

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, November 24, 2008

Directors:

J. Baker (District of Lake Country)
B. Clark (City of Kelowna)
C. Day (City of Kelowna)
J. Edgson (Central Okanagan West Electoral Area)
D. Findlater (Westside District Municipality)
B. Given (City of Kelowna)
P. Hanson (Central Okanagan East Electoral Area)
R. Hobson (City of Kelowna)
R. Neis (Westside District Municipality)
G. Reid (District of Peachland)
M. Rule (City of Kelowna)
S. Shepherd (City of Kelowna)
L. Derrickson (Westbank First Nation)

Staff:

H. Reay, Chief Administrative Officer
R. Fralick, Planner
M. Kopp, Manager of Parks Services
R. Paterson, Chief Building Inspector
D. Plamondon, Manager of Development and Environmental Services
M. Drouin (recording secretary)

Chair Hobson brought the meeting to order at 7:05 p.m. following a Regional Hospital District meeting

1. MINUTES

1.1 Regular Board Meeting – October 27, 2008

1.2 Public Hearing – November 3, 2008

#268/08

HANSON/DAY

THAT the Regular Board meeting minutes of October 27, 2008 be adopted as circulated;

AND FURTHER THAT the Public Hearing meeting minutes of November 3, 2008 be received.

CARRIED

2. DELEGATION

No delegation

3. CORRESPONDENCE

No Board action required/requested.

4. UNFINISHED BUSINESS

No Board action required/requested.

5. FINANCE

No Board action required/requested.

6. DEVELOPMENT AND ENVIRONMENTAL SERVICES

Inspection:

6.1 Building Statistics – October 2008 and Year-to-date (Jan-Oct.08) (*All Directors - Unweighted Vote*)

#269/08

SHEPHERD/GIVEN

THAT the building statistics for the month of October where 9 permits were issued for a total value of \$742,500 and the building statistics year-to-date (January-October 2008) be received.

CARRIED

Planning:

6.2 Referral Application (*Unweighted Vote*)

- a) Report regarding FrontCounter BC referral application for the construction of two meteorological towers located in the vicinity of Young Creek & Shorts Creek. (CL-08-15) Central Okanagan West Electoral Area (*All Directors*)

Staff report dated November 17th outlined the referral application for the construction of two meteorological towers located in the vicinity of Young Creek & Shorts Creek. Staff reviewed the application noting the license of occupation is for up to two years; site disturbance would be minimal—there are no buildings, only the wind towers; no environmental permits are required; similar applications have been approved in the past in the vicinity of Brenda Lake and Buck Mountain.

#270/08

EDGSON/REID

THAT FrontCounter BC referral application for a License of Occupation Sea Breeze Energy Inc. for installation of two meteorological towers located in the vicinity of Young Creek & Shorts Creek be conditionally supported subject to the following:

- Referral forwarded to the Kelowna International Airport for comment relative to navigation systems and controls prior to final approval for a license of occupation,
- Confirmation that no new access roads or buildings are proposed;
- Design and installation of the towers is certified by a professional engineer; and
- Ensure that the towers be decommissioned and the sites rehabilitated to their original state when no longer required.

AND FURTHER THAT the Development & Environmental Services Department Report dated November 17, 2008 be forwarded to Front Counter BC's Planning Office for their information and consideration.

CARRIED

6.3 Temporary Commercial Use Permits (Unweighted Vote)

- a) Temporary Commercial Use Permit for Caroline Rochemont (owner/applicant) located at 13502 Highway 33 East. (TCUP-08-04) Central Okanagan East Electoral Area (*Electoral Areas*)

Staff report dated November 17, 2008 outlined the permit application.

This application was precipitated as a result of the Regional District's Business Licensing protocol to ensure all businesses operating within the region are licensed. The applicant is requesting issuance of the maximum allowed two year permit in order to accommodate the transfer of the fencing business (All Kinds of Fences) to a family member and to find a suitable alternate location.

Staff reviewed the application noting:

- A family fence building business is operated on the site.
- High panels would obstruct the view of the yard from the roadway
- Notice of the application was published. Letters have been received from two neighboring property owners indicating they have no objection to the application.
- The permit expires in two years unless otherwise authorized.

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

#271/08

HANSON/EDGSON

THAT Temporary Commercial Use Permit application for Caroline Rochemont to permit the continued operation of a fencing business be conditionally approved subject to the following:

- That there be no increase or expansion to the existing fencing business footprint from the date that application was made to the Regional District;
- Hours of operation to remain at 8:00 AM to 5:00 PM weekdays and from 8:30 AM to 2:30 PM on Saturdays;
- No buildings, structures, or activity related to the fencing business is permitted

within 15 metres of the high water mark of Joe Rich Creek;

- No storage of wood preservative compounds is permitted unless properly contained and located a minimum of 15 metres from Joe Rich Creek;
- Existing vegetation adjacent to Joe Rich Creek must not be altered or removed;

AND FURTHER THAT the Temporary Commercial Use Permit shall expire in two years and all uses temporarily authorized by the Permit shall cease upon expiry of the Permit, unless otherwise authorized.

CARRIED

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

- a) Zoning Amendment Bylaw No. 871-171 for James and Ginny Strachan (owners) and New Town Planning Services Inc. (agent) to amend the zoning from RU1s (Rural 1 Secondary Suite) to RU2 (Rural 2) located at 8888 Lakeshore Road. (Z07/27) Central Okanagan East Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

Staff report dated November 18, 2008 outlined the zoning amendment. The Public Hearing was held on November 3rd.

Discussion:

- Concern about densification outside a fire protection area. A fire protection agreement has not been reached to date with the City of Kelowna.
- The parks gifting of almost 8.5 hectares to be included within Okanagan Mountain Provincial Park is an asset to the community.
- Staff reviewed the current zoning, RU1 and RU1S. Current zoning would allow such things as, for example, but not limited to: home based business, bed and breakfast, portable sawmill, kennels, winery, day care.
- It was noted that one principal and two accessory homes and a secondary suite could be permitted today with no further approvals required.
- Does the Ministry require the road to meet Ministry standards? Yes. It is a strata development so the road would have to be up to strata standards, which would be of a lesser standard than public road. The Ministry of Transportation did not provide comments but would at the time of subdivision. Concern was expressed specifically with the most southerly road. A technical question could be raised with the approving officer regarding the road way, width required and location.
- Concern regarding the physical changes to create roads into the lots was expressed. The Regional District does not have control on the road issues as the Province approves subdivisions.
- Archaeological sites are not addressed prior to fourth reading. If sites are discovered they would be dealt with at the time of subdivision. There is a protocol agreement with the Ministry.
- There is no OCP within the area.
- Concern was expressed on the lot design (hockey stick type--would not be approved if this property were within City limits).
- No support from the immediate neighborhood surrounding the property.

- The number of units and the layout are of concern. Staff noted the final layout of the lots has not been determined at this time.

#272/08

HANSON/RULE

Amendment to the main motion

#273/08 GIVEN/FINDLATER

THAT second and third readings be *POSTPONED* to allow an opportunity to gather further information from the Ministry of Transportation on road requirements and design.

DEFEATED

The main motion was reconsidered.

THAT Zoning Amendment Bylaw No. 871-171 (application Z07/27) be given second and third reading this 24th day of November 2008;

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

- Registration on title of a SRW for public access through the property allowing connection into Okanagan Mountain Provincial Park, as per the letter dated March 12, 2008 from park users;
- A no-build/no-disturb covenant registered on title (in favor of the Regional District and the Central Okanagan Land Trust) to protect environmentally sensitive areas (ie: 90% of the overall property as per plans submitted by the applicant);
- A covenant registered on title of the proposed lots indicating that the properties are located outside of a fire protection area saving harmless the RDCO/City Fire Department from any liability in the event of a fire;
- A covenant registered on title requiring all new buildings to be sprinklered and to be in compliance with guidelines contained in the document '*Fire Smart, Protecting Your Community from Wildfire*' endorsed by the Province of BC in the 2003 Firestorm Provincial Review;
- A covenant registered on title restricting the subdivision to a total of six lots, and that detached accessory homes are not permitted on proposed lots 3, 4, 5 & 6.

DEFEATED

Director Clark left the meeting at 7:55 pm

7. PARKS SERVICES

No Board action required/requested.

8. NEW BUSINESS

8.1 Declaration of Official Election Results – Central Okanagan East Electoral Area and Central Okanagan West Electoral Area

The official results of the November 15, 2008 Civic election where Jim Edgson was elected as the director of the Central Okanagan West Electoral Area and Kelly Hayes was elected as the director of Central Okanagan East Electoral Area was presented for the Board's information.

#274/08

FINDLATER/DAY

THAT the Declaration of Official Election results by the Chief Election Officer for Central Okanagan East Electoral Area and Central Okanagan West Electoral Area be received.

CARRIED

9. OTHER BUSINESS

9.1 Governance and Services Committee November 13, 2008 Meeting Report to the Regional Board

The following recommendations were discussed at the November 13th Governance and Services Committee meeting and are being brought forward for Board approval.

a) RDCO Insurance and Employee Reserve Fund (*All Directors - Unweighted Vote*)

H. Reay noted that the Westside District Municipality again confirmed that a final audit report has not been completed and that the District would like to request a further delay before Board consideration. Westside directors confirmed the final report is expected tomorrow. It was noted that the Regional District agreed with the municipality to an external, independent audit for the reserve fund and that the parameters for the audit were established at the beginning and should not be changed by either party while the audit is being completed.

#275/08

FINDLATER/NEIS

THAT the decision regarding the amount of the RDCO Insurance and Employee Reserve Fund to be paid to the Westside District Municipality be *POSTPONED* until the final audit report is provided by the auditor and/or Westside District Municipality.

CARRIED

b) Sponsorship Request – 3rd Annual Building *SustainAble* Communities Conference (February 2009) (*All Directors - Unweighted Vote*)

#276/08

SHEPHERD/RULE

THAT the Regional District of Central Okanagan sponsor the 3rd Annual Building SustainAble Communities Conference (February 2009) at the copper level of \$1,000;

AND FURTHER THAT the Regional Board authorize the conference registration fee for any regional director wanting to attend the conference.

CARRIED (Reid opposed)

- c) UBCM Community Tourism Program Phase 2 (Central Okanagan East Electoral Area) *(All Directors - Unweighted Vote)*

#277/08

HANSON/EDGSON

THAT the Regional Board to approve submitting an application to the UBCM Community Tourism Program Phase 2 for a grant in the amount of \$36,465 that has been allocated to the Central Okanagan East Electoral Area;

AND THAT the Regional Board approve the use of \$36,465 from the 2008 Legacy Project/Referendum Budget as tourism grant matching funds for a project maximum of up to \$72,930;

AND FURTHER THAT these funds be used within the Central Okanagan East Electoral Area for developing two regional park Crown land acquisition development plans for the Central Okanagan East Electoral Area to support the future acquisition of Crown lands and create new destination tourism opportunities within the electoral area;

AND FURTHER THAT the Regional Board accepts the Terms and Conditions for the UBCM Community Tourism Program Phase 2 grant.

CARRIED

- d) Support for Friends of Kalamoior Regional Park Gaming Application *(All Directors - Unweighted Vote)*

#278/08

EDGSON/NEIS

THAT the Regional Board approve support for the Friends of Kalamoior Regional Park in their application to the Gaming Branch for a Direct Access Grant of \$18,000 to be put towards works in Kalamoior Regional Park.

CARRIED

- e) Initiation of an Official Community Plan for the Lakeshore Road/June Springs Estate area of the Central Okanagan East Electoral Area *(All Directors - Unweighted Vote)*

It was noted that discussion on the OCP and updating the Regional Growth Strategy will form part of the Board's strategic planning process where priorities will be set for all the remaining areas within the electoral areas that currently do not have an OCP. Staff will then be able to develop a work plan for the future.

#279/08

SHEPHERD/REID

THAT the Regional Board support the inclusion of developing an Official Community Plan (OCP) for the Lakeshore Road/June Springs area, and that the priority for developing this OCP be dependent on a staff report to be brought forward to the Regional Board for consideration on all outstanding areas within the region that require an OCP or Rural Land Use Bylaw.

CARRIED

- f) Approval of Feasibility Funds for Brent Road Feasibility Study for Sanitary Sewer (*All Directors - Weighted Vote*)

It was noted that recovery of the feasibility funds occurs only if sewer is developed in the area. The feasibility study is needed first in order to determine what is remotely possible, the costs and confirm if there is interest from the residents to proceed. Following this, should residents wish to proceed, consultation would be required with the affected municipalities ie: in order to hook up to the District of Peachland's sewer there would have to be a boundary extension as per Peachland's policy.

#280/08

EDGSON/DAY

THAT the Regional Board approve \$10,000 from the feasibility fund for the Brent Road Sanitary Sewer Feasibility Study;

AND FURTHER THAT consultation with the District of Peachland, Westbank First Nation and Westside District Municipality be completed prior to the staff issuing a Request for Proposal.

CARRIED (Findlater opposed)

- g) Approval of Feasibility Funds for Trepanier Bench Feasibility Study for Fire Protection (*All Directors - Weighted Vote*)

Again, staff noted that cost recovery to the feasibility fund is done when and if service is created.

#281/08

EDGSON/FINDLATER

THAT the Regional Board approve up to \$8,000 from the feasibility fund for the Trepanier Bench Fire Protection Feasibility Study subject to:

- Staff first confirming the level of community support from the property owners in Trepanier Bench;
- Consultation with the District of Peachland and the Westside District Municipality.
- And if approved, costs recovery would be to the feasibility fund

CARRIED

- h) Upper Fintry/Valley of the Sun Water Distribution System *(All Directors - Unweighted Vote)*

#282/08

EDGSON/DAY

THAT the Regional Board direct the Development & Environmental Services to create a plan and a schedule to follow in order to continue with the project of providing water service to the Upper Fintry and Valley of the Sun communities;

AND FURTHER THAT a public consultation process be developed to work with area residents to determine preferred options and the level of support for the establishment of a community water system;

AND FURTHER THAT Development & Environmental Services continue to investigate possible water sources to service the proposed community water system.

CARRIED

- i) Approval of Transit Passes for new BC Scrap-It Program *(All Directors - Unweighted Vote)*

#283/08

REID/BAKER

THAT the Regional Board authorize the Transportation Manager to allocate up to 150 three-year transit passes over a three-year period, to participate in the new vehicle scrappage program co-funded by the Province of BC and delivered by the BC Scrap-It Society.

CARRIED

- j) Approval of Increase in Commission for Transit Ticket Sales *(All Directors - Unweighted Vote)*

#284/08

GIVEN/BAKER

THAT the Regional Board approve that the commission paid for transit ticket sales be increased to 2.5% from the current rate of 1% of ticket and pass sales effective with the November 2008 monthly sales.

CARRIED

9.2 Director Items

a) Departing Board Members

Chair Hobson thanked the departing directors Graham Reid, Colin Day, Patty Hanson, Rosaline Neis and Barrie Clark for their years of service and contribution to the Regional Board.

b) Regional District Appointments to External Committee

Directors returning to the Board were requested to consider what committee appointments they are interested in and provide their input directly to M. Drouin. It was noted that in particular appointments to the OBWB are considered for a three year term for continuity and as it is complicated work.

c) Sterile Insect Release Program

The Administrator noted that the SIR Board approved the proposal from the Regional District for office space, financial and computer assistance for SIR staff. SIR will begin leasing space in the KLO building as soon as feasible.

10. ADJOURN IN CAMERA

#285/08

EDGSON/NEIS

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

CARRIED

There being no further business the meeting was adjourned In Camera at 8:57 p.m.

CERTIFIED TO BE TRUE AND CORRECT



R. Hobson (Chair)



H. Reay (Chief Administrative Officer)