

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, June 28, 2021

- 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)
G. Given (City of Kelowna)
C. Hodge (City of Kelowna) (*attended electronically*)
S. Johnston (City of West Kelowna) (*attended electronically*)
G. Milsom (City of West Kelowna)
L. Stack (City of Kelowna)
L. Wooldridge (City of Kelowna)
- Absent: C. Fortin (District of Peachland)
S. Sieben (City of Kelowna)
J. Coble (Westbank First Nation)
- Staff: B. Reardon, Chief Administrative Officer
T. Cashin, Director of Community Services
M. Czarny, Planner
B. Lange, Environmental Planner
D. Dudzik, Senior Planner
J. Foster, Director of Communication & Information Services
M. Rilkoﬀ, Director of Financial Services (*attended electronically*)
C. Griﬃths, Director of Corporate Services
D. Komaike, Director of Engineering Services (*attended electronically*)
M. Kopp, Director of Parks Services (*attended electronically*)
S. Horning, Supervisor-Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given called the meeting to order at 7:33 p.m.

It was acknowledged that the meeting is being held on the traditional territory of the syilx/Okanagan Peoples.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public is currently not permitted to attend Board meetings in-person. A live audio-video feed was broadcasted and recorded on rdco.com

Roll call was taken as some Board Members appeared electronically.

2. ADDITION OF LATE ITEMS

There were no late items for the agenda.

Chair Given acknowledged and recognized the RDCO's Chief Financial Officer, Marilyn Rilkoff as she is retiring on July 2, 2021.

3. ADOPTION OF THE AGENDA

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

#138/21 BAKER/STACK

THAT the agenda be adopted as amended.

CARRIED Unanimously

4. ADOPTION OF MINUTES

4.1. Regional Board Meeting Minutes – June 10, 2021

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

#139/21 MILSOM/DEHART

THAT the Regional Board meeting minutes of June 10, 2021 be adopted.

CARRIED unanimously

5. CORRESPONDENCE

5.1 Okanagan Basin Water Board Meeting Highlights – June 4, 2021

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

#140/21 STACK/HODGE

THAT the Okanagan Basin Water Board meeting highlights of June 4, 2021 be received for information.

CARRIED unanimously

5.2 Ministry of Municipal Affairs – RDCO Voting Unit

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

#141/21 BAKER/WOOLDRIDGE

THAT the June 7, 2021 letter from the Ministry of Municipal Affairs with respect to the Regional District of Central Okanagan's voting unit be received for information.

CARRIED unanimously

6. FINANCIAL SERVICES

- 6.1 RDCO 2021-2025 Financial Plan Amending Bylaw No. 1486, 2021
(All Directors – Weighted Vote – LGS 210/214 2/3 majority)

Staff report dated June 22, 2021 outlined the amendments to the 2021-2025 Financial Plan.

#142/21 HODGE/BAKER

THAT Regional District of Central Okanagan 2021-2025 Financial Plan Amendment Bylaw No. 1486 be given first, second and third readings and adopted.

CARRIED unanimously

- 6.2 2020 Statement of Financial Information Disclosures
(All Directors – Weighted Vote – LGS 210/214 2/3 majority)

Staff report dated June 21, 2021 outlined the 2020 Statement of Financial Information disclosures.

#143/21 BAKER/BARTYIK

THAT the Board approve the 2020 Schedules required under the *Financial Information Act* and its regulations including:

- Schedule of Board Remuneration;
- Schedule of Employee Remuneration;
- Schedule of Payments to Suppliers;
- Statement of Severance Agreements;
- Schedule of Guarantee and Indemnity Agreements.

CARRIED unanimously

7. COMMUNITY SERVICES

- 7.1 Agricultural Land Commission Application (A-21-03)
B. Miskiuski (owner/applicant) 2770 Schram Road, Central Okanagan East Electoral Area
(All Directors – Unweighted Corporate Vote – Simple Majority – LGA 208.1)

Staff report provided an overview of the application to the Agricultural Land Commission to allow a non-farm use to allow for commercial storage on a portion of the subject property.

The applicant, B.Miskiuski, was not able to be reached via telephone. Staff provided an overview of the discussions the applicant had with staff regarding this application.

#144/21 MILSOM/BASRAN

THAT the Regional Board not support Agricultural Land Commission Application A-21-02 for applicant B. Miskuski, to allow for a non-farm use to allow a commercial storage operation.

AND FURTHER THAT the Regional Board directs staff to not forward the application to the Agricultural Land Commission.

CARRIED unanimously

- 7.2 Zoning Amendment Bylaw No. 871-268 (Z21/03) – 2nd & 3rd Readings
A. Patton (owners) 5631 Rittich Road, Central Okanagan East Electoral Area
(Custom Vote: Electoral Areas and Kelowna Fringe Area - 1 Director, 1 Vote - Simple Majority)

#145/21 BASRAN/BARTYIK

THAT Zoning Amendment Bylaw No. 871-268 not be given second and third readings

CARRIED
Chair Given - Opposed

- 7.3 Zoning Amendment Bylaw No. 871-266 (Z21/02) – Adoption
D & L Ketler (owners/applicants) 5060 Whelan Road, Central Okanagan East Electoral Area
(Custom Vote: Electoral Areas & Kelowna Fringe Area – Simple Majority)

#146/21 BARTYIK/WOOLDRIDGE

THAT Zoning Amendment Bylaw No. 871-266 be adopted.

CARRIED unanimously

- 7.4 Zoning Amendment Bylaw No. 871-267 (Z21/02) - Adoption
J & S White (owners/applicants) 7155 Dunswater Road, Central Okanagan West Electoral Area
(Custom Vote: Electoral Areas – 1 Director, 1 Vote)

#147/21 CARSON/BARTYIK

THAT Zoning Amendment Bylaw No. 871-267 be adopted.

CARRIED unanimously

- 7.5 Development Permit Application (DP-21-06)
Narasak Holdings Ltd. & K Souter (owner) 7174 Fintry Delta Road,
Central Okanagan West Electoral Area
(Custom Vote: Electoral Areas – 1 Director, 1 Vote)

The applicants, Scott Souter and Darryl Arsenault, were called and present on the phone.

Staff report provided an overview for the application for a development permit for works associated with the relocation of an existing unauthorized accessory structure and habitat restoration.

Staff clarified that the existing dock has a license; however, the fill and concrete patio were not authorized by the Province. A Section 11 application to Province will be required to deal with the fill issue.

#148/21 CARSON/BARTYIK

THAT the Regional Board conditionally approve Development Permit application DP-21-06 for applicant Narasak Holdings Ltd. & K. Souter located at Lot 1, District Lot 3842, ODYD, Plan KAP56666.

AND THAT the Permit be subject to the following conditions specified in 'Schedule A':

Schedule 'A'

Adherence to Development Plans:

- No further or variance in construction of, addition to or alteration of a building or structure; or alteration or clearing of land is to occur within the Development Permit Areas as outlined in the Rural Westside Official Community Plan Bylaw No. 1274 without prior notification and approval by RDCO; other than that recognized and approved in this Development Permit.
- No further buildings, structures or improvements of any kind shall be constructed nor located within the 15m setback from the High Water Mark of Okanagan Lake. Any works proposed within the 15m setback may require approvals from the Province in accordance with the *Riparian Areas Protection Regulation*. And further, there shall be no removal or disturbance of any soil, vegetation, or trees (with the exception of noxious weeds) from within the 30 m setback area without first obtaining the written consent of the RDCO.
- Further modifications including changes in and about a stream, construction/alteration of retaining walls, groynes, and substrate modification must not occur at any time without further environmental assessment being conducted and appropriate approvals received from the Province in accordance with the BC *Water Sustainability Act* (Section 11).

- Development Permit (DP-21-06) has been issued exclusively for works associated with the relocation of the existing accessory structure, removal of concrete stairs and wooden walkway along the foreshore, removal of artificial turf lawn, as well as associated environmental monitoring and habitat restoration works.

Professional Reports:

- All construction, mitigation, and restoration activities must be completed as per the March 16, 2021 Environmental Assessment and Habitat Restoration Report prepared by Arsenault Environmental Consulting Ltd.

Monitoring:

- The land owner shall obtain the services of an Environmental Monitor to ensure the recommendations of the Development Permit are implemented and in accordance with the following schedule and conditions:
 - Pre-construction meeting with the contractor, owner, and Environmental Monitor;
 - Submit monitoring reports to RDCO as indicated by the Environmental Monitor;
 - Prepare a substantial completion report and submit to RDCO upon completion of construction and restoration works indicating substantial completion of the conditions and requirements of the Development Permit have been carried out;
 - In the event that greater disturbance occurs due to unforeseen circumstances, the Environmental Monitor will recommend further measures to protect/restore the natural integrity of the site and report on these measures to the RDCO.

Security:

- The applicant shall post a letter of credit or bank draft in the amount of \$2,825.00 in order to ensure completion of works and associated remediation landscaping within 1 year of the issuance of the Development Permit. Ninety per cent (90%) of this amount is refundable upon completion of said works and receipt of a substantial completion report signed by a registered professional, and to the satisfaction of Regional District Community Services staff.
- The remainder of the bond shall be held for a minimum of two (2) years (growing seasons) to ensure that the required mitigation has been fully implemented and demonstrated to function (ecologically or as designed). The maintenance bond may be held for longer periods if, throughout the initial 2-year period the persistent failure of the works is documented.

Further Conditions or Restrictions:

- The landowner/applicant must apply for and receive a building permit to the satisfaction of the RDCO Building Inspection Services.
- The landowner/applicant must apply for and receive the appropriate approvals from the Province of BC in accordance with the *BC Water Sustainability Act* (Section 11).
- The property owner is responsible for complying with the conditions outlined in all covenants and statutory right of ways registered on title.
- The riparian setback area must be surveyed, staked, and clearly delineated to prevent encroachment.
- Prior to any disturbance on site, the contractor is required to install silt fencing around the development footprint adjacent to the foreshore area to provide erosion and sediment control.
- Construction debris and materials must not be stored or deposited within the riparian setback and must be removed from the property on a regular basis.
- A Site Survey / Building Location Certificate is required to be submitted to the RDCO once the structure relocation has been completed.
- Best Management Practices are to be used as a means to protect the riparian area of Okanagan Lake.
- A detailed and formal landscape plan that includes additional plantings in the riparian area must be prepared by a qualified professional and submitted to and approved by the RDCO prior to commencement of any landscape works.
- Should clearing activities be required during the identified avian nesting period (March 31 – August 15), pre-clearing surveys must be conducted by the EM to identify active nests and other critical habitat features. Clearing and other construction activities must be conducted within 72 hours following the completion of the pre-clearing nest surveys. Additional buffers and no-disturbance zones may be required at this time.
- All individuals (e.g., owners, developers, equipment operators, landscapers) involved in land-altering activities must be advised that if archaeological material is encountered during development, they must stop all activities immediately and contact the Provincial Archaeology Branch for direction.
- All individuals (e.g., owners, developers, equipment operators, landscapers) involved in land-altering activities must ensure they do not block access into and out of the Fintry Community Park and boat launch during the construction works.

- In accordance with the RDCO Noxious Weed Control Bylaw No. 179, the owner or occupier of the land shall prevent the infestation of noxious weeds and cut down or otherwise destroy and mulch or remove all noxious weeds and plant with native grasses or other native vegetation.

CARRIED unanimously

9. NEW BUSINESS

No new business.

10. DIRECTOR ITEMS

There were no director items raised.

11. ADJOURN IN CAMERA

@/21

BARTYIK/WOOLDRIDGE

THAT pursuant to section 90(1)(a) and (c) of the Community Charter the Regional Board adjourn and convene to a closed to the public meeting - 'In Camera' session to discuss:

- officer position appointment; and
- labour relations or other employee relations;

and that, in the view of the Regional Board, could reasonably be expected to harm the interests of the Regional District if they were held in public.

CARRIED unanimously

The meeting adjourned to a closed session at 8:32 p.m.

CERTIFIED TO BE TRUE AND CORRECT

G. Given (Chair)

B. Reardon (Chief Administrative Officer)

/slh