



REGIONAL DISTRICT OF CENTRAL OKANAGAN
REGULAR BOARD MEETING
AGENDA

Monday, September 30, 2019

7:00 p.m.

Woodhaven Board Room
1450 K.L.O. Road, Kelowna, BC

Pages

1. CALL TO ORDER

Chair Given acknowledged that this meeting is being held on the traditional territory of the syilx/okanagan peoples.

2. ADDITION OF LATE ITEMS

3. ADOPTION OF THE AGENDA

(All Directors - Unweighted Corporate Vote - Simple Majority - 208.1)

Recommended Motion:

THAT the agenda be adopted.

4. ADOPTION OF MINUTES

4.1 **Regional Board Meeting Minutes - August 26, 2019**

4 - 9

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the Regional Board meeting minutes of August 26, 2019 be adopted.

4.2 **Public Hearing Minutes - August 26, 2019**

10 - 12

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the Public Hearing minutes of August 26, 2019 be received.

5. CORRESPONDENCE

5.1 Minister of Transportation and Infrastructure September 4, 2019 Letter

13 - 17

Regarding Ride-hailing in response to the STPCO's letter of July 29, 2019 to the Ministry

(All Directors - Unweighted Corporate Vote - Simple Majority - 208.1)

Recommended Motion:

THAT the Ministry of Transportation letter of September 4, 2019 from Minister Trevena in response to the Central Okanagan local governments letter regarding ride-hailing regulations and driver license class requirements be received for information.

6. COMMUNITY SERVICES

6.1 Appointment to the Environmental Advisory Commission

18 - 20

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the Regional Board approve the appointment of Barry Jones and Ian Walker as members of the Regional District Environmental Advisory Commission for three-year terms (September 2019 – September 2022).

Recommended Motion:

THAT the Regional Board approve the re-appointment of Bobby Bedingfield to a three-year term as a member of the Regional District Environmental Advisory Commission (September 2019 – September 2022).

6.2 Development Variance Permit Application for Sunset Two Properties Ltd. (owner) c/o T. Viani (agent)

21 - 27

To vary Zoning Bylaw No. 871 by allowing an increase in the maximum height of one constructed retaining wall. Located within the Sunset Ranch development adjacent to Pine Valley Drive (adjacent to Strata Lots 77 and 78) - (VP-19-08) Central Okanagan East Electoral Area

(Custom Vote - Electoral Areas and Kelowna Fringe Area - 1 Director, 1 Vote)

Chair to ask if there is anyone who deems their property affected by the variance.

Recommended Motion:

THAT Development Variance Permit Application VP-19-08, located on Pine Valley Drive and on Common Property Strata Plan KAS3573 for Sunset Two Properties Ltd., to vary Part 3, Subsection 3.10.5 of Zoning Bylaw No. 871 be approved based on the drawings prepared by Tetra Tech dated July 31, 2019 to bring the existing retaining wall into conformity by:

- Allowing an increase of the maximum retaining wall height from 2.5 m (8.2 ft.) to 4.9 m (16.07 ft.).

7. NEW BUSINESS

7.1 Electoral Area Director Approval to Attend 2019 Keeping it Rural Conference

28 - 31

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Recommended Motion:

THAT the Regional Board approve Director Bartyik and Director Carson's attendance at the 2019 Keeping it Rural Conference, October 7 & 8, 2019 in Kelowna, BC, including registration and travel expenses as per Board policy.

8. DIRECTOR ITEMS

9. ADJOURN

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisory Coordinator at 905-980-6000 (office), 289-929-8376 (cellphone) or accessibility@niagararegion.ca (email).

Minutes of the *REGIONAL BOARD MEETING* of the Regional District of Central Okanagan held at the Regional District offices, 1450 KLO Road, Kelowna, B.C. on Monday, August 26, 2019

- Directors: M. Bartyik (Central Okanagan East Electoral Area)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
G. Given (City of Kelowna)
C. Hodge (City of Kelowna)
S. Johnston (City of West Kelowna)
G. Milsom (City of West Kelowna)
B. Sieben (City of Kelowna)
M. Singh, alternate for M. DeHart (City of Kelowna)
L. Stack (City of Kelowna)
L. Wooldridge (City of Kelowna)
- Absent: J. Baker (District of Lake Country)
C. Fortin (District of Peachland)
T. Konek (Westbank First Nation)
- Staff: B. Reardon, Chief Administrative Officer
J. Foster, Manager of Corporate Communications
J. Taylor, Planner
J. Pawsey, Planning Services Student
D. Komaike, Director of Engineering Services
M. Kopp, Director of Park Services
S. Horning, Supervisor-Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given called the meeting to order at 7:08 p.m.

The meeting is being held on the traditional territory of the Syilx/Okanagan Peoples.

2. ADDITION OF LATE ITEMS

There were no late items for the agenda.

3. ADOPTION OF THE AGENDA

(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

#165/19 STACK/WOOLDRIDGE

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

- 4.1 Regional Board Meeting Minutes – July 29, 2019
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

#166/19 MILSOM/WOOLDRIDGE

THAT the Regional Board meeting minutes of July 29, 2019 be adopted.

CARRIED Unanimously

- 4.2 Public Hearing Minutes – July 29, 2019
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

The Chair noted a spelling error on Page 1 of the Minutes and requested that the Minutes be amended to reflect the correct spelling of the new Wilson's Landing Fire Chief as Ronaye Beck not Renee Beck.

#167/19 MILSOM/WOOLDRIDGE

THAT the Public Hearing meeting minutes of July 29, 2019 be adopted as amended.

CARRIED Unanimously

5. CORRESPONDENCE

- 5.1 Union of BC Municipalities – Gas Tax Agreement Community Works Fund
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

The Chief Administrative Officer confirmed that the funds will be divided based on population. The exact figures will be provided to the Board at a later date.

#168/19 CARSON/BARTYIK

THAT the Union of BC Municipalities letter of July 22, 2019 confirming the Gas Tax Agreement Community Works Fund payment for the fiscal year 2019/2020 be received.

CARRIED Unanimously

- 5.2 Provincial-Union of BC Municipalities Green Communities Committee – Climate Action Recognition Program
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

#169/19 STACK/MILSOM

THAT the Provincial-Union of BC Municipalities Green Communities Committee letter of August 15, 2019 congratulating the Regional District of Central Okanagan on the successful efforts to measure and reduce its corporate greenhouse gas emissions for the 2018 reporting year be received.

CARRIED Unanimously

6. CORPORATE SERVICES

- 6.1 Province of BC – Order of the Lieutenant Governor in Council (No. 416-B.C. Reg. 163/2019)
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Staff report dated August 2, 2019 outlined the changes to RDCO's regulations. The Chief Administrative Officer noted that the RDCO is the only regional district in the province that has this authority.

#170/19 BARTYIK/SINGH

THAT the Order in Council No. 416, RDCO Regulation B.C. Reg. 163/2019 regarding restrictions on authority to regulate passenger directed vehicles (ride-sharing) be received for information.

CARRIED Unanimously

7. FINANCIAL SERVICES

- 7.1 Purchase Commitments during 2Q 2019
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Staff report dated August 22, 2019 outlined the purchase commitments exceeding \$100,000 made during the second quarter of 2019.

#171/19 MILSOM/JOHNSTON

THAT the Regional Board, as per section 4.6 of the RDCO Purchasing Policy, receive for information, the report dated August 22, 2019 on purchase commitments which exceeded \$100,000 made during the second quarter of 2019.

CARRIED Unanimously

8. COMMUNITY SERVICES

- 8.1 Development Variance Permit Application for R. Stock & M. Thiemer (owner/applicant), to consider a Development Variance Permit to allow a reduction of the minimum front setback and to allow one existing accessory structure within the required front setback, located at 9233 Winchester Road (VP-19-06) Central Okanagan West Electoral Area
(Custom Vote – Electoral Areas – 1 Director, 1 Vote)

Staff report dated August 26, 2019 outlined the Development Variance Permit application. Staff reviewed the development process and referral comments.

Director Sieben joined the meeting at 7:15 p.m.

Three (3) letters of support have been received.

The Applicant did not have anything to add to staff comments.

The Chair asked if there was anyone in gallery who deems their property affected by the variance. There were no comments from the public.

#172/19 CARSON/BARTYIK

THAT the Regional Board approve Development Variance Permit Application VP-19-06 to vary the following provisions of Zoning Bylaw No. 871 based on the site plan received July 2, 2019:

- Section 3.17.5 by allowing one accessory building in the required front setback;
- Section 6.5.4 by allowing a reduction of the minimum front setback from 6.0 m (19.7 ft.) to 0.127 m (0.417 ft.) to permit one accessory building.

CARRIED Unanimously

- 8.2 Development Variance Permit Application for C. & J. Sandercock (owners), to consider issuance of a Development Variance Permit to allow an increase of the maximum accessory building height, located at 1960 Huckleberry Road (VP-19-07) Central Okanagan East Electoral Area
(Custom Vote - Electoral Areas and Kelowna Fringe Area, 1 Director, 1 Vote)

Director Bartyik declared a conflict of interest as he lives within the notification area of the subject property and left the meeting at 7:22 p.m.

Staff report dated August 26, 2019 outlined the Development Variance Permit application. Staff reviewed the development process and referral comments. Nine (9) letters of support have been received.

The Applicant did not have anything to add to staff comments.

The Chair asked if there was anyone in gallery who deems their property affected by the variance. There were no comments from the public.

#173/19 STACK/HODGE

THAT the Regional Board approve Development Variance Permit Application VP-19-07 to vary the Provision of Section 2, Subsection 5.7.8.2 of the Joe Rich Rural Land Use Bylaw No. 1195 by allowing an increase of the maximum accessory building height from 5.0 m (16.4 ft.) to 7.8 m (25.6 ft.), based on the Site Plan and Elevation Drawings dated July 3, 2019.

CARRIED Unanimously

Director Bartyik rejoined the meeting at 7:29 p.m.

- 8.3 Joe Rich Rural Land Use Amendment Bylaw No. 1195-19, to permit a secondary suite by re-designating the subject property from RA Rural Acreage to RAs Rural Acreage (Secondary Suite), located at 7520 Goudie Road (RULB-18-02) Central Okanagan East Electoral Area
2nd & 3rd Readings and Adoption
(Custom Vote - Electoral Areas and Kelowna Fringe Area - 1 Director, 1 Vote)

#174/19 BARTYIK/WOOLDRIDGE

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-19 be given second and third readings and adopted.

CARRIED Unanimously

9. PARK SERVICES

- 9.1 Ellison Community Hall Agreement
(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)

Staff report dated August 26, 2019 outlined the new agreement with the Ellison Parks & Recreation Society. Staff advised that there is no automatic renewal clause in the Agreement and provided the rationale for not including one.

#175/19 BARTYIK/HODGE

THAT the Regional Board approve the Ellison Heritage School Community Centre Operating and Recreation Program Delivery Agreement with the Ellison Parks & Recreation Society for a term of three (3) years commencing upon the date of execution of the agreement and terminating on the 31st of December, 2022.

CARRIED Unanimously

10. NEW BUSINESS

There was no new business.

11. DIRECTOR ITEMS

- Director Carson thanked Park Services staff for all the work that was undertaken at Killiney Beach.
- Director Carson noted that the North Westside Fire Department raised approximately \$18,000.00 during their annual fundraising barbeque earlier this month.
- Chair Given reminded the Board that the RDCO Parks Tour is scheduled for September 5th.

12. ADJOURN

There being no further business the meeting was adjourned at 7:39 p.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

Brian Reardon (Chief Administrative Officer)

Minutes of the PUBLIC HEARING of the Regional District of Central Okanagan held in the Regional District's Woodhaven Boardroom, 1450 KLO Road on Monday, August 26, 2019

- Directors: M. Bartyik (Central Okanagan East Electoral Area)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
G. Given (City of Kelowna)
C. Hodge (City of Kelowna)
S. Johnston (City of West Kelowna)
G. Milsom (City of West Kelowna)
M. Singh, alternate for M. DeHart (City of Kelowna)
L. Stack (City of Kelowna)
L. Wooldridge (City of Kelowna)
- Absent: J. Baker (District of Lake Country)
C. Fortin (District of Peachland)
B. Sieben (City of Kelowna)
T. Konek (Westbank First Nation)
- Staff: B. Reardon, Chief Administrative Officer
J. Foster, Manager of Corporate Communications
J. Taylor, Planner
D. Komaike, Director of Engineering Services
M. Kopp, Director of Park Services
S. Horning, Supervisor-Corporate Services (recording secretary)

Chair Given brought the Public Hearing to order at 7:00 p.m. and acknowledged that this Public Hearing is being held on the traditional territory of the Syilx/Okanagan Peoples.

This Special Meeting is being held for the purpose of considering amendments to Joe Rich Rural Land Use Bylaw No. 1195.

The **Public Hearing was advertised** (pursuant to the *Local Government Act*) in the Kelowna Capital News on:

- Friday, August 16, 2019; and
- Wednesday, August 21, 2019

The role of the Regional Board is to hear representation from those persons who wish to provide comments regarding the proposed bylaws. Everyone who wishes to speak shall be given the opportunity to be heard. No one will be, or should feel, discouraged or prevented from making his or her views known. However, it is important that all who speak at this meeting restrict their remarks to matters contained in the bylaws and it is my responsibility as Chairperson of this meeting to ensure that all remarks are so restricted.

Members of the Regional Board may, if they so wish ask questions of you following your presentation. However, the main function of the Regional Board members this evening is to listen to the views of the public. It is not the function of the Regional Board at this public hearing to debate the merits of the proposed bylaws with individual citizens.

No decision will be made at the Hearing, but the entire proceedings will be considered by the Regional Board at a subsequent meeting.

Submissions regarding the proposed bylaws may be received prior to or at this Hearing. No further information or representations can be considered by the Regional Board after the Public Hearing is terminated.

The Chair introduced the following bylaw:

1. OWNER: T. Lichtenstein/ **AGENT:** Urban Options Planning & Permits

Joe Rich Rural Land Use Amendment Bylaw No. 1195-19
(RDCO File: RLUB-18-02)
Received First Reading: May 27, 2019
(Central Okanagan East Electoral Area)

To amend Joe Rich Rural Land Use Bylaw land use designation from RA Rural Acreage to RAs Rural Acreage (Secondary Suite) for the property located at 7250 Goudie Road.

Staff:

Staff report dated August 26, 2019 outlined the application. The owner of 7520 Goudie Road wishes to add a secondary suite within an existing single family dwelling. The secondary suite is proposed to be located in the basement. The parcel is currently designated RA Rural Acreage, which does not permit a secondary suite. All technical requirements will be addressed in conjunction with the bylaw amendment and Building Permit process.

To date, no opposition has been received from affected agencies or neighbouring property owners regarding the application.

Board:

There were no Board comments.

Applicant:

The Applicant was present but did not have anything further to add to staff comments.

Public:

There were no comments from the public.

There were no further comments and the Public Hearing for this application was terminated at 7:08 p.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

B. Reardon (Director of Corporate Services)



SEP 04 2019

Sustainable Transportation Partnership of the Central
Okanagan
c/o jjohnston@kelowna.ca
City of Kelowna
Kelowna City Hall
1435 Water Street
Kelowna, BC V1Y 1J4

Reference: 287901

Dear Mayor Basran, Mayor Milsom, Mayor Fortin, Mayor Baker, Chief Lindley and
Chair Given,

Re: Ride-hailing

Thank you for your letter regarding licensing requirements for drivers of ride-hailing and taxi companies. I appreciated the opportunity to review your comments, and I am sorry it has taken me so long to reply.

We have consulted with law enforcement, industry associations and other stakeholders to make sure we get ride-hailing right so that British Columbians have more choices to travel safely and conveniently.

The ministry's top priority is to make sure passengers getting into a regulated vehicle are safe. A Class 4 licence requires drivers to have a good driving record and better knowledge of their vehicle, as well as be medically fit and have their driving skills and knowledge formally evaluated. The equivalent of a Class 4 licence is currently required by ride-hailing drivers in Alberta.

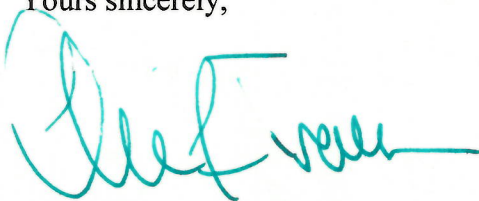
There are currently more than 160,000 people in B.C. who already hold a commercial driver's licence. The provincial government has prepared for and continues to monitor the demand for additional Class 4 driver testing. ICBC has hired more driver examiners and if demand increases, ICBC will increase the number of available road test appointments.

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Should you have further questions or concerns, please do not hesitate to contact Steven Haywood, Executive Lead, Taxi Modernization and Ride Hailing. He can be reached at 604 220-7176 or at Steven.Haywood@gov.bc.ca and would be pleased to hear from you.

Thank you again for taking the time to write.

Yours sincerely,



Claire Trevena
Minister

Copy to: Premier John Horgan

Steven Haywood, Executive Lead
Taxi Modernization and Ride Hailing

July 29th, 2019

Via email: Claire.trevena.mla@leg.bc.ca

The Honourable Claire Trevena, MLA
Minister of Transportation and Infrastructure
Room 306 Parliament Buildings
Victoria, BC V8V 1X4

RE: Ride-hailing Regulation and Driver Licence Class Requirements

Dear Minister Trevena,

In response to new regulations governing ride-hailing in British Columbia, the Sustainable Transportation Partnership of the Central Okanagan (STPCO) would like to reiterate its position regarding driver licence class requirements. While the STPCO is pleased with the overall flexibility of the regulatory approach, we would like to see a review of the decision to enforce a minimum requirement of a commercial class 4 licence, as opposed to a general class 5 licence.

The STPCO is a formal partnership of the City of Kelowna, City of West Kelowna, District of Lake Country, District of Peachland, Westbank First Nation and the Regional District of Central Okanagan.

The STPCO is interested in ride-hailing regulation flexible enough to meet variable demand in the passenger transportation market while delivering a safe transportation option to the region's residents and visitors. The STPCO supports the introduction of Transportation Network Services (TNS) that facilitate ride-hailing, as it aligns with regional goals to reduce car dependency, increase mobility options, reduce the need for parking, lower impaired driving rates, and prepare the region for technology change in transportation.

We support the flexible approach on the issue of boundaries, rates, and ensuring supply of service will meet consumer demand as outlined in your letter to British Columbia's Passenger Transportation Board on July 13, 2019. This flexible approach is key to unlocking the value ride-hailing will offer to the Central Okanagan as well as British Columbia at large.

We were disappointed to learn that the regulation insisted on a class 4 licence as the minimum licence class for all TNS drivers. Limiting drivers to only those who hold a minimum of a class 4 licence could greatly limit the viability of ride-hailing as a



transportation option in our region and in other areas across the province. We urge you to reconsider establishing the class 4 commercial licence as the minimum licence class for all Taxi and TNS drivers.

Both the provincial government and the Legislative Assembly of British Columbia over a span of multiple years have taken steps to consult with key stakeholders and set the direction for ride-hailing legislation. Three separate government consultation processes were employed, one conducted by Hara Associates^[i] on behalf of your Ministry and two by the Select Standing Committee on Crown Corporations^{[ii][iii]} with direction from the Legislative Assembly. Each of these processes delivered the same recommendation with regards to licensing for TNS drivers. They all chose to require Class 5 licences with options to layer additional non-licence requirements for drivers if deemed necessary. None of these consultation processes recommended a class 4 licence as a minimum requirement for passenger directed vehicles.

The STPCO Board believes the appropriate minimum licence is general Class 5 for both TNS and Taxis. Selecting this licence class will ensure that drivers are available on an as-needed basis. This benefit is especially salient when considering the few differences that separate Class 4 and Class 5 licence holders. Other than some additional training and medical screening, the most significant barriers to holding this licence are the requirement of having to have been a driver in BC for two years and the increased time and cost associated with carrying the licence. As discussed within the Hara Report, conducted on behalf of your Ministry, installing a Class 4 licence as the minimum will unfairly impact young people and new immigrants who would need to wait up to three years more before working for a ride-hailing service. Requiring a Class 4 (commercial) licence will negatively impact the availability of TNS service at peak times or make it untenable to operate these services outside of the most populated areas of the province.

We urge you to establish a Class 5 minimum licence class for all Taxi and TNS drivers in British Columbia.

Thank you for accepting our feedback, and we look forward to future correspondence.

Respectfully,





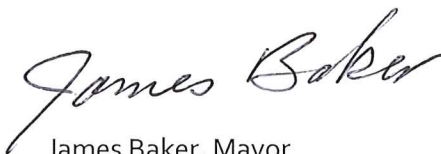
Colin Basran, Mayor
City of Kelowna



Gord Milsom, Mayor
City of West Kelowna



Cindy Fortin, Mayor
District of Peachland



James Baker, Mayor
District of Lake Country



Chief Roxanne Lindley
Westbank First Nation



Gail Given, Chair
Regional District of Central Okanagan



cc: John Horgan, Premier
Steve Thompson, MLA Kelowna-Mission
Norm Letnick, MLA Kelowna-Lake Country
Ben Stewart, MLA Kelowna West
Dan Ashton, MLA Peachland
Stephen Fuhr, MP Kelowna-Lake Country
Dan Albas, MP Central Okanagan — Similkameen — Nicola
Catharine Read, Chair, Passenger Transportation Board



^[i] "Modernizing Taxi Regulation." Edited by Hara Associates Inc., Government of British Columbia Registrar, Passenger Transportation Branch, Government of British Columbia, 19 July 2018, [www.th.gov.bc.ca/rpt/Documents/20180718_Modernizing Taxi Regulation.pdf](http://www.th.gov.bc.ca/rpt/Documents/20180718_Modernizing%20Taxi%20Regulation.pdf).

^[ii] Ma, Bowinn. "Transportation Network Companies in British Columbia." Legislative Assembly of British Columbia, Legislative Assembly of British Columbia, 15 Feb. 2018, www.leg.bc.ca/content/CommitteeDocuments/41st-parliament/2nd-session/CrownCorporations/Report/SSC-CC_41-2_Report-2018-02-15_Web.pdf.

^[iii] Ma, Bowinn. "Transportation Network Services: Boundaries, Supply, Fares, and Driver's Licences." Legislative Assembly of British Columbia, Mar. 2019, www.leg.bc.ca/content/CommitteeDocuments/41st-parliament/4th-session/cc/SSC-CC_41-4_Report-2018-03-26_Web.pdf.



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: September 30, 2019

SUBJECT: Advisory Commission Appointments
(File: 0540-20)

Voting Entitlement: *All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1*

Purpose: To consider the appointment of members to the Environmental Advisory Commission as well as the re-appointment of an existing member.

Executive Summary:

The Environmental Advisory Commission (EAC) functions as an Advisory Planning Commission to the Regional Board. All members are volunteers and appointed by the Regional Board.

In accord with the EAC Terms of Reference, membership shall consist of eight to thirteen voting members. The EAC would benefit from additional members, reflecting a diverse background of academic and technical expertise. Further, the re-appointment of an existing EAC member would allow for continuity throughout the membership with the overlap of various terms.

RECOMMENDATION #1:

THAT the Regional Board approve the appointment of Barry Jones and Ian Walker as members of the Regional District Environmental Advisory Commission for three-year terms (September 2019 – September 2022).

RECOMMENDATION #2:

THAT the Regional Board approve the re-appointment of Bobby Bedingfield to a three-year term as a member of the Regional District Environmental Advisory Commission (September 2019 – September 2022).

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin
Director of Community Services

Approved for Board Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon

Prepared by: Danika Dudzik, Environmental Planner

Implications of Recommendation:

Strategic Plan:	Appointing new members to the EAC and the re-appointment of a member meets the 2019-2022 Strategic Priorities Plan.
Policy:	Appointing new members to the EAC and the re-appointment of a member complies with policies and objectives of: <ul style="list-style-type: none"> • RDCO Official Community Plans and Joe Rich Rural Land Use Bylaw, and • Environmental Advisory Commission Terms of Reference
Legal/Statutory Authority:	Authority to appoint new members to the EAC and re-appoint a member is subject to the provisions found in Section 461 of the <i>Local Government Act</i> .

Environmental Advisory Commission Background:

History:

The EAC is an Advisory Commission of the Regional Board. The Commission provides advice to the Board, other Commissions, and staff regarding environmental matters including the protection, enhancement, restoration, management and appreciation of our common natural heritage. Further, the Commission supports and promotes Regional District environmental initiatives.

The Terms of Reference outlines that membership of the EAC shall be comprised of not less than eight or more than thirteen volunteer individuals who reside within the Regional District of Central Okanagan. Furthermore, the membership will reflect a diversity of environmental professions and professionals, with academic or technical qualifications or demonstrated interest and participation in environmental and community matters. Appointments are for a three-year term; a member may be re-appointed to serve a maximum of two consecutive three year terms.

Current:

There are currently eight volunteer members on the EAC, one of which has their first term expiring. To ensure the Commission remains in compliance with the membership criteria identified in the Terms of Reference, Planning staff is recommending that one person be re-appointed and two people be appointed as Commission members. These appointments will ensure that there is overlap of new and experienced members.

The following proposed appointments will bring expertise and knowledge that will be of great value to the EAC:

- Bobby Bedingfield, of Kelowna, is a fisheries biologist with experience in environmental and riparian area assessments and environmental monitoring. He has extensive local knowledge of ecosystems within the region and a passion for the community. Bobby has been a valuable asset to the EAC over the last few years and has expressed a desire to remain on the EAC for an additional three-year term.
- Barry Jones, of Kelowna, is a retired physician, a lifetime environmental advocate and is dedicated to contributing to the community in which he lives. Barry is a Director with the

Central Okanagan Land Trust and is also a member of the Central Okanagan Naturalists' Club. Barry has previously completed multiple terms on the EAC.

- Ian Walker, of Kelowna, has a background in biology and environmental sciences with technical expertise directly related to many environmental issues affecting the Central Okanagan. He is a professor in the community, with teaching and research specialties pertaining to freshwater ecology, biodiversity and climate change. For numerous years, Ian has been involved with Friends of Mission Creek and Central Okanagan Naturalists' Club.

Alternative Recommendation #1:

THAT the Regional Board not appoint new Regional District Environmental Advisory Commission members at this time.

Alternative Recommendation #2:

THAT the Regional Board not re-appoint a Regional District Environmental Advisory Commission member at this time.

Considerations not applicable to this report:

- *General*
- *Organizational Issues*
- *Financial Considerations*
- *External Implications*

Attachment(s):

- N/A



Regional Board Report

TO: Regional Board

FROM: Todd Cashin
Director of Community Services

DATE: September 30, 2019

SUBJECT: Development Variance Permit (VP-19-08)
Sunset Two Properties Ltd. Inc. No. BC1131387 c/o Tony Viani (Acorn Homes)
Sunset Ranch development adjacent to Strata Lots 77 and 78 on Pine Valley Dr
Central Okanagan East Electoral Area

Voting Entitlement: *Custom Vote – Electoral Areas, Kelowna Fringe Area – 1 Director, 1 Vote*

Purpose: To consider issuance of a Development Variance Permit to allow an increase of the maximum height of one constructed retaining wall.

Executive Summary:

Sunset Ranch neighbourhood is located in a comprehensive development zone with the purpose of designing and developing a residential golf course community. Under Zoning Bylaw No. 871, the CD-1(A) Neighbourhood Residential zone permits single detached and duplex housing. Being a hillside development, the use of retaining walls is required for the most efficient use of the land.

In February 2019, the applicant requested a Development Variance Permit for five retaining walls constructed on the subject property. At that time, it was identified that a sixth wall existed on Pine Valley Drive that exceeds the maximum allowable height of 2.5 metres under Zoning Bylaw No. 871. As such, a Development Variance Permit is required.

Engineering Services has identified that the retaining wall located on Pine Valley Drive has been constructed over Regional District maintained watermains and the Statutory Rights-of-Ways in which they are located. This must be addressed to ensure the integrity of the water system.

RECOMMENDATION:

THAT Development Variance Permit Application VP-19-08, located on Pine Valley Drive and on Common Property Strata Plan KAS3573 for Sunset Two Properties Ltd., to vary Part 3, Subsection 3.10.5 of Zoning Bylaw No. 871 be approved based on the drawings prepared by Tetra Tech dated July 31, 2019 to bring the existing retaining wall into conformity by:

- Allowing an increase of the maximum retaining wall height from 2.5 m (8.2 ft.) to 4.9 m (16.07 ft.).

Respectfully Submitted:



Todd Cashin
Director of Community Services

Approved for Board's Consideration



Brian Reardon, CAO

Prepared by: Brittany Lange, Planner

Implications of Recommendation:

Policy:	The application was submitted and processed in accordance with the requirements of RDCO Development Applications Procedures Bylaw No. 944.
Legal/Statutory Authority:	In accord with Section 498 of the <i>Local Government Act</i> , on application by an owner of land, a local government may, by resolution, issue a development variance permit that varies, in respect of the land covered in the permit, the provisions of a bylaw. A development variance permit must not vary the use or density of land from that specified in the bylaw and a local government may not delegate the issuance of a permit.

Background:

The Sunset Ranch Concept Development Plan (CDP) was prepared in conformance with policies in the Ellison Official Community Plan Bylaw No. 1124. Preparation of the CDP focused on key site conditions including development on hillsides and adjacent to watercourses, integrating green space, and minimizing site disturbance. The Sunset Ranch Neighbourhood Plan builds on the key site conditions to create a comprehensively planned residential community with a maximum of 450 residential lots.

Sunset Ranch was approved for zoning amendment applications in 1993, 2001, and 2006 (Files: Z93/58, Z01/20 & Z06/20) to create the CD-1 zone and subsequently clarify and simplify the existing CD zone. The Regional Board also approved a Development Permit for the overall site (DP-01-011), and Development Variance Permits to reduce minimum road frontage, site servicing, setback requirements (VP-01-003, VP-01-004 & VP-02-003), and recently to increase the maximum retaining wall height for five retaining walls (VP-19-01).

This application was precipitated due to identification of over height retaining walls during site preparation in 2018 for 'Phase 3'. The retaining wall on Pine Valley Drive was constructed without building permit approval during a previous subdivision stage in 2014, and does not conform with Part 3 – Section 3.10.5 and Appendix A-1 – Section 1.1 d) of Zoning Bylaw No. 871. The applicant has since submitted documentation ensuring the retaining wall has been designed, inspected, and certified by a Professional Engineer.

Site Context:

The subject lands are located within the Ellison Official Community Plan Bylaw No. 1124 area and affected by a site-specific Concept Development Plan and Development Permit conditions.

Retaining Wall Height Variance History

In February 2019, the Regional Board approved a Development Variance Permit to allow an increase in the maximum height of five constructed retaining walls in the Sunset Ranch Development area (File: VP-19-01).

Additional Information:

Owner:	Sunset Two Properties Ltd. Inc. No. BC1131387
Agent:	Tony Viani (Acorn Homes)
Legal Description:	Common Property Strata Plan KAS3573 adjacent to Strata Lots 77 and 78
Address:	Sunset Ranch development adjacent to Pine Valley Drive
Zoning:	CD-1(A) – Neighbourhood Residential
OCP Designation:	Residential
Sewage Disposal:	Ellison Sewer
Water Purveyor:	Sunset Ranch Community Water
Surrounding Uses:	North: Agriculture South: Residential East: Agriculture West: Residential
A.L.R.:	Not within the A.L.R.
Fire Protection:	Ellison Fire Protection

RDCO TECHNICAL COMMENTS:

Planning Services staff note that Development Variance Permits provide options/solutions to address building/location issues provided there are no negative impacts (visual, health, and safety) to neighbouring residents.

Furthermore, Planning staff advises that Appendix A-6 of the Ellison OCP, Objective 1.1 is to support rural subdivision and road building on hillsides in a manner that minimizes damage to property (both the property under application and neighbouring property) from erosion, soil instability, rock fall, or other identified hazards.

Other items for consideration:

- The applicant is responsible for complying with the conditions outlined in the covenants and Statutory Right of Ways registered on title.
- A plan of site remediation including, but not limited to, revegetation and erosion control, prepared by the appropriate professional should be prepared for the site to further address slope stability.
- Conditions of Development Permit DP-01-11 apply. Development Permit approval will be required prior to any future phases of Sunset Ranch. This is to be a new Development Permit subsequent to DP-01-11. It is advised that the applicant meet with Planning staff prior to submitting a formal application for any subsequent phases.

Inspection Services staff advises that as per Building Bylaw No. 835, any retaining wall that exceeds 1.5 metres (4.92 ft.) in height requires a building permit and be designed and inspected by a certified Professional Engineer. Inspections staff received the required documentation and issued a permit for the retaining wall in September 2019 (Permit No. 7961/19). Furthermore, Inspections staff recommends the issues with respect to the watermain and the Statutory Rights-of-Ways be resolved.

Environmental Services staff advises that RDCO watermain in the immediate vicinity of the proposed variance are located on common property (roadway) or in Statutory Right-of-Ways. As per the statutory agreement, no construction is permitted over the watermain to ensure the long-term maintenance/repair/replacement can be completed unencumbered.

AGENCY REFERRAL COMMENTS:

Ministry of Transportation and Infrastructure staff noted that the retaining wall occurs within private lands and does not occur near or within public highway Right-of-Ways. The retaining wall is subject to RDCO bylaws and engineering requirements and therefore, the Ministry has no further comment on the proposal.

Fortis B.C. staff advise that there are FortisBC Inc. (Electric) ("FBC(E)") primary distribution facilities along Pine Valley Drive and within the boundaries of the subject property, however, they do not appear to be impacted by this proposal.

Unaffected Agencies include City of Kelowna, Black Mountain Irrigation District, B.C. Hydro, Interior Health Authority, Telus, and Shaw.

Unaffected RDCO Departments include Parks Services and Fire Services.

External Implications:

In accord with Development Applications Procedures Bylaw No. 944, a Notice of Application sign was posted on the property and written notices were mailed to all registered property owners of land situated within 100 metres of the subject property. A total of 299 notices were mailed. Further to the notification process, at time of writing this report, there has been no opposition or support letters received for this application.

In consideration of the Development Variance Application, the Regional Board may approve the Development Variance Permit, not approve the Development Variance Permit or defer a decision pending more information or clarification. Should the Board choose not to support the staff position, the following alternate recommendation is provided.

Alternative Recommendation:

THAT Development Variance Permit Application VP-19-08 **be deferred** until such time that the identified concerns on the subject property have been addressed by the owner/applicant to the satisfaction of the Director of Engineering.

Considerations not applicable to this report:

- *Strategic Plan*
- *General*
- *Organizational*
- *Financial*

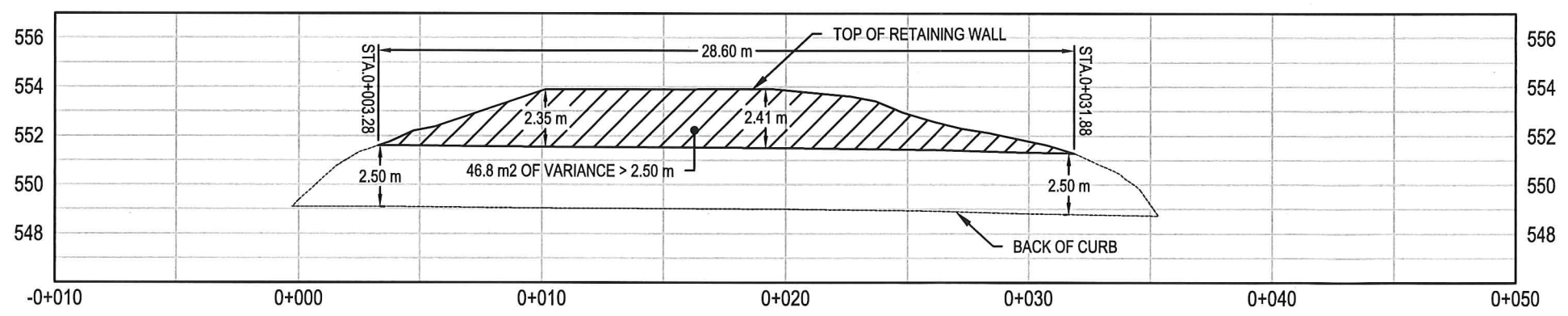
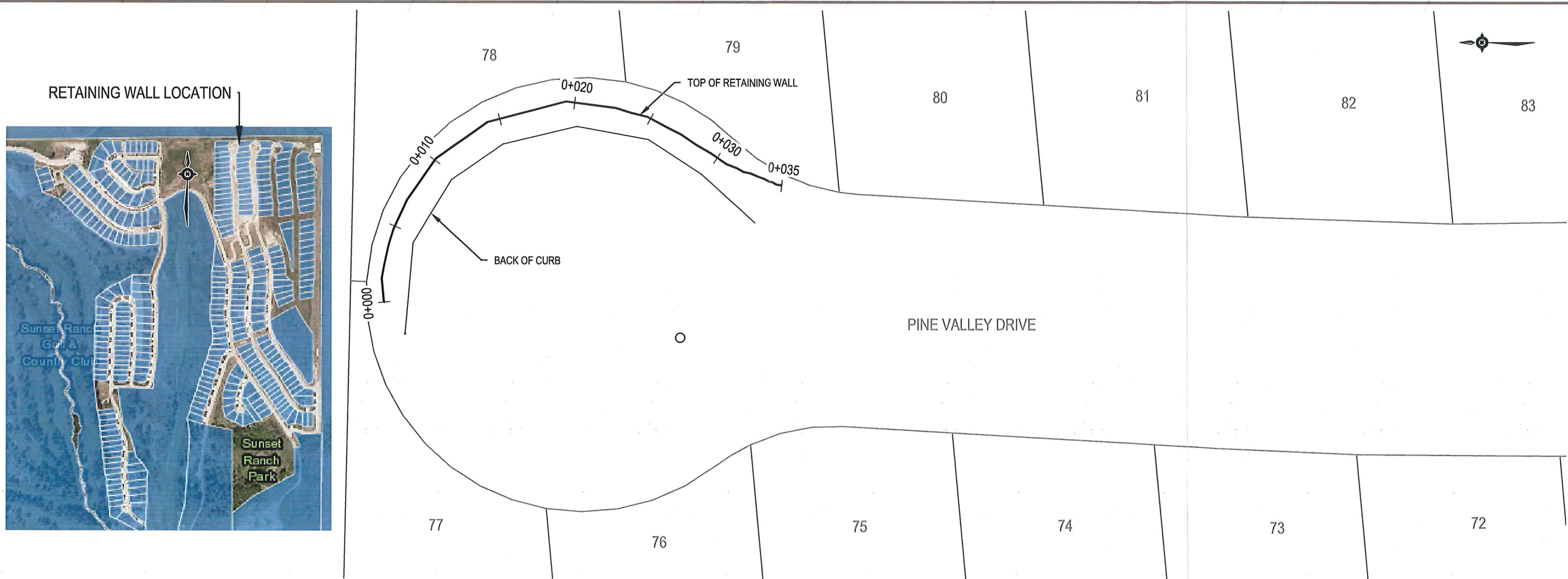
Attachment(s):

- Subject property map
- July 31, 2019 TetraTech Retaining Wall Profile
- Images of Pine Valley Drive Retaining Wall

SUBJECT AREA



C:\Users\stan.matsuda\Documents\PINEVALLEYDRIVE.dwg [FIGURE 1] August 06, 2019 - 1:50:02 pm (BY: MATSUDA, STAN)




LEGEND
 AREA OF VARIANCE

0 10m
Scale: 1:200 @ 11"x17"

- NOTES**
- BASED ON CSV FILE PINEVALLEYS.DR.CSV PROVIDED BY SUTTIN & CEIDAR CONSULTING GROUP JULY 2019.
 - ORIGINAL SURVEY DATA IN AN ARBITRARY COORDINATE SYSTEM. SURVEY POINTS ALIGNED AND ROTATED AROUND A SURVEYED MANHOLE AND CADASTRAL FROM RDCO WEBSITE.
 - 1M CONTOUR INTERVAL SHOWN.

26 7. Aug 2019.

ISSUED FOR USE

CLIENT		SUNSET RANCH - PINE VALLEY DRIVE - KELOWNA, BC			
SUNSET TWO PROPERTIES		PLAN - PROFILE RETAINING WALL VARIANCE			
 TETRA TECH	PROJECT NO. KGEO03346-01	DWN SM	CKD SB	REV 0	Figure 1
	OFFICE KEL	DATE JULY 31, 2019			

Sunset Ranch VP-19-01 Pine Valley Drive Retaining Wall



Regional Board Report

TO: Regional Board

FROM: Mary Jane Drouin
Manager-Corporate Services

DATE: September 10, 2019

SUBJECT: Electoral Area Director Approval to Attend 2019 Keeping it Rural Conference

Voting Entitlement: All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1

Purpose: To seek Board approval for Director Carson and Director Bartyik's attendance at the 2019 The BC Rural Centre – Keeping it Rural Conference

Executive Summary:

Board approval, as per policy, is required for the electoral area directors to attend conferences of this nature. The BC Rural Centre (previously known as SIBAC – Southern Interior Beetle Action Coalition) is hosting a Keeping it Rural Conference in Kelowna, October 7 & 8, 2019. The cost of the conference is \$425 plus GST. The 2019 electoral area budgets will take into account the expenses for attending the conference. Both Directors Bartyik and Carson have expressed interest in attending this conference as it is specifically targeted towards rural areas.

As per Board policy: Board Remuneration and Expense Policy No. 7.15

Expenses for attending Conference and Seminars (All Directors)

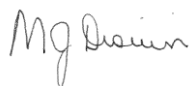
When attending out of District meetings, seminars, conferences or other business authorized by the Board, Directors are entitled to claim receipted expenses for the following:

- i) ferry tolls, ferry reservation fees and highway tolls;
- ii) airline tickets including all fees and charges;
- iii) bus, taxi, and limousine services;
- iv) parking charges;
- v) business phone calls; and vi) accommodation

RECOMMENDATION:

THAT the Regional Board approve Director Bartyik and Director Carson's attendance at the 2019 Keeping it Rural Conference, October 7 & 8, 2019 in Kelowna, BC, including registration and travel expenses as per Board policy.

Respectfully Submitted:



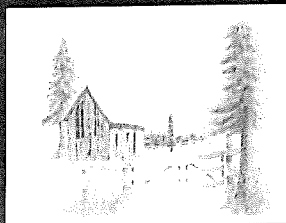
Mary Jane Drouin
Manager – Corporate Services

Approved for Board's Consideration



Brian Reardon, CAO

Attachment: Keeping it Rural Conference Notice & Agenda



Keeping it Rural

2019 Conference

The BC Rural Centre
Helping Rural Communities Succeed

CONFERENCE NOTICE

*Please join us **October 7 & 8 2019** in Kelowna for two days of inspiring presentations and workshops on rural community development.*

Four Points By Sheraton Kelowna Airport Hotel
www.FourPointsKelownaAirport.com/

Keynote Speakers include:

- ❖ **Rankin MacSween** (Nova Scotia) Back by popular demand! Rankin gave an amazing inspirational keynote speech at our 2015 conference that people still talk about. For over three decades, Rankin has led Canada's oldest – and most successful – community development corporation, New Dawn Enterprises on Cape Breton Island. <http://www.newdawn.ca/>
- ❖ **Mark Drabenstott** (Kansas) Mark has over 35 years of experience in rural and regional development including 4 years as Chair of the OECD Regional Development Policy Committee and 25 years as the Vice-President of the Center for the Study of Rural America at the Federal Reserve Bank of Kansas.
- ❖ **Milan Wall** (Nebraska) Milan has over 40 years of experience working with rural communities across the United States and Canada. He is the co-author of a number of publications on leadership and community development, including *The Entrepreneurial Community: A Strategic Leadership Approach to Community Survival* and *Clues to Rural Community Survival*. On the second day of the conference Milan will lead a workshop on the 20 Clues to Rural Community Survival. <https://heartlandcenter.info/>
- ❖ **Blanca Surgeon** (New Mexico) With the RCAC since 1995, Blanca has worked with rural communities and Native American Nations across the western U.S. on rural community leadership and economic development. On the second day of the conference Blanca will lead a workshop on the highly successful *WealthWorks* program that has been used extensively in rural communities in the U.S. <https://www.rcac.org/> and <https://www.wealthworks.org/basics/wealthworks-your-region-introduction>

There will also be presentations on Rural Health Care and Attracting Youth to Rural Communities.

Please register for the conference on line: <https://www.civicinfo.bc.ca/event/2019/Keeping-It-Rural>

Please check the BC Rural Centre website for updates about the conference
<https://www.bcruralcentre.org/conferences/keeping-it-rural-2019/>



Keeping it Rural

BC RURAL CENTRE

2019 Conference

Monday October 7th

8:30 – 9:00 AM	Conference Opening & Welcome
9:00 – 9:45 AM	Top 10 Ways to Grow Your Rural Region Mark Drabenstott will summarize what he believes are some of the most critical elements for successful rural development.
9:45 – 10:15 AM	Rural Health Care Dr. David Snadden
10:15 – 10:30 AM	Refreshment Break
10:30 – 11:15 AM	First Nations & Rural Community Partnerships
11:15 – Noon	The Forest Sector & Rural Community Development
Noon – 1 PM	Buffett Lunch
1 to 2 PM	Small Places – Big Successes: Rural Towns Revitalizing Themselves Milan Wall and Blanca Surgeon will describe some of the innovative ways small rural communities around the U.S are working towards rural revitalization.
2 to 3:15 PM	Attracting Youth to Rural Communities – A panel discussion on how can rural communities can better attract young people and families. This presentation will also highlight the process and outcomes of Kaslo's highly successful <i>Escape the City</i> social media youth attraction contest.
3:15 – 3:30 PM	Refreshment Break
3:30 – 5:00 PM	Rural Issues Roundtable Discussions An opportunity for conference participants to discuss specific rural issues with other conference attendees. Like speed dating - participants will have the opportunity to choose and participate in 3 to 4 discussion tables on different rural topics..
5 – 6 PM	No Host Bar & Networking
6 – 8 PM	Dinner & Keynote Address – Rankin MacSween, CEO of New Dawn Enterprises

Tuesday October 8th

8 AM – 11:30	The 20 Clues to Rural Community Survival Workshop- – Milan Wall The “20 Clues to Rural Community Survival” is one of the Heartland Center’s most popular and effective training tools. The list of vital characteristics provides an “ideal” benchmark against which people can measure their own community. It moves people naturally from theory, to strategy, to action.
11:30 – 12:30 PM	Buffet Lunch
12:30 – 4 PM	The WealthWorks Program Workshop– Blanca Surgeon WealthWorks is a proven approach to rural economic development that brings together and connects rural community assets to meet market demand. In this workshop, Blanca will describe the WealthWorks process and provide examples of its implementation in small rural communities throughout the northwest U.S.
4 – 4:30 PM	Conference Closing Remarks



Keeping it Rural 2019 Conference

Kelowna, BC
October 7 - 8, 2019

Location:	Four Points Kelowna Airport Hotel 5505 Airport Way Kelowna, BC
Cost:	\$425 plus GST Price includes 2 buffet lunches and a buffet dinner.
Payment Methods:	VISA and MasterCard payments will be accepted with your online registration. If paying by cheque, please include a copy of your registration confirmation, and make payable to ' BC Rural Centre ', send to: PO Box 3006 Kamloops, BC V2C 6B7
Registration Deadline:	October 4, 2019
Refund Policy:	Full Refunds up to and including September 27; no refunds after September 27. Substitutions allowed.

Instructions

1. Complete the entire on-line form. Fields marked with * are required. Once the form is complete, click the "Register" button at the bottom of this page.
2. After clicking "Register", your registration will be confirmed.
3. After you have registered, refer to the on-screen instructions for your payment options.
Payment is accepted by credit card or cheque.