

**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, July 29, 2013**

---

Directors

J. Baker (District of Lake Country)  
C. Basran (City of Kelowna)  
J. Edgson (Central Okanagan West Electoral Area)  
K. Fielding (District of Peachland)  
D. Findlater (District of West Kelowna)  
G. Given (City of Kelowna)  
R. Hobson (City of Kelowna)  
W. Gray (City of Kelowna)  
P. Hanson (Central Okanagan East Electoral Area)  
D. Ophus (District of West Kelowna)  
L. Stack (City of Kelowna)  
M. DeHart, alternate for G. Zimmermann (City of Kelowna)

Regrets:

M. Werstuik, (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  
D. Widdis, RGS Coordinator  
M. Drouin, Manager - Corporate Services (recording secretary)

1. **CALL TO ORDER**

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

2. **ADDITION OF LATE ITEMS**

No items

3. **ADOPTION OF THE AGENDA**

#141/13

**BAKER/EDGSON**

THAT the agenda be adopted.

CARRIED

4. **ADOPTION OF MINUTES**

4.1 Minutes – July 18, 2013

#142/13

**EDGSON/ BASRAN**

THAT the Regional Board meeting minutes of July 18, 2013 be adopted.

CARRIED

**5. DELEGATION**

**5.1 Okanagan Regional Library – Stephanie Hall, Executive Director and Jeff Campbell, IT Manager re: Library Service Update**

An update on the Okanagan Regional Library services was provided to the Board including:

- 300% increase in electronic circulation, but decline in in-person visits.
- Moderate increase in program attendance.
- Per capita circulation has increased moderately.
- Libraries build readers. Higher literacy is associated with higher levels of community involvement and volunteerism, high employment levels and earnings.
- Financial model includes: ½ from land values and ½ on population. Costs shared on all municipalities and regional districts. Value and efficiency of local government contribution was reviewed.
- What's New – e-collection; freegal (downloadable music); games, languages, magazines, etc.
- In the middle of a value for money review. Looking to see what is being put in for levy, getting value for this. Report should be completed by the fall.
- Organizational review is being completed – new CAO hired and a review is underway.

*Discussion:*

-With a decline in in-person readership, is consideration being given to closing some branches? Value for money study will show branches which may not be as efficient and if costs are out of line. 25 member Board will review the study.

-Are there formal linkages with the public school system or beyond? Most of the linkages are informal—some communities are stronger than others.

Relationships can always be improved. Currently piecemeal.

-Board is complex with the number of members. Is restructuring possible? The Board has been tasked staff to look at this issue. Important that all local governments have a voice. The Board has elected not to use a consultant for this review—staff will review.

-A facility master plan will be developed in the future and discussion will occur with partners in the library.

**#143/13**

**EDGSON/STACK**

THAT the update on the Okanagan Regional Library be received for information.

CARRIED

**6. CORRESPONDENCE**

No Board action required/requested.

**7. UNFINISHED BUSINESS**

No Board action required/requested.

**8. FINANCE & ADMINISTRATIVE SERVICES**

- 8.1 Information Report – Purchase Commitments > \$100,000 during 1<sup>st</sup> and 2<sup>nd</sup> Quarter-2013 (*for information only*) (All Directors - Unweighted Vote)

#144/13

OPHUS/FIELDING

THAT the Regional Board, as per section 4.6 of the RDCO Purchasing Policy receive for information the report dated July 23, 2013, on the purchase commitments which exceeded \$100,000 made during the first and second quarter, ending June 30, 2013.

CARRIED

**9. COMMUNITY SERVICES**

**Inspection:**

- 9.1 Building Statistics – June 2013 (All Directors - Unweighted Vote)

#145/13

FIELDING/GIVEN

THAT the building statistics for June 2013 be received for information.

CARRIED

The question was raised why the year-to-date stop work orders are so high. Staff has been quite diligent in following up on orders. It was noted the new format on building statistics is appreciated.

**Planning:**

- 9.2 Regional Growth Strategy Review Update (All Directors – Unweighted Vote)

Staff report dated July 23, 2013 provided a current review of the update of the draft Regional Growth Strategy.

David Widdis provided an overview of the RGS update comments received to date:

- Review messaging: manage growth effectively and efficiently; there are limits to growth; minimize the impact on future generations.
- Review of sections added in this update include: climate, food, land and health.
- RGS is not a land specific document. Any comments received regarding land specific issues were referred directly to the appropriate municipality.
- 'Shall' is used in the draft instead of 'may'. The question was raised whether this wording should be used or just the policy statements. Removing shall of concern: will this limit the RDCO ability to request specific information when it comes to development? This only applies to the one line prior to the policy statements. Policy statements will still have to be followed.
- Clarity on process. Is it intended each partner will get a specific presentation? *Staff:* The idea is to bring the draft forward to determine if the

document still makes sense? If changes need to be made there is time to do this. A draft bylaw will be brought forward to the Board and there will be a 60-day period for comment from local governments. Presentations can be made to Councils if they so wish. All municipal staff have been involved in the process from the beginning, as well as elected official forums.

- Food – there is nothing about genetically modified food, is this an issue—is it a policy gap? This has not come up in any discussion to date. The Province has said they plan to develop policies around this issue.
- Transportation – should electric vehicle encouragement be considered?
- Rural development – should more specific information on rural growth be included in the RGS? Rural lifestyle, rural OCPs may cover this. One of the legislative roles is to minimize growth in rural areas.
- The draft includes compilation of data, consultation and information presented. The current timeline to complete the review has been extended slightly because funding approvals were late. \$600,000 is available for the update with just over \$200,000 spent to date. If all the grant funds are not spent it will go back.
- The next step is a bylaw for the Board to consider in the fall.
- Concern was expressed if the RGS is just another layer of bureaucracy? DWK will not support the document as is. Wording may be too prescriptive, such as words like ‘we agree’.
- There is no specific definition of what a major OCP amendment is? Is one required? This should be considered and possibly defined. These policies are already in each of the municipal OCPs—they are there now.
- The RGS affirms good planning policies which municipalities have in place – this is just affirming these policies. It does not fetter local Councils at all.
- Need to move forward with the draft bylaw so more specific comments can be reviewed.
- Need statements that ‘we’ can all agree about. There is independence in municipalities and electoral areas. These are fairly basic principles. OCP amendments have never come to the Regional Board. Need to agree on some basic principles, some of which the Province requires to be included in the RGS. Define major at the ‘high bar’ level not at a minor level. Careful with ‘specific’ statements – set up for success, not failure.

#146/13

EDGSON/STACK

THAT the Regional Board receive the updated Regional Growth Strategy review information and direct staff to incorporate and refine language definitions further including what is considered ‘major’;

AND THAT the Board discuss the draft RGS document more informally at a future meeting.

CARRIED

Bylaws: (First Reading) (Unweighted Vote)

- 9.3 i) Official Community Plan Amendment Bylaw No. 1124-04 for Eldorado Ranch (owner), Regional District of Central Okanagan (applicant), to amend the Ellison Official Community Plan on a portion of the subject property from Rural 30 Ha to Community Facilities in the vicinity of Duck Lake. (Z13/04) (All Directors)

Staff report dated July 22, 2013 provided an overview of the OCP amendment to rezone the site from RU1 (Rural 1) to L1 (Light Industrial). In accordance with the amendments, the intent is to recognize the long-standing light industrial use on the subject lands. The proposed amendments are in keeping with the historical use of the lands and are considered 'housekeeping'. The amendment is consistent with the proposed OCP land use designation. Are there any specific site servicing requirements for the industrial use? This would be considered if it was a brand new use on the property but this is grandfathering of existing land use of over 20 years.

#147/13

HANSON/BAKER

THAT Official Community Plan Amendment Bylaw No. 1124-04 be given first reading this 29<sup>th</sup> day of July 2013.

AND FURTHER THAT the scheduling of the application Z13/04 for a Public Hearing be withheld pending receipt of a letter from the landowners indicating that they are prepared to register a restrictive covenant prior to adoption of the amending bylaws restricting the land use of the 9.4 ha portion of the subject property to a 'Commercial School'.

CARRIED

- ii) Zoning Amendment Bylaw No. 871-219 for the above to zone a portion of the subject property from RU1 Rural 1 to I1 Light Industrial. (Z13/04) Central Okanagan East Electoral Area (*Electoral Areas, Kelowna Fringe Area and Lake Country Fringe Areas*)

#148/13

HANSON/EDGSON

THAT Zoning Amendment Bylaw No. 871-219 (Z13/04) be given first reading.

CARRIED

- 9.4 i) Land Use Contract Amendment Bylaw 277-09 for T. Dixon (owner/applicant) to discharge Land Use Contract No. 277 in its entirety from the property located adjacent to Trepanier Road and Paradise Valley Road. (Z13/05) (*All Directors*)

Staff report dated July 22, 2013 provided an overview of the Land Use Contract Amendment, Official Community Plan amendment and Zoning Amendment bylaw. The purpose is to introduce a new land use designation 'Country Residential' into the OCP and to amend the land use designation on the property from Rural Residential to Country Residential, and to amend the zoning from RU2 Rural 2 to RU3 Rural 3 in order to permit subdivision of the parcel into three rural residential lots varying from 1 ha to 1.32 ha in size.

Staff provided a review of the application including ortho photo of the subject property. Plan of subdivision noted. It was noted that staff do not support these amendments as the proposal is not consistent with the OCP and the region's Regional Growth Strategy which encourages efficient use of land, resources, energy and infrastructure by minimizing urban sprawl; not within an established local fire protection district; does not meet Subdivision Bylaw 704; and the RDCO Advisory Planning Commission and District of Peachland Council does not support this application.

Staff reviewed the historical context of the amendment and similar applications in the Trepanier area which have not been supported by the Board.

As there is a negative recommendation from staff, the applicant was provided the opportunity to address the amendment. Trevor Dixon addressed the Board noting:

- Believes the Trepanier area has water, and identified an aquifer in the area (information he received from the Ministry of Environment). Aquatic ecosystem area borders the top of the property. Hydrology reports are available. Unknown amount of water in the aquifer.
- Area is a flat, valley bottom.
- In OCP, smallest designation is rural residential – 42 out of 63 properties are smaller than 4 ha.
- Other properties in the area have been rezoned. Believes a majority of residents in the area support future growth.
- Believes the area could easily be serviced.
- Currently there is no fire protection in the area even though some properties are smaller than 4 ha. Application supports fire protection in the community.
- Advisory Planning Commission doesn't support due to issues raised by the District of Peachland.
- OCP amendment would not set a precedent in the applicant's view.
- Do you believe further subdivision is a way of getting future servicing – water, fire protection? Yes. At what point would there be a critical mass to get servicing? 20 or more properties. 'Greening' the area would be a benefit for fire protection.

*Discussion:*

- If the Board supports the designation, it is open for every property owner to apply for an amendment. It opens the door for a lot of potential small lot residential in an area not serviced and would set a precedent.
- What consultation has been done with neighbours? 12 property owners are in support of amendment.
- Existing zoning and land use contracts are in place. The OCP is providing future direction on properties—4ha minimum, requiring community water system. Land Use Contracts are from the 1960s and 1970s.
- *Staff:* with respect to development in Trepanier area there really has been no development applications at the request of the District of Peachland. Peachland specifically requested further studies to be completed prior to considering any further development and servicing the area. It was noted that a feasibility study request was brought forward to the Board in 2012. The Board did not support the study and subsequently a survey was done with the neighbourhood – there was no support from the residents to move forward with water/fire protection. The Board approved coming back in three years for further discussion (it is now year one). Staff is reviewing Bylaw 704 for possible consideration particularly with regard to community water systems.
- Peachland does not support this amendment. OCP in place in the area, has wide acceptance and clear principles have been developed.
- Lack of fire protection is a major concern.
- Approval of the amendment would be precedent setting.
- Is there a neighbourhood plan in place? A neighbourhood plan has not been completed.

- Trepanier land owners should consider annexing with Peachland should they wish to consider further development in the area. No confirmation that Peachland would be interested in receiving such applications.

#149/13

EDGSON/FIELDING

THAT Land Use Contract Discharge Bylaw LUCA-277-09 NOT be given first reading this 29<sup>th</sup> day of July 2013.

CARRIED (Hanson opposed)

ii) Official Community Plan Amendment Bylaw No. 1303-01 for the above to introduce a new land use designation 'Country Residential' into the Brent Road/Trepanier Official Community Plan and to amend the land use designation on the subject property from Rural Residential to Country Residential, located adjacent to Trepanier Road and Paradise Valley Road. (Z13/05) (*All Directors*)

*Consideration was not given as the Land Use Contract Discharge Bylaw was not supported.*

iii) Zoning Amendment Bylaw No. 871-220 for the above to zone the property to RU3 Rural 3, located adjacent to Trepanier Road and Paradise Valley Road. (Z13/05) Central Okanagan West Electoral Area (*Electoral Areas, Peachland and West Kelowna Fringe Areas*)

*Consideration was not given as the Land Use Contract Discharge Bylaw was not supported.*

**Bylaws: (Second and Third Reading)** (*Unweighted Vote*)

9.5 Joe Rich Rural Land Use Bylaw No. 1195-08 for P. Holman (owner) J. Holman (agent) to amend the land use designation on the subject property from CR Country Residential to CRs Country Residential (Secondary Suite) to permit a legal suite. Adjacent to Greystokes Road (RLUB-13-01) Central Okanagan East Electoral Area (Electoral Areas)

#151/13

HANSON/EDGSON

THAT Joe Rich Rural Land Use Bylaw No. 1195-08 (application RLUB-130-01) be given second and third readings;

AND THAT consideration for adoption be withheld pending receipt of Rural Land Use Amendment Bylaw No. 1195-08 approval from the Ministry of Transportation and Infrastructure pursuant to Section 52(3)(a) of the *Transportation Act*.

CARRIED

A brief discussion ensued regarding the definition of what constitutes a secondary suite (breezeway required) and whether an amendment to the bylaw should be considered.

The electoral area directors are not in support of any change to the secondary suite regulations, therefore no further consideration needs to be given to this issue. It was noted that West Kelowna still uses the same regulations in its municipality as long as it meets the Building Code regulations.

**Fire Services:**

- 9.6 RDCO North Westside Road Fire Protection Local Service Area Establishment and Expansion Amendment Bylaw No. 1330, 2013, **1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings** (*Unweighted Vote – All Directors*)

#152/13

**EDGSON/OPHUS**

THAT RDCO North Westside Road Fire Protection Local Service Area Establishment and Expansion Amendment Bylaw No. 1330, 2013 be given first, second and third readings this 29<sup>th</sup> day of July 2013.

CARRIED

**10. CORPORATE SERVICES**

- 10.1 Dog Control Statistics (June 2013) *for information only (All Directors – Unweighted Vote)*

Dog Control Service statistics for the month of June 2013 were provided for the Board's information. Staff took the opportunity to update the Board on the 'My Dog Matters' Responsible Dog Owner Rewards Program. The program will be rolled out to current dog licensees this week. The program provides owners who have licensed their dog to obtain special discounts are participating businesses. It was further noted, that current licensees are being asked to swap their annual license tags for the new permanent tag which will provide dog owners to renew online in 2014 instead of making a special trip to renew and pick up a new tag—the permanent tag will remain with the dog through its life. The resource group will be meeting in August to discuss plans to move forward with the implementation plan. Mydogmatters.ca website is now in operation.

#153/13

**FIELDING/BAKER**

THAT the Dog Control Statistics for the month of June 2013, and update on the 'My Dog Matters' Rewards program be received for information.

CARRIED

**11. NEW BUSINESS**

No Board action required/requested.

**11. DIRECTOR ITEMS**

- a) Director Edgson noted that Westside Road improvements continue and are welcomed by the community.

- b) Director Hanson noted that Blood services across Canada are down by 9000 units. Think about giving.

**12. ADJOURN IN CAMERA**

#154/13

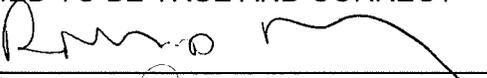
EDGSON/OPHUS

THAT pursuant to Section 90 of the *Community Charter* the Regional Board adjourn and convene to an 'In-Camera' session to discuss a negotiation respecting the proposed provision of a service and a legal opinion.

CARRIED

There being no further business the meeting was adjourned at 9:35 p.m.

CERTIFIED TO BE TRUE AND CORRECT

  
\_\_\_\_\_

R. Hobson (Chair)

  
\_\_\_\_\_

B. Reardon (Director of Corporate Services)