REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of a REGULAR meeting of the REGIONAL DISTRICT BOARD held in the Board Room at the Regional District Office on WEDNESDAY, NOVEMBER 14, 2001

Members:  
Director S. Field (Chair)  Electoral Area “C”  
Director J. Oglow  City of Armstrong  
Director D. Hackman  District of Coldstream  
Director G. Dale  City of Enderby  
Director W. McGiverin  Village of Lumby  
Director W. Hansma  Township of Spallumcheen  
Director A. Klim  City of Vernon  
Director D. O’Keefe  City of Vernon  
Director K. Tribes  City of Vernon  
Director E. Columbus  Electoral Area “B”  
Director L. Deuling  Electoral Area “D”  
Director E. Foisy  Electoral Area “E”  
Director J. Tuominen  Electoral Area “F”

Staff:  
B. Gagnon  Chief Administrative Officer  
A. Pattison  Director of Development Services  
J. Anderson  Executive Assistant

Also Present:  2 media, 4 staff, and 40 persons in the public gallery

The Chair called the meeting to order at 5:31 p.m.

RESOLUTION

Moved by Director Deuling  Seconded by Director Hansma

“That the following agenda items be dealt with at 7:30 p.m.:

i.  Part 3 – Petitions and Delegations  
c.  City of Vernon (Predator Ridge Development Ltd.) – Development Variance Permit Application – File 00-0487-B-DVP
   i.  Letter from Dr. D. John Price – November 1, 2001
   ii. Letter from Charles and Doreen Laszlo – November 8, 2001; and

ii.  Part 7 – Planning Matters
   b.  Development Variance Permit Applications
      ii.  City of Vernon (Predator Ridge Developments Ltd.) – 235 Bailey Road
           – Electoral Area “B” (File 00-0487-B-DVP).”

No. 463/01  CARRIED

The Chair advised that Bylaws 1733 and 1734 had been deleted from the agenda.
PART 1 – ADOPTION OF MINUTES

a. Regular Meeting – October 10, 2001

Moved by Director Dale  Seconded by Director Oglow
"That the Minutes of the October 10, 2001 Regular meeting of the Regional Board BE ADOPTED as circulated."

No. 464/01  CARRIED

PART 2 – BUSINESS ARISING FROM MINUTES

PART 3 – PETITIONS AND DELEGATIONS

a. Mr. Bob Gallaher, Regional Superintendent, British Columbia Ambulance Service – Comments on alleged downsizing of ambulance service

Mr. Bob Gallaher, Regional Superintendent, British Columbia Ambulance Service, appeared before the Regional Board and advised that two years ago the rest of North America was moving into two areas being ALS (Advanced Life Support) and BLS (Basic Life Support). He further advised that at that time, British Columbia had fallen behind the rest of the country and began training staff to a CMA1 level. Mr. Gallaher noted that the province has a Paramedic Training Network in place with 16 locations around the province, and that this network provides a consistent level of service around the province.

Mr. Gallaher noted that current CMA1 paramedics would be required to take training to upgrade to P1 level and that training will be offered to all staff within the next four years, during the current collective agreement. He further noted that Mr. Cail’s proposal has resurrected the old ALS Program and does not contain any quantitative data. Mr. Gallaher stated that the Ambulance Service is implementing the BLS service and that that is the best way to go.

Mr. Gallaher advised that the Ambulance Service is not trying to downgrade the service. He further advised that the paramedics do not get enough practice starting IV’s in the field and need hospital time to practice. Mr. Gallaher noted that the Ambulance Service is currently waiting for a ruling from the Medical Advisory Committee on whether or not paramedics should be starting IV’s.

Director Hansma asked if there was any difference in the level of service offered for outlying areas, to which Mr. Gallaher replied that if anything, the outlying areas would be receiving an increased level of service.

Director McGiverin asked if there was any possibility of the Lumby car being shut down due to the lack of personnel, to which Mr. Gallaher replied that five new personnel had been hired and are receiving training on driving component, basic fundamentals, and equipment component.
Director McGiverin asked if paramedics from other areas could work in Lumby, to which Mr. Gallaher replied that with the current collective agreement people cannot be transferred, but paramedics can make themselves available to other areas on their days off. He further replied that Lumby would not lose its ambulance because of down time.

Director Klim stated that the City of Vernon had been requesting a report on response time for over one year. Mr. Gallaher replied that the current MIS system cannot provide that type of report, but that he had made a presentation to the Vernon Fire Chief three or months ago. He further replied that at the present time, responses to areas such as Falkland, Edgewood, and Silver Star affect the response time significantly. Mr. Gallaher noted that once their new data program is up and running, he would be able to break out the statistics for the City of Vernon.

Director Tribes noted that he had been under the impression that the Province of BC was behind the times with respect to ambulance service, but that it now appeared that the standards were the same. Mr. Gallaher responded that with the training centres around the province, 90% of the staff are within a two-hour drive of a centre. He further responded that they are still waiting for the Medical Advisory Committee to endorse IV’s for pre-hospital care.

Director Tribes asked if every ambulance in the province would be providing the same level of care, to which Mr. Gallaher responded that they would be bridging Paramedic Level 1’s everywhere.

Director Tribes noted that the City of Vernon Fire Department used to provide the ambulance service, but that the City had been convinced to drop that service to allow the BC Ambulance Service to do it, but that ambulances need to be called in from other areas while Vernon’s ambulances are on patient transport duty. Mr. Gallaher responded that the common practice is to bring another car into the City of Vernon for coverage prior to any calls coming in. He further responded that four full-time positions had been added in the City of Vernon.

Mr. Gallaher noted that Mr. Cail had put a lot of thought into his proposal, but that there would be a lot of hidden costs to put the proposal into place.

Director Tuominen asked that when a paramedic leaves or retires if they are replaced with someone with the same level of training, to which Mr. Gallaher replied in the affirmative. He noted that in Enderby, the number had been replaced but that the paramedics had not yet completed all of their training.

Director Tuominen noted that it did not appear that the rural areas were being treated the same as larger centres, to which Mr. Gallaher responded that their coverage is provided from other areas.

Director Hansma noted that response time was very good in responding to recent accidents on Highway No. 97 near the Riverside Plant, and advised Mr. Gallaher that the work being done by the Ambulance Service is appreciated.
b. Harold and Brenda Jossy – Development Variance Permit Application  
   File 01-0538-C-DVP (refer to item 7.b.i.)

   No one was present to speak on this matter.

c. City of Vernon (Predator Ridge Developments Ltd.) – Development Variance Permit Application – File 00-0487-B-DVP (refer to item 7.b.ii.)

   i. Letter from Dr. D. John Price – November 1, 2001
   ii. Letter from Charles and Doreen Laszlo – November 8, 2001

   This item was dealt with prior to Part 13 (Adjournment)

PART 4 – MATTERS ARISING OUT OF PETITIONS AND DELEGATIONS

PART 5 – COMMITTEE REPORTS

a. Greater Vernon Vision Committee / Economic Development Review Committee / Multi Use Facility / Community Theatre Project Committee – September 6, 2001

   Moved by Director O’Keefe  Seconded by Director Klim
   “That the Minutes of a regular meeting of the Greater Vernon Vision Committee / Economic Development Review Committee / Multi Use Facility / Community Theatre Project Committee held on September 6, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

   No. 465/01  CARRIED

b. Greater Vernon Vision Committee / Economic Development Review Committee / Multi Use Facility / Community Theatre Project Committee – October 4, 2001

   Moved by Director O’Keefe  Seconded by Director Klim
   “That the Minutes of a regular meeting of the Greater Vernon Vision Committee / Economic Development Review Committee / Multi Use Facility / Community Theatre Project Committee held on October 4, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

   No. 466/01  CARRIED

c. North Okanagan Regional Transit Committee – October 10, 2001

   Moved by Director Oglow  Seconded by Director Deuling
   “That the Minutes of a regular meeting of the North Okanagan Regional Transit Committee held on October 10, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

   No. 467/01  CARRIED
d. North Okanagan Water Authority – October 18, 2001

Moved by Director Columbus            Seconded by Director O’Keefe
“That the Minutes of a regular meeting of the North Okanagan Water Authority held on October 18, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 468/01  CARRIED

e. Whitevale Community Standing Committee – October 22, 2001

Moved by Director Deuling            Seconded by Director Klim
“That the Minutes of a regular meeting of the Whitevale Community Standing Committee held on October 22, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 469/01  CARRIED

f. Solid Waste Plan Monitoring Committee – October 23, 2001

Moved by Director Hansma            Seconded by Director Dale
“That the Minutes of a regular meeting of the Solid Waste Plan Monitoring Committee held on October 23, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 470/01  CARRIED

g. Electoral Area Directors Committee – October 23, 2001

Moved by Director Deuling            Seconded by Director Columbus
“That the Minutes of a regular meeting of the Electoral Area Directors Committee held on October 23, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 471/01  CARRIED

h. Grindrod Community Standing Committee – October 23, 2001

Moved by Director Tuominen            Seconded by Director Dale
“That the Minutes of a regular meeting of the Grindrod Community Standing Committee held on October 23, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 472/01  CARRIED

i. Silver Star Mountain Community Standing Committee – October 29, 2001

The Director of Development Services noted that the Silver Star Mountain Community Standing Committee had recommended to the Regional Board that neither a public information meeting nor a neighbourhood survey be warranted in the matter of the consideration of a Liquor License Application for the Lord Aberdeen Hotel. He noted that this recommendation is consistent with the Regional Board policy on this matter. A brief discussion ensued.
Moved by Director Columbus  
Seconded by Director Dale
“That the Minutes of a regular meeting of the Silver Star Mountain Community Standing Committee held on October 29, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 473/01  
CARRIED

Director Hansma opposed

j. Ad Hoc Committee – Development Permit Areas for Electoral Area “D”

Moved by Director Deuling  
Seconded by Director Columbus
“That the Minutes of a meeting of the Ad Hoc Committee – Development Permit Areas for Electoral Area “D” BE RECEIVED.”

No. 474/01  
CARRIED

k. Planning and Building Committee – October 30, 2001

Moved by Director Dale  
Seconded by Director Hansma
“That the Minutes of a regular meeting of the Planning and Building Committee held on October 30, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 475/01  
CARRIED

l. Noxious Weed Committee – November 2, 2001

Moved by Director Deuling  
Seconded by Director Hansma
“That the Minutes of a regular meeting of the Noxious Weed Committee held on November 2, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 476/01  
CARRIED

Director Columbus noted that perhaps staff could take a more proactive approach by starting a data base to follow up on complaints from a previous year prior to a new complaints being received, to which Director Deuling responded that more funding would be required in the budget.

Director Hansma stated that the Township of Spallumcheen would be prepared to put more funding in the program and encouraged the other Directors to do the same.

The Chief Administrative Officer advised that there would be an impact on the budget in the function as the more hours from the Noxious Weed Inspector would be required.

Director Deuling reiterated that in order to elevate the service of the function, the budget would also have to be increased.
m. Ad Hoc Planning and Building Committee – Coldstream Requisition  
   – November 5, 2001

Moved by Director Dale  
Seconded by Director Hansma

“That the Minutes of a meeting of the Ad Hoc Planning and Building Committee – Coldstream Requisition held on November 5, 2001 BE ACCEPTED and the actions contained therein BE RATIFIED.”

No. 477/01  
CARRIED


Moved by Director Hansma  
Seconded by Director Dale

“That the Building Inspections Report for the month of October, 2001 BE RECEIVED for information.”

No. 478/01  
CARRIED

o. Noxious Insect Report – 2001 Season

Moved by Director Oglow  
Seconded by Director Deuling

“That the Noxious Insect Report for the 2001 Season be received for information.”

No. 479/01  
CARRIED

PART 6 – BUILDING MATTERS

PART 7 – PLANNING MATTERS

a. Applications Under the Agricultural Land Commission Act

i. Else Genier – 5482 Silver Star Road – Electoral Area “C” – Lot A, Plan KAP44145, Section 12, Township 8, DL 51, ODYD (File 01-0555-C-ALR)
   Proposed Use: One lot subdivision

Moved by Director Dale  
Seconded by Director Hackman

“That the application of Else Genier to subdivide Lot A, Plan KAP44145, Section 12, Township 8, DL 51, ODYD, 5482 Silver Star Road, Electoral Area “C” be authorized for submission to the Land Reserve Commission under Section 22(1) of the Agricultural Land Reserve Act.”

No. 480/01  
CARRIED
ii. Linda Routley – 9801 Springfield Road – Electoral Area “D”
Lot B, Plan 42814, DL 13, 87 and 433, ODYD
(File 01-0629-D-ALR)
**Proposed Use:** One lot subdivision using jurisdiction boundary

**Moved by** Director Deuling **Seconded by** Director Hackman

“That the application of Linda Routley to subdivide Lot B, Plan 42814, DL 13, 87 and 433, ODYD, 9801 Springfield Road, Electoral Area “D” BE AUTHORIZED for submission to the Land Reserve Commission under Section 22(1) of the Agricultural Land Reserve Act subject to the following:

1. Approval of the District of Coldstream. The subject property is located in both the Regional District of North Okanagan and the District of Coldstream. Accordingly, the Land Reserve Commission will require authorizing resolutions from both authorities; and

2. Elimination of the proposed panhandle access to Springfield Road, which panhandle would be replaced by an easement in order to satisfy the requirements of the Land Title Act; and

3. Registration of a covenant over the proposed remainder to prohibit further subdivision of the proposed parcel unless and until road access to the property is provided wholly within Electoral Area “D”.

No. 481/01 CARRIED

b. Development Variance Permit Applications

i. Harold and Brenda Jossy – 178 Lindsay Road – Electoral Area “C” –
Lot 7, Plan 23050, Section 26, Township 9, ODYD
(File 01-0538-C-DVP)
**Proposed Use:** Construct an attached carport

**Moved by** Director Hansma **Seconded by** Director McGiverin

“That a Development Variance Permit NOT BE ISSUED for Lot 7, Plan 23050, Section 26, Township 9, ODYD (Harold and Brenda Jossy) to vary Section 701.10.a. of Zoning Bylaw No. 725, 1986 and reduce the exterior side yard setback from 5 metres (16.40 feet) to 2.44 metres (8.0 feet) to allow the construction of an attached carport.”

No. 482/01 CARRIED

Director Tribes asked if a traffic control sign would solve the problem, to which the Director of Development Services replied that, in his opinion, it would not.
ii. City of Vernon (Predator Ridge Developments Ltd.) – 2235 Bailey Road  
   – Electoral Area “B” –  
   Lot A, Plan KAP55271, Sections 6 and 7, Township 9, ODYD  
   (File 00-0487-B-DVP)  
   Proposed Use: Extend the definition of ‘community’ to include the Predator Ridge community in the City of Vernon; increase the permitted size from 5.0 m$^2$ to 108 m$^2$ and height from 3.0 m to 3.7 m; and permit illumination

This item was dealt with prior to Part 13 (Adjournment)

Director O’Keefe withdrew from the meeting and left the room.

c. Official Community Plan Amendment and Zoning Amendment Applications

i. W. Wieland and M. Alvarez – 45 Albers Road and 610 Lumby Mabel Lake Road – Electoral Area “D” –  
   Lot 2, Plan 43937, Township 40, ODYD; and proposed remainder of Fractional NW 1/4, Section 7, Township 40, ODYD  
   (File 97-0955-D-OCP/RZ)  
   Proposed Use: Country Residential subdivision

Moved by Director Deuling  
Seconded by Director Columbus

“That the application to change the Official Community Plan designation and rezone Lot 2, Plan 43937, Township 40, ODYD; and proposed remainder of Fractional NW 1/4, Section 7, Township 40, ODYD from Non-Urban (NU) to Country Residential (CR) BE REJECTED.”

No. 483/01 CARRIED

Director O’Keefe returned to the meeting.

d. Subdivision Applications – Waiver of Lot Frontage Requirement

i. Gerald and Mary Dyck – 1450 Lumby Mabel Lake – Electoral Area “D” –  
   Lot 3, Plan 25677 and Lot A, Plan 32669, Sections 13 and 14, Township 40, ODYD  
   (File 01-0031-D-SUB)  
   Proposed Use: Two lot subdivision

Moved by Director Deuling  
Seconded by Director Tribes

“That the ten percent minimum lot frontage requirement of Section 944 of the Local Government Act and Section 1201.1.e.i. of Zoning Bylaw No. 725, 1986 be waived in this instance for proposed Lot 2.”

No. 484/01 CARRIED
e. Other Planning Matters

i. Memorandum from Alan Pattison, Director of Development Services – November 1, 2001 – Plan Vernon Official Community Plan – Public Hearing Submission

Moved by Director Hansma  Seconded by Director Dale
“That the previous report from Development Services dated August 16, 2001 concerning comments on the first draft of Plan Vernon Official Community Plan be resubmitted to the City of Vernon for their information.”

No. 485/01 CARRIED

ii. Memorandum from Michael Stamhuis, Director of Engineering – October 29, 2001 – Plan Vernon

Moved by Director Hansma  Seconded by Director Dale
“That the report from the Director of Engineering dated October 29, 2001 concerning Plan Vernon implications for the North Okanagan Water Authority be submitted to the City of Vernon for their information.”

No. 486/01 CARRIED


Moved by Director Hansma  Seconded by Director Dale
“That, upon review of the report from the Director of Engineering, the Regional Board confirms that the proposed update of Plan Vernon will have no appreciable impact on the Regional District’s Solid Waste Management Plan.”

No. 487/01 CARRIED

iv. Memorandum from Rob Smailes, Planner – November 6, 2001 – District of Lake Country Official Community Plan Review

Moved by Director Dale  Seconded by Director Hansma
“That the Regional Board forward comments regarding the District of Lake Country Draft Official Community Plan, as contained in the memorandum from Rob Smailes, Planner, dated November 6, 2001, to the District of Lake Country.”

No. 488/01 CARRIED

v. Planning and Building Committee Meeting

The Director of Development Services advised that the regular meeting of the Planning and Building scheduled for Tuesday, November 20, 2001 had been cancelled due to lack of items. He further advised that the next regular meeting of the Committee would be held on Tuesday, December 18, 2001.
PART 8 – CORRESPONDENCE

a. Okanagan Shuswap Manufacturer’s Association – October 22, 2001 – Invitation to join the “Founding” Regional Advisory Board

Moved by Director Dale  Seconded by Director Hansma
“That correspondence from the Okanagan Shuswap Manufacturer’s Association inviting the Chair of the Regional Board to sit on the ‘Founding’ Region Advisory Board be received and filed.”

No. 489/01 CARRIED


Moved by Director Hansma  Seconded by Director Dale
“That correspondence and report entitled A Review of Post-Secondary Educational Requirements in the Okanagan-Shuswap from Chair Robert Hobson be received and filed.”

No. 490/01 CARRIED

PART 9 – BYLAWS AND RESOLUTIONS

   Purpose: To require the separation of recyclable materials from refuse at disposal facilities


   Moved by Director Hansma  Seconded by Director Columbus
   “That Bylaw 1598, being Recyclable Materials Separation Bylaw No. 1598, 2001, be given first and SECOND readings.”

   No. 491/01 CARRIED

b. Bylaw 1720 – Greater Vernon Governance Service Establishment Bylaw No. 1720, 2001
   Purpose: To establish the Greater Vernon Governance Service

   i. Memorandum from Dennis Bristow, Deputy Corporate Officer – November 6, 2001 – Greater Vernon Governance Service – Counter Petition Results

   The results of Counter Petition against adoption of Bylaw 1720, being the Greater Vernon Governance Service Establishment Bylaw No. 1720, 2001, were received for information.

   Moved by Director Columbus  Seconded by Director Klim
   “That Bylaw 1720, being Greater Vernon Governance Service Establishment Bylaw No. 1720, 2001, be reconsidered and ADOPTED.”

   No. 492/01 CARRIED
c. **Bylaw 1721 – Greater Vernon Services Commission Delegation Bylaw No. 1721, 2001**

**Purpose:** To delegate powers, duties and functions to the Greater Vernon Services Commission

Moved by Director Columbus  
Seconded by Director O’Keefe

“That Bylaw 1721, being Greater Vernon Services Commission Delegation Bylaw No. 1721, 2001, be reconsidered and ADOPTED.”

No. 493/01 CARRIED

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**PART 10 – NEW AND UNFINISHED BUSINESS**


Moved by Director Deuling  
Seconded by Director Dale

“That the Regional Board of the Regional District of North Okanagan consents to the extension of Sanitary Sewer Service into Electoral Area “D” of the Regional District, on a portion of District Lot 3725, 2201 Cedar Ridge Street.”

No. 494/01 CARRIED


Moved by Director Hansma  
Seconded by Director Oglow

“WHEREAS Section 8.05 and Section 9.05 of the Reciprocal Insurance Exchange Agreement provides for the amendment of the Liability Protection Agreement and Cost Allocation Schedule by Special resolution of the Subscribers;

AND WHEREAS Section 6.12 of the Reciprocal Insurance Exchange Agreement provides for Agreement without Voting;

AND WHEREAS the Board of MIA has been advised that reinsurance coverage available to members will be limited for coverage for water penetration into building envelopes and acts of terrorism for 2002;

THEREFORE BE IT RESOLVED that the Subscribers of MIA authorize the Board to amend the Reciprocal Insurance Exchange Agreement and Liability Protection Agreements and to amend coverage on the best terms and conditions available for water penetration and acts of terrorism coverages.”

No. 495/01 CARRIED

c. Leslie Kendall, Chair, Okanagan Regional Library – October 30, 2001 – Appointments to Strategic Planning Committee

A memorandum was received from Leslie Kendall, Chair, Okanagan Regional Library, for information, which advised the Regional Board of appointments made to the Strategic Planning Committee.
d. Memorandum from Chair Stan Field – October 31, 2001 – Committee Appointment – 9-1-1 / Jaws of Life/ Emergency Program / Victims’ Assistance Committee

A memorandum was received from Chair Stan Field, for information, which advised that Chair Field had appointed Director Les Deuling to the 9-1-1 / Jaws of Life / Emergency Program / Victims’ Assistance Committee.

e. Appointment of Mr. Harold E. Major to Whitevale Water System Standing Committee – for information

The Regional Board was advised that Chair Stan Field had appointed Mr. Harold E. Major to the Whitevale System Standing Committee.


The report entitled *Regional Growth Strategy – Air Quality Discussion Paper – October 2001* was received for information.

g. Regional Air Quality Program – Visual Opacity Assessment of Diesel Powered Heavy Duty Vehicles in the Okanagan Region – October 2001

The report entitled *Visual Opacity Assessment of Diesel Powered Heavy Duty Vehicles in the Okanagan Region – October 2001* was received for information.

h. Regional District of Central Okanagan – Sample Letter – Regional Air Quality Program

A sample letter from the Regional District of Central Okanagan with respect to the Regional Air Quality Program was received for information.

i. Okanagan Indoor Wood Burning Appliance Inventory Survey – August 29, 2001

The report entitled *Okanagan Indoor Wood Burning Appliance Inventory Survey* was received for information.

j. CMHC – Research Highlights – Ten Steps to a Cooler Planet – October 31, 2001

Research Highlights from Canada Mortgage and Housing Corporation entitled *Ten Steps to a Cooler Planet* was received for information.

The Chair noted that in nine out of ten cases, people are trying to burn water-soaked leaves, and that perhaps the burning of leaves should be prohibited in the burning bylaw and provide a composting program where people can drop off their leaves.
PART 11 – IN-CAMERA

a. Motion to convene In Camera Meeting of the Regional Board

Moved by Director Oglow  
Seconded by Director Hansma

“That the regular meeting of the Regional Board convene In Camera to deal with matters deemed closed to the public in accordance with Section 242.2 of the Local Government Act, namely:

i. Greater Vernon Vision Committee / Economic Development Review Committee / Multi Use Facility / Community Theatre Project Committee – In Camera – September 6, 2001


iii. North Okanagan Water Authority Committee – In Camera – October 18, 2001

iv. Solid Waste Plan Monitoring Committee – In Camera – October 23, 2001

v. Planning and Building Committee – In Camera – October 30, 2001

No. 496/01 CARRIED

The regular meeting of the Regional Board adjourned to meet “In Camera” at 6:55 p.m.

The regular meeting of the Regional Board reconvened at 6:58 p.m.

PART 12 – MATTERS ARISING FROM IN-CAMERA MEETING

The regular meeting of the Regional Board broke for a recess at 6:59 p.m. and reconvened at 7:31 p.m.

PART 3 – PETITIONS AND DELEGATIONS

c. City of Vernon (Predator Ridge Developments Ltd.) – Development Variance Permit Application – File 00-0487-B-DVP (refer to item 7.b.ii.)

i. Letter from Dr. D. John Price – November 1, 2001

ii. Letter from Charles and Doreen Laszlo – November 8, 2001

The Director of Development Services advised that he had circulated a five-page report from the Development Services Department with four proposed options to consider on the matter of the subject variance. He further advised that two agency letters had been received: one from the Ministry of Transportation which did not provide any comment, and the other from the Agricultural Land Commission which allowed the sign to remain the Agricultural Land Reserve. He also noted the correspondence file that had been created for letters received.

The Director of Development Services stated that Option No. 1 was a full variance; Option No. 2 would approve the existing works; Option No. 3 was a partial approval; and Option No. 4 was a rejection of the application.
Director Klim advised that the City of Vernon had started the process as the Skins Game was coming to Predator Ridge and the City wanted people to know that Predator Ridge was part of the City of Vernon, not the City of Kelowna. She further advised that the City of Vernon had even considered some type of a billboard sign due to budgetary constraints.

Mr. Brian Strike(?), of 10 Irish Creek Road, stated that Predator Ridge will be a positive factor in this community. He further stated that the sign is a distinctive, attractive work of art and that it was inconceivable that the Regional Board would make them change it. In conclusion, he stated that the community should support Predator Ridge.

Mr. Jim Radford, Vice President of Development, Predator Ridge, of 264 Chicopee Road, stated that Predator Ridge had received overwhelming community support with respect to the sign. He complimented the Director of Development Services on his report. Mr. Radford noted that the community at large needs an updated sign bylaw and was pleased that the sign regulations had been completed.

Mr. Radford advised that in November, 1996, the City of Vernon adopted the Predator Ridge Neighbourhood Plan and the Predator Ridge community was born. He noted that the Regional Board should not have a problem with the sign as Predator Ridge is considered as a community.

Mr. Radford stated that they would be limiting the work to what is already there with the addition that the main identification sign would have illumination. He further stated that a 35-watt lamp would be sufficient to give a glow to the sign and would like to incorporate one bird logo on the cairn attached to the main identification sign. He explained that the original intent was to extend the signage program by installing additional cairns further up the hill, but they are now requesting that the existing cairns behind the main identification sign to remain as is without illumination. Mr. Radford advised that the sign had received some significant awards in the valley.

In conclusion, Mr. Radford noted that 242 people had signed a petition in support, together with numerous letters of support. He appealed to each Director to use their own judgement in making their decision.

Mr. Jim Perry, of 200 Chicopee Road, stated that he supports the sign for their community. He further stated that the sign is very tastefully done and that in driving from Kelowna, that sign is the first one that mentions Vernon. Mr. Perry requested approval of the sign.

Mr. Gyula Kiss, of 12601 Kidston Road, appeared before the Board and reminded them that they had taken an oath last December to uphold bylaws. He stated that the City of Vernon should have known about the sign bylaws. He further stated that the majority of those in support of the sign do not live in the area, while the majority of those who do not support it, live in the area. In conclusion, he asked the Board to make the right decision.
Mr. Brian Monaghan, of 954 Mt. Bulman Drive, advised the Board that he had previously worked for the City of Vernon, and that in his dealings with Predator Ridge, he had forgotten to advise them of the Regional District of North Okanagan bylaws, but had informed them to contact the Ministry of Transportation and the Land Reserve Commission. He noted that bylaws are a starting place and can be varied. Mr. Monaghan stated that the sign is a nice piece of art and requested the support of the Board.

Mr. Wayne Leisure, a land owner in the area, stated that he supports the sign and that the Regional Board had an obligation to serve the wishes of common sense.

Mr. Brian Griffin, of 307 Commonage Road, appeared before the Board and noted that he felt that the sign was a commercial sign intended to sell houses and was not a community marker. He further noted that he found it hard to believe that the developers and the City of Vernon were unaware that they needed approval from the Regional District, but felt that they could bulldoze their way through the process.

Mr. Griffin noted that with respect to the comments made that Predator Ridge is a good corporate citizen, that the vast majority of construction trades were from out of town and that Predator Ridge had broken Regional District, City of Vernon, and Ministry of Water, Land and Air Protection bylaws. He further noted that on Predator Ridge’s website, there was no mention of Vernon on the picture. Mr. Griffin stated that Predator Ridge had continued work on the sign, even since the motion to reject the previous variance application had been made 17 months ago.

Mr. Griffin advised that the majority of supporters that Predator Ridge claims to have are employees, families, contractors, and businesses. He further advised that among the letters of support received are 12 lawyers from the one law firm all using the same form letter. Mr. Griffin noted that the reporting on the issue had been one-sided, and the legal / illegal aspects had been ignored.

In conclusion, Mr. Griffin stated that he was confident that the Regional Board was astute enough to see manipulation of the facts.

Mr. Doug Alcock, 340 Commonage Road, stated that he supports the sign and that he felt that the sign represents economic resources and provided a habitat for wildlife. He further stated that Predator Ridge was an excellent neighbour and that it would be a waste of energy to remove the sign.

Mr. Trevor Smith, Vice President of Operations, Predator Ridge, of 9242 Chinook Road, noted that 140 to 150 employees at Predator Ridge contribute $1.5 million to the economy and that they are all in favour of the sign. He requested the Board to support the variance.

Mr. Dave Ayres, of 552 Commonage Road, stated that he is a member of the agricultural community and his lands are in the Agricultural Land Reserve. He further stated that he had no difficulty with the golf course. Mr. Ayres advised that what he can do with his
land is very specific, and that what Predator Ridge did on the Williamson property was very illegal, and that if they can do that, he should be able to put up billboards on his property. He further stated that he had eight sites picked out on his property for this purpose.

Mr. John Ritchie, President of Predator Ridge Development, stated that he was in support of the community marker and that Predator Ridge makes a significant contribution to the community. He requested the Regional Board’s support of Option No. 1.

Mr. Jeff Curtis, of 496 Bailey Road, stated that the bylaws are in place to protect values, and that the entrance to the Predator Ridge Community is four to five miles up the road from where the sign is situated.

Dr. David John Price, of 410 and 488 Bailey Road, stated that on September 6, 2001, the applicants provided an amended application for a community marker. He further stated that the sign regulations clearly define what a community is, and that a community identification sign is a permanent sign which refers to a distinct community within the Regional District, not the City of Vernon. Dr. Price noted that this sign was not a community marker, it was a real estate sign which was over size, illegally constructed, and that there should not be any illumination on a real estate sign.

Dr. Price advised that when this issue was dealt with 17 months ago, Resolution No. 217 rejected the previous application, and that after Resolution No. 218, which was with respect to the removal of the sign, nothing happened. He further advised that the supporters of the sign are mostly employees of Predator Ridge. Dr. Price stated that even if 242,000 people signed a petition in favour of the sign, it is still illegal. He further stated that the size is the biggest problem.

Dr. Price stated that an appeal by the applicant may be possible. He further stated that the Regional Board was in place to uphold the legal position of the Regional Board. In conclusion, he requested the Board to reject the application and have all the signs removed and reconstructed on Predator Ridge property.

Mr. Chris Wallace, of 1877 Crosby Road in Kelowna, advised that he was a geotechnical engineer, and noted that he felt that bylaws were a place to start and many require a variance. He stated that it was a beautiful sign and was a compliment to Vernon and the North Okanagan. In conclusion, he advised that he was in favour of the sign.

Mr. Ken McNeil, of 108 Falcon Point Way, stated that he was too new to the area to know the history of the sign, but that he would not have purchased his property here if he hadn’t seen the sign. He further stated that there is no other sign along Highway No. 97 from Kelowna that adds to the view like this sign does.

Mr. John Baumbrough, of 5250 Old Kamloops Road, noted with respect to the construction of the Predator Ridge sign, that compliance of the regulations had been abandoned for expediency. He further noted that the abuse of power was contemptible,
and that it should not be awarded. Mr. Baumbrough stated that if the sign is allowed, that he should be allowed to erect a sign directing traffic to Davison Orchards in Bella Vista. In conclusion, he urged each Director to let their conscience be their guide and uphold the legislation.

Ms. Karla Creelman, of 1804 – 43rd Avenue, advised that she had been an employee of Predator Ridge for nine years, and that the City of Vernon has not changed much. She stated that we need to protect what is ours and that Predator Ridge has a great respect for the environment. In conclusion, she stated that the sign showcases a first class property.

Mr. Tony Barnard, of 3412 – 20th Avenue, noted that the sign was the issue. He stated that Predator Ridge is a jewel in our community and it needs a sign to showcase the jewel that it is. Mr. Barnard requested the Directors to support Option No. 1.

Mr. Brian Strike(?), of 10 Irish Creek Road, asked if the sign was harmful or a hazard, and wondered what good it would do to remove it.

Mr. Rick Garbutt, of 467 Scenic Drive, stated that the sign issue is about a variance, and that the bottom line is that it is a nice sign and will benefit the population in general. He requested the Board to vote on the issue accordingly.

Mr. Boris Ivanoff stated that he believes in economic growth and has seen that in the last couple of years. He noted that he felt that if the sign was to be taken down, it would tear apart the community. Mr. Ivanoff asked the Board to choose wisely.

Mr. Gyula Kiss, of 12601 Kidston Road, noted that if the sign was removed that Predator Ridge would not disappear, nor would it suffer financially.

Mr. Dave Marcoux, of 11102 Coldstream Creek Road, stated that he was in favour of the sign and that by allowing the sign to remain would show that we have imagination.

Mr. Mark Wensley, 11500 Coldstream Creek Road, stated that he felt that in order to be proud of our community, changes are needed. He encouraged the Directors to step back and look at Predator Ridge as a community in a distinct area. Mr. Wensley noted that a benchmark is needed for the public to see something we are proud of, and does not see the sign as a threat to anyone’s property. He asked why the Board would remove something that is a benefit to the community. Mr. Wensley stated that was 100% in support of the sign.

Councillor Jim MacGillivray, City of Vernon, noted that he had been in favour of rejecting the previous variance application. He further noted that the Regional Board had attempted to create a solution with a more restricted use for larger signs.

Director Klim noted that Predator Ridge had put in $14 million in infrastructure and had done a first class job in the sign as it is a beautiful attraction.
PART 7 – PLANNING MATTERS

b. Development Variance Permit Applications

ii. City of Vernon (Predator Ridge Developments Ltd.) – 2235 Bailey Road
   – Electoral Area “B” –
   Lot A, Plan KAP55271, Sections 6 and 7, Township 9, ODYD
   (File 00-0487-B-DVP)

   Proposed Use: Extend the definition of ‘community’ to include the Predator Ridge
   community in the City of Vernon; increase the permitted size from 5.0 m² to 108 m² and
   height from 3.0 m to 3.7 m; and permit illumination

   Moved by Director Klim  Seconded by Director Hackman

   “That a Development Variance Permit BE ISSUED for Lot A, Plan KAP 55271, Sections
   6 and 7, Township 9, ODYD (Predator Ridge Developments Ltd.) to vary the
   sign regulations of Zoning Bylaw No. 725, 1986 and the ‘Stop Work Order’ lifted to
   permit the existing Predator Ridge sign (including the four rock cairns) to remain and
   allow illumination improvements with the variances as follows:

   1. Section 405.1.e. is varied to extend the definition of community to include the
      Predator Ridge community in the City of Vernon;

   2. Section 405.3.c. is varied to increase the permitted size for a Community
      Identification Sign from 5.0 m² to 108 m² to include the main identification sign and
      the four adjacent complementary rock cairns as currently constructed;

   3. Section 405.3.g. is varied to increase the permitted height for the cairns incorporated
      into the Predator Ridge sign from 3.0 m to 3.7 m; and

   4. Section 405.3.e. is varied to permit illumination of only the main identification sign as
      follows:

      4.1 the installation of a maximum of six flood lights; and

      4.2 the installation of a maximum of two Predator Ridge logos with back-lights for
      illumination to be located on the cairn in the main identification sign.”

   No. 497/01  DEFEATED
   Directors McGiverin, Hansma, Columbus, Field,
   Deuling, Foisy, and Tuominen opposed

   Director Hackman noted that with respect to the Stop Work Order, that it would have
   been an embarrassment if the sign had not been completed right before the Skins
   Game. He further noted that if the variance had been requested prior to construction,
   he thinks it would have passed.

   Director Oglow thanked all of the person who had made a presentation and stated that
   there were two issues, with the first being political and that the Board should forgive
the indiscretion and lack of judgement. He further stated that the second issue was the sign itself and if the City of Vernon had worked with the Regional Board Directors, they would have consulted with the affected neighbours, Predator Ridge, etc., and a decision may have been made in a regional context. Director Oglow stated that he supports the sign and felt that it should stay and it has no impediment to the neighbourhood.

Director Columbus stated he could not support the motion as there were too many variances and that he could not support the cairns going up the hillside. He further stated that he did not support the logos on the sign as it is a business marker, not a community sign. Director Columbus asked for the support of the Board in not supporting the resolution.

Director Tuominen advised that she did not support the motion in that her community is part of this greater community. She further advised that the Bylaw Enforcement Officer went out and sent letters to the owners of illegal signs in Electoral Area “F”. Director Tuominen stated that she did not feel that this sign was a community sign as the community is six kilometres away, and that the law should apply equally to everyone.

Director Hansma stated that he was against the motion, and noted that neither staff nor the Regional Board Directors had been able to construct a bylaw to support the Predator Ridge sign. He further stated that he felt that it would be precedent setting, and that the sign was identifying Predator Ridge’s establishment, and not Vernon. Director Hansma advised that he did not feel that the City of Vernon would allow this happen in the City with their bylaws.

Director Klim noted that this sign was no different than the ‘Welcome to Vernon’ mound created for Expo. She further noted that the sign started with the Skins Game, a world class event, and urged the support of the Directors.

Director Columbus stated that the size of the sign is 20 times the permitted size, that lighting is not permitted in rural areas, and that logos pertain to business development. He again requested the Directors to vote against the motion.

Director Deuling noted that he was not in favour of the motion.

Director Oglow stated that there was difficulty in developing a sign bylaw for a “one size fits all”. He further stated that the Regional Board should have the ability to look at different options.

Moved by Director Dale  
Seconded by Director McGiverin
“That a Development Variance Permit Application for Lot A, Plan KAP 55271, Sections 6 and 7, Township 9, ODYD (Predator Ridge Developments Ltd.) to vary the sign regulations of Zoning Bylaw No. 725, 1986 to permit the existing Predator Ridge sign to remain and to allow illumination improvements BE REJECTED; and
that upon the removal of the four rock cairns behind the main identification sign and
the rehabilitation of this area for agricultural uses, that a Development Variance
Permit be offered to the applicant and subsequently BE ISSUED and the ‘Stop Work
Order’ lifted to permit the existing main identification sign to remain without any
form of illumination with the variances as follows:

1. Section 405.1.e. is varied to extend the definition of community to include the
Predator Ridge community in the City of Vernon;

2. Section 405.3.c. is varied to increase the permitted size for a Community
Identification Sign from 5.0 m² to 74.5 m² being only the main identification sign
as currently constructed including the addition of a maximum of two Predator
Ridge logos in the copy area which shall not be illuminated; and

3. Section 405.3.g. is varied to increase the permitted height for the cairn
incorporated into the main identification sign from 3.0 m to 3.7 m.”

No. 498/01 DEFEATED
Directors McGiverin, Hansma, Columbus, Field, Deuling, Foisy, and Tuominen opposed

Moved by Director Columbus Seconded by Director Hansma
“That No. 2 of Resolution No. 498/01 be amended by deleting the provision to allow
the addition of a maximum of two Predator Ridge logos.”

No. 499/01 DEFEATED
Directors Oglow, Hackman, Dale, Klim, O’Keefe, Tribes, and Tuominen opposed

Director Oglow asked Director Columbus why he did not want the logo on the sign,
to which Director Columbus replied that that would make it a business marker, not a
community marker.

Director Tuominen stated that this motion was still a huge variance, that this was not
a community marker as it was six kilometres away from the community, and that she
could not support it.

Director Klim advised that the sign would not be visible at night without lighting.

Director Hansma stated that he opposed the resolution as it is a large variance, and
that the Board needed to try to treat everyone as fairly as possible. He further stated
that illumination in a rural area too important to those there.

Director O’Keefe stated that the cairns should also be allowed to remain.
Moved by Director O’Keefe  
Seconded by Director Klim

“That a Development Variance Permit Application for Lot A, Plan KAP 55271, Sections 6 and 7, Township 9, ODYD (Predator Ridge Developments Ltd.) to vary the sign regulations of Zoning Bylaw No. 725, 1986 to permit the existing Predator Ridge sign to remain and to allow illumination improvements BE REJECTED; and

that a Development Variance Permit be offered to the applicant and subsequently BE ISSUED and the ‘Stop Work Order’ lifted to permit the existing main identification sign and the four rock cairns to remain without any form of illumination with the variances as follows:

1. Section 405.1.e. is varied to extend the definition of community to include the Predator Ridge community in the City of Vernon;

2. Section 405.3.c. is varied to increase the permitted size for a Community Identification Sign from 5.0 m² to 108 m² being only the main identification sign and the four rock cairns as currently constructed including the addition of a maximum of two Predator Ridge logos in the copy area which shall not be illuminated; and

3. Section 405.3.g. is varied to increase the permitted height for the cairn incorporated into the main identification sign from 3.0 m to 3.7 m.”

No. 500/01 DEFEATED

Directors Oglow, McGiverin, Dale, Hansma, Columbus, Field, Deuling, Foisy, and Tuominen opposed

Moved by Director Klim  
Seconded by Director O’Keefe

“That a Development Variance Permit Application for Lot A, Plan KAP 55271, Sections 6 and 7, Township 9, ODYD (Predator Ridge Developments Ltd.) to vary the sign regulations of Zoning Bylaw No. 725, 1986 to permit the existing Predator Ridge sign to remain BE REJECTED; and

that upon the removal of the four rock cairns behind the main identification sign and the rehabilitation of this area for agricultural uses, that a Development Variance Permit be offered to the applicant and subsequently BE ISSUED and the ‘Stop Work Order’ lifted to permit the existing main identification sign to remain, with illumination as requested by the applicants, with the variances as follows:

1. Section 405.1.e. is varied to extend the definition of community to include the Predator Ridge community in the City of Vernon;

2. Section 405.3.c. is varied to increase the permitted size for a Community Identification Sign from 5.0 m² to 74.5 m² being only the main identification sign...
as currently constructed including the addition of a maximum of two Predator Ridge logos in the copy area which shall not be illuminated;

3. Section 405.3.g. is varied to increase the permitted height for the cairn incorporated into the main identification sign from 3.0 m to 3.7 m; and

4. Section 405.3.e. is varied to permit illumination of only the main identification sign as follows:

4.1 the installation of a maximum of six flood lights; and

4.2 the installation of a maximum of two Predator Ridge logos with back-lights for illumination to be located on the cairn in the main identification sign.”

Moved by Director Columbus Seconded by Director Deuling

“"That a Development Variance Permit Application for Lot A, Plan KAP 55271, Sections 6 and 7, Township 9, ODYD (Predator Ridge Developments Ltd.) to vary the sign regulations of Zoning Bylaw No. 725, 1986 to permit the existing Predator Ridge sign to remain and to allow illumination improvements BE REJECTED; and that upon the removal of the four rock cairns behind the main identification sign and the rehabilitation of this area for agricultural uses, that a Development Variance Permit be offered to the applicant and subsequently BE ISSUED and the ‘Stop Work Order’ lifted to permit the existing main identification sign to remain without any form of illumination or the addition of the Predator Ridge logos and with the variances as follows:

1. Section 405.1.e. is varied to extend the definition of community to include the Predator Ridge community in the City of Vernon;

2. Section 405.3.c. is varied to increase the permitted size for a Community Identification Sign from 5.0 m² to 74.5 m² being only the main identification sign as currently constructed; and

3. Section 405.3.g. is varied to increase the permitted height for the cairn incorporated into the main identification sign from 3.0 m to 3.7 m.”

No. 502/01 CARRIED
Directors Hansma and Tuominen opposed
PART 13 – ADJOURNMENT

There being no further business, the meeting was adjourned at 9:33 p.m.

Certified Correct:

____________________________________  ______________________________
Chair                                      Secretary