

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, March 23, 2015

Directors:

J. Baker (District of Lake Country)
R. Donn, alternate for C. Basran (City of Kelowna)
W. Carson (Central Okanagan West Electoral Area)
M. DeHart (City of Kelowna)
D. Findlater (District of West Kelowna)
C. Fortin (District of Peachland)
G. Given (City of Kelowna)
C. Hodge, alternate for T. Gray (City of Kelowna)
P. Hanson (Central Okanagan East Electoral Area)
D. Ophus (District of West Kelowna)
M. Singh, alternate for B. Sieben (City of Kelowna)
L. Stack (City of Kelowna)
C. Derickson (Westbank First Nation)

Staff:

B. Reardon, Chief Administrative Officer
R. Fralick, Manager of Planning
M. Kopp, Director of Parks Services
P. Rotheisler, Manager of Environmental Services
C. Radford, Director of Community Services
M. Rilkoff, Director of Finance Services
B. Smith, Communications
M. Drouin, Manager-Corporate Services (recording secretary)

1. CALL TO ORDER

Chair Given brought the meeting to order at 7:15 p.m.

2. ADDITION OF LATE ITEMS

There were no additions to the agenda.

3. ADOPTION OF THE AGENDA

#54/15

STACK/FORTIN

THAT the agenda be adopted.

CARRIED Unanimously

4. ADOPTION OF MINUTES

4.1 Regular Board Minutes – March 12, 2015

#55/15

BAKER/OPHUS

THAT the Regular Board meeting minutes of March 12, 2015 be adopted

CARRIED Unanimously

5. DELEGATIONS

No delegations

6. CORRESPONDENCE

6.1 Okanagan Basin Water Board Meeting Highlights – March 5, 2015 (*All Directors – Unweighted Vote*)

It was noted that the OBWB milfoil program has discovered that municipalities continue to develop their foreshore/parkland and access for the machinery to cut the milfoil is being limited. OBWB is in contact with the municipalities to address this issue with them.

#56/15

BAKER/FINDLATER

THAT the Regional Board receive for information the Okanagan Basin Water Board meeting highlights of March 5, 2015.

CARRIED Unanimously

6.2 Letter from Electoral Area Directors Carson & Hanson re: Withdrawal of Services – Electoral Area Fire Prevention (*All Directors – Unweighted Vote*)

The Administrator addressed the Board and requested clarification from the electoral area directors with regard to their letter and what their intent is: what kind of withdrawal do you want, and are you asking for an immediate withdrawal of all financial support to the service? There is a formal process that must be followed, and that the letter before the Board is only asking the Board to support withdrawal from all financial support for the service. It was noted that there is an impact on all services when service levels change as administrative costs would need to be reallocated to all other services.

The area directors confirmed: the intent is to fully withdraw from the service and all financial requirements. Director Hanson noted she believed when the service was created it was for the purchase three trucks. The costs continue to escalate and there is no need to continue with the service. This would be withdrawal from fire prevention services.

The Administrator highlighted what the service is responsible for: Bylaw 1065 – Fire Prevention Bylaw outlines fire protection services to the electoral area residents including: education for fire hazard, adoption and enforcement for fire prevention regulations, system of fire prevention inspection of public buildings, adoption and enforcement of fire department access standards, supplemental regulations for fire hydrants, fire department administration includes .62 of an FTE, issuing burning permits. If repealed, any fire prevention work would no longer be done.

The question that needs to be answered – is fire protection services no longer required in the electoral areas? And, if not, what are the ramifications to its

residents including loss of grants, safety of its citizens, how and who will provide the service?

It was further noted that withdrawal of any financial commitments cannot be done in 2015. The financial plan is in process and is to be approved March 27th. The Administrator noted staff are prepared to work with the directors to clarify what the service is responsible for, and develop a plan for 2016.

#57/15

OPHUS/STACK

THAT the Regional Board receive the March 11, 2015 letter from Central Okanagan West Electoral Area Director Wayne Carson & Central Okanagan East Electoral Area Director Patty Hanson regarding their request for Board support to withdraw from the service of Electoral Area Fire Prevention;

AND THAT the request of the electoral area directors to withdraw from service 019 – Electoral Area Fire Prevention Program be denied;

AND FURTHER THAT staff be directed to draft a report on the options for Board consideration.

CARRIED Unanimously

7. CORPORATE SERVICES

No Board action required/requested.

8. COMMUNITY SERVICES

Planning Services

- 8.1 Report regarding a FrontCounter BC referral application to construct and maintain a trail or recreation facility on Crown land or to legally designate Crown land for a recreation trail or site (term indefinite), in the area known as the Aberdeen Plateau east of Okanagan Lake above the District of Lake Country (CL-15-02) Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated March 16, 2015 outlined the FrontCounter BC referral application requesting consideration of recreational sites—a proposal to manage unsanctioned activities that are occurring in the two watershed polygon areas located east of the District of Lake Country (in the Dee Lake and Oyama Lake area). Once the sites are approved, they will receive the benefit of regularly scheduled attention from the Ministry of Forests, Lands and Natural Resource Operations.

The subject areas were identified on the overhead. The proposal is in keeping with the RDCO Regional Growth Strategy. The intent of the application is to manage the unsanctioned activities that are currently occurring in the area.

#58/15

HANSON/FORTIN

THAT FrontCounter referral application for Recreation Sites (indefinite term) in the vicinity of Park Lakes, Alex Lake, Rankin Lake & Wilma Lake (CL-15-02) for Ministry of Forests, Lands and Natural Resource Operations be conditionally supported subject to;

- Issues and recommendations of other agencies (noted and appended to this report), including the District of Lake Country, MFLNRO (Resource Management), Environmental Advisory Commission and RDCO staff being addressed prior to issuance of, or applied as conditions to any land tenure designating the polygons as Recreation Sites.

AND THAT the Community Services Department Report dated March 16, 2015, be forwarded to Front Counter BC's Planning Office for their information and consideration.

CARRIED Unanimously

8.2 Report regarding a FrontCounter BC referral application to construct and maintain a trail or recreation facility on Crown land or to legally designate Crown land for a recreation trail or site (term indefinite) in the vicinity of Gillard Creek (CL-15-03) Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated March 16, 2015 outlined the referral application from FrontCounter BC to construct, rehabilitate and/or maintain recreation mountain bike trails by the Mountain Bikers of the Central Okanagan. The recreation trails are intended as intermediate and advanced single-track mountain bike trails that consist of man-made and natural technical features. These trails represent a well-used and popular trail system that has been utilized for over a decade.

The RDCO previously supported a similar application approximately five years ago but did not proceed due to unresolved technical issues. FrontCounter has confirmed the current application is similar to the previous one in geographic location and proposed designation under the Act.

The trail system is located in a popular recreation area in the South Slopes. A small portion of the trail system extends into the Okanagan-Similkameen. It is not known if RDOS has been provided with a referral. This would come from FrontCounter BC. It is unknown if the trails are open to the public.

A letter of support was received from the City of Kelowna. As well, City of Kelowna had submitted a letter of support to the Province in late 2014.

#59/15

OPHUS/HODGE

THAT the applicant be invited to address the Board regarding their application.

CARRIED Unanimously

Justin Derbyshire – president of the Mountain Bikers of the Central Okanagan (MBCO) and Central Okanagan Trail Alliance addressed the Board highlighting:

- There has been some interference with motorized recreation users and mountain bikers. This is not a sole source agreement, it is an agreement to develop the trails. In the future they would like to move to only non-motorized usage.
- The MBCO cannot limit use of the trails. The area is open to the public as it is Crown lands. Mountain bike specific trails are being developed. In the future may develop trails that are multi-use aspect (non-motorized recreation).
- Outlined the clean-up work the biking community has done (an area known as 5K in the south slopes) and will continue with these efforts as stewards of the land.
- The Board thanked the members on the work they have done in the area.

#60/15

HANSON/HODGE

THAT Front Counter referral application for the purpose of constructing, rehabilitating and/or maintaining recreational mountain bike trails (indefinite term) under the *Forest & Range Practices Act* in the vicinity of Gillard Creek (CL-15-03) for Mountain Bikers of the Central Okanagan be conditionally supported subject to:

- Issues and recommendations of other agencies (noted and appended to this report), including the MFLNRO (Resource Management), Environmental Advisory Commission and RDCO staff being addressed prior to issuance of, or applied as conditions to any land tenure approval to construct, rehabilitate and/or maintain recreational mountain bike trails.
- Protection of archaeological sites, including the KVR work camp site;
- Front Counter BC to solicit comment from the *Friends of the South Slopes*;
- Compliance with all conditions and recommendations of the Regional District of Okanagan Similkameen.

AND THAT the Community Services Department Report dated March 16, 2015, be forwarded to Front Counter BC's Planning Office for their information and consideration.

CARRIED Unanimously

Development Variance Permits (*Unweighted Vote*)

- 8.3 Development Variance Permit Application for B. & C. Boyle (owners) A.R. Castle Home Design & Contracting Ltd. (agent) to vary Section 6.5.4 of Zoning Bylaw No. 871 to reduce the minimum front setback from 6.0 m (19.7 ft.) to 3.0 m (9.84 ft.) to permit an accessory building adjacent to Winchester Road (VP-15-01) Central Okanagan West Electoral Area (*Electoral Areas, Kelowna and West Kelowna Fringe Areas*)

Staff report dated March 16, 2015 outlined a development variance permit application to allow a reduction of the front setback to permit the siting of a proposed detached garage. The subject property was noted on the overhead.

There have been no objections received to date. Staff noted that the area for the detached garage should not have been cleared until approval was received but noted that the applicant was unaware of this and is working with staff to address issues.

Chair Given asked if there was anyone in the gallery who deemed their property to be affected by the application.

R. Reiger – President of A.R. Castle Home Design & Contracting Ltd. representing the applicant addressed the Board noting that the environmental study which had been completed gave permission to clear the trees, they inadvertently cleared more than what should have been. It was not intentionally done. The request being made is quite minor.

Staff noted that the Ministry of Transportation and Infrastructure has issued a permit to reduce the building setback to allow the detached accessory building.

#61/15

STACK/DONN

THAT Development Variance Permit Application VP-15-01 for B. & C. Boyle (owners) to vary Section 6.5.4 of Zoning Bylaw No. 871 by allowing a reduction of the minimum front setback from 6.0m (19.7ft) to 3.0m (9.84ft) to permit a detached accessory building, be approved.

CARRIED Unanimously

Bylaws: (Second & Third Reading)

8.4 i) Land Use Contract Amendment Bylaw No. 199-02 for Regional District of Central Okanagan (applicant) to discharge Land Use Contract No. 199 in its entirety from the subject properties adjacent to Highway 33 and Schram Road. Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated March 16, 2015 outlined the requirement of the *Local Government Act* to discharge all Land Use Contracts. The LUC is to be discharged and the subject properties designated as Rural Acreage (RA) and Large Holdings (LH).

#62/15

HANSON/CARSON

THAT Land Use Contract Amendment Bylaw No. 199-02 be given second and third readings.

CARRIED Unanimously

- ii) Joe Rich Rural Land Use Amendment Bylaw No. 1195-10 for the above to designate the subject properties to Rural Acreage (RA) and Large Holdings (LH) (RLUB-14-01) Central Okanagan East Electoral Area (*Electoral Areas*)

#63/15

HANSON/CARSON

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-10 be given second and third readings;

AND THAT final consideration of application RLUB-14-01 be withheld pending receipt of formal bylaw approval from the Ministry of Transportation and Infrastructure.

CARRIED Unanimously

- 8.5 i) Land Use Contract Amendment Bylaw No. 199-03 for K. Gibbard & L. King (owners) to discharge Land Use Contract No. 199 in its entirety from the subject properties located adjacent to Highway 33 and Schram Road. Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated March 16, 2016 outlined the discharge of Land Use Contract No. 199 from the subject properties and designate the parcels as Rural Acreage (RA) and Small Holdings 2 (SH-2). There are five parcels currently regulated. The owners of two of the lots are requesting approval to discharge the LUC to permit a boundary adjustment to increase the agricultural capability of the farming operation on the proposed 12.11 ha. parcel.

#64/15

HANSON/BAKER

THAT Land Use Contract Amendment Bylaw No. 199-03 be given second and third readings.

CARRIED Unanimously

- ii) Joe Rich Rural Land Use Amendment Bylaw No. 1195-11 for the above to designate the subject properties as Rural Acreage (RA) and Small Holdings 2 (SH-2) (RLUB-14-02) Central Okanagan East Electoral Area (*Electoral Areas*)

#65/15

HANSON/CARSON

THAT Joe Rich Rural Land Use Amendment Bylaw No. 1195-11 be given second and third reading;

AND THAT final consideration of application RLUB-14-02 be withheld pending receipt of formal bylaw approval from the Ministry of Transportation and Infrastructure.

CARRIED Unanimously

Bylaws: (Second & Third Reading & Adoption)

8.6 i) Land Use Contract Amendment Bylaw No. 172-01 for Regional District of Central Okanagan (applicant) to discharge Land Use Contract No. 172 in its entirety from the subject properties adjacent to Teather, Whelan, and Rittich Roads. Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated March 16, 2015 outlined the discharge of Land Use Contract No. 172 from the subject properties and zone the parcels A1 Agricultural.

#66/15

HANSON/BAKER

THAT Land Use Contract Amendment Bylaw No. 172-01 be given second and third readings, and adopted.

CARRIED Unanimously

ii) Zoning Amendment Bylaw No. 871-225 for the above to zone the subject properties to A1 Agricultural (Z14/05) Central Okanagan East Electoral Area (*Electoral Areas and Kelowna Fringe Area*)

#67/15

HANSON/STACK

THAT Zoning Amendment Bylaw No. 871-225 be given second and third readings, and adopted.

CARRIED Unanimously

Environmental Services

8.7 Westside Regional Wastewater Treatment Plant – Amendment to the Draft 2015 Budget (*All Directors – Unweighted Vote*)

Staff report dated March 18, 2015 outlined the requirement to amend the draft 2015 budget for the Westside Regional Wastewater Treatment Plant to account for increased biosolids transport and disposal costs.

Due to recent protests and road blocks to the contracted composing site near Merritt, hauling has been diverted to an alternate site. The decision was made to respect the peaceful demonstration, and therefore the biosolids are being transferred to an alternate site. This dispute is between the Province and the demonstration group and that's where it needs to be resolved. The Regional District is in full compliance with all provincial laws and regulations in this matter. With the uncertainty of this issue and anticipation of using alternate sites, staff believes it is prudent to add \$356,100 in the 2015 Financial Plan to account for increased hauling costs.

This is an issue that transcends boundaries. The Province has been notified of extra costs the RDCO is incurring for respecting the blockade, but at this point is not forthcoming with any funds. It was further noted that everything the RDCO has done is within its legal rights. The RDCO could seek an injunction with the Courts if it so desires but this issue is with the Province and the Province should take steps to resolve the issue. The RDCO is an innocent pawn in this dispute with the Province and the protestors. The Ministry of Environment has been approached to discuss the long-term requirements for biosolid disposal throughout the Province.

The increase in the budget provides flexibility--if it is not needed, it will not be spent.

#68/15

FINDLATER/BAKER

THAT \$300,000 in operating expenses and \$56,100 in overhead expenses be added to the draft 2015 Westside Regional Wastewater Treatment Plant budget.

CARRIED Unanimously

9. PARKS SERVICES

9.1 Proposed 2015 Gas Tax Community Works Fund Projects (*All Directors – Unweighted Vote*)

Staff report dated March 11, 2015 outlined the proposal to Gas Tax-Community Works Fund for proposed projects in the electoral areas: \$226,950 for Central Okanagan West and \$233,907 for Central Okanagan East.

The question was raised what renovation is planned for the Ellison Heritage Community Hall? Staff is working with the Ellison Parks & Recreation Society to look at upgrades to the lower level. What is the process to develop the list of priorities--are these the most urgently needed projects? Staff went through the priority list and discussed with the electoral area directors. Water systems have been discussed and will continue to be in the future. What is a facility assessment? It includes an asset inventory of all infrastructure the RDCO owns, a portion of the work is apportioned to the electoral areas for the assets in their areas. Finance noted this is a condition assessment inventory.

#69/15

HANSON/FORTIN

THAT the Regional Board authorize the use of \$460,857 of Gas Tax – Community Works Funds to complete the proposed projects listed in the project plan, dated March 11, 2015 and as reflected in the 5-Year, 2015-2019 Financial Plan.

CARRIED Unanimously

10. NEW BUSINESS

10.1 Application to Strategic Priorities Fund – Capacity Building (*All Directors – Unweighted Vote*)

Staff report dated March 17, 2015 outlined a request for Board support to make an application for Strategic Priorities Fund grant under the capacity building stream for a regional strategic transportation plan. Each local government is allowed up to two capital and one capacity building applications per year. As a member of the Sustainable Transportation Partnership of the Central Okanagan (STPCO) regional district staff have identified the regional strategic transportation plan as a key project with regional significance.

This is phase 2 of the transportation plan. If funding is not received what happens to the plan? Ron Westlake, City of Kelowna Transportation Manager, was in attendance and noted there may be other grant opportunities but if funds are not received then plans will need to be scaled back.

Director Hodge left the meeting.

#70/15

BAKER/OPHUS

THAT the Regional Board approve the 'Capacity Building' application to the Union of BC Municipalities Strategic Priorities Fund for six hundred thousand dollars (\$600,000) for funding the Regional Strategic Transportation Plan.

CARRIED Unanimously

10.2 Transit Fare Increase (*All Directors – Unweighted Vote*)

Staff report dated March 17, 2015 outlined that the Regional District is a municipal partner in the Kelowna Regional Transit System and operates a small conventional service in the Ellison Area of the Central Okanagan east that is limited to 2 trips per day-Monday thru Saturday. This service is a small part of the transit system administered through the City of Kelowna. The other municipal partners have approved a fare increase to go into effect September 1, 2015. It was noted that the increase for the UBCO (UPass) is subject to a student referendum and if approved, will take effect September 1, 2016.

Director Hodge returned to the meeting at 8:32 p.m.

It was noted that the system is striving to get a 30% recovery. Today recovery is running at 26-27%. Transit staff will continue to look at fare increases in the future to recover costs and various fares levels particularly 'cash' fares. More transit users are using monthly passes. It was noted that although the cost to ride the bus will be \$2.50, it actually costs the system \$9.00 per transit ride—that is how much subsidy is being provided to the service.

#71/15

FORTIN/SINGH

THAT the Regional Board approve a fare change, as detailed in Appendix 3 (City of Kelowna report to Council) with an effective date of September 1, 2015 and subject to student referendum approval, a UPASS increase effective September 1, 2016.

CARRIED Unanimously

- 10.3 Approval for Electoral Area Directors Carson & Hanson Attendance at the Southern Interior Beetle Action Coalition – *Keeping It Rural* Conference
(All Directors – Unweighted Vote)

#72/15

OPHUS/DEHART

THAT the Regional Board approve Director Carson and Director Hanson's attendance to the Southern Interior Beetle Action Coalition – *Keeping It Rural* Conference, including registration and travel expenses as per Board policy No. 7.15.

CARRIED Unanimously


11. DIRECTOR ITEMS

- Councillor Derickson noted that next Wednesday, April 1st Westbank First Nation is celebrating the 10-year anniversary of its self-government.


12. ADJOURN

There being no further business the meeting was adjourned at 8:40 p.m.

CERTIFIED TO BE TRUE AND CORRECT



G. Given (Chair)



B. Reardon (Director of Corporate Services)