

**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, January 25, 2016**

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Directors:

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

Absent:

C. Derickson (Westbank First Nation)

Staff:

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

**1. CALL TO ORDER**

Chair Given called the meeting to order at 7:00 p.m.

**2. ADDITION OF LATE ITEMS**

Amend #8. to read Business Arising, 8.1 Adoption of Service Area Boundary Amendment Bylaws; move Directors Items to #9; and move Adjourn to In Camera #10.

**3. ADOPTION OF THE AGENDA**

**#20/16**

**BAKER/FORTIN**

THAT the agenda be adopted as amended.

CARRIED Unanimously

**4. ADOPTION OF MINUTES**

4.1 Special Board Meeting December 15, 2015 and Regular Board Meeting -- January 14, 2016 (*All Directors – Unweighted Vote*)

Discussion ensued regarding specific director comments not being included in the minutes. It was noted that minutes are not verbatim but an attempt to capture generic comments. Audio of the board meetings is posted online for those who want to hear all director comments.

#21/16

BASRAN/FORTIN

THAT the Special Board Meeting minutes of December 15, 2015, the Regular Board Meeting minutes of January 14, 2016 be adopted.

CARRIED (Opposed: Carson)

**5. COMMUNITY SERVICES**

**Planning**

5.1 FrontCounter BC Referral Application to formalize Okanagan Bouldering Society (applicant) existing use, and to protect and maintain access to an area known as the "Bouldering Fields" south of the City of Kelowna adjacent to Myra-Bellevue Provincial Park (CL-15-11) Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

Staff report dated January 18, 2016 outlined the FrontCounter BC referral application for Okanagan Bouldering Society. The Society is working with Recreation Sites and Trails BC to formalize and manage the areas existing use. The subject Crown land is currently used from April to November for parking, camping, bouldering, festivals, etc. Staff reviewed the application's intent to formalize and manage the area's existing use. The Society will be responsible for management of the site.

Staff highlighted RDCO and agency referral comments. Discussion included:

- As there is not an existing campground approved, will zoning need to be changed? Staff noted it will depend upon the type of camping. Currently some camping occurs in the parking area. The camp site will be co-managed between the two organizations. How many campsites are planned? This information is not available, but staff has asked for information regarding the proposed campsite.
- Why is an environmental impact study being requested? The RDCO Environmental Advisory Commission recommended a study to ensure the environment is considered and protected when developing access to the site, and campgrounds.
- Who maintains the access road to the site? Current access is from the KVR forest service road. Access from the KVR road to the site is maintained by the Society.
- Sports like this encourage healthy access to the backcountry.
- The site has been utilized by Kelowna Fire Rescue for training activities.
- What is meant by 'festivals'? It is hoped it will only be a bouldering festival not a 'music' festival.
- FrontCounter BC makes the final decision on all recommendations.

#22/16

BASRAN/BAKER

THAT FrontCounter referral application for the purpose of improving the existing access road and drainage, increasing the parking lot capacity, and providing a designated camping area under the *Forest & Range Practices Act* located south of the City of Kelowna in the vicinity of Myra-Bellevue Provincial Park, Gillard Creek and Bellevue Creek (CL-15-11) for the Okanagan Bouldering Society be conditionally supported subject to the following being addressed prior to issuance of, or applied as conditions, to any land tenure approval:

- An environmental impact assessment be undertaken and a management plan developed.
- Ensuring that the proposed use can co-exist with other existing uses in the area.
- In addition to signage, consideration of installing barriers to restrict motorized access beyond the parking area.
- The applicant to meet with RDCO Planning staff to discuss the zoning for the proposed campsites.
- Clarify whether other tenures or proposed tenures overlap.
- Issues and recommendations noted by the Environmental Advisory Commission and City of Kelowna staff.

CARRIED Unanimously

General Permits

5.2 Floodplain Exemption Application for K. Orriss (owner) to be exempt from the floodplain setback provisions of Zoning Bylaw No. 871 to permit the siting of a proposed single detached house adjacent to Westside Place and Okanagan Lake (FEX-15-01) Central Okanagan West Electoral Area (*Electoral Areas, West Kelowna & Kelowna Fringe Areas – Unweighted Vote*)

Staff report dated January 18, 2016 outlined the floodplain exemption application. The subject property is unique and geographically challenged as it is bisected by Westside Road and Westside Place. The remainder of the parcel located above Westside Road is very steep. The owner intends to demolish the cabin currently located on the property and requests approval to construct a home. A Qualified Professional report indicating the land may be used safely has been received. An environmental permit application and development variance have also been submitted to the RDCO for approval. Staff believes the application meets provincial guidelines for consideration of a floodplain exemption. A covenant stating the conditions for exemption will be placed on the title of the affected property.

No comments have been received by the public subject to posting notification.

Riparian component is being addressed through the environmental development permit. With respect to the sewage system—type 3 onsite sewerage dispersal system will be required to be approved through Interior Health. Qualified professional states this is a much improved development from what is currently on the site.

The applicant, Kevin Orriss, addressed the Board.

- Property was originally purchased in 1986.
- The family is sensitive to environmental issues surrounding the lake
- He has worked with Ecoscape Environmental on the plan, and have added vegetation to what is currently there.
- The septic system (a stage 3 system) is the best that can be done onsite.

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

**#23/16**

OPHUS/CARSON

THAT the Board approve Floodplain Exemption application FEX-15-01 subject to the following condition:

- Registration of a Floodplain Covenant under Section 219 of the Land Title Act to the satisfaction of Regional District staff which restricts construction within the Floodplain Setback as required by RDCO Zoning Bylaw No. 871, s.3.28, to the floodplain setback referenced in the February 23, 2015, Floodplain Assessment Report by Peter Hanenburg, Professional Engineer, Interior Testing Services Ltd. and the attached site plan by Runnalls Denby on August 27, 2014

CARRIED Unanimously

5.3 Development Variance Permit Application for K. Orriss (owner) to allow four variances to Zoning Bylaw No. 871 to permit the siting of a proposed single detached house adjacent to Westside Place and Okanagan Lake (VP-15-02) Central Okanagan West Electoral Area (*Electoral Areas, West Kelowna & Kelowna Fringe Areas – Unweighted Vote*)

Staff report dated January 18, 2016 outlined the variance permit requested by the applicant to allow for four variances to permit the siting of a proposed single-family detached house. The requested setback variances are to ensure that the proposed house is located as far from the foreshore as possible. The required permit to reduce the building setbacks has been obtained from the Ministry of Transportation and Infrastructure. Agency referral comments were outlined.

There has been no correspondence received regarding this proposal.

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

#24/16

CARSON/OPHUS

THAT Development Variance Permit Application VP-15-02 to vary the following Zoning Bylaw No. 871 regulations to permit the siting of a proposed single detached house be approved based on the May 7, 2015, Site Plan by Runnalls Denby:

1. Section 6.5.4 by allowing a reduction of the minimum front setback from 6.0 m (19.7 ft.) to 0.710 m (2.3 ft.).
2. Section 6.5.5 by allowing a reduction of the minimum side setback from 3.0 m (9.8 ft.) to 0.457 m (1.5 ft.).
3. Section 3.5.c.ii by allowing an uncovered deck to extend 0.993 m (3.258 ft.) into the required side setback.
4. Section 3.5.c by allowing an uncovered deck to be 100% of the wall length on the south side of the single detached house.

CARRIED Unanimously

**6. PARKS SERVICES**

- 6.1 Rise & Report – November 12, 2015 Governance & Services Committee Meeting - Proposed Regional Trails Service Program (*All Directors – Weighted Vote*)

The Governance & Services Committee at its November 12<sup>th</sup> meeting received a delegation from the Central Okanagan Trails Alliance (COTA) regarding a proposed regional trails project. The purpose of COTA is to bring together a coordinated effort to standardize, maintain and fund a vast recreational trail network in the Central Okanagan. A request has been made for the RDCO to become involved in a program which could support the establishment of a new regional trails service program.

Discussion ensued:

- Staff report to include scope of project, program costs, how it would be funded.
- Would this be a new service? Is there an option to expand the service into the current regional parks service? This needs to be considered.
- It could be a stand-alone service for trails only. It was not nominated to be added into the regional parks service with a tax impact.
- This may be duplicating what municipalities are already doing.
- The service would be in collaboration with COTA.
- What is the budget impact? Staff noted the \$68,500 feasibility fund would be required to determine the full extent of the service.
- The staff report being recommended is only to bring information forward on potential costs and possible options.
- How does the provincial Recreational Sites & Trails BC fit into this service? Is this a download of a provincial service?
- How will this be funded and what options are available? It is estimated the service would cost around \$0.5mil.
- Some of the trails are not within the Central Okanagan. How will the service be managed for trails outside the region?
- Staff are looking to present a report back to the Board within 4-6 weeks.

#25/16

BAKER/OPHUS

THAT the Regional Board direct RDCO Parks staff to prepare a report that will outline a proposed scope of work and projected costs associated with undertaking a Regional Trails Service Program feasibility study for Board consideration as part of the 2016 Parks Department work plan.

CARRIED Unanimously

**7. NEW BUSINESS**

7.1 City of West Kelowna & Westbank First Nation Servicing Agreement for 2840 East Boundary Road (*All Directors – Unweighted Vote*)

Staff report dated January 19, 2016 outlined that Section 13(1)(b) of the *Community Charter* requires a regional district to consent to services outside a municipality. A municipality may provide a service in an area outside the municipality but it must first obtain consent if the area is not in another municipality. As Westbank First Nation does not have the infrastructure to service a property, they have requested to enter into a servicing agreement with the City of West Kelowna.

#26/16

FINDLATER/BASRAN

THAT the Board consents to, in accordance with Section 13(1)(b) of the *Community Charter*, the Sanitary Sewer Servicing Agreement between the City of West Kelowna and Westbank First Nation allowing a sanitary sewer service to Lot 186-4, Plan CLSR 103393, 2840 East Boundary Road.

CARRIED Unanimously

7.2 Systematic Review of Current Board Policies – Request for Direction (*All Directors – Unweighted Vote*)

Chief Administrative Officer report dated January 18, 2016 outlined the requirement for review of RDCO policies to ensure they are relevant, and amend where necessary. This review will be conducted over the next 18-24 months.

In discussion it was suggested to separate Administrative policies from the Board policies. Is it necessary to review both policies and bylaws at the same time, and are there staff resources to complete these projects. The Administrator noted that this work needs to be done and believes many of the policies will not take long to review.

#27/16

FINDLATER/GRAY

THAT the Board direct staff to systematically bring forward all Regional Board policies for review over the next 18 to 24 months.

CARRIED Unanimously

7.3 Systematic Review of RDCO Bylaws – Request for Direction (*All Directors – Unweighted Vote*)

Chief Administrative Officer report dated January 18, 2016 outlined the requirement for review of all pertinent RDCO bylaws and update them with proper references to the newly enacted *Local Government Act*. This review will be conducted over the next 12-18 months.

#28/16

FINDLATER/BAKER

THAT the Board direct staff to systematically bring forward all Regional District bylaws for review over the next 12 to 18 months.

CARRIED Unanimously

**8. BUSINESS ARISING**

8.1 Service Area Boundary Amendments – Central Okanagan East Electoral Area (*All Directors – Unweighted Vote*)

- a) Regional District of Central Okanagan Electoral Area "I" Local Transit Service Area Establishment Amending Bylaw No. 1358, 2015, **ADOPTION** (*All Directors – Unweighted Vote*)

#29/16

BAKER/DEHART

THAT Regional District of Central Okanagan Electoral Area "I" Local Transit Service Area Establishment Amending Bylaw No. 1367 be adopted this 25<sup>th</sup> day of January 2016.

CARRIED Unanimously

- b) Regional District of Central Okanagan Ellison Fire Protection Local Service Establishment Amending Bylaw No. 1359, 2015 **ADOPTION** (*All Directors – Unweighted Vote*)

#30/16

HANSON/BAKER

THAT Regional District of Central Okanagan Ellison Fire Protection Local Service Establishment Amending Bylaw No. 1368 be adopted this 25<sup>th</sup> day of January 2016.

CARRIED Unanimously

- c) Regional District of Central Okanagan Ellison Community Parks Specified Area Establishment Amending Bylaw No. 1360, 2015 **ADOPTION** (*All Directors – Unweighted Vote*)

#31/16

HANSON/BAKER

THAT Regional District of Central Okanagan Electoral Area 'I' Ellison Heritage Community Centre Local Service Area Establishment Amending Bylaw No. 1369 be adopted this 25<sup>th</sup> day of January 2016.

CARRIED Unanimously

**9. DIRECTOR ITEMS (items for information)**

- a) Director Carson raised a follow-up question regarding payment for the volunteer firefighters for the Shelter Cove fire which has not been completed. Staff will follow-up to ensure payment is made.
- b) The question was raised regarding who pays for fire response to a fire located outside a fire protection area? Kelowna and Joe Rich recently responded to a fire on Hwy 33 that was outside fire protection boundaries. Health Canada regulations apply to legal medical facilities. The question was raised whether facilities are required to be located in a fire protection area?
- c) The question was raised whether the issue of rats can be addressed by the Regional District. No, it is not being considered. These are wildlife issues such as problems with raccoons, mice, deer. Staff encourage residents to take responsibility for their own properties. Kelowna will not entertain a program. West Kelowna is putting limited funds into Wildlife Conflict Resolution Program which may help to educate their citizens.

**10. ADJOURN IN CAMERA**

#32/16

BAKER/OPHUS

THAT pursuant to Section 90 (1)(c) (g) (n) of the *Community Charter* the Regional Board adjourn and convene to a closed to the public meeting to discuss:


1. 90(1)(c) labour relations or other employee relations;
2. 90(1)(g) litigation or potential litigation affecting the municipality (Regional District);
3. 90(1)(n) the consideration of whether a council (Board) meeting should be closed under a provision of this subsection or subsection (2).

CARRIED Unanimously

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

**CERTIFIED TO BE TRUE AND CORRECT**

  
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G. Given (Chair)

  
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B. Reardon (Director of Corporate Services)