

REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of the **REGULAR** meeting of the **REGIONAL BOARD (EAS)** held in the Board Room at the Regional District Office on **TUESDAY, NOVEMBER 20, 2007**

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|-----------------|----------------------------------|-------------------------------------|----------|
| Members: | Director J. Oglow (Chair) | City of Armstrong | |
| | Director W. Lippert (Vice Chair) | City of Vernon | |
| | Director G. Corner | District of Coldstream | (absent) |
| | Director D. Wejr | City of Enderby | (absent) |
| | Director E. Foster | Village of Lumby | (absent) |
| | Director L. Bissell | Township of Spallumcheen | (absent) |
| | Director P. Cochrane | City of Vernon | (absent) |
| | Director P. Nicol | City of Vernon | (absent) |
| | Director C. Kanester | Electoral Area ‘B’ | |
| | Director S. Field | Electoral Area ‘C’ | |
| | Director R. Fairbairn | Electoral Area ‘D’ | |
| | Director E. Foisy | Electoral Area ‘E’ | |
| | Director H. Halvorson | Electoral Area ‘F’ | |

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|---------------|-----------------|--|
| Staff: | G. Betts | General Manager, Electoral Area Services |
| | R. Smailes | Development Services Manager |
| | S. Noakes | Planner |
| | P. Luscombe | Chief Building Inspector |
| | M. Knox | Manager, Community Services |
| | I. van Oostveen | Executive Clerk, Electoral Area Services |

Other: Approximately 16 in the public gallery.

PART 1 – CALL MEETING TO ORDER

The Chair called the meeting to order at 9:03 a.m.

PART 2 – APPROVAL OF AGENDA AS PRESENTED

Moved by Director Kanester **Seconded by** Director Halvorson
"That the agenda of the November 20, 2007 regular meeting of the Regional Board (EAS) of the Regional District of North Okanagan BE APPROVED as presented."

CARRIED

PART 3 – INTRODUCTION OF LATE ITEMS

PART 4 – ADOPTION OF MINUTES

Regional Board (EAS) – Regular Meeting – October 16, 2007

Moved by Director Field **Seconded by** Director Kanester
"That the minutes of the October 16, 2007 regular meeting of the Regional Board (EAS) of the Regional District of North Okanagan BE ADOPTED as circulated."

CARRIED

PART 5 – PETITIONS AND DELEGATIONS

a. McRae, D. – See 7.A.3.b.i

No one was present to speak to this application.

b. Skelton, R. – See 7.A.3.a.ii

Carol Skelton distributed a letter and aerial photograph.

c. Watts, T. & D. – See 7.A.3.b.ii

Diane Watts of Silver Star Road spoke in support of her request for a variance and submitted a letter to Director Field explaining the technical rationale for her request.

d. Egli – Greg Darroch for [0794579 BC Ltd.] – See 7.A.3.d.ii

Greg Darroch of 576 Middleton Way, representing 0794579 BC Ltd, spoke to his letter of November 19, 2007 in support of the proposed rezoning. He indicated he was confident that he could address the issues raised in the staff report.

e. Barr, D. – See 7.A.3.f.ii

Doug Barr of 1760 Mabel Lake Road spoke in support of his application and noted some of the technical analyses that had been done to address environmental and other concerns.

f. Dr. Andrew Miller, 11114 Hare Road, Okanagan Centre, BC

Dr. Miller spoke to his letter dated November 20, 2007 in opposition to the proposed Barr/Topp application (File No. 07-0631-D-OR).

g. Roger Parsonage, CPHI, Interior Health

Mr. Parsonage delivered a Powerpoint presentation entitled “Planning for Healthy Communities” that outlined Interior Health’s views and interests in land use planning decisions, specifically the potential impacts on health.

h. Ralph and Vivian Cox, 420 Whitevale Road

Mr. Cox requested additional time to comply with the outstanding building and zoning infraction prior to proceeding with further action.

i. Carol Domshy, 176 Second Avenue

Mrs. Domshy commented that she looks forward to the resolution of this matter.

j. Craig Greenan, 8435 Silver Star Road

Mrs. Jennifer Greenan explained that the property was previously used as a grow-op, and she requested the removal of the Notice on Title, and a 3-month extension to fix the problem on the shop. Her realtor, Grace Urquhart, also spoke of concerns that there was not an effective system, of notice to potential purchasers of properties that were formerly used as grow-ops.

k. Douglas Lord, 1545 Enderby Mabel Lake Road

No one was present to speak to this application.

l. David and Diana Baker, 221 Sarsons Road

No one was present to speak to this application.

m. Kevin and Denise Milne, 229 Mabel Lake Subdivision Road

James Cotter of Nixon Wenger appeared to represent the Milnes to request a 90-day extension.

n. Al Goettemoeller, 21 Cartwright Road.

Mr. Goettemoeller appeared to speak against Mr. Barr's campground application.

o. Jim and Diane Duenow, 140 Sadler Road.

Mr. and Mrs. Duenow submitted a letter by e-mail to indicate their opposition to a zoning change for Mr. Barr's property (File No. 07-0631-D-OR)..

PART 6 – MATTERS ARISING FROM PETITIONS AND DELEGATIONS

The meeting of the Regional Board (EAS) broke for a recess at 10:38 a.m. and reconvened at 12:35 p.m.

PART 7 – SUB-REGIONAL AND STAKEHOLDER MATTERS

PART 6 – MATTERS ARISING FROM PETITIONS AND DELEGATIONS

PART 7 – SUB-REGIONAL AND STAKEHOLDER MATTERS

7.A. Electoral Area Services

7.A.1. Reports

7.A.2. Building Matters

7.A. Electoral Area Services

7.A.1. Reports

7.A.2. Building Matters

a. Notice on Title – Ralph and Vivian Cox, 420 Whitevale Road

- Report from Pat Luscombe, Chief Building Inspector – November 12, 2007 - Notice on Title – Ralph Cox, 420 Whitevale Road
- Bylaw Enforcement Information Report – July 5, 2007, revised November 12, 2007
- Extract from the Electoral Area Services Committee – July 17, 2007
- Letter from Jody Anderson, Director of Corporate Services – July 3, 2007 - Non-Compliance to Local and/or Provincial Regulations for property legally described as Lot 2, DL 186, O.D.Y.D., Plan 10247, located at 420 Whitevale Road, Electoral Area 'D' [File 07-0445-D-NT]

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, the owner of that property legally described as Lot 2, DL 186, O.D.Y.D., Plan 10247, located at 420 Whitevale Road, Electoral Area ‘D’, be granted a 90-day extension to comply with outstanding compliance issues prior to a “Notice on Title” being registered pursuant to Section 57 of the Community Charter for ‘construction of an addition prior to obtaining a Building Permit and failure to convert or remove a temporary dwelling in compliance with current Local Regulations’.

CARRIED

b. Notice on Title – Carol Domshy, 176 Second Avenue

- Report from Pat Luscombe, Chief Building Inspector – November 12, 2007 – Notice on Title – Carol Domshy, 176 Second Avenue
- Bylaw Enforcement Information Report – August 11, 2007, revised November 12, 2007
- Letter from Jody Anderson, Director of Corporate Services – July 3, 2007 - Non-Compliance to Local and/or Provincial Regulations for property legally described as Lot 8, Plan 592, Blk 9, DL 526, K.D.Y.D., located at 176 Second Avenue, Electoral Area ‘F’ [File 06-0024-F-NT]

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, a “Notice on Title” BE REGISTERED for that property legally described as Lot 8, Plan 592, Blk 9, DL 526, K.D.Y.D., located at 176 Second Avenue, Electoral Area ‘F’ pursuant to Section 57 of the Community Charter for ‘construction not in compliance with current Building Code Regulations’; and further, That no further action be taken in accordance with Stage 6(1) of the Regional District Policy No. LU031 ‘Notice on Title’”.

CARRIED

c. Notice on Title – Craig Greenan, 8435 Silver Star Road

- Report from Pat Luscombe, Chief Building Inspector – November 12, 2007 – Notice on Title – Craig Greenan, 8435 Silver Star Road
- Bylaw Enforcement Information Report – October 3, 2007
- Letter from Jody Anderson, Director of Corporate Services – October 3, 2007 - Non-Compliance to Local and/or Provincial Regulations for property legally described as Lot 2, Plan 19109 exc. Plan 51008, District Lot 3848, O.D.Y.D., 8435 Silver Star Road Electoral Area ‘C’ [File 04-0790-C-NT]

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, the owner of that property legally described as Lot 2, Plan 19109 exc. Plan 51008, District Lot 3848, O.D.Y.D., 8435 Silver Star Road Electoral Area ‘C’ be granted a 90-day extension to comply with outstanding compliance issues prior to a “Notice on Title” being registered pursuant to Section 57 of the Community Charter for ‘alteration of a building prior to obtaining a Building Permit and construction not in compliance with current Building Code Regulations’”.

CARRIED

d. Notice on Title – Douglas Lord, 1545 Enderby Mabel Lake Road

- Report from Pat Luscombe, Chief Building Inspector – November 12, 2007 – Notice on Title – Douglas Lord, 1545 Enderby Mabel Lake Road
- Bylaw Enforcement Information Report – October 3, 2007
- Letter from Jody Anderson, Director of Corporate Services – November 2, 2007 - Non-Compliance to Local and/or Provincial Regulations for property legally described as Lot A, Plan 47663, District Lot 238, except Plan 50613 K.D.Y.D., 1545 Enderby Mabel Lake Road Electoral Area ‘F’
[File 06-0023-F-NT]

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, a “Notice on Title” BE REGISTERED for that property legally described as Lot A, Plan 47663, District Lot 238, except Plan 50613 K.D.Y.D., 1545 Enderby Mabel Lake Road Electoral Area ‘F’ pursuant to Section 57 of the Community Charter for ‘installation of a mobile home prior to obtaining a Building Permit and occupancy of same prior to issuance of an Occupancy Permit’, and that 60 days be allowed for a notice of filing or sewage disposal permit to be brought forward from Interior Health”.

CARRIED

e. Notice on Title – David and Diana Baker, 221 Sarsons Road

- Report from Pat Luscombe, Chief Building Inspector – November 12, 2007 – Notice on Title – David and Diana Baker, 221 Sarsons Road
- Bylaw Enforcement Information Report – November 12, 2007
- Letter from Jody Anderson, Director of Corporate Services – November 2, 2007 - Non-Compliance to Local and/or Provincial Regulations for property legally described as Lot A, Plan 47116, Section 25, Township 9, O.D.Y.D., 221 Sarsons Road Electoral Area ‘C’
[File 07-0596-C-NT]

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, a “Notice on Title” BE REGISTERED for that property legally described as Lot A, Plan 47116, Section 25, Township 9, O.D.Y.D., 221 Sarsons Road, Electoral Area ‘C’ pursuant to Section 57 of the Community Charter for ‘installation of a swimming pool not in compliance with Building Permit condition and approved plans; and use of a swimming pool prior to obtaining an Occupancy Permit’; and further,

That staff be requested to commence legal action in accordance with Stage 6(3) of the Regional District Policy No. LU031 ‘Notice on Title’”.

CARRIED

f. Notice on Title – Kevin and Denise Milne, 229 Mabel Lake Subdivision Road

- Report from Pat Luscombe, Chief Building Inspector – November 12, 2007 – Notice on Title – Kevin and Denise Milne, 229 Mabel Lake Subdivision Road

- Bylaw Enforcement Information Report – November 12, 2007
- Letter from Jody Anderson, Director of Corporate Services – November 2, 2007 - Non-Compliance to Local and/or Provincial Regulations at Block B, District Lot 2423, all that foreshore or land being part of Mabel Lake shown License #339846 fronting on Block B, District Lot 2423, O.D.Y.D., 229 Mabel Lake Subdivision Electoral Area 'F'
[File 07-0959-F-NT]

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, the owner of that property legally described as Block B, District Lot 2423, all that foreshore or land being part of Mabel Lake shown License #339846 fronting on Block B, District Lot 2423, O.D.Y.D., 229 Mabel Lake Subdivision Electoral Area 'F' be granted a 90-day extension to allow time to submit a new application for a development variance permit, and for that application to be considered by the Electoral Area Services Committee ”.

CARRIED

7.A.2.g. Operational Procedure for Survey Certificate Submission – Building Inspection Department

- Report from Pat Luscombe, Chief Building Inspector – November 13, 2007

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, the Operational Procedure for Survey Certificate Submission report from the Chief Building Inspector dated November 13, 2007 BE RECEIVED for information, and further; that the current procedure for requiring survey certificate submission subsequent to conditional foundation construction approval be continued as a standard operational procedure.”

CARRIED

7.A.2.h. Bylaw Enforcement Quarterly Report – Third Quarter 2007

- Report from John Friesen, Bylaw Enforcement Officer – November 7, 2007

Moved by Director Field

Seconded by Director Kanester

“That, as recommended by the Electoral Area Services Committee, the Bylaw Enforcement Report dated November 7, 2007 for the Third Quarter of 2007 BE RECEIVED for information.”

CARRIED

7.A.3. Planning Matters

a. Development Permit Applications

- i. STEVENSON/HARLING, c/o W.D. CURWEN - Amended Lot 51 (DD H60612) D.L. 3945, O.D.Y.D., Plan 7720 – located at 151 Mabel Lake Subdivision Road – Electoral Area 'F'
[File No. 06-0623-F-DP]
- Development Services Information Report – October 22, 2007

Moved by Director Kanester

Seconded by Director Foisy

"That, as recommended by the Electoral Area Services Committee, upon consideration of comments from adjacent landowners pertaining to the reduced setback from Mabel Lake Subdivision Road, a Development Permit BE ISSUED for the property legally described as "amended Lot 51 [DD H60612], D.L. 3945, O.D.Y.D., Plan 7720" and located at 151 Mabel Lake Subdivision Road, and further, that the permit contain the following conditions:

1. Zoning Bylaw No. 1888, 2003 is hereby varied or supplemented as follows:*

a. Section 706.9.(b) is varied by reducing the required front yard setback that is applicable to the proposed addition to a cabin that is located on the subject property from 7.5 metres to 6.1 metres; and

2. Requirements, conditions, or standards applicable pursuant to Section 920 of the Local Government Act:

a. The development shall generally conform to Schedule A which is attached and forms part of this Development Permit.

b. An environmental protection/floodplain covenant shall be registered on the title of the subject property, or be undertaken to be registered by the applicant's solicitor, as a condition precedent to the issuance of a building permit for the proposed addition to an existing accessory building that is located on the subject property. The covenant shall contain the following narrative:

"Covenant means this Agreement and all the terms, covenants, conditions and restrictions herein contained consisting of Land Title Act Form C, Land Title Act Form D, Land Title Act Form E and this Part 2 all forming part of this document.

High Water Mark (HWM) means the high water mark or water level of Mabel Lake that is reached during annual flood events, as indicated by the presence of soil subject to regular inundation and/or vegetation that, due to the frequent presence of water, is distinctly different from the vegetation of adjacent upland areas.

Natural Boundary means the visible high watermark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, as defined in Section 1 of the Land Act, and also includes the edge of dormant side channels of any lake, river, stream, or other body of water.

Natural Vegetation means all native trees, shrubs, bushes, ground cover, vegetation or any other form of plant life.

Stream means a natural watercourse or source of water supply, whether usually containing water or not, ground water, and a lake, river, creek, spring, ravine, swamp and gulch. For

the purposes of this document, the definition of stream includes all watercourses that may be considered to be fish habitat, including channelized streams and ditches.

Top of the Bank means the point closest to the boundary of the active floodplain of a stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point a minimum distance of 15 metres measures perpendicularly from the break.

Top of the Ravine Bank means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break.

c. The Covenantor covenants and agrees with each Covenantee that:

With Respect to Environmental Protection:

- (i) no Natural Vegetation shall be removed or degraded within a horizontal distance of 15 metres from the Natural Boundary of Mabel Lake and areas offshore of the Natural Boundary of Mabel Lake nor shall any development occur which will preclude growth of Natural Vegetation except with the written authorization of Fisheries and Oceans Canada and the Ministry of Water, Land and Air Protection; and*
- (ii) no dumping, landfills, or other form of vegetation removal shall be permitted to occur within the area described in 2(a) unless otherwise noted in this Covenant; and*
- (iii) no building or structure or any part thereof, including any fixed equipment or modular home shall be constructed, reconstructed, moved, extended or located, nor shall any landfill, land clearing or other disturbance take place within a horizontal distance of 15 metres from the Natural Boundary of Mabel Lake; and*
- (iv) the Covenantor shall ensure that any clearing and/or excavation or fill done on the subject property shall be completed in such a manner as to ensure that sediment, concrete washwater, leachates or any other substance of any type that may be deleterious to aquatic life shall not be deposited into Mabel Lake via ditches, storm sewers or overland flow, and the Covenantor shall further ensure that all construction and excavation wastes, overburden, soil or any other substances that may be deleterious to aquatic life shall be disposed of or placed in such a manner as to prevent their entry into any stream, water course or storm sewer system.*

With Respect to Floodplain:

- (v) Hereafter, no building, mobile unit, modular home or structure shall be constructed, reconstructed, moved, extended or located within 15 metres of the Natural Boundary of Mabel Lake;*

- (vi) *Hereafter, no area used for habitation, business or storage of goods damageable by floodwaters shall be located within any building, mobile unit, modular home or structure at an elevation such that the underside of the floor system thereof is less than 3 metres above the Natural Boundary of Mabel Lake. In the case of a mobile unit or modular home, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation;*
- (vii) *the required elevation as aforesaid may be achieved by structural elevation of the said habitable business or storage area or by adequately compacted landfill on which any building is to be constructed or modular home is to be located, or by a combination of both structural elevation and landfill, but no area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by flood water.*
- d) *The Covenantor acknowledges and agrees that the Province of British Columbia and Regional District of North Okanagan do not represent to the Covenantor or any other person that any building or structure constructed or any modular home located in compliance with the restrictions contained in Sub-paragraphs 2.e.(v) and 2.e.(vi)) herein will not be damaged by flooding or erosion, and the Covenantor agrees not to claim damages from the Province of British Columbia or the Regional District of North Okanagan or to hold either of them responsible for damages caused by flooding or erosion to the Lands or to any building, structure or modular home constructed or located on the Lands or to any contents thereof.*
- e) *The Covenantor agrees to indemnify and save harmless the Province of British Columbia and the Regional District of North Okanagan from and against all claims, demands, actions and causes of action and the cost thereof that may hereafter be brought against the Province of British Columbia or the Regional District of North Okanagan or either of them for personal injury, death or property damage occurring as a result of the breach of any of the provisions of this Covenant by the Covenantor."*
- f) *The Covenantor shall, at the expense of the Covenantor, register a priority agreement against the title of the subject lands, giving the above covenants priority over any financial charges registered against the property.*

3. Riparian Areas Regulation

The owners must sign an affidavit in attached form confirming that, in respect of the proposed development, there are no changes proposed within a riparian assessment area affecting Mabel Lake. The developer will then be responsible for any consequences of not following the Riparian Areas Regulation or for providing incorrect information. If the owners are not willing or are unable to satisfy this condition then the following conditions apply:

- i. *No development shall be permitted on the subject property within 30 metres of the high water mark of Mabel Lake except in compliance with the provisions of the Provincial Riparian Areas Regulation, B.C. Reg. 376/2004 and amendments thereto in which development means the:*

- *removal, alteration, disruption or destruction of vegetation;*
 - *disturbance of soils;*
 - *construction or erection of buildings and structures;*
 - *creation of non structural impervious or semi-impervious surfaces;*
 - *flood protection works;*
 - *construction of roads, trails, docks, wharves and bridges;*
 - *provision and maintenance of sewer and water services;*
 - *development of drainage systems;*
 - *development of utility corridors;*
 - *subdivision as defined in section 872 of the Local Government Act.*
- ii. *An assessment report shall be prepared by a qualified environmental professional as a condition precedent to any development occurring on the subject property. The report must be prepared, submitted and accepted in accordance with Section 4(2) of the Provincial Riparian Areas Regulation. Alternately, the owners may seek authorization from Fisheries and Oceans Canada pursuant to the provisions of Section 4(3) of the Provincial Riparian Areas Regulation. No development shall occur on the property and no building permit shall be issued unless and until the applicants have satisfied either of these conditions.*“

CARRIED

ii. SKELTON, R. - Lot B, Sections 15 and 22, Township 8, O.D.Y.D., Plan 38936 – located at 6941 Old Kamloops Road – Electoral Area 'B'
[File No. 05-0569-B-DP]

- Development Services Information Report – October 19, 2007

Moved by Director Kanester

Seconded by Director Field

“That, as recommended by the Electoral Area Services Committee, a Development Permit with an exemption to the floodplain setback and a variance to the rear yard setback NOT BE ISSUED to the owner of that property legally described as Lot B, Sections 15 and 22, Township 8, O.D.Y.D., Plan 38936, because the extent of development that has occurred on the property does not comply with the Rural Vernon OCP guidelines for protection of the natural environment, and granting such a Development Permit would have the effect of sanctioning a non-conforming use of the property.

Further, that staff be authorized to order the barn addition to be demolished from the property to the satisfaction of the Chief Building Official.”

CARRIED

7.A.3. b. Development Variance Permit Applications

- i. MCRAE, D. – Lot 4, D.L. 3848, O.D.Y.D., Plan 16930, located at 8170 Silver Star Road – Electoral Area 'C'
[File No. 07-0020-C-DVP]

- Development Services Information Report – October 23, 2007

Moved by Director Field

Seconded by Director Kanester

"That, as recommended by the Electoral Area Services Committee, upon consideration of input from adjacent landowners, a Development Variance Permit BE ISSUED for that property legally described as "Lot 4, DL 3848, O.D.Y.D., Plan 16930" – located at 8170 Silver Star Road to vary Section 802.9.c of Zoning Bylaw 1888, 2003 and reduce the front yard setback from 20.0 metres to 17.6 metres from the centreline of Silver Star Road to accommodate a wood/storage/work shed accessory building."

CARRIED

- ii. WATTS, T. & D. – E 1/2 of the SW 1/4 of DL 2242 Except Plans KAP63862 and KAP74621 - located at 8498 Silver Star Road – Electoral Area 'C'
[File No. 07-0640-C-DVP]

- Development Services Information Report – November 5, 2007

Moved by Director Field

Seconded by Director Foisy

"That, as recommended by the Electoral Area Services Committee, the use of a cistern BE APPROVED for that property legally described as The E ½ of the SW ¼ of D.L. 2242 O.D.Y.D. Except Plans KAP63862 and KAP74621 located at 8498 Silver Star Road, Electoral Area 'C' to vary Section 402.4.a of Subdivision Servicing Bylaw No. 726, 1986 and that the minimum required water supply from a groundwater source be reduced from 6550 litres per day (1.0 imp. gpm) to 2235 litres per day (0.34 imp. gpm) to provide water supply to the residence under construction."

Director Kanester opposed
CARRIED

7.A.3. c. Subdivision Applications

7.A.3. d. Rezoning Applications

- i. GARRY, R. c/o Browne Johnson – Lot 1, Sec. 15, Tp. 20, Rge. 8, W6M, K.D.Y.D., Plan 1527 Except Plans 23594, 27783, 32453 and H809 - located at 15 Poirier Road – Electoral Area 'F'
[File No. 07-0623-F-RZ]

- Development Services Information Report – October 15, 2007

Moved by Director Halvorson

Seconded by Director Kanester

"That, as recommended by the Electoral Area Services Committee, the proposed rezoning from Non-Urban (N.U.) zone to Country Residential (C.R.) zone for that property legally described as Lot 1, Sec. 15, Tp. 20, Rge. 8, W6M, K.D.Y.D., Plan 1527 Except Plans 23594, 27783, 32453 and H809 located at 15 Poirier Road, Electoral Area 'F' to allow for future subdivision of the subject property into 4 Country Residential lots BE SUPPORTED, and further, that staff be directed to prepare the requisite rezoning bylaw (Bylaw No. 2265, 2007) and that Bylaw No. 2265, 2007 BE GIVEN First and Second Reading, but that a Public Hearing on Bylaw No. 2265 not be held unless and until the owners have:

1. *provided proof of water supply meeting the requirements of the Official Community Plan and the Regional District Subdivision Servicing Bylaw No. 726, 1986;*
2. *provided proof of suitable building site and private access driveway on each proposed lot meeting the requirements of Section 310 of the Regional District Zoning Bylaw No. 1888, 2003;*
3. *provided a slope analysis identifying all portions of the subject property that have slopes greater than 30%; and,*
4. *provided a revised plan of the proposed subdivision , including the dedication of a road through the proposed subdivision to the adjacent property and reconfigured lots to provide a more uniform shape."*

CARRIED

- ii. EGLI, P. c/o 0794579 BC Ltd. – Lot 1, Sections 25 & 26, Tp. 8, O.D.Y.D., Plan 3741 except Plan B5667 – located at 7886 Pleasant Valley Road – Electoral Area 'B'
[File No. 07-0783-B-RZ]

- Development Services Information Report – October 31, 2007

Moved by Director Kanester **Seconded by** Director Field

"That, as recommended by the Electoral Area Services Committee, the rezoning application for that property legally described as Lot 1, Sections 25 and 26, Twp. 8, ODYD, Plan 3741, Except Plan B5667 located at 7886 Pleasant Valley Road, Electoral Area 'B' to permit an RV sales and service facility NOT BE SUPPORTED as the proposed use of the property does not conform to the Swan Lake Commercial District Sector Plan."

CARRIED

7.A.3. e. Official Community Plan (OCP) Amendment Applications

7.A.3. f. OCP / Rezoning Applications

- i. COOMBS, C. & C. – West ½ of the North West ¼ of Section 12, Township 2, ODYD – located at 164 Hurt Road
[File No. 07-0567-D-OR]
 - Extract from the Regional Board (EAS) – October 16, 2007
 - Extract from the Electoral Area Services Committee – October 16, 2007
 - Development Services Information Report – September 24, 2007
 - OCP Bylaw 2276

Moved by Director Foisy **Seconded by** Director Kanester

"That, as recommended by the Electoral Area Services Committee, the Official Community Plan Bylaw No. 2276, 2007 for that property legally described as Lot 1, Sec. 17, Tp. 41, O.D.Y.D.,

Plan 30955, located at 164 Hurt Road, Electoral Area "D" BE GIVEN First Reading and considered in conjunction with the Regional District

- (i) financial plan and*
- (ii) waste management plan*

pursuant to Section 882 of the Local Government Act, and

further, that the Official Community Plan Bylaw No. 2276 BE REFERRED to various agencies and First Nations in accordance with Section 879 of the Local Government Act, and further, that the applicant be instructed to hold a Public Information Meeting before consideration of bylaws for further readings."

CARRIED

- ii. BARR, D. c/o TOPP, R. – Lot B, Sec. 13, Tp. 40, ODYD, Plan 25122, Except Plans 38094 and KAP77739, located at 1760 Lumby Mabel Lake Road
[File No. 07-0631-D-OR]
- Development Services Information Report – October 25, 2007

Moved by Director Foisy

Seconded by Director Kanester

"That, as recommended by the Electoral Area Services Committee, staff be directed to prepare a bylaw for First Reading to amend the Official Community Plan designation from Non – Urban to Commercial for that property legally described as Lot B, Sec. 13, Tp. 40, ODYD, Plan 25122 Except Plans 38094 and KAP77739 located at 1760 Lumby Mabel Lake Road, Electoral Area 'D' to permit a 20 unit campground, and further, that the applicant be instructed to hold a Public Information Meeting before consideration of bylaws for further readings."

Directors Halvorson and Kanester opposed.

CARRIED

7.A.4. Correspondence

7.A.5. Bylaws and Resolutions

- a. **OCP Bylaw 2177, 2007** [500779 BC Ltd. / Vernon Tilbert] – That portion of D.L. 19 shown on Plan B1132, O.D.Y.D., lying south of Highway No. 6 except Plans A306, 19307, 20658, 29814 and H17707; and that portion of D.L. 19 shown on Plan B767, O.D.Y.D., lying south of Highway No. 6 except Plans A306 and H17707 - located at 15 Dure Meadow Road – Electoral Area 'D'
[File No. 06-0170-D-OR]
 - Development Services Information Report – July 27, 2006
 - Report from Steve Noakes, Planner – October 23, 2007
 - OCP Bylaw 2177, 2007

Moved by Director Fairbairn

Seconded by Director Halvorson

"That Electoral Areas 'D' and 'E' Official Community Plan Designation Amendment Bylaw No. 2177, 2006 to amend the Official Community Plan marked Schedule 'B' attached to and forming part of the Electoral Areas 'D' and 'E' Official Community Plan Designation Bylaw No. 1690, 2001 by changing the designation of that property legally described as "That portion of D.L. 19 shown on Plan B1132, O.D.Y.D., lying south of Highway No. 6 except Plans A306, 19307, 20658, 29814 and H17707; and that Part of D.L. 19 shown on Plan B767, O.D.Y.D., except

Plans A306 and H17707" from Non-Urban to Commercial BE GIVEN THIRD READING AND REFERRED to the Ministry of Community Services."

CARRIED

- b. Rezoning Bylaw 2178, 2007** [500779 BC Ltd. / Vernon Tilbert] – That portion of D.L. 19 shown on Plan B1132, O.D.Y.D., lying south of Highway No. 6 except Plans A306, 19307, 20658, 29814 and H17707; and that portion of D.L. 19 shown on Plan B767, O.D.Y.D., lying south of Highway No. 6 except Plans A306 and H17707 - located at 15 Dure Meadow Road – Electoral Area 'D'

[File No. 06-0170-D-OR]

- Development Services Information Report – July 27, 2006
- Report from Steve Noakes, Planner – October 23, 2007
- Rezoning Bylaw 2178, 2007

Moved by Director Field

Seconded by Director Foisy

"That Rezoning Bylaw No. 2178 [500779 B.C. Ltd./Tilbert] to rezone that property legally described as "That portion of D.L. 19 shown on Plan B1132, O.D.Y.D., lying south of Highway No. 6, except Plans A306, 19307, 20658, 29814 and H17707; and that Part of D.L. 19 shown on Plan B767, O.D.Y.D., except Plans A306 and H17707" from Non-Urban Zone [N.U.] to Recreation Commercial Zone [C.5] BE GIVEN THIRD READING AND REFERRED to the Ministry of Transportation."

CARRIED

- c. OCP Bylaw No. 2206, 2007** [Martin] – Lot 1, Sec. 17, Tp. 41, ODYD, Plan 30955 – located at 118 Harris Creek Road

[File No. 06-0857-D-OR]

- OCP Bylaw No. 2206
- Report from Steve Noakes, Planner – October 23, 2007
- Extract from Regional Board (EAS) - July 17, 2007
- Report from Steve Noakes, Planner – July 9, 2007

Moved by Director Fairbairn

Seconded by Director Foisy

"That Official Community Plan Amendment Bylaw No. 2206, 2007 to amend the Official Community Plan marked Schedule 'B' attached to and forming part of the Electoral Areas 'D' and 'E' Official Community Plan Designation Bylaw No. 1690, 2001 by changing the designation of that property legally described as Lot 1, Sec. 17, Tp. 41, O.D.Y.D. Plan 30955 from Large Holdings [LH] to Country Residential [CR] BE ADOPTED."

CARRIED

- d. Rezoning Bylaw No. 2207, 2007** [Martin] – Lot 1, Sec. 17, Tp. 41, ODYD, Plan 30955 – located at 118 Harris Creek Road

[File No. 06-0857-D-OR]

- OCP Bylaw No. 2207
- Report from Steve Noakes, Planner – October 23, 2007
- Extract from Regional Board (EAS) - July 17, 2007
- Report from Steve Noakes, Planner – July 9, 2007

Moved by Director Fairbairn **Seconded by** Director Foisy

“That Rezoning Bylaw No. 2207, 2007 [Martin] to rezone that property legally described as Lot 1, Sec. 17, Tp. 41, O.D.Y.D. Plan 30955 from Large Holding Zone [L.H.] to Country Residential Zone [C.R.] BE ADOPTED. ”

CARRIED

e. COOMBS, C. & C. – The W 1/2 of the NW 1/4 of Sec. 12, Tp. 2, ODYD, located at 164 Hurt Road – Electoral Area 'D'

[File No. 07-0567-D-OR]

- Development Services Information Report – September 4, 2007
- OCP Bylaw 2276

Moved by Director Fairbairn **Seconded by** Director Field

“That the Official Community Plan Bylaw No. 2276, 2007 for that property legally described as Lot 1, Sec. 17, Tp. 41, O.D.Y.D., Plan 30955, located at 164 Hurt Road, Electoral Area “D” BE GIVEN First Reading and considered in conjunction with the Regional District

(iii) financial plan and

(iv) waste management plan

pursuant to Section 882 of the Local Government Act, and further, that the Official Community Plan Bylaw No. 2276 BE REFERRED to various agencies and First Nations in accordance with Section 879 of the Local Government Act , and further, that the applicant be instructed to hold a Public Information Meeting before consideration of bylaws for further readings.”

CARRIED

f. GARRY, R. c/o Browne Johnson – Lot 1, Sec. 15, Tp. 20, Rge. 8, W6M, K.D.Y.D., Plan 1527 Except Plans 23594, 27783, 32453 and H809 - located at 15 Poirier Road – Electoral Area 'F'

[File No. 07-0623-F-RZ]

- Development Services Information Report – October 15, 2007
- Rezoning Bylaw 2265, 2007

Moved by Director Halvorson **Seconded by** Director Foisy

“That Bylaw No. 2265, 2007 BE GIVEN First and Second Reading, but that a Public Hearing on Bylaw No. 2265 not be held unless and until the owners have:

- 1. provided proof of water supply meeting the requirements of the Official Community Plan and the Regional District Subdivision Servicing Bylaw No. 726, 1986;*
- 2. provided proof of suitable building site and private access driveway on each proposed lot meeting the requirements of Section 310 of the Regional District Zoning Bylaw No. 1888, 2003;*
- 3. provided a slope analysis identifying all portions of the subject property that have slopes greater than 30%; and,*

4. *provided a revised plan of the proposed subdivision , including the dedication of a road through the proposed subdivision to the adjacent property and reconfigured lots to provide a more uniform shape.”*

CARRIED

7.A.6. New and Unfinished Business

b. Changes to Crown Land Private Moorage Program

- Report from Christine LeFloch, Planning Technologist – October 31, 2007

Moved by Director Halvorson **Seconded by** Director Fairbairn

“That, as recommended by the Electoral Area Services Committee, staff be directed to prepare a report to investigate the costs and benefits of utilizing water zoning as a means of local control over the size and number of private docks, houseboats and other marine uses on the surface of lakes and the Shuswap River”.

CARRIED

7.B. Greater Vernon Services

7.C. Enderby / Area ‘F’ Services

7.D. White Valley Parks and Recreation District

7.E. Other Services

PART 8 – REGIONAL MATTERS

PART 9 – CORPORATE MATTERS

9.1 Reports

9.2 Correspondence

PART 10 – IN CAMERA

PART 11 – MATTERS ARISING FROM IN CAMERA MEETING

PART 12 – ADJOURNMENT

Moved by Director Field

“There being no further business, the meeting adjourned at 12:41 p.m.”

CARRIED

Certified correct:
