

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, July 29, 2019

Directors: J. Baker (District of Lake Country)
M. Bartyik (Central Okanagan East Electoral Area)
C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
M. DeHart (City of Kelowna)
C. Fortin (District of Peachland)
G. Given (City of Kelowna)
S. Johnston (City of West Kelowna)
G. Milsom (City of West Kelowna)
B. Sieben (City of Kelowna)
L. Stack (City of Kelowna)
L. Wooldridge (City of Kelowna)
T. Konek (Westbank First Nation)

Absent: C. Hodge (City of Kelowna)

Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services
D. Dudzik, Environmental Planner
J. Foster, Manager of Corporate Communications
B. Lange, Planner
D. Komaike, Director of Engineering Services
M. Kopp, Director of Parks Services
C. Teschner, Manager of Financial Services
M. Drouin, Manager - Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given called the meeting to order at 7:40 p.m.

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

Ross Kotscherofski, Fire Services Manager, at the beginning of the Public Hearing, thanked Don Bennison on his retirement from the Wilson's Landing Fire Department for more than 14 years as a member of the department and in particular the last two years as fire chief. The Department's new fire chief, Ronaye Beck was introduced.

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)

#150/19 BAKER/WOOLDRIDGE

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

4.1 Regional Board Meeting Minutes – July 18, 2019 *(All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1)*

#151/19 BAKER/WOOLDRIDGE

THAT the Regional Board meeting minutes of July 18, 2019 be adopted.

CARRIED Unanimously

5. CORRESPONDENCE

5.1 Ministry of Forests, Lands and Natural Resource Operations and Rural Development re: Response to a letter RDCO sent regarding OBWB Invasive Milfoil Program

#152/19 WOOLDRIDGE/STACK

THAT the July 23, 2019 letter from the Ministry of Forests, Lands and Natural Resource Operations and Rural Development regarding the OBWB's Invasive Milfoil Program and Rocky Mountain Ridged Mussels be received for information.

CARRIED Unanimously

6. CORPORATE SERVICES

6.1 Q2 Service Update

A video presentation highlighted the various service and program accomplishments from April through June aligning with the Board's Strategic Priorities 2019-2022.

#153/19 FORTIN/JOHNSTON

THAT the second quarter update be received for information.

CARRIED Unanimously

7. FINANCIAL SERVICES

- 7.1 Westside Wastewater Treatment Plant - TWAS Design Budget Amendment (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

Staff report dated July 22, 2019 provided an outlined as to the requirement for a budget amendment for the Westside Sewer System to allow detailed design to proceed on the replacement of the Thickened Waste Activated Sludge (TWAS) vault located at the Westside Wastewater Treatment Plant.

#154/19 MILSOM/JOHNSTON

THAT the report on the on the replacement of the Thickened Waste Activated Sludge (TWAS) Vault located at the Westside Regional Waste Water Treatment Plant be received.

CARRIED Unanimously

- 7.2 Regional District of Central Okanagan 2019-2023 Financial Plan Amendment Bylaw No. 1445 (*All Directors - Weighted Vote - 2/3 Majority (LGA 228) - LGA 210.2*)

Staff report dated July 24, 2019 outlined the amendments to the financial plan.

#155/19 BAKER/MILSOM

THAT Regional District of Central Okanagan 2019 – 2023 Financial Plan Amendment Bylaw No. 1445, 2019 be given first, second and third readings and adopted.

CARRIED Unanimously

8. COMMUNITY SERVICES

- 8.1 Agricultural Land Reserve Appeal for B. & S. Sandher (owners), to consider an application to the Agricultural Land Commission for non- adhering residential use - non-adhering accommodation in the ALR, located at 3231 Old Vernon Road. (A-19-02) Central Okanagan East Electoral Area (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

Staff report outlined the Agricultural Land Reserve Appeal referral application to the Agricultural Land Commission. Staff reviewed the application including referral agency comments.

#156/19 BAKER/BARTYIK

THAT the Regional Board conditionally support application A-19-02, applicant B. & S. Sandher, to allow a non-adhering residential use to occur within the Agricultural Land Reserve pursuant to Section 34(4) of the Agricultural Land Commission Act, on part of the following property: The West 933 Feet of Lot 1, Plan KAP2963, Section 1, Township 23, ODYD;

AND THAT the Regional Board recommends the Agricultural Land Commission ensure:

- Preservation of large, contiguous areas of ALR land at the subject property;
- Clarification regarding the number of temporary farm worker accommodations existing and proposed; and
- The approval of a zoning bylaw amendment by the Regional Board.

AND FURTHER THAT staff be directed to forward the subject application to the Agricultural Land Commission for consideration.

CARRIED Unanimously

- 8.2 Development Variance Permit Application for A. & L. Dahl (owners), to vary Zoning Bylaw No. 871 by allowing a reduction to the front and side setbacks to allow an existing shed and workshop, located adjacent to Winchester Road (VP-19-05) Central Okanagan West Electoral Area (*Custom Vote - Electoral Areas, 1 Director, 1 Vote*)

Staff report outlined the variance permit application. Staff outlined the application. No opposition or support letters have been received. Referral applications were outlined.

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

- The applicant did not have anything to add to staff comments.
- There were no comments from the public.

#157/19 CARSON/BARTYIK

THAT the Regional Board approve Development Variance Permit Application VP-19-05 to vary the following provisions of Zoning Bylaw No. 871 based on the Land Surveyor's Certificate dated March 14, 2019 prepared by William E. Maddox and the Land Surveyor's Certificate dated May 3, 2019 prepared by Maddox & Company Land Surveyors:

- Section 3.17.5 by allowing two accessory buildings in the required front setback.

- Section 3.17.6 by allowing a reduction of the minimum side setback from 1.0 m (3.3 ft.) to 0.38 m (1.24 ft.) to permit one accessory building.
- Section 6.5.4 by allowing a reduction of the minimum front setback from 6.0 m (19.7 ft.) to 0.82 m (2.69 ft.) to permit one accessory building.

CARRIED Unanimously

- 8.3 Development Permit Application for Lake Okanagan Resort BC0952775 (owner) c/o New Town Architecture & Engineering Inc. (agent), to consider the issuance of a Development Permit for works associated with a proposal to construct fourteen (14) two-level, duplex chalets at Lake Okanagan Resort, located adjacent to Westside Road. (DP-18-13) Central Okanagan West Electoral Area (*Custom Vote - Electoral Areas and West Kelowna Fringe Areas - 1 Director, 1 Vote*)

Staff report outlined the development permit application for works associated with a proposal to construct 14 two-level, duplex chalets at Lake Okanagan Resort. Staff reviewed the application and reasons for non-support and the requirement to discharge the existing Land Use Contract.

Due to a negative recommendation, the applicant was given the opportunity to address the Board. Agent Keith Funk addressed the Board reviewing a PowerPoint on the proposed development. Geotechnical engineer, Tetra Tech's site geotechnical suitability map was outlined as well as Ecoscape's site environmental plan and discussed.

Question and answer period followed.

#158/19 CARSON/JOHNSTON

THAT Development Permit Application DP-18-13 be deferred at this time;

AND FURTHER THAT the Regional Board direct Planning staff to work with the applicant to bring forward an amendment to the Land Use Contract under S.546(2)(a) with the agreement of both parties (RDCO) and the owner of the subject property.

DEFEATED (In support: Carson/Johnston;
Opposed Bartyik/Milsom)

#159/19 MILSOM/BARTYIK

THAT Development Permit Application DP-18-13 be refused as the proposed development does not comply with the existing Land Use Contract;

AND FURTHER THAT the Regional Board direct Planning staff to work with the applicant to bring forward a bylaw to terminate the existing Land Use Contract in accordance with the Land Use Contract Discharge Priority, along with amendments to the Zoning Bylaw to provide that the lands will be appropriately zoned.

CARRIED (Opposed Johnston)

8.4 Bylaws - Second and Third Readings and Adoption

- 8.4.1 Land Use Contract Amendment Bylaw No. 247-4, to discharge Land Use Contract No. 247 in its entirety. (Z19/01) Located within the Scotty Creek subdivision in the Ellison area, Central Okanagan East Electoral Area (*Custom Vote - Electoral Areas and Kelowna Fringe Area - 1 Director, 1 Vote*)

Director Fortin left the meeting at 10:05 p.m.

#160/19 BASRAN/BARTYIK

THAT Land Use Contract Amendment Bylaw No. 247-04 be given second and third readings and adopted.

CARRIED Unanimously

- 8.4.2 Zoning Amendment Bylaw No. 871-242, to zone the subject properties to Single Detached Housing (R1), Park and Open Space (P1) and Institutional and Assembly (P2) (Z19/01) Central Okanagan East Electoral Area (*Custom Vote - Electoral Areas and Kelowna Fringe Area - 1 Director, 1 Vote*)

#161/19 BARTYIK/BASRAN

THAT Zoning Amendment Bylaw No. 871-252 be given second and third readings and adopted.

CARRIED Unanimously

9. NEW BUSINESS

- 9.1 Central Okanagan East Electoral Area Grant In Aid - Ellison Parks and Recreation Society (*All Directors - Unweighted Corporate Vote - Simple Majority - LGA 208.1*)

#162/19 BARTYIK/WOOLDRIDGE

THAT a Central Okanagan East Electoral Area grant in aid in the amount of \$700 be allocated to the Ellison Parks and Recreation Society for the Scotty Creek Subdivision Annual Summer BBQ, August 18, 2019.

CARRIED Unanimously

10. DIRECTOR ITEMS

- Director Carson raised the issue of BC Ambulance Service and response of the rural fire departments in a medical emergency. Fire department medical first response is not called to attend if a call is not a life threatening event. As North Westside and Wilson's Landing Fire Department has medical first response, the question was raised if the fire department should be able to respond to all medical related calls.

Staff noted that this is a provincial issue and under the control of BC Ambulance Service. The issue has been raised at UBCM Convention in the past.

#163/19 CARSON/SIEBEN

THAT staff be directed to bring forward a report to the Board, including past UBCM resolutions, on the issue of BC Ambulance Service response regulations to emergency medical calls in the rural areas.

CARRIED Unanimously

11. ADJOURN IN CAMERA

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

#164/19 STACK/BARTYIK

THAT pursuant to Section 90 (c) of the Community Charter the Regional Board adjourn and convene to an 'In-Camera' session to discuss:

- labour relations or other employee relations

CARRIED Unanimously

There being no further business the meeting was adjourned at 10:25 p.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

Brian Reardon (Chief Administrative Officer)