare a detailed operational and management proposal that responds to the interests of affected stakeholders, other licensees and provincial agencies.

AND FURTHER THAT the Province consider implementing permitting for the operation of off-road vehicles and funding for the enforcement of same.

CARRIED

- c) Ministry of Energy, Mines and Petroleum Resources Referral Application (Our File: GREX-07-01, reference file: 14675-20/1620598) Located at Petterson Road, District Lot 3111, except Plans 9045, 25440, 33201, 35740, KAP70770 (Electoral Area Westside) (*All Directors*)

Planning Services report of April 16, 2007 outlined the referral application, zoning and recommendations for non-support.

Staff noted that the Ministry has been made aware of the Regional District's referral process and to the best of our knowledge no permit has been issued. It was noted that timing is of concern as it is understood feedback from the referral agencies is required by the Ministry by Friday, April 20.

A large number of residents have expressed opposition to the application through letters and telephone calls to the Regional District, as well as attending tonight's Board meeting. It was noted that all referral agencies have strong concerns with this application.

#153/07

DINWOODIE/REID

THAT provincial referral application (Ministry of Energy, Mines and Petroleum Resources Sand and Gravel Pit - RDCO File: GREX-07-01, Reference File: 14675-20/1620598) located at Petterson Road, District Lot 3111, except Plans 9045, 25440, 33201, 35740, KAP70770) not be supported due to adverse environmental and community impacts, specifically the:

- Excavations and transport pose a threat to the community water transmission main (Lakeview Irrigation District) that crosses the property and access route.
- Access roads are not designed for industrial traffic;
- Volume of traffic is incompatible with steep and narrow residential roads, posing a safety hazard;
- Proposed excavation area is in close proximity to domestic wells;
- Proposed excavation area includes land identified as “Rare and Fragile Terrestrial and Aquatic Ecosystems” in which the approved Official Community Plan objective is that the groundwater and sensitive ecosystems be protected as natural open space.

AND FURTHER, should the Ministry of Energy, Mines and Petroleum Resources support the application, that it be conditional upon the following:

- Upgrade and management of access roads as outlined by Ministry of Transportation to Ministry of Mines, April 5, 2007;
- Registration of a Section 219 covenant to buffer and protect Environmental Sensitive Areas within and adjacent to the gravel operating area;
- Provision for future road right of way through the operating area to lands beyond for forest health and crown land access;
- That crushing and screening not be permitted under the Mine Permit unless the lands are approved for rezoning to permit this use;
- Submission of a watershed assessment, contingency plan and more detailed reclamation plan with mitigation practices detailed as outlined by Interior Health Authority March 13, 2007 and as required for application for development permit;
- Hosting of a public information meeting by Ministry of Energy, Mines and Petroleum Resources; and
- Resolution of issues identified by affected parties and agencies as noted through the referral process. This may include reducing the scale of operation or extending the lifespan of the pit.

AND FURTHER THAT should the Ministry of Energy, Mines and Petroleum Resources continue to consider this application in spite of the serious concerns raised and the Regional Board’s non-support of the application, that the Ministry seriously consider all other referral agency comments in their review;

AND FURTHER THAT the Planning Services Department Report dated April 16, 2007 be forwarded to the Ministry of Energy and Mines for their information.

CARRIED

#154/07 **SHEPHERD/DINWOODIE**

THAT the Regional Board authorize the Board Chair to meet with the Premier, Minister of Energy, Mines and Petroleum Resources, the Minister of Community Services and the area MLAs at the earliest opportunity to discuss sand and gravel extraction referral applications.

CARRIED

#155/07 **KNOWLES/DINWOODIE**

THAT up to three individuals be allowed to address the Regional Board on the sand and gravel extraction application.

DEFEATED

It was noted that all written documentation received at the Regional District regarding sand and gravel extraction applications are copied to the Ministry of Energy, Mines and Petroleum Resources along with the Regional Board's report.

Board members highlighted that the Regional Board does not have any jurisdiction over the application and that although they are sympathetic to the public's concerns their concerns should be addressed directly to the Ministry of Energy, Mines and Petroleum Resources and not the Regional Board.

The Board recessed at 7:58 p.m. and reconvened at 8:05 p.m. and moved to #2 Delegations.

6.2 Development Permits (Unweighted Vote)

- a) Development Permit for Catana Developments Ltd. (owner) and Robert Zanette (agent) located adjacent to Tuscany Drive and Shannon Lake Golf Course. (DP-06-36) Westside Electoral Area (*Electoral Areas Only*)

Planning Services report dated April 11, 2007 outlined the development permit and variances for Catana Developments Ltd.

Staff reviewed the background for the development permit and variances.

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

Board: Is the parking structure considered a fifth storey to the building?
Staff confirmed that it is not.

#156/07 DINWOODIE/NOVAKOWSKI

THAT the Regional Board authorize the issuance of Development Permit DP-06-36 for Catana Development Ltd. (owner), 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 the drawings attached to and forming part of this report;
2. All landscaping is to be in general accordance with the Landscape Plan drawings prepared by Site 360, dated April 4, 2007;
3. Deposit with the Regional District of a letter of credit or bank draft in the amount of \$347,289.13 to ensure installation of the landscaping, an automatic irrigation system, fencing to protect covenanted areas and site remediation in accordance with the landscape plans dated April 4, 2007, 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;
4. Deposit with the Regional District of a letter of credit or bank draft in the amount of 125% of the cost estimate provided by the applicant's Qualified Environmental Professional for the protection and monitoring of covenanted areas, prior to any site disturbance;
5. Installation of temporary fencing to protect proposed covenant areas prior to any site disturbance;
6. Written confirmation of retention of an environmental monitor, prior to the issuance of any Building Permits;
7. Registration of a restrictive covenant for the protection of the existing ponderosa pine and grass slope along the northeast corner and eastern parcel line, in accordance with the drawings submitted by Site 360, April 4, 2007, prior to the issuance of any Building Permits;
8. Registration of a covenant alerting owners of the potential hazard posed by the adjoining golf course; and
9. 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.

AND FURTHER THAT in conjunction with approval of DP-06-36, the Regional Board approve the following development variances:

1. To vary Zoning Bylaw No. 871, s.10.1.11 by increasing the maximum building height specification from 3 storeys to a maximum of 12.0 m (39.0 ft.) to 4 storeys to a maximum of 18.2 m (59.6 ft.);
2. To vary Zoning Bylaw No. 871, s.3.11.1 by reducing the required minimum setback of Buildings 2, 3, 4, 5, 9 and 11 from land in the A1 Agricultural zone or ALR from 15.0 m (49.2 ft) to 9.3 m (30.6 ft) for Building 2; 10.4 m (43.1 ft) for Building 3; 11.9 m (39.0 ft) for Buildings 4 and 5; 9.3 m (30.5 ft) for Building 9; and 3.7m (12.1 ft) for Building 11;
3. To vary Zoning Bylaw No. 871, s.3.11.6 by exempting the subject property from the "Level 2 Buffer" requirements, in order to permit landscaping as specified in the attached landscape plan;

4. To vary Zoning Bylaw No. 871, s.3.11.9 by reducing stepped setback for buildings in an R3 zone adjacent to the A1 zone or ALR, for the third storey of Building 11 from 18.0 m (59.1 ft) to 3.7 m (12.1 ft); and for the fourth storey of Building 11 from 21.0 m (68.9 ft) to 3.7 m (12.1 ft); and
5. To vary Zoning Bylaw No. 871, s.14.2.3, by exempting the single-car garage townhome units from the requirement that each parking space shall be sited so as to provide unobstructed access and egress at all times.

CARRIED

6.3 Development Variance Permits (Unweighted Vote)

- a) Development Variance Permit for 435133 B.C. Ltd. (owner/applicant) located at 2493 Casa Palmero Drive. (VP-07-04) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

Planning Services report dated April 11, 2007 outlined the development permit and variances for 435133 BC Ltd.

Staff reviewed the development variance with regard to the increase in size of retaining walls. Safety concerns raised by the Parks Department have been addressed by the applicant. The visual impact from neighboring properties is minimal.

One letter was received from Lunelli Enterprises Ltd., Tony Lunelli, 2725 Teal Road, expressing concern regarding retaining wall B. Planning Services staff advised a building permit is required and therefore a requirement for it to be designed by a professional engineer.

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

Board: Is there any plan for addressing vegetation against the wall?

Applicant: Rick Bruschinsky addressed the Board noting that there will be no landscaping on the wall but will be landscaping in front of the wall. Only the people within the development will see the wall.

Staff: A development permit has been dealt with for the development of the site. The applicant will work with Parks for landscaping at the top, near the fence.

#157/07 NOVAKOWSKI/KNOWLES

THAT the Regional Board approve Development Variance Permit for 435133 BC Ltd. (application VP-07-04) to vary RDCO Bylaw No. 871, s. 3.10.5, by increasing the maximum height of a retaining wall from 2.5 m. (8.2ft) to 4.5 m. (14.8ft) as shown on the composite utility plan prepared by Stantec Consulting Ltd. date stamped February 13, 2007, and retaining wall cross-sections prepared by Stantec Consulting Ltd., dated April 4, 2007.

CARRIED

6.4 **Bylaws: (First Reading)** *(Unweighted Vote)*

- a) i) Official Community Plan Amendment Bylaws for Regional District of Central Okanagan (applicant) to amend the North Westside Official Community Plan Bylaw No. 785, Ellison Official Community Plan Bylaw No. 1124 and Westside Official Community Plan Bylaw No. 1050 to include a private amenity space policy. *(All Directors)*

Planning staff report dated March 30, 2007 outlined the text amendment which include a private amenity space policy and requirements for all Multiple Housing Zones (R3A, R3B, R3C and R3D).

#158/07 NOVAKOWSKI/KNOWLES

THAT North Westside Official Community Plan Amendment Bylaw No. 785-14, Ellison Official Community Plan Amendment Bylaw No. 1124-01 and Westside Official Community Plan Amendment Bylaw No. 1050-20 be given first reading this 16th day of April 2007;

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

CARRIED

- ii) Zoning Amendment Bylaw No. 871-143 for the above to include requirements for all Multiple Housing Zones (R3A, R3B, R3C and R3D) into the text of the zoning bylaw. *(Z06/23) Westside & Central Okanagan East Electoral Areas (All Directors)*

#159/07 KNOWLES/DINWOODIE

THAT Zoning Amendment Bylaw No. 871-143 be given first reading this 16th day of April 2007.

CARRIED

- b) Official Community Plan Amendment Bylaw No. 1050-18 for Crystal Ski and Golf Resort Inc. (owner) and Pheidias Development Management Corporation (agent) to amend the Westside Official Community Plan in support of the proposed Crystal Mountain Ski and Golf Resort. Westside Electoral Area (*All Directors*)

Planning Services staff report dated April 11, 2007 outlined the OCP Amendment for Crystal Ski and Golf Resort Inc.

Staff reviewed the application highlighting the extension of lands into the OCP including the Telemark Ski area and boundaries to Powers Creek area.

Discussion:

- Concern was expressed regarding timing of the application and governance. It was noted that other than the first phase zoning all other zoning applications would likely be dealt with by another body should governance change and debate on moving forward could occur after the governance referendum.
- Concern was raised that if there is to be any discharge of water it should be discharged into Powers Creek not Trepanier Creek.
- Clarification of water supply should also be received from the Water Stewardship Division and Westbank Irrigation District and not just the applicant.
- Water reports and information will be available for the public hearing to allow an opportunity to public, staff and the Board to review.
- What is the relationship between Telemark Cross Country Ski and the Crystal Mountain application? The Board requested assurance that all issues regarding overlap with the Telemark ski area be resolved as it is believed there is an area of concern. Staff noted that this would be dealt with at the zoning stage.

#160/07 DINWOODIE/KNOWLES

THAT Westside Official Community Plan Amendment Bylaw No. 1050-18 for Crystal Ski and Golf Resort Inc. (owner) be given first reading this 16th day of April 2007;

AND FURTHER THAT the application be scheduled for a Public Hearing pending submission of the following:

- Updated environmental report with recommendations by Enkon Environmental Ltd (as per letter of March 19, 2007 from Enkon) and presentation of the completed report to the Regional District Environmental Advisory Committee;
- Clarification of water supply through either:
 - Report from the applicant and Water Stewardship Division that it has considered an application showing a proposed water system boundary and is prepared to support a stand alone water system; or
 - Report from the applicant and Westbank Irrigation District (WID) on feasible options for water supply (pending agreement of WID with the proposed service provider CORIX and with the applicant);

- Provision of a park and open space plan and implementation program for provision of community parks and consideration for approval by the Westside Parks and Recreation Commission and the Parks Advisory Committee; and
- Elaboration of proposed land tenures (areas under lease, license and fee simple ownership) and development phasing.

Amendment:

#161/07

REID/SHEPHERD

- Clarification of the waste water treatment plan including information on the location of the proposed discharge of treated water in relation to the Powers Creek and Trepanier watershed.

CARRIED

The bylaw for first reading, as amended, was reconsidered and CARRIED

6.5 Bylaws: (First & Second Readings and Advertise) (Unweighted Vote)

- a) RDCO Intensive Agricultural Operations Nuisance Bylaw No. 1209, 2007 for the Regional District of Central Okanagan, Westside & Central Okanagan East Electoral Areas (All Directors)

Planning Services staff report dated March 30, 2007 reviewed the rationale for an Intensive Agricultural Operations Nuisance Bylaw. It was noted that Section 3. Exception should read section 2, not 3. Concern was expressed that there is no definition for 'non-normal farming practices'. Staff were requested to check references in legislation regarding the use of the wording, non-normal versus normal farm practice.

#162/07

HANSON/BAKER

THAT Regional District of Central Okanagan Intensive Agricultural Operations Nuisance Bylaw No. 1209, 2007 be given first and second readings this 16th day of April 2007;

AND FURTHER THAT the bylaw be advertised prior to third reading and the Regional Board's reconsideration and adoption.

CARRIED

6.6 Bylaws: (First, Second & Third Readings, Reconsideration & Adoption) (Unweighted Vote)

- a. Regional District of Central Okanagan Advisory Planning Commissions Amendment Bylaw No. 1210, 2007 for the Regional District of Central Okanagan to amend RDCO Advisory Planning Commissions Bylaw No. 943, 2001, as amended by Bylaw No. 1032 (All Directors)

#163/07 DINWOODIE/NOVAKOWSKI

THAT Regional District of Central Okanagan Advisory Planning Commissions Amendment Bylaw No. 1210, 2007 be given first, second and third readings, reconsidered and adopted this 16th day of April 2007.

CARRIED

6.7 **Bylaws:** *(Unweighted Vote)*

- a) Zoning Amendment Bylaw No. 871-135 for Edward & Suzanne White (owners) to amend the zoning from R1 Single Detached Housing to R1(s) Single Detached Housing (Secondary Suite) located adjacent to Lakeview Cove Road. (Z06/15) Westside Electoral Area (*Electoral Areas and the Kelowna Fringe Area*)

#164/07 DINWOODIE/KNOWLES

THAT Zoning Amendment Bylaw No. 871-135 be given second and third readings, reconsidered and adopted this 16th day of April 2007.

CARRIED

- b) Zoning Amendment Bylaw No. 871-148 for Regional District of Central Okanagan (applicant) to amend the text of Zoning Bylaw No. 871, 2000 by adding to Part 3 General Regulations “3.29 Density Allocation for Public Park”. (Z07/04) Westside & Central Okanagan East Electoral Areas (*All Directors*)

Staff confirmed that second and third readings are requested as Victoria is required to provide approval before final adoption.

#165/07 REID/NOVAKOWSKI

THAT Zoning Amendment Bylaw No. 871-148 be given second and third readings this 16th day of April 2007.

CARRIED

7. **INSPECTION SERVICES DEPARTMENT**

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

#166/07 BAKER/KNOWLES

THAT the March 2007 Building Statistics where 107 permits were issued for a total construction value of \$14,751,024 be received.

CARRIED

- 7.2 Building Violation – Lot 9, Plan KAP48547, 4972 Bulman Road (Central Okanagan East Electoral Area – Notice to be placed on Title – Owner: Armstrong (*All Directors - Unweighted Vote*))

#167/07 HANSON/GIVEN

THAT the Regional District Board direct that a notice be filed on the title of Lot 9, Plan KAP48547, 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 construction of a detached accessory building has not been issued a building permit, which is a violation of Regional District of Central Okanagan Building Bylaw No. 835.

CARRIED

- 7.3 Approval to operate beyond normal construction hours – Hot-in-Place Resurfacing of Highway 97, Gellatly Road to Westside Road (*All Directors - Unweighted Vote*)

#168/07 DINWOODIE/BAKER

THAT the Regional Board grant approval for Hot-in-Place resurfacing of Highway 97, Gellatly Road to Westside Road construction project to operate beyond the normal construction hours requested by the Ministry of Transportation.

CARRIED

8. PARKS AND RECREATION DEPARTMENT

- 8.1 Gellatly Nut Farm Regional Park – Organic Walnut Husk Fly Treatment (*All Directors - Unweighted Vote*)

Parks and Recreation Services staff report of April 10, 2007 outlined the fly treatment requirements.

#169/07 DINWOODIE/DAY

THAT the Regional Board approve the continuing application of the organic pest control product GF-120 NF Naturalyte Fruit Fly Bait (active ingredient 0.02% spinosad) against walnut husk fly at the Gellatly Nut Farm Regional Park.

CARRIED

8.2 Westside Ringette Association Subsidy Request (*All Directors - Unweighted Vote*)

Westside Parks and Recreation Commission report of April 16, 2007 outlined the request from the Westside Ringette Association for a subsidy. Loss of fundraising occurred due to the Regional District's request to the Westside Ringette to cancel the Ringette Play Day in order for the Westside Minor Hockey Association's need to achieve adequate number of league games.

#170/07 DINWOODIE/KNOWLES

THAT the RDCO review Westside Ringette Association's (WRA) total ice rental cost invoices from all arenas utilized for the 2005/2006 season in comparison to the 2006/2007 season and, if an increase in ice rental costs was incurred, apply a user fee credit equivalent to any increased ice rental costs incurred from the 2006/2007 season to future WRA ice rental hours at the Mount Boucherie Community Centre for use in the 2007/2008 WRA season;

FURTHER THAT the Regional Board approve a subsidy in the amount of \$500 in the form of a credit against user fees for ice at the Mount Boucherie Community Centre to cover the loss in fundraising due to the cancellation of the Ringette Play Day in the fall of 2006 at the request of the Regional District for use by Westside Minor Hockey Association to assist in achieving adequate number of league games;

AND FURTHER THAT the Regional Board maintain the Youth Sport Ice rate for the 2007/2008 season at \$65.00 per hour plus GST.

CARRIED

9. NEW BUSINESS

9.1 Okanagan Airshed Coalition – Support for an Okanagan Valley-wide Air Quality Management Plan (*All Directors - Unweighted Vote*)

The April 5, 2007 report outlined the plans of the Okanagan Airshed Coalition for an Okanagan Valley-wide Air Quality Management Plan. The Coalition has received a grant of \$20,000 for development of the Plan.

#171/07 KNOWLES/SHEPHERD

THAT the Regional Board of the Regional District of Central Okanagan supports the development of an Okanagan Valley-Wide Air Quality Management Plan by the Okanagan Airshed Coalition.

AND FURTHER THAT the Regional Board supports the funding request to the Ministry of Environment by the Regional District of Okanagan-Similkameen on behalf of the Okanagan Airshed Coalition for the development of an Okanagan-Similkameen Valley-wide Air Quality Management Plan.

CARRIED

9.2 Sanitary Sewer System Operation Agreement – District of Peachland (*All Directors - Weighted Vote*)

Engineering Services report dated March 27, 2007 outlined the background for the sanitary sewer system operation agreement with the District of Peachland.

A question was raised regarding the ownership of the force main and concern about liability. Staff noted that the Regional District has assumed ownership since the establishment. The force main is dedicated to the District of Peachland at the present time but there is the ability to expand it to other areas as required. Management and monitoring of the main is done by the Regional District not the District of Peachland.

#172/07 REID/SHEPHERD

THAT the Regional Board approve the Sanitary Sewer Operation Agreement between the District of Peachland and the Regional District of Central Okanagan.

CARRIED (opposed Knowles)

10. OTHER BUSINESS

10.1 Verbal Reports Committee Chairs

a) Parks and Recreation

The next meeting of the Parks Advisory Committee is schedule for April 19th.

b) Transportation

No report

c) Planning and Environment

The next meeting of the Planning & Environment Committee is scheduled for April 18th.

d) Engineering

No report

e) Air Quality

The next meeting of the Air Quality Committee is scheduled for April 25th.

f) Governance and Services

No report.

g) Westside Issues

i) Westside Electoral Area Grants in Aid

#173/07 DINWOODIE/NOVAKOWSKI

The Westside Issues Committee recommends to the Regional Board that the following Westside Electoral Area grants in aid be approved:

Graffiti Eradication & Prevention Program	\$15,000
Westside Health Network Society	\$ 7,000
Westside Celebration Society	\$ 4,000
Westside Citizens Patrol	\$ 4,000
Peregrine Royal Canadian Air Cadet Squadron	\$ 500
North Westside Communities Assn. (Community Hall)	\$ 4,500
North Westside Communities Assn. (Flag Pole)	\$ 1,000
Westbank Museum	\$15,000
Penticton Writer & Publishers (Gems of the Okanagan)	\$ 500
Westside Ringette Association	\$ 200

CARRIED

h) Sustainability Steering Committee

It was noted the Sustainability Committee has had a meeting regarding the pine beetle and that provincial staff will be addressing the Regional Board in May regarding the Southern Interior Pine Beetle Initiative.

10.2 Director Items (verbal)

a) Banning of plastic bags

It was noted that some communities are considering the banning of plastic bags and staff were requested to bring forward information to the Engineering Committee on this issue.

#174/07 SHEPHERD/DINWOODIE

THAT Waste Reduction staff be directed to report to the Engineering Committee regarding background information on the banning of plastic bags.

CARRIED

11. ADJOURN IN CAMERA

#175/07 GIVEN/CLARK

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

CARRIED

There being no further business the meeting was adjourned at 10:20 p.m.

CERTIFIED TO BE TRUE AND CORRECT

R. Hobson (Chair)

H. Hettinga (Acting Chief Administrative Officer)