



## REGULAR COUNCIL MEETING AGENDA

Monday, March 23, 2015 - 7:00 PM  
Council Chambers  
Municipal Hall, 13211 Henry Ave.  
Summerland, BC

Page

**1. Call to Order**

**2. Adoption of Minutes**

4 - 10

**2.1 Adoption of Minutes**

Recommendation:

THAT the Regular Council meeting minutes dated March 9th, 2015, be adopted.

**3. Resolution to Amend the Agenda**

**4. Delegations**

*(maximum 5 minutes per delegation)*

11 - 23

**4.1 Delegation: Zoe Kirk, WildsafeBC Community Coordinator**

24 - 27

**4.2 Delegation: Evelyn Riechert, MCIP, RPP - Planner - RDOS  
Regional Growth Strategy Overview**

**5. Public Comment Opportunity - 15 minutes maximum**

**(2 minutes per speaker)**

**Comments/Questions must pertain to Agenda items**

**\*agenda items that can be commented on by the public are highlighted**

**(exception: no comments on any item with a statutory requirement, such as Zoning/OCP Amendments; DVP and TUP applications)**

**6. Mayor's Report**

**7. Development Services Department Reports**

28 - 35

**7.1 Development Variance Permit for Lot 1, DL 488, ODYD, Plan 3533 (6003 Dale Avenue)  
Mayor Waterman to ask for public comment.**

Recommendation:

THAT a Development Variance Permit to reduce the required minimum right-of-way width for a local road in Subdivision and Development Bylaw 99-004 from 16m to 13.72m for the extension of Dale Avenue as shown on Schedule B, be granted to Lot 1, DL 488, ODYD, Plan 3533, located at 6003 Dale Avenue.

## 8. Staff and Other Reports

36 - 44

- 8.1 Land Disposal Policy  
(brought forward from March 9th, 2015 - In Camera Session)

Recommendation:

THAT Council approve and adopt District of Summerland - Disposal of Municipal Property Policy.

45 - 70

- 8.2 2015-2019 Strategic Plan  
(brought forward from March 9th and 16th, 2015 - In Camera Sessions)

Mayor Waterman to ask for public comment.

Recommendation:

THAT Council adopt the 2015-2019 Strategic Plan.

71 - 123

- 8.3 Council Advisory Committees

Recommendation:

THAT Council approve in principle the Council Advisory Committee structure and terms of reference outlined in the Report from the Interim CAO dated March 17th, 2015;

AND THAT Council strike a three person select committee consisting of the Mayor as Chair and two Councillors to fine tune the Council Committee terms of reference;

AND FURTHER THAT Council direct staff to canvas the community for volunteers to serve on Council Committees through a direct mail approach to stakeholder organizations, newspaper advertisements, newsletter feature, website, and open house.

## 9. New Business

## 10. Bylaws

- 10.1 Bylaw 2015-004 - Amendment of Fees and Charges Bylaw No. 98-001 (Electric Rates)

Recommendation:

THAT Bylaw 2015-004 - Amendment of Fees and Charges Bylaw No. 98-001 (Electric Rates), be adopted.

10.2 Bylaw 2015-005 - Amendment of Fees and Charges Bylaw No. 98-001 (Water Rates)

Recommendation:

THAT Bylaw 2015-005 - Amendment of Fees and Charges Bylaw No. 98-001 (Water Rates), be adopted.

10.3 Bylaw 2015-006 - Amendment of Fees and Charges Bylaw No. 98-001 (Sewer Rates)

Recommendation:

THAT Bylaw 2015-006 - Amendment of Fees and Charges Bylaw No. 98-001 (Sewer), be adopted.

**11. Councillor's Report**

124 - 134

11.1 Councillor Richard Barkwill - Introduction of 'Notice of Motion' re Agricultural Properties (second service unmetered irrigation water)

Recommendation:

THAT Council direct staff to bring a water rate bylaw amendment forward for Council consideration at the April 27th, 2015 Regular Council meeting providing a special irrigation rate for those agricultural properties under two acres wanting unmetered irrigation service for the 2015 irrigation season, approximating the 2011 charges.

**12. Public/Media Question Period**

\*Public/Media Question Period - up to 15 minutes on any matter of Local Government Interest  
**(2 minutes per speaker)**

**13. Adjourn**



MINUTES OF THE REGULAR COUNCIL  
HELD AT DISTRICT OF SUMMERLAND  
COUNCIL CHAMBERS  
13211 HENRY AVENUE, SUMMERLAND, BC  
ON MONDAY, MARCH 9<sup>th</sup>, 2015

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MEMBERS PRESENT:

Mayor Peter Waterman

Councillor Richard Barkwill  
Councillor Toni Boot  
Councillor Erin Carlson  
Councillor Doug Holmes  
Councillor Janet Peake  
Councillor Erin Trainer

Staff Present:

Tim Wood, CAO

Lorrie Coates, Director of Finance  
Jeremy Denegar, Director of Corporate Services  
Maureen Fugeta, Corporate Officer  
Jim Holtjer, GIS Database Coordinator  
Ian McIntosh, Director of Development Services  
Devon van der Meulen, Manager of Utilities  
Maarten Stam, Manager of Works

1. CALL TO ORDER

Mayor Peter Waterman called the meeting to order at 7:00 p.m.

2. ADOPTION OF MINUTES

2.1 Adoption of Minutes

Moved and Seconded,

THAT the following Council meeting minutes, be adopted:

- Special Council meeting minutes dated February 18th, 2015, and
- Regular Council meeting minutes dated February 23rd, 2015.

Carried.



3. RESOLUTION TO AMEND THE AGENDA

The Corporate Officer advised that Item 6.1 Delegation: Richard Toperczer, Regional Manager Economic Development, be removed from tonight's meeting Agenda.

4. PUBLIC HEARING

4.1 Bylaw 2015-003 - Amendment of Zoning Bylaw No. 2000-450 to rezone Lot 13, DL 488, ODYD, Plan 310, except Plans 41476 and KAP91223 from RSD2 to RSD1 (5815 Hwy 97)

*\*Mayor Waterman to ask for comments from the public.*

Mayor Waterman read the Public Hearing Statement and invited any members of the public who wished to speak to approach the lectern, stating their name and address for the public record.

Grant Taylor, 11911 Loomer

- Opposed to the proposed rezoning
- Purchased a parcel of land adjacent to proposed development to build house
- Purchased property 10 or 11 years ago
- Unique features in Trout Creek; large lots; character homes; attractive landscaping
- Trout Creek Neighbourhood; present zoning be left without changes

Bruce Buxton

- Opposed to the application for rezoning
- What benefits the common good; character; define prudent and responsible development
- Concerned with rezoning
- Vegetative barrier between park and development has been completely removed
- Witness the character of Summerland erode

Grant Kladyk, Representative for Developer

- a number of lots have been sold
- clarification of pricing for lots; starting at \$199,000
- commented on infrastructure

Members and staff discussed public process, original proposal, prior to new zoning bylaw, zone that would not allow for this, new zone is now available, installation of sidewalk, higher density, traffic noise, and character of Trout Creek.

Public Hearing ended at 7:20 p.m.

5. BYLAWS CONSIDERED AT PUBLIC HEARING

5.1 Bylaw 2015-003 - Amendment of Zoning Bylaw No. 2000-450 to rezone Lot 13, DL 488, ODYD, Plan 310, except Plans 41476 and KAP91223 from RSD2 to RSD1 (5815 Hwy 97)

Moved and Seconded,

THAT Bylaw 2015-003 - Amendment of Zoning Bylaw No. 2000-450 to rezone Lot 13, DL 488, ODYD, Plan 310, except Plans 41476 and KAP91223 from RSD2 to RSD1 (5815 Hwy 97), be read a second and third time.

Carried.

6. DELEGATIONS

*(maximum 5 minutes per delegation)*

6.1 Delegation: Steve Sirett, District and Program Manager Okanagan Shuswap - Ministry of Transportation and Infrastructure  
Summerland Lakeshore Trail Highway 97

Mr. Steve Sirett provided an updated to Council on the proposed 'Summerland Lakeshore Trail'.

Council Comments:

- Location of pathway
- Installation of barriers; concrete walls at South end between RV campground and Highway
- Environmental and archeological review completed
- Complete design by March 17<sup>th</sup>; to Tender March 31<sup>st</sup> and construction start May 2015 and completed July 2015
- Surface of pathway – asphalt (within budget and easier to maintain)

6.2 Delegation: D.J. (Jim) Cleghorn - Representing the Penticton Branch of the B.C. Schizophrenia Society (BCSS)

Mr. Jim Cleghorn, Representing the Penticton Branch of the B.C. Schizophrenia Society, provided Council with an overview of the implementation of mental health care in the Okanagan.

Council Comments:

- Number of individuals who suffer from mental health
- Community awareness
- Local Government lobbying
- Resources
- Upcoming performance: Maladjusted – Sunday, March 15<sup>th</sup>, 2015 7:30pm at Shatford Centre, 760 Main Street, Penticton

6.3 Delegation: Rob Robinson, Firefighter re Canadian Firefighters Curling Championship  
*Request for Financial Support*

Firefighter, Rob Robinson was in front of Council today to request financial support for the upcoming Canadian Firefighters Curling Championship, to meet the team's monetary commitments and expenses.

Council Comments:

- Representing Summerland in the Provincial Curling Championship taking place in Valleyfield, Quebec
- Gifts and dinner required to host
- Chamber and Summerland Sweets have made donation
- Requesting \$500.00 (Grant-in-Aid)

Moved and Seconded,

THAT Rob Robinson, Assistant Fire Chief of the Summerland Fire Department, receive the amount of \$500.00 (Grant-in-Aid), to assist in monetary expenses during the 'Canadian Firefighters Curling Championship', being held in Valleyview, Quebec, from March 19<sup>th</sup> to March 29<sup>th</sup>, 2015.

Carried.

7. PUBLIC COMMENT OPPORTUNITY - 15 MINUTES MAXIMUM  
(2 minutes per speaker)  
Comments/Questions must pertain to Agenda Items  
**\*agenda items that can be commented on by the public are highlighted**  
(**exception:** no comments on any item with a statutory requirement, such as Zoning/OCP Amendments; DVP and TUP applications)

Mayor Peter Waterman invited the public to comment on any of the highlighted items contained in the Agenda. There were no comments.

8. MAYOR'S REPORT

- Attended the Chambers 77<sup>th</sup> Annual Business and Community Awards Gala; Mayor's Award of Excellence presented to Sister City Committee
- March 7<sup>th</sup> attended the AGM of the Friends of the Summerland Research Gardens
- Attended regular meetings of the RDOS and OBWB as Summerland Council's representative
- Council is in the process of finalizing our Strategic Plan for this year

9. CORRESPONDENCE

9.1 \*Correspondence - Declaration of the Right to a Healthy Environment  
(Port Moody, B.C.)

*Request for support for a resolution re Healthy Environment*

The Corporate Officer advised that the City of Port Moody had sent a request for support regarding a resolution 'Declaration of the Right to a Healthy Environment'; and that this resolution be forwarded to LGMA, UBCM and FCM for discussion at their 2015 conference/convention.

Moved and Seconded,

THAT Council supports the initiative and resolution as outlined in the City of Port Moody's letter dated February 23<sup>rd</sup>, 2015, for discussion at upcoming LGMA, UBCM and FCM 2015 conferences and conventions.

Carried.

10. STAFF AND OTHER REPORTS

10.1 \*Sani-Dump Update

Members and staff discussed current user fees, operating expenses, pumping and hauling process and cost recovery.

Moved and Seconded,

THAT Council approve an increase in user fees for the sani-dump from \$8.00 per use to \$10.00 per use to cover the District's operating expenses.

Carried.

10.2 \*Utility Rates & Fees Increases for 2015

Members and staff discussed District rate increases, FortisBC increases and electrical rates (street light codes).

Moved and Seconded,

THAT Council gives first three readings to Bylaw 2015-004 - Electric Rates (Schedule A); Bylaw 2015-005 - Water Rates (Schedule B), and Bylaw 2015-006 - Sewer Rates (Schedule O), all pertaining to Amendment of Fees and Charges Bylaw No. 98-001.

Carried.

11. COUNCILLOR REPORTS

Councillor Barkwill:

- Attended Chamber Awards Banquet
- Attended AGM Museum; Sharon Stone honored with lifetime membership

Councillor Holmes:

- Congratulations to True Grain Bakery – awarded Best Business Chamber Awards
- Attended UBCO workshops re upcoming challenges to Municipalities
- Meeting with Summerland youth to see how we can better engage
- Local Hockey game (Summerland Steam); good luck in playoffs

Councillor Carlson:

- Attended Community to Community Forum held in Keremeos; met with First Nations (Okanagan Valley); discussed planning initiatives; protocol agreement

Councillor Peake:

- Attended Community to Community Forum held in Keremeos; better understanding of planning initiatives by First Nations
- Attended AGM for Arts Council
- Vendors Market at United Church – March 14<sup>th</sup> – from 9am to 2pm

Councillor Boot:

- Attended Home Show in Penticton this past weekend – working with RDOS booth; focus re waste demolition, purchasing compost bins
- Discussion with Zoe Kirk re WildsafeBC and work with the Penticton Indian Band

Councillor Trainer:

- Attended the Chamber Awards Banquet
- Will be attending the Chambers AGM and Business after Business at Sumac Ridge winery
- Summerland Yacht Club – Ogopogo Bathtub Race – August 22<sup>nd</sup>
- Critteraid – March is Adoption month
- Giants Head Mountain – hiking – be careful 'wood ticks' are out
- Okanagan Healthy Fair – Dr. Art Hister will be speaking at 9:15 a.m.

12. PUBLIC/MEDIA QUESTION PERIOD

*\*Public/Media Question Period - up to 15 minutes on any matter of Local Government Interest (2 minutes per speaker)*

Mayor Waterman asked if the public and/or media had any questions or comments. There were none.

13. RESOLUTION TO CLOSE MEETING TO THE PUBLIC

13.1 Resolution to Close Meeting to the Public

Moved and Seconded,

THAT this meeting now be closed to the public pursuant to Sections 90(1)(e) and (l) of the Community Charter for Council to discuss the disposition of municipal property and goals and objectives.

Carried.

14. ADJOURN

The Regular Council meeting went into a closed session at 8:35 p.m. and subsequently adjourned at 9:50 p.m.

Certified Correct:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

/mf

# WildSafeBC Year End Report 2014

## Regional District Okanagan Similkameen

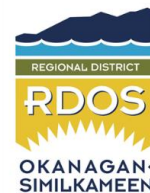
Prepared by: Zoe Kirk, WildSafeBC Community Coordinator



Photo: Thomas Born Shutterstock Studios: Summerland Ornamental Gardens Oct 2014



BRITISH COLUMBIA  
CONSERVATION  
FOUNDATION





### Executive Summary

The 2014 season was one of the busiest years for the WildSafeBC Community Coordinator (WSBCCCC), but a relatively quiet year for bear activity in RDOS. Compared to 2013, calls were down significantly until September, when the CO Service began to get very busy inside and outside the RDOS (mostly in the surrounding communities of West Kelowna, Peachland and further north to Vernon – outside the RDOS).

Naramata receiving Bear Smart Status consumed considerable hours; finalizing details with the application and implementation of recommendations from the Ministry of Environment post evaluation meeting and in preparation for the award celebration and media events.

With Naramata having achieved this long range goal, the WSBCCCC turned the program's focus to Summerland, the next long standing hot spot for human-bear conflict and wildlife issues. A concentrated fall tagging and education program is underway, and a detailed addendum will be added in December once the campaign has been suspended for the season.

Princeton, at the far edge of the region is also on the radar for a more direct campaign for late 2014 and 2015 as the small hamlet has human-bear conflicts (garbage) and a large urban deer population which attracts other predators. School programs will commence once the teachers have settled into a post labour dispute routine and Summerland and Princeton will take the remaining hours for the 2014 program.

Figure 1 A WildSafeBC display Gyro Park Penticton – SPCA Day 2014.





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### Highlights from the 2014 Season

The biggest highlight and accomplishment of the 2014 season was the elevation of the community of Naramata to Bear Smart Status. This was the biggest 'wildlife related' event for the coordinator and the region this year.

The continuing expansion of the new WildSafeBC program and social media opportunities were also a highlight of the program this year. Many residents were glad to see the inclusion of information on other species of wildlife and the coordinator found that there was greater program recognition in the region as a result. Keeping WildSafeBC and its messages of attractant management in the public eye continued to be a focus this season as well as providing concrete solutions to human-wildlife conflict.

### Bear Smart for Naramata

On June 23<sup>rd</sup>, 2014 Naramata was awarded Bear Smart Status from the Ministry of Environment. It was the culmination of nearly four years of WildSafeBC (Bear Aware) work in the hamlet through education, Bylaw introduction, bear-resistant cart options, and changes to curbside pick-up day. The largest component was (and is) the level of community engagement and desire to reduce human-wildlife conflict in their community.

The celebration included many dignitaries including: MP Dan Albas, MLA Dan Ashton, Mike Badry BC Wildlife Conflict Manager, Chief Doug Forsdick of the BC Conservation Officer Service, Inspector Barb Leslie and 5 uniformed CO's from across the region, RDOS Chair Mark Pendergraft and Area E Director Karla Kozakevich whose community was awarded the commendation. BCCF was represented by Barb Waters. Naramata Elementary School children were a big part of the celebration bringing their specially carved, soap stone, bears to show the community and gathered dignitaries.

Figure 2 – collage- Naramata Bear Smart event drew all levels media from radio through to print and electronic to Global TV.



### Presentations

Presentations were updated and honed for a wide range of audiences this season; to provide insight into the reasons human-wildlife conflict occurs and what we can do to reduce it. Presentations were designed for kindergarten children through to mature adults and specific to agricultural industry including multi-cultural agricultural workers. RDOS WildSafeBC has or is booked to give presentations (or demonstrations) to the following audiences this season:

- Oliver Grower's Day (250 tree fruits and wine growers) - March
- Penticton Girl Guides – April
- Upper Bench Elementary - May
- Pacific Agra research Station -May
- Canadian Tire Presentation in store - May
- Naramata Elementary (Grade K-5) Nov
- West Bench Elementary (Grade K-6) Dec
- Staff Training – RDOS (outside workers) May
- Museum of Penticton – Wild Camp - July
- ATV Jamboree – Summerland – July
- Manning Park – BC Parks Day - July
- Gallagher Lake Homeowners (Oliver BC) Sept
- Summerland - Composting in Bear Country – Oct
- South Okanagan Youth Naturalists - Nov

Figure 3 WSBCCC Zoe Kirk demonstrating the safe use of bear spray, Manning Park 2014.



### Displays

Educational displays at local events proved once again to be an effective part of the program's delivery. The display, updated with new banners and materials from BCCF was once again a big hit with people and a great place to discuss local wildlife issues with residents (Figure 3). People shared their stories and were able to access information and solutions for their own attractant management challenges.

WildSafeBC spent 17 days at the following local events:

- Southern Interior Local Gov't Conference (3 days) -March
- First Nations Elder's Conference (2 days) -July
- BC Wine Grape Council Conference – July (2 days) & Deer Forum facilitator
- Summerland Fall Faire (2 days) Sept
- Princeton – New Beginnings - Sept
- Challenge Penticton (4 days) – Aug
- OK Falls – See Ya Later Ranch Winery event - Aug
- Gyro Park SPCA Fundraiser – Penticton - September

Figure 4 Hidden by booth attendees - WSBCCC Zoe Kirk discussing human-wildlife issues at Summerland Fall Faire 2014.



### Forums/Focus meetings

A wide net was cast across the region and province and the first 'deer meeting' was convened at the RDOS on April 30<sup>th</sup> 2014. In attendance a broad selection of representatives from MoE, BC CO Service, FLNRO, Ungulate Specialist, BC Tree Fruits, BC Wine Grape Growers, City of Penticton councillors, Provincial WildSafeBC Coordinator - Frank Ritcey, Electoral G Area Director, Lower Similkameen Indian Band, and facilitated by the RDOS WSCC Zoe Kirk.

A second meeting was held to teleconference in the District of Saanich which has implemented a deer management plan. This was a very informative session, and helped to establish some options for this region.

Further meetings are to be slated for November/December of this year to continue the momentum.

As a result of the first two meetings, the WSCC was asked by the BC Wine Grape Council to host a break-out session 'management of deer in the vineyard' forum at their annual conference on July 21<sup>st</sup>. 35 growers, winery owners and vineyard managers attended, and was clear that they were very frustrated by the increasing levels of damage deer are causing the industry.

The content and intense engagement at the forum and meetings illustrate the need for continued work on this issue in 2015.

Figure 5 WildSafeBC facilitating a forum on 'Managing Deer in the Vineyard' July, 2014





### Garbage Tagging – Summerland Hot Spot area campaign

After an intensive few months getting Naramata Bear Smart completed, the focus swung to the next biggest challenge in the region – Summerland. The garbage tagging campaign and educational support component began with a kick-off launch at the very popular Summerland Fall Faire where close to 5,000 residents attend. The launch was bolstered with a print article in the local Summerland Review newspaper. We are continuing to conduct garbage audits and tagging from Oct 1 – Nov 30<sup>th</sup>, leaving a bright yellow “Bear Attractant” sticker on bins put out too early. Along with the audits, more articles will appear to add depth to the overall campaign’s intended reach. Without a specific Bylaw in place, these audits are an educational foray, rather than the ‘warning letter’ generator that the Coordinator can pursue in three other electoral areas in the region. It will be interesting to compare recidivism rates. *See Addendum page 10*

### Challenges of the 2014 Season

The biggest challenge of the year is also one of the highlights; added responsibility with additional species to address. The coordinator had to be careful, as it was easy to be pulled in several different directions i.e., the urban deer issue vs. hot spot education – Summerland. The urban deer issue in the South Okanagan is one that is growing rapidly, both in the denser populated municipalities and towns plus the agricultural sector damage and stress put on farmers. Finding the time to bring the disparate groups together, keep focus and look for solutions could be the ‘bear smart’ sized consumer of precious WildSafeBC program hours. This will be a continuing issue in the region.

Time constraints were a bit less of a challenge this season, as it was negotiated to start the date of the coordinator’s contract earlier – which proved helpful. While the usual contract begins June, many bears are already awake and active in March. A consistent earlier start date would certainly help the coordinator(s) hit the ground running; with preparation and booking time before the start of the bear season.

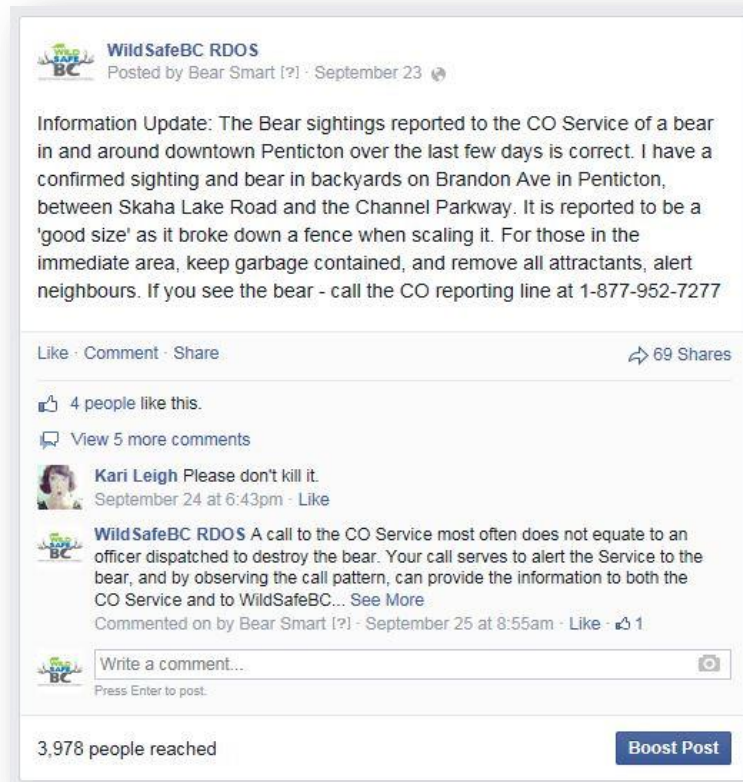
### Goals for 2015

Looking forward to the 2015 season, RDOS WildSafeBC hopes to continue to collaborate with community partners to ‘Keep wildlife wild and communities safe’.

- Work with Summerland to address bylaw revision to restrict residents from placing garbage to the curb early
- Add Princeton to focussed educational campaign in 2015
- Work towards the community of Kaleden in Electoral Area D becoming Bear Smart in 2015
- Continue to build upon existing agricultural based partnerships and forge new relationships with the goal of making WildSafeBC a familiar and integral part of the wildlife conflict solution
- Develop a series of video shorts for the RDOS web site on attractant management, composting in bear country as examples
- Continue to offer educational presentations to a wide range of audiences, integrating new materials and timely ‘angles’ keeping the message consistent but ‘fresh’

## RDOS WildSafeBC Year End Report **2014**

Figure 7 WildSafeBC sees social media uptake – nearly 4,000 on one posting



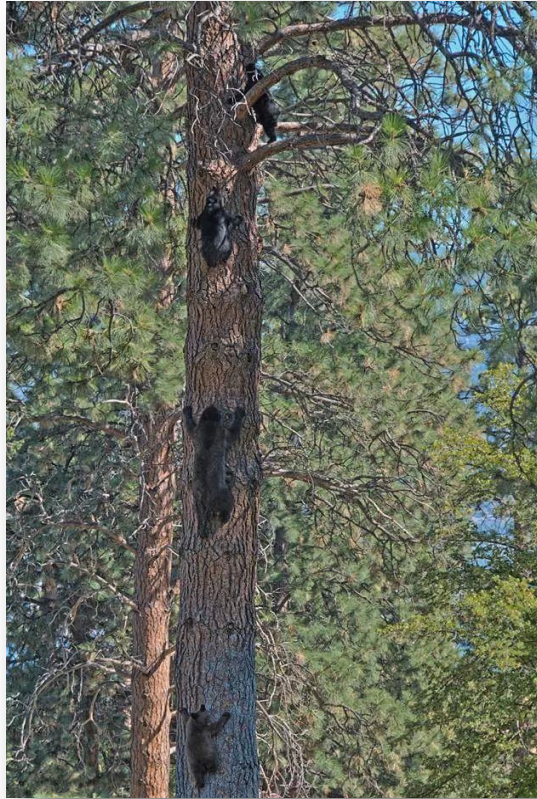
### Acknowledgements

RDOS WildSafeBC is grateful for the generous support the program receives from its sponsors, partners and volunteers. Thanks to our sponsors: The RDOS, the Ministry of Environment, and British Columbia Conservation Foundation. Our community partners have provided invaluable support and guidance; the South Okanagan Similkameen Community Program - Brynn White, Okanagan Similkameen Conservation Alliance - Marg Holm. A heartfelt thank you to the BC Conservation Officer Service and specifically Inspector Barb Leslie, Sgt. Jim Beck, CO's Mike Stern, Josh Lockwood, (and the new guys); WSBC Volunteers (retired CO Bob Hamilton the garbage audit master and Cailyn Glasser – remote camerawoman extraordinaire); BCCF Staff (WSBC Provincial Coordinator Frank Ritcey, Barb Waters and staff); fellow mentors and WSBC Community Coordinators across the province.

## RDOS WildSafeBC Year End Report **2014**

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Summerland family of bears, Summerland Ornamental Gardens 2014

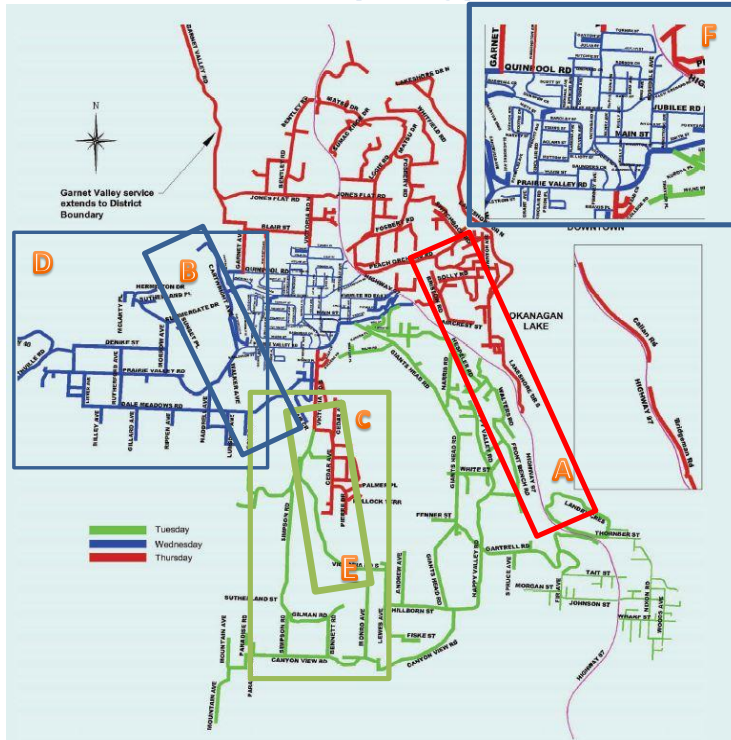


British Columbia Conservation Foundation



## Addendum: Summerland Hot Spot Campaign

Summerland Curbside Collection map showing quadrants where audits occurred during October/November



- A) Oct 1 - **Lower Summerland** – Lakeshore - where 3 bears were destroyed earlier this year:
  - 21 cans out early (represents 80% compliance in a known bear corridor and conflict area)
- B) Oct 7 - **West Summerland** adjacent to City boundaries – Cartwright area:
  - 13 cans out early (represents 90% compliance)
- C) Oct 20 - **South Victoria** – runs along KVR, interface and corridor area:
  - 28 cans out early (represents 65% compliance)
- D) Oct 21 - **Extreme West Summerland** – urban moves to rural properties towards Landfill:
  - 28 cans to the curb early (represents 90% compliance)
- E) Nov 3 - #2 **South Victoria** only – as lowest compliance rate:
  - 12 cans out early (70% compliance rate with 4 repeat offenders)
- F) Nov 4 - **Reynolds/Durick** – in the urban core:
  - 15 cans out early – a neighbourhood where bears have been known to wander into (represents a 90% compliance)

Audits were carried out with the assistance of retired CO officer Bob Hamilton 8 – 11 pm the evening prior to garbage collection. Compliance rate percentages are based on total number of houses in each audit area. Conclusions support that Summerland has an issue with garbage to the curb early. In those where close to 90% of compliance was recorded, population densities skew the reality. The visual

amount of garbage available to wildlife and domestic animals at the curbside is significant, and it is available for a considerable time before collection takes place.

Summerland statistics were compared with another South Okanagan community by Cailyn Glasser in her study: Understanding black-bear human conflict in the South Okanagan Similkameen – Summerland/Naramata comparison 2014. Excerpted here:

*As I predicted, the data suggests that garbage related problem bear reports occurred most often the day before garbage pick-up in both communities before bylaw no.2523, 2010 was implemented in Naramata, however, after the bylaw was in place the number of problem bear reports was not related to garbage pick-up day. The number of problem bears reported relative to the number of days to pick-up was similar between Naramata before Bylaw no. 2523, 2010 and Summerland. The trends between Summerland and Naramata before the bylaw are almost identical, with the highest number of PWORs occurring the day before garbage pick-up(fig 5). Once the bylaw came into effect the trend in problem bear reports in Naramata and days to garbage pick-up was not apparent. The change in trend in Naramata after the bylaw was implemented suggests that bears had been using garbage as source of high quality food when it was available, and that implementing the bylaw effectively reduced the availability of this food source and hence reduced the number of garbage related bear-human conflicts. The general downward trend in PWORs post-bylaw suggests that much of the conflict pre-bylaw was garbage related and that reducing the availability of garbage greatly reduced the number of PWORs.*

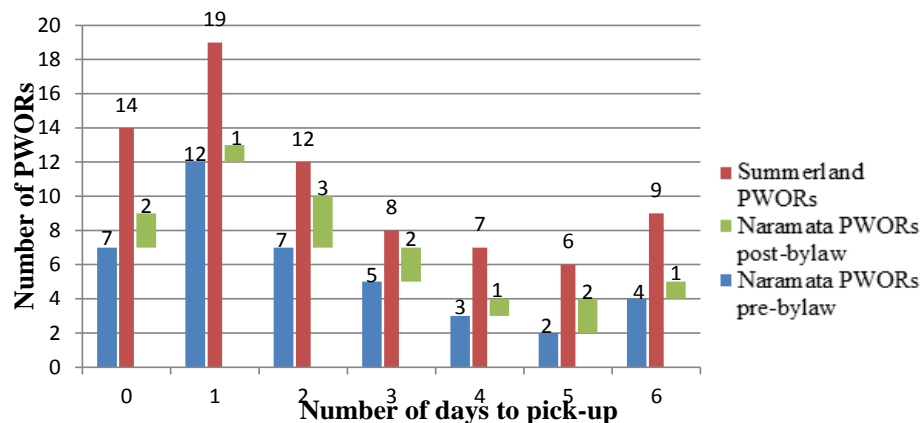


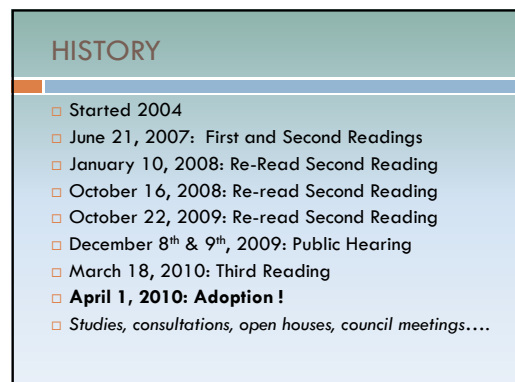
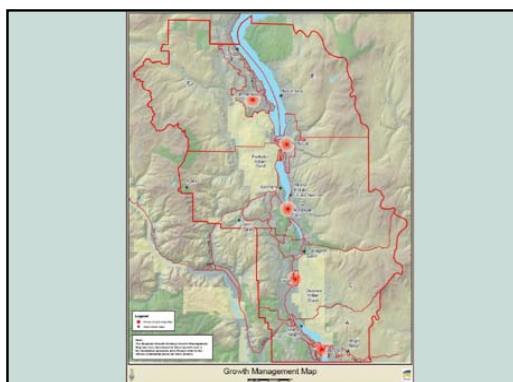
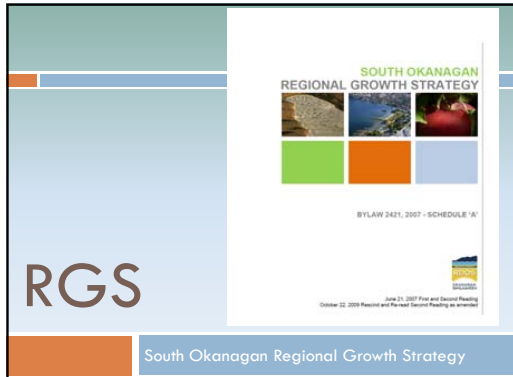
Figure5 – The number of Problem Wildlife Occurrence Reports (PWORs) for black bears in the District of Summerland and Community of Naramata before and after implementation of bylaw 2325, 2010 (effective July 2011), relative to the number of days before garbage pick-up, 2009-2013.

This comparison study points to the difference a Bylaw can provide a community with very little cost. In the RDOS Electoral Areas D, E (Naramata), and F residents with documented curbside Bylaw infractions are sent a soft warning letter oriented towards education. The recidivism rate is nearly zero when a letter backs up the garbage audit. Community safety is always of paramount concern; reducing the incidence of bears in the community reduces potential risks of conflict. Bylaw introduction and cost effective soft enforcement also has additional benefits. Naramata has noticed a complete reduction of garbage and refuse strewn on streets because wild and domestic animals are not able to gain access to the refuse.

## RDOS WildSafeBC Year End Report | 2014

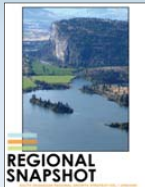
In Summary, Summerland will remain a focus of RDOS WildSafeBC in 2015, and concerted efforts will be made to engage the new Mayor and Council with assistance from the CO Service.





## MONITORING

- Annual monitoring – 10 key indicators



## IMPLEMENTATION

### RDOS

- All bylaws and services to be consistent with policies
- Annual monitoring
- Possible review consideration after 5 years
- OCPs to delineate growth areas

### Municipalities

- Regional Context Statement (RCS) in OCPs must show consistency with RGS
- RCS must be approved by RDOS Board
- Reviewed every 5 years

## STRATEGIC PROJECTS – SUCCESSES!

- Biodiversity strategy
- Agricultural Plans
- Climate Action plan
- Water metering
- Protocol agreement
- D-2 Growth areas mapped, D-1 in process
- Transit improved



## FUTURE REVIEW

- What is working?
- What is not working?
- How do you use the RGS?
- Thank you



## If needed

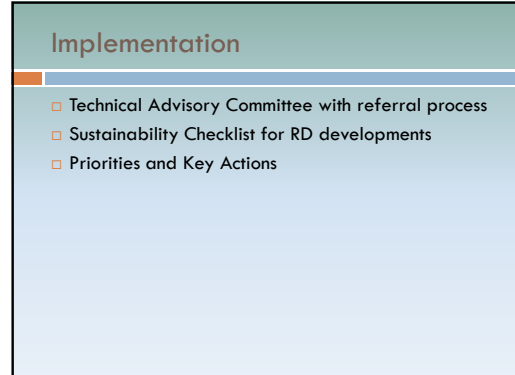
- Extra slides with policies





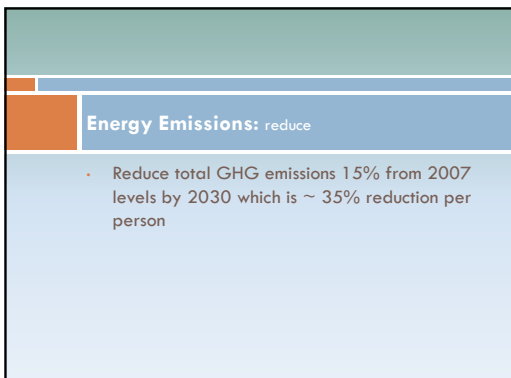
**Economy:** Promote sustainable economic diversification

- Coordination at a regional level
- Maintain rural character and foster business development in centralized areas
- Promote tourism and agriculture
- Enhance labour force



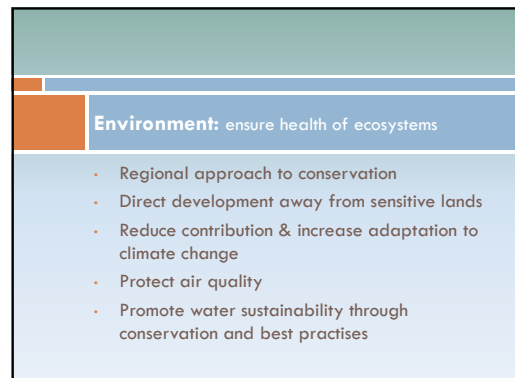
**Implementation**

- Technical Advisory Committee with referral process
- Sustainability Checklist for RD developments
- Priorities and Key Actions



**Energy Emissions:** reduce

- Reduce total GHG emissions 15% from 2007 levels by 2030 which is ~ 35% reduction per person



**Environment:** ensure health of ecosystems

- Regional approach to conservation
- Direct development away from sensitive lands
- Reduce contribution & increase adaptation to climate change
- Protect air quality
- Promote water sustainability through conservation and best practises



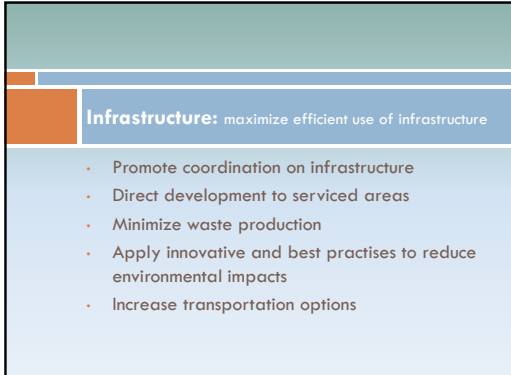
**Governance:** promote inclusive & accountable governance

- Enhance regional local gov't partnerships
- Enhance relationship with local FN
- Promote participation and education in governance
- Cultivate transparent, accountable and accessible local government



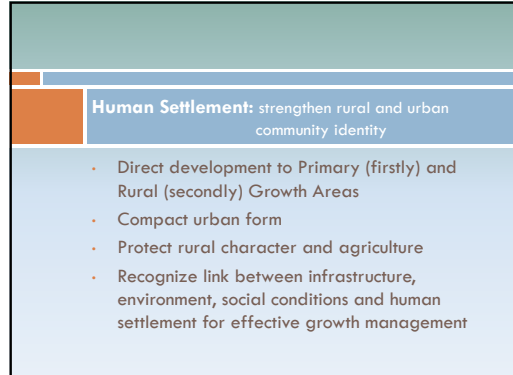
**Social:** create safe, culturally diverse and healthy communities

- Support coordinated management of health care
- Partner to create healthy and safe communities
- Encourage greater demographic diversity
- Improve accessible housing options
- Support education, culture, heritage and arts



**Infrastructure:** maximize efficient use of infrastructure

- Promote coordination on infrastructure
- Direct development to serviced areas
- Minimize waste production
- Apply innovative and best practises to reduce environmental impacts
- Increase transportation options



**Human Settlement:** strengthen rural and urban community identity

- Direct development to Primary (firstly) and Rural (secondly) Growth Areas
- Compact urban form
- Protect rural character and agriculture
- Recognize link between infrastructure, environment, social conditions and human settlement for effective growth management



## THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: March 23, 2015  
TO: Tim Wood, Interim CAO  
FROM: Ian McIntosh, Director of Development Services  
SUBJECT: Development Variance Permit for Lot 1, DL 488, ODYD, Plan 3533  
6003 Dale Avenue

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### STAFF RECOMMENDATION:

**THAT** a Development Variance Permit to reduce the required minimum right-of-way width for a local road in Subdivision and Development Bylaw 99-004 from 16m to 13.72m for the extension of Dale Avenue as shown on Schedule B, be granted to Lot 1, DL 488, ODYD, Plan 3533, located at 6003 Dale Avenue.

### PURPOSE:

To present a comprehensive review of the developer's request for a variance to road right-of-way width.

### BACKGROUND:

|                  |                         |
|------------------|-------------------------|
| Current Use:     | vacant                  |
| Parcel Size:     | 3.2ha (8 acres)         |
| Zoning:          | RSD1, RSD2 & RSD3       |
| OCP:             | Low Density Residential |
| M.o.T. Approval: | not required            |

This site is located in the Trout Creek neighbourhood at the end of Dale Avenue. A map showing the subject property is attached as Schedule A. The property was recently rezoned to allow a residential subdivision. The subdivision plan presented with the rezoning application showed 30 lots. This has been reduced to 29 lots upon detailed design. The proposed subdivision is shown on Schedule B. The existing Dale Avenue right-of-way to the south of the subject property is 13.72m wide. The developer is proposing to extend the Dale Avenue right-of-way for 38m into the property and would like to match the existing right-of-way width of 13.72m. The minimum width in the Subdivision and Development bylaw is 16m. A variance is therefore required to authorize this reduction. The developer's rationale for the requested variance is attached as Schedule C. It is noted that a variance to the Woods Avenue right-of-way is not required as this road is outside the development lands. This right-of-way width is at the discretion of the Approving Officer.



DISCUSSION:

The 16m right-of-way for local roads is to allow the cross section as shown on Schedule D. This allows for a sidewalk on one side of the road, two parking lanes and a shared vehicle and bike lane along with a 3.0m wide boulevard on both sides of the road. This this case the existing Dale Avenue right-of-way is narrower than the minimum and an additional 2.3m of width would put a jog in the right-of-way for the 38m extension. Only the two large lakefront lots front on this short piece of roadway. It is unlikely that two lanes of parking would be required for this short section. The proposed subdivision has maximized the development potential and detailed design has resulted in the loss of one lot. The additional right-of-way would render the westerly lot narrower than the minimum 18m lot width in the RSD2 zone. The 16m road right-of-way width could be accommodated but would require another variance to lot width. In this case staff supports the reduced Dale Ave right-of-way width for the short space of 38m.

This application was circulated to the District's Works and Utilities department and Fire department. No issues were identified given the specifics of this application provided the pavement width meets the minimum requirements of the Fire department and that underground utilities can be accommodated within the reduced width. Engineering drawings have not been submitted to confirm the road cross section. It is anticipated that all utilities will fit however if a shortfall exists it can be accommodated with a narrow statutory right-of-way for utilities that will not affect lot size.

FINANCIAL IMPLICATIONS:

There are no financial implications to the District with this application.

CONCLUSION:

A reduced right-of-way width for this short piece of road is reasonable. It will match the existing Dale Avenue and there appears little benefit in reducing the adjacent lot sizes by increasing the right-of-way. All other roads in the subdivision meet the minimum standards. The application is supported subject to input from adjacent property owners.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could deny the variance request requiring the developer to adjust his subdivision plan accordingly. This would require a variance to the width of proposed lot 29 which could be authorized by the Approving Officer.

Respectfully Submitted

*Ian McIntosh*

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Ian McIntosh  
Director of Development Services.

**Approved for Agenda**

*Tim Wood*

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**CAO – Tim Wood March 16, 2015**

[illegible]

Schedule B – Proposed Subdivision Plan



Schedule C – Developer's Rationale for Variance Request

**Information to Supplement Development Variance Permit Application**

- **Lot 1, DL 488, ODYD, Plan 3533 (6003 Dale Avenue)**

**Owner: Waterfront Group Holdings Corp.**

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**Location of Subject Property**

The subject property is located adjacent to Okanagan Lake within the Trout Creek Neighbourhood. The property is bounded by Okanagan Lake on the east side of the property, Powell Beach Park on its north side, by Woods Avenue on its west side and by single family residential and Dale Avenue on its south side.

**Background**

At the September 8, 2014 District of Summerland Regular Council Meeting, the District of Summerland Council approved a rezoning application for the subject property allowing the subject property to be developed for single family residential purposes. Through the rezoning process the owners adjusted the proposed development plan a number of times to accommodate both the desires of the public as well as the desires of the District planning and engineering staff. At the time of the approval of the rezoning, the proposed development design showed the dedication of land for road widening for Woods Avenue and land was proposed to be dedicated for an extension of Dale Avenue. The Woods Avenue road dedication revealed that approximately 5.8 metres of land would be dedicated to make the Woods Avenue right of way consistent with the width of the balance of the Woods Avenue right of way. Similarly, the road dedication offered for the Dale Avenue extension would result in the new portion of Dale Avenue having the same right of way width as the existing portion of Dale Avenue.

Subsequent to the District of Summerland approving the zoning for the single family residential development adjacent to Woods Avenue, a subdivision application was submitted to the District of Summerland. As a result of the District's review of the subdivision application, the owner / developer was advised that the proposed road right of way width for Woods Avenue was inadequate and needed to be increase so the Woods Avenue right of way would be 16 m wide.

The District's letter was silent on the matter of the Dale Avenue right of way width but has advised verbally that the Dale Avenue right of way width is also too narrow and need to be increased to meet bylaw requirements.

<sup>1</sup> Supplementary Information Development Variance Permit – 6003 Dale Avenue

### **Proposed Variance**

This application is a request to vary the road right-of-way standards as show on Standard Drawing 110-6 in the District of Summerland Zoning Bylaw 99-004 to allow the 5.8m dedication for Woods Avenue to result in a road right-of-way width of 12.19 metres. The variance request is to also allow dedication for the Dale Avenue extension to create a road right-of-way width of be 13.72 metres. The proposed road right of way widths are as shown on attached plan 91322-00-C4 dated 2015-01-22.

The proposed road widths are consistent with the development plan that was approved by Council when the rezoning of the property was approved in September of 2014. However, when the subdivision application was submitted to the District for approval after the zoning was approved, it was determined that the road right of way widths did not meet the District's requirements. As such, this development variance permit is being submitted requesting a variance to allow right of way widths for Woods Avenue adjacent to the property and the Dale extension north of the existing Dale Avenue be allowed as shown on the subdivision application submitted.

### **Support and Rationale for the Proposed Variance**

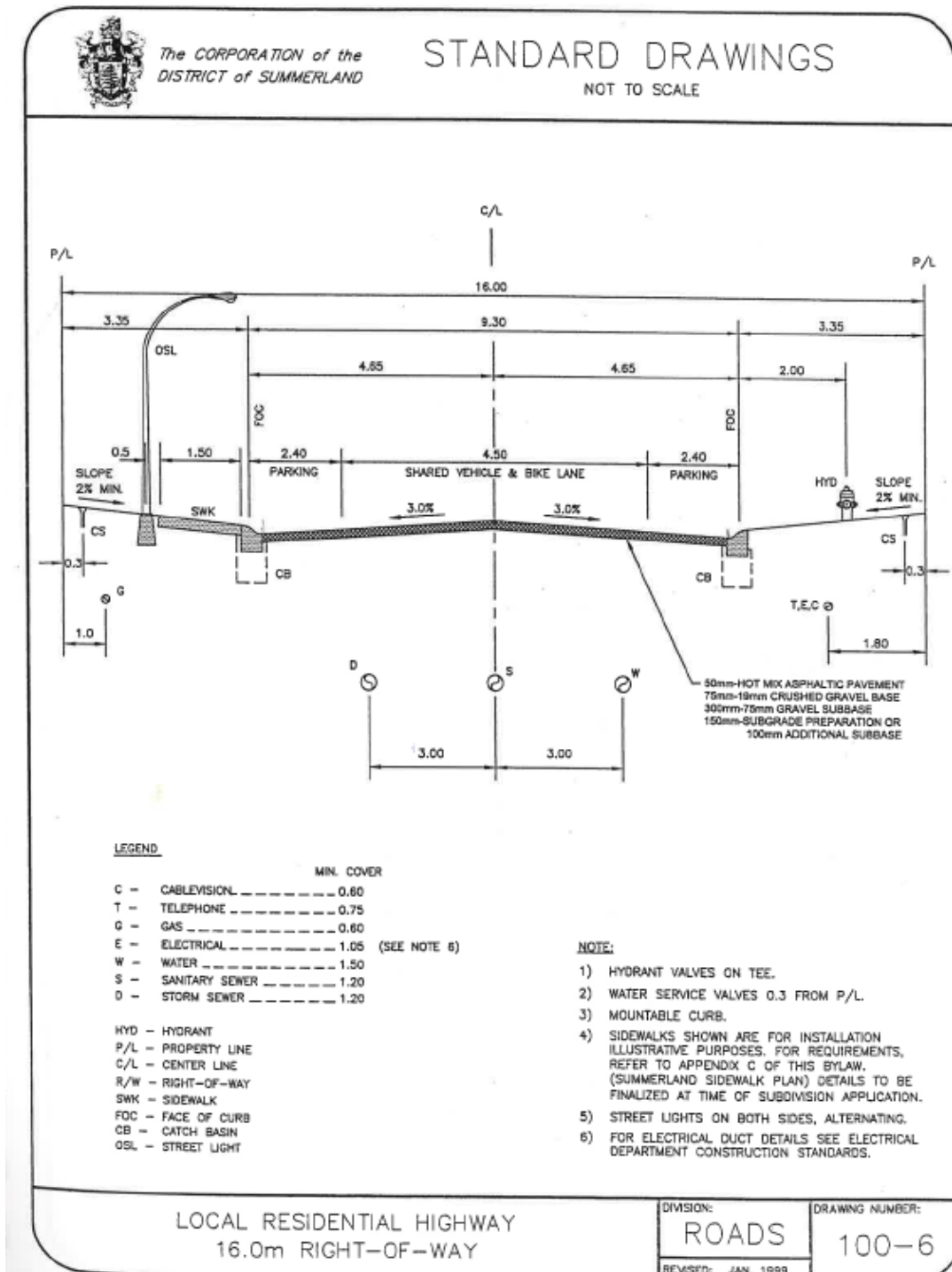
**Woods Avenue**      It is noted that a Development Variance Permit for the reduced Woods Ave width is not required (I. McIntosh)

- Earlier in the subdivision design process the District was leaning towards not requiring Woods Avenue road dedication with the goal of leaving the road as is and leaving the fence and roses in place adjacent to the existing road surface. That was the initial expectation of the developer.
- Subsequent discussions with the District of Summerland indicated that the developer would be required to provide road dedication. A revised subdivision plan was prepared that showed road dedication for Woods Avenue that would result in the Woods Avenue right of way being consistent with the width of the right of the way on the balance of Woods Avenue. This amount of road dedication was shown on the drawings presented at the public hearing and was on the plans when the District of Summerland Council approved the zoning for the property. Again this amount of road dedication become the expectation of the developer.
- The result of the road dedication nearly doubled the amount of right of way that currently exists for this portion of Woods Avenue.
- The proposed development will not result in any appreciable increased traffic on the adjacent Woods Avenue, and as such the proposed road dedication provided by the developer is very adequate considering traffic post development will not be appreciably different than the current predevelopment condition.
- The portion of Woods Ave. between May Street and Johnson Street presently experiences very little traffic as there is simply no real need for the public to use that portion of road. This will not change as a result of the proposed development.
- The proposed 12.19 m wide right of way will allow for the construction of a very adequate road surface to accommodate the present and future traffic requirements.

### ***Dale Avenue Extension***

- The portion of new road to be constructed north of Dale Avenue is only approximately 38 m in length and is being designed consistent with the existing right of way that exists currently for Dale Avenue.
- The proposed 13.72 m right of way is capable providing the necessary width for all municipal and private utilities for the proposed subdivision and is an appropriate size for a road surface for this minimally travelled area.
- The new portion of Dale Avenue will only provide access to one residential lot in the proposed new subdivision. Based on the ease of connectivity to destinations, it is very probable that traffic generated from that lot will follow the new road through the Lighthouse Landing subdivision out to Johnson Street rather than the longer and more circuitous route offered by the Dale Avenue / Miller Street route. The anticipated traffic route through the Lighthouse Landing subdivision will result in very little use of Dale Avenue.
- It is anticipated that there will be 'No Parking' signs placed on the small new portion of Dale Avenue to prevent parking on that portion of the street. If parking is anticipated, a slightly wider road surface could be constructed by the developer which would fit very well within the existing proposed 13.72 meter right of way.
- With the completion of this subdivision, the future land use and traffic patterns for this small portion of road will be solidified for the long term and as such, there is no need to contemplate future road widening or right of way expansion beyond its proposed widths, as it is apparent that traffic generation will not increase appreciably on this portion of road in the future.

Schedule D – Subdivision Bylaw Minimum R/W Width for Local Road





THE CORPORATION OF THE  
DISTRICT OF SUMMERLAND  
**Memo**

**DATE:** March 3, 2015  
**TO:** Mayor and Council (In Camera)  
**FROM:** Tim Wood, Interim Chief Administrative Officer  
**SUBJECT:** Land Disposal Policy

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**Recommendation:**

That Council review the memo on Land Disposal dated March 3, 2015 and that Council refer the Report to the next Regular Council Meeting Agenda.

On Tuesday, February 10, 2015, Council directed staff to prepare a land disposal policy for Council consideration. Staff contacted Ministry of Community, Sport, and Rural Development staff for sample bylaws, reviewed the Ministry website section on property disposal, and considered land disposal policies from other levels of government.

The Ministry information is well organized and relevant, so I have outlined key sections below to inform the land disposal discussion (see Attachment #1).

**1. What Authority Does Council Have to Dispose Of Real Property (Land and Improvements)?**

"Municipalities have "natural person powers," or broad powers of a corporation. One of the things natural persons can do is acquire and dispose of real property. As well, Part 3, Division 3, (Municipal Property) of the *Community Charter* sets out additional powers and some limitations with respect to property disposition. The broad power of property disposal provides municipalities with the flexibility to dispose of municipal assets in ways that best suit the needs of their communities."

**2. When Should Council Consider Disposing of Real Property?**

"Municipal lands are a valuable resource. They are a strategic community asset which can be used to achieve a variety of municipal objectives. Land resources can be used for public purposes: road, parks, schools and community facilities. They can also be sold, leased or otherwise disposed of in various ways – for example, in a partnering agreement. Disposal of municipal lands can create an important revenue source, yield new development, produce additional property tax revenues, facilitate creation of municipal assets and contribute to community development objectives. This must be balanced against a municipality's purpose, under the Community Charter, to provide "for stewardship of the public's assets of the community. "

It is important that disposal of municipal land resources are considered in the context of the overall policies of the municipality, including:



- The Official Community Plan, which establishes long-range physical development goals and objectives;
- The five-year Financial Plan, which includes identification of a capital expenditures and proposed revenue sources;
- The Annual Report, which sets out municipal objectives establishes measures and reports on progress.

These are the fundamental policy documents of council and are important touchstones for municipal policies and actions in all areas."

### 3. What Process will Council Use to Dispose of Land?

- "Councils have choices to dispose of land by public offer or by direct offer to a single person or organization.
- Councils may want to start with a policy that all property should be offered for sale by public offer unless there are strong identifiable reasons to make an exception. For example, council may decide a direct offer is appropriate when:
  - Selling a closed road to an adjacent property owner;
  - Leasing land as part of a private-public partnership;
  - Selling land to the regional district for the regional water supply service;
  - Exchanging land as a component of a comprehensive urban redevelopment project;
  - Leasing land under an agreement with a non-profit housing provider to develop affordable housing."

### 4. What are the Basic Legal Requirements for Disposal?

- "Disposal can be by bylaw or resolution.....
- Before Council can dispose of land or improvements, it must publish notice of the proposed disposition in accordance with Section 94."

### 5. What can Council do with Land Disposal Proceeds?

"Subject to the exceptions noted earlier (dedicated parkland and road closures with water access), municipalities have almost complete discretion to make decisions on the use of monies gained from disposal of lands."

Based on the above information, the attached policy and procedure was drafted for Council consideration (Attachment #2). The draft policy provides the following:

- A transparent, fair and consistent approach for disposing of real property based on statutory requirements.
- An annual Council review of the municipal land inventory recognizing its strategic importance to Summerland.
- An emphasis on getting a maximum return on the community's land assets.
- Flexibility in disposing of property to balance the Council role as both community builder and steward of municipal assets.

In practice, Council would consider a staff report reviewing the municipal land inventory at the beginning of each year. As circumstances warrant, staff would bring forward for Council review other real property for disposal.

In both cases, the staff report would include the property description (topography, servicing, remediation, land use, assessed value), disposal process (e.g. public offer, direct offer, partnering agreement), strategic reasons for disposal, and legal constraints (e.g. easements, prohibition against assistance to business, disposal below market value, parkland disposal), and disposal criteria such as:

- Land asset disposal should further municipal goals and objectives.
- Land asset disposal should be at market value and ensure maximum financial gain to the District.
- Land assets should not be disposed if they can contribute to municipal service delivery.
- Land assets should not be disposed if retention is in the public interest.
- Land asset disposal should not unfairly compete with private interests.

If Council approves disposing of real property, staff would follow the procedures outlined in Attachment #2, and each year include a section in the Annual Progress Report summarizing District land disposal activity (e.g. # of parcels and hectares and their value in the land inventory at year end, the actual value of annual acquisitions and dispositions).

The proposed policy does not prescribe when Council should use the direct versus public offer approach. Council needs this flexibility because it cannot anticipate all land disposal opportunities. Still, the District should act prudently with the direct offer approach and use it primarily for road closures with adjacent property owners, public-private partnerships, urban redevelopment land exchanges, nonprofit leasing for affordable housing, and selling land to other governments for a local government service.

The proposed policy leaves open the question of how Council will use the land disposition proceeds. For example, Council could direct proceeds to property acquisition, infrastructure replacement or reserve funds. Given the District's current financial needs, a less restrictive approach is suggested for the short term. Council may want to discuss a more restrictive approach in future, however, to protect its valuable land asset from significant erosion.

As a final note, some local governments require that the public have an opportunity to comment on all potential real property disposal at an open Council meeting before Council decides to offer the land or improvements for sale or lease. This type of requirement may have been introduced after a particularly contentious land disposal experience severely tested public trust or a local government is simply prepared to accept a lengthier process and the risks inherent in losing a real property disposal opportunity.

I look forward to further discussing this report with Council.

Respectfully submitted,



Tim Wood  
Interim Chief Administrative Officer

## Property Disposal

Municipalities have "natural person powers," or broad powers of a corporation. One of the things natural persons can do is acquire and dispose of real property. As well, [Part 3, Division 3](#), (Municipal Property) of the *Community Charter* sets out additional powers and some limitations with respect to property disposition. The broad power of property disposal provides municipalities with the flexibility to dispose of municipal assets in ways that best suit the needs of their communities.

### What is required

Some of the highlights of the broad power of property disposal include the following:

- Disposal can be by bylaw or by resolution.
- Council can dispose of most property without providing notice. However, before council can dispose of **land or improvements**, it must publish public notice of the proposed disposition in accordance with [section 94](#).
- In the case of land or improvements that are made available to the public for acquisition, the notice must contain the following:
  - a description of the land or improvements;
  - the nature and, if applicable, the term of the proposed disposition;
  - the process by which the land or improvements may be acquired.
- In the case of land or improvements which are not available to the public for acquisition, the notice must include the following:
  - a description of the land or improvements;
  - the person or public authority which is to acquire the property under the proposed disposition;
  - the nature and, if applicable, the term of the proposed disposition;
  - the consideration to be received.
- Council is not legally obligated to place the proceeds of property sales in a reserve fund except in the case of:
  - the sale of parkland dedicated on subdivision or received in place of a development cost charge; or
  - the sale of closed roads which provided access to a body of water.

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In a number of cases, specific powers and restrictions in relation to disposal of properties are unchanged. These include:

- **Exchange or disposal of parkland:** Because of the significance of parks to community values, there are special provisions. Two cases need to be distinguished here:
  - **Parkland dedicated on subdivision:** Elector approval continues to be required for disposal of these parklands ([section 27](#)). All proceeds from sale must be placed in a parkland acquisition reserve fund;
  - **Parkland dedicated by bylaw:** Elector approval is required to remove the dedication ([section 30](#)). Once a dedication is removed, the municipality could dispose of the property under regular land disposal rules.
- **Disposal of water and sewer systems and other utilities:** Special rules are laid out in [section 28](#) for sewer and water systems and other specified utilities (e.g., gas and transportation):
  - **Sewer and water systems:** These are core municipal services with high visibility and strong community interest. Council can only dispose of operating water and sewer systems where there is assent of the electors and where an agreement is in place to ensure that the water or sewer service is continued.
  - **Other utilities:** Council can only dispose of these with approval of the electors, which means either a vote or an alternative approval process.
- **Disposal of municipal roads:** New specific provisions are provided since municipalities now have title to roads ([sections 40 and 41](#)). However, the general rules for disposing of closed and undedicated roads remains the same as for disposing of land.
- **Municipal forests:** The rules for municipal forests are detailed, specific and, in practice, limited to a few municipalities. As a consequence, [section 307](#) of the *Local Government Act* continues to govern disposal of municipal forest lands.
- **Disposal of assets acquired using provincial grants:** [Section 12](#) of the *Community Charter Transitional Provisions, Consequential Amendments and Other Amendments Act*,

2003 continues the requirements formerly contained in section 189 of the *Local Government Act*, but only in relation to grants provided prior to January 1, 2004.

- **Disposal of lands obtained by tax sales:** These continue to be governed by Part 11, Division 8, Annual Tax Sale of the *Local Government Act*.

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Specific rules regarding expropriation by municipalities and compensation for property expropriated are contained in *Community Charter, Part 3 Division 4*.

### When to consider

Municipal lands are a valuable resource. They are a strategic community asset which can be used to achieve a variety of municipal objectives. Land resources can be used for public purposes: roads, parks, schools and community facilities. They can also be sold, leased or otherwise disposed of in various ways - for example, in a partnering agreement. Disposal of municipal lands can create an important revenue source, yield new development, produce additional property tax revenues, facilitate creation of municipal assets and contribute to community development objectives. This must be balanced against a municipality's purpose, under the *Community Charter*, to provide "for stewardship of the public assets of the community."

It is important that disposal of municipal land resources are considered in the context of the overall policies of the municipality, including:

- The Official Community Plan, which establishes long-range physical development goals and objectives;
- The five-year Financial Plan, which includes identification of a capital expenditures and proposed revenue sources;
- The Annual Report, which sets out municipal objectives, establishes measures and reports on progress.

These are the fundamental policy documents of council and are important touchstones for municipal policies and actions in all areas.

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### What to consider

In addition to the context set by these three documents, other considerations in developing policies include:

#### To whom is council going to dispose of land?

- If land is being disposed of to a business, council needs to be aware of the prohibition against assistance to business: "council must not provide a grant, benefit, advantage or other form of assistance to a business," unless specifically provided for (section 25). Assistance includes disposing of land or improvements for less than market value.
- If council wishes to dispose of land below market value to assist a business it can only do so in the context of a partnering agreement (section 21). A partnering agreement enables a person to provide a service on behalf of council. Council must provide prior notice of its intention to provide such assistance (section 24).
- If lands are going to be disposed of to a non-profit organization, council may want to have a consistent policy to guide these decisions to ensure fairness to all groups (e.g., for what purposes will it dispose of land; to which type of non-profit organizations; for what consideration).
- If council proposes to dispose of land below market value to non-profit organizations (e.g., to encourage an affordable housing project), it must provide prior notice of its intentions to provide this form of assistance (section 24).

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#### What process is council going to use to dispose of land?

- Councils have choices to dispose of land by public offer or by direct offer to a single person or organization.
- Councils may want to start with a policy that all property should be offered for sale by public offer unless there are strong identifiable reasons to make an exception. For example, council may decide a direct offer is appropriate when:

- Selling a closed road to an adjacent property owner;
- Leasing land as part of a private-public partnership;
- Selling land to the regional district for the regional water supply service;
- Exchanging land as a component of a comprehensive urban redevelopment project;
- Leasing land under an agreement with a non-profit housing provider to develop affordable housing.

**What is council going to do with the proceeds of property sales?**

- Subject to the exceptions noted earlier, municipalities have almost complete discretion to make decisions on the use of monies gained from disposal of lands. In exercising that discretion, some considerations for council include:
  - What is the nature of the money received (i.e., is it extraordinary, one time or an on-going source of revenue?)
  - Can it be relied upon for on-going operating revenues?
  - If placed in a reserve fund, what would be the purpose of the fund?

Please direct questions or comments to [Advisory Services Branch](#).

## POLICY STATEMENT AND REGULATIONS

### Number:

### DISPOSAL OF MUNICIPAL PROPERTY

#### POLICY OBJECTIVE

To establish the process for the disposal of Municipally owned Real Property (Land) not acquired by tax sales, provincial grants or expropriation, in order to satisfy the Community Charter that the municipality is providing for stewardship of the public assets of the community. Under the *Interpretation Act*, "dispose" means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, divest, release and agree to do any of those things.

#### POLICY

The Community Charter authorizes Council to have the choice to dispose of land by public offer or by direct offer to a single person, company or organization. This policy does not apply to land that is disposed of below market value.

The disposal of municipal land resources will be annually considered in the context of the overall policies of the municipality, including the Official Community Plan, the five-year Financial Plan, and the Annual Report.

The sale of land may be initiated by either the District or by an individual, company or organization that is interested in acquiring the land.

The District shall proceed through the following process once it is prepared to sell its municipal lands:

#### A. Public Disposal

1. The Chief Administrative Officer, or designate, shall have an appraisal done on the subject property to assist in establishing a price.
2. The Chief Administrative Officer, or designate, shall have prepared an information package(s) on the subject land(s) that includes the following:
  - a. A brief description of the subject land(s) (including the location, minimum sale price, zoning and any other relevant information)
  - b. Copy of the title and plan
  - c. Copy of relevant Zoning guidelines and Development Permit guidelines, if applicable
  - e. Description of the process that a prospective purchaser must follow

3. The Chief Administrative Officer, or designate shall have prepared a public notice to be published in local newspaper(s) for two consecutive weeks. The notice must include a description of the land or improvements, the nature and terms of the proposed disposition, and the process by which the land and/or improvements may be acquired.
4. After the deadline for receiving offers, the Chief Administrative Officer, or designate, shall review any proposals received and prepare a report for Council.
5. All decisions on the disposal of municipally owned lands shall be made by Council.
6. The Chief Administrative Officer, or designate, shall send a letter to the applicants informing them of the decision of Council.

**B. Direct Disposal**

1. All inquiries made with regards to the purchase of municipally owned property shall be directed to the Chief Administrative Officer, or designate.
2. The Chief Administrative Officer, or designate, shall prepare a report for Council outlining the proposed terms of sale.
3. Council will determine how they wish to proceed with the offer and the applicant shall be so advised.
4. An opportunity may be afforded the applicant to make presentation to Council regarding their interest in the municipal lands.
5. If Council elects to sell the lands or improvements, the Chief Administrative Officer, or designate, shall have an appraisal done on the subject property to assist in establishing the fair market value price.
6. Should Council agree with the price, the Chief Administrative Officer, or designate, may be directed to proceed.
7. Upon completion of negotiations, the Chief Administrative Officer, or designate, shall inform Council of the proposed agreement.



8. The successful purchaser must satisfy themselves as to any additional geotechnical or Environmental reports and the District will grant access to the site to conduct these investigations.

9. Should Council agree to the terms of sale, the Chief Administrative Officer, or designate, shall have prepared a notice that includes the following:

- a. A description of the land or improvements
- b. The person, company or organization that is to acquire the property under the proposed disposition
- c. The nature and, if applicable, term of the proposed disposition
- d. The consideration to be received by the municipality for the disposition

10. The Chief Administrative Officer, or designate, shall inform the public of the sale by publishing a notice in the local newspaper(s) for two consecutive weeks.

11. After the notice has been published in the local newspaper(s) for two consecutive weeks, the Chief Administrative Officer or designate may proceed with the disposal.

Approved:



THE CORPORATION OF THE  
DISTRICT OF SUMMERLAND  
**MEMO**

DATE: March 17, 2015  
TO: Council  
FROM: Interim CAO, Tim Wood  
SUBJECT: 2015-2019 Strategic Plan

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RECOMMENDATION:

THAT Council adopt the 2015-2019 Strategic Plan.

For your reference, I have attached a copy of the 2015-2019 Strategic Plan for the District of Summerland. To prepare the Plan, Council and staff relied on previous community surveys, brainstorming sessions, master plans, the Financial Plan, the Official Community Plan and the Balanced Scorecard and Four Pillar approaches to strategic planning. For the 2016-2020 Strategic Plan, the District intends to engage the community more fully.

A strategic plan is a work in progress and over time will integrate closely with the Financial Plan and Official Community Plan. It sets realistic course for Summerland, helps align the organization and provides a measure of accountability.

I look forward to discussing the Strategic Plan with you.

Sincerely,

*Tim Wood*

Tim Wood  
Interim CAO



## 2015 - 2019 Strategic Plan



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## Mayor and Council



*Standing left to right: Councillors Erin Carlson, Toni Boot, Doug Holmes, Richard Barkwill, Erin Trainer and Janet Peake. Seated is Mayor Peter Waterman.*

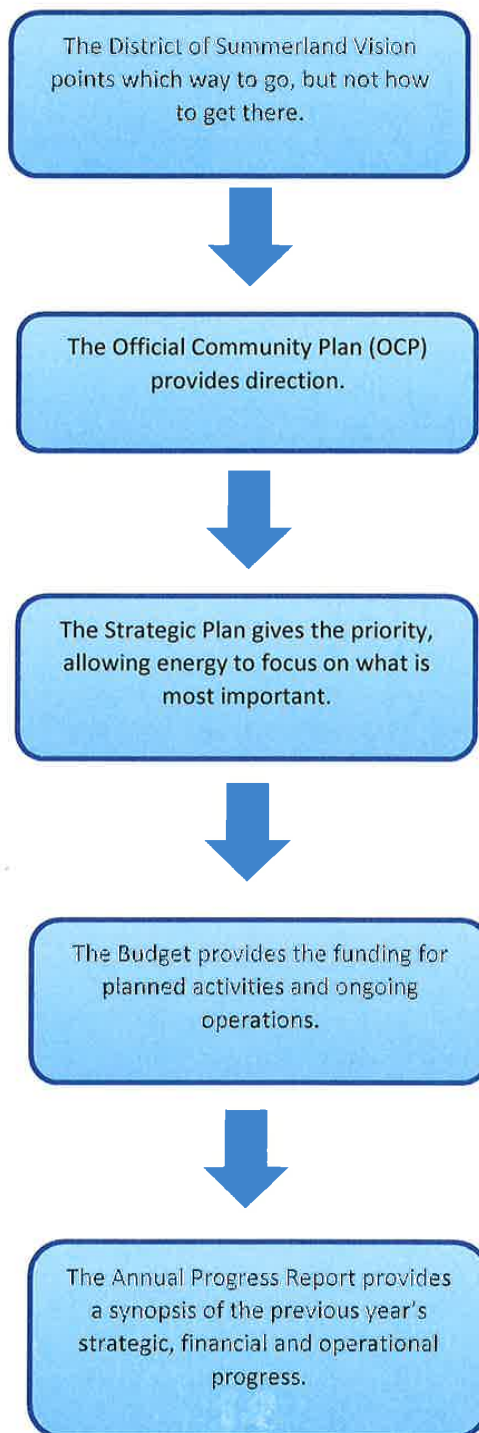
Incorporated in 1906, the District of Summerland is an 11,200 person suburban municipality in the Okanagan Valley situated between Kelowna and Penticton. A member municipality of the Regional District of Okanagan Similkameen, Summerland has an area of 73.8 square kilometers with vineyards, orchards, mountains and sandy beaches offering breathtaking views.

The new Summerland Council supports the ‘four pillars’ model of community sustainability, which emphasizes the need to promote the social, economic, environmental, and cultural well-being of the community. A ‘balanced scorecard’ approach to strategic planning was used to establish vision, mission, values, community themes and goal, corporate objectives, targets, and key performance indicators. To move the community forward, Council decided to prepare a one-year strategic plan and opt for a more corporate approach in 2015.

To inform the 2015-2019 plan, the District mainly relied on the following: previous community surveys, an environmental scan of the 2014 municipal election, Council/Staff brainstorming sessions, 2015 Financial Plan, previous strategic plans, and the Official Community Plan.

For the 2016/2020 strategic plan, the District will have the time for more extensive community outreach such as a community survey, stakeholder meetings, and web based public input. As conditions change, Council has complete flexibility to adjust the strategic plan.

The Balanced Scorecard Approach ensures the Municipality considers citizen, financial, internal process, and learning and growth perspectives to set a realistic course, align the organization, engage the community, and be accountable. The strategic plan is a work in progress and over time will closely integrate with the Official Community Plan and Financial Plan. Each year, Council will report on its strategic, financial and operational progress through an annual progress report.





## Balan Scorecard Chart

February 18, 2015 4:02 PM

3

### Summerland's Balanced Scorecard

The Balanced Scorecard is a strategic planning and management system that clarifies vision and strategy and translates them into action. It offers feedback around internal business processes and external outcomes to continuously improve performance and results. The Balanced Scorecard shown below summarizes the citizen's vision of a quality of life based on environmental integrity, social wellbeing, cultural vitality and economic vibrancy, balanced with the Corporation's need to consider financial, internal process, and learning and growth perspectives to attain the vision.

#### Community Themes

| Environmental Integrity |                                       | Social Well-Being                                    |                                   | Cultural Vitality                                     |                            | Economic Vibrancy   |                                      |                                   |                                  |
|-------------------------|---------------------------------------|--|-----------------------------------|---|----------------------------|---|--------------------------------------|-----------------------------------|----------------------------------|
| Citizen Objectives      | C1 - Protect water supply             | C2 - Protect and enhance air, water and land quality | C3 - Plan growth and preserve ALR | C4 - Link neighbourhoods                              | C5 - Enhance public safety | C6 - Strengthen the physical, cultural and democratic participation of citizens | C7 - Facilitate economic development | C8 - Foster Corporate excellence  |                                  |
|                         | F1 - Sustain community infrastructure |  |                                   | F2 - Maintain comparable taxes and fees               |                            | F3 - Build new partnerships for funding and services                            | F4 - Diversify revenue sources       |                                   |                                  |
|                         | Internal Process Objectives           |  |                                   | P1 - Implement sustainability principles              |                            | P2 - Engage the community   |                                      | P3 - Provide best value for money | P4 - Monitor and report progress |
|                         | Learning and Growth Objectives        |  |                                   | L1 - Develop and retain a skilled municipal workforce |                            | L2 - Leverage technology, innovation and best practices                         |                                      |                                   |                                  |



## Achieving the Summerland Vision

The Summerland Official Community Plan (OCP) policies express the fundamental values and goals of the community and set directions for achieving a collective vision.

***“Our historic lakeside community has a collective sense of belonging and preserves and enhances its quality of life, agricultural character and its distinctive natural setting in a manner that reflects our strong social values.***

***We respect our traditional small town character and proactively work to ensure balance among our shared values of protecting our natural environment, supporting a sustained local economy, showcasing cultural and historical legacies and providing quality facilities and services for our diverse population both now and for future generations.”***

The Summerland Vision tells us where we want to go but not how to get there. The OCP guides our direction while the Strategic Plan provides the priority, allowing us to focus our energy on what is important. By having a Strategic Plan, we have cleared a path to get us from where we are today to where we want to be tomorrow.

## Corporate Mission

The following Mission is a statement of the Corporation’s core purpose:

***To foster a progressive, healthy, and innovative community by continually improving our social, environmental, cultural, and economic well-being for present and future generations.***

## Corporate Values

The following corporate values express the core convictions Council and employees share about how they must conduct themselves to fulfill the Corporate Mission:

**Honesty** - We are trustworthy and tell the truth; we are accountable and follow through on commitments; and, as professionals, we accept no gift nor favour nor misuse of public time or property.

**Respect** - We treat everyone equally and justly, and we hold each other and those we serve in high regard and have a modest sense of our own importance.

**Creativity** - We are imaginative, original, innovative, progressive and resourceful in accomplishing our tasks.

**Transparency** - We communicate clearly and accurately and offer easy public access to information, and our collaborative, thoughtful and nonjudgmental decision-making involves all types of people.



## Corporate Objectives

### ***CITIZEN OBJECTIVES – Is the municipality delivering services that citizens want?***

#### **C1 - Protect water supply**

Ensure the District has ample water volume for agricultural, domestic, commercial, industrial uses and wildlife habitat.

#### **C2 - Protect and enhance air, water and land quality**

Restore and protect air, land and water quality to support a healthy local ecosystem for plants, animals and people.

#### **C3 - Plan growth and preserve Agricultural Land Reserve (ALR)**

Balance growth with environmental sustainability and community values and cooperate with the Agricultural Land Commission (ALC) to preserve Agricultural Land Reserve.

#### **C4 - Link neighbourhoods**

Make physical, social, and cultural connections among neighbourhoods to continue building a sense of community.

#### **C5 - Enhance public safety**

Maintain a comprehensive emergency response strategy and engage the community in problem solving.

#### **C6 - Strengthen the physical, cultural and democratic participation of citizens**

Build a dynamic community by providing opportunities for residents to be physically, culturally, and democratically active.

#### **C7 - Facilitate economic development**

Facilitate stakeholders and the community in growing a local and regional economy.

#### **C8 - Foster corporate excellence**

Achieve excellent corporate results through outstanding practices in leadership, communications, motivation and innovation.



## ***FINANCIAL OBJECTIVES – Is the municipality managing resources wisely?***

### **F1 - Sustain community infrastructure**

Provide efficient, affordable, accessible and reliable public services, programs and utilities that sustain mobility, public safety, the economy, and community liveability.

### **F2 - Maintain comparable taxes and fees**

Deliver a regionally comparable package of services, taxes and fees.

### **F3 - Build new partnerships for funding and services**

Seek out cost-sharing or service delivery partnerships to reduce costs or improve services.

### **F4 - Diversify revenue sources**

Increase and diversify the revenue base for infrastructure replacement including user fees, land disposal and renewable energy generation, and support the business sector to grow the commercial tax base.

## ***INTERNAL PROCESS OBJECTIVES – How does the organization improve business processes?***

### **P1 - Implement sustainability principles**

Continue to incorporate sustainability principles in municipal land use and operational and reporting systems.

### **P2 - Engage the community**

Develop and strengthen partnerships with residents, neighbourhoods, community organizations, social services, schools, businesses and governments.

### **P3 - Provide best value for money**

Continually review operational processes, searching out redundancies, changing conditions or improved technologies to reduce cycle time and improve service to deliver best value for money.

### **P4 - Monitor and report progress**

Continue to improve service delivery through use of customer consultation to anticipate and exceed their expectations.

## ***LEARNING AND GROWTH OBJECTIVES – How does the organization give our employees the tools and training to continually improve and respond to changing needs?***

### **L1 - Develop and retain a skilled municipal workforce**

Recruit and retain a workforce that is committed to and accountable for quality and value in service delivery.

### **L2 - Leverage technology, innovation and best practices**

Improve organizational effectiveness and efficiency with a focus on technology, innovations and best practices.

## Environmental Integrity – A Vision

Summerland is a model steward working to improve and balance the natural and built environments. It

restores and protects air, land and water quality, the biodiversity of natural areas and eco-systems, and the network of natural areas, open spaces and urban forests. Climate change challenges are responded to actively.

Vibrant, distinct neighbourhoods provide a high quality of life for individuals and families. A variety of travel modes link neighbourhoods and businesses allowing for the safe and efficient movement of people, goods and services. Walking, cycling and transit are popular travel options resulting in less car dependence. Farmland is protected in the Agricultural Land Reserve.

### Sustainable Environment

The challenge of any generation is to improve its natural and human environment before passing it on to the next generation. Summerland restores and protects air, land and water quality, and protects its water supply for food production, human consumption and habitat preservation. It significantly reduces emissions in municipal operations and adapts locally to climate change.



### Initiatives to work toward a more sustainable environment:

#### C1 Protect Water Supply

- a. **Submit Grant Applications for water infrastructure - Garnet Valley / Jones Flat water separation** - Water separation is required to reduce demand on the Water Treatment Plant during the summer months. The project includes the separation of domestic water from irrigation water in the West Jones Flat and Garnet Valley areas.

Owner – Works and Utilities

Target—Quarter 1 (Q1), 2017

Key Performance Indicators (KPI)—Completion of Construction



- b. **Submit Grant Applications for water infrastructure - flume and water intake upgrade**  
 The flume and water intake on Trout Creek are aging and are rapidly deteriorating. The project includes replacing the concrete open structure flume with an enclosed pipe system and upgrading the intake structure to install remote monitoring and meet Department of Fisheries and Oceans (DFO) and Ministry of Environment (MOE) fish requirements.

Owner – Works and Utilities  
 Target—Q1, 2017  
 KPI—Completion of Construction

## C2 Protect and Enhance Air, Water and Land Quality

- a. **Implement Climate Action initiatives** - Summerland is provincially mandated to actively promote and implement initiatives that will address climate change and reduce greenhouse gas emissions. The Climate Action Committee will reach out to the community for new initiatives, will review and assess the value of these initiatives against the value of existing initiatives, and make recommendations to Council.

Owner – Works and Utilities  
 Target – Q4, 2015  
 KPI – Implementation of initiatives

- b. **Submit Grant Applications for wastewater infrastructure infiltration bed and grit removal upgrade** - The infiltration bed and grit removal systems are old technology, rapidly deteriorating, and at risk of failure. The project includes replacing the infiltration bed and grit removal systems with new technology that will meet the District's requirements for the foreseeable future.

Owner – Works and Utilities  
 Target—Q1, 2017  
 KPI—Completion of Construction



### C3 Plan Growth and Preserve ALR

- a. **Finalize an OCP amendment addressing urban growth** - The community did not support the 2013/2014 urban growth review options. The resulting Official Community amendment is currently at third reading and requires reconsideration so the community can move forward with a future urban growth blueprint.

Owner – Development Services  
Target – Q2, 2015  
KPI – An OCP amendment is adopted or defeated



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### F1 Sustain Community Infrastructure

- a. **Develop Asset Management Plan** - The District requires a comprehensive asset management plan and a long term funding strategy. This plan will help the District develop the five year financial plan and a ten year capital plan while fulfilling new gas tax agreement obligations. Council have endorsed this project as a priority for a grant application under the capacity building stream of the Strategic Priorities Fund. This initiative may be phased over three years.

Owner - Finance  
Target – Q2, 2015  
KPI – Submission of the grant application

---

### P1 Implement Sustainability Principles

- a. **Develop debt, surplus and reserves policies** - The District needs to develop a framework for financial sustainability. Key elements of the financial planning process include policy statements for the levels of outstanding debt and debt servicing costs and the accumulated surplus and reserves on hand in each fund.

Owner – Finance  
Target – Q4, 2015  
KPI – Council adoption of policies related to the desired levels of debt, surplus and reserves



- b. **Review and implement irrigator water meter rates** - The District has implemented a universal water metering program which includes domestic, commercial and irrigator water use. The revised metered rates and billing for domestic and commercial water use were implemented January 1, 2015. The District will undertake a review for irrigator water that includes a community consultation process in 2015 with a 2016 target of revised metered rates and billing.

Owner – Finance

Target – Q1, 2016

KPI – Council adoption of the amended fees and charges bylaw.





## Social Well-Being – A Vision



Summerland offers balanced, active and diverse lifestyles. Housing, public services and amenities are affordable, accessible and inclusive. Residents enjoy food security through safeguarding agricultural land. Land use planning, infrastructure design and service delivery address public safety issues.

### Health and Wellness

Vibrant neighbourhoods in a sustainable environment supporting individuals and families are at the core of a healthy community and a high quality of life. Summerland residents should have affordable housing and access to local food. By managing resources wisely and partnering with community stakeholders, Summerland can sustain a healthy community through public health, schools, recreation facilities, transportation network, parks, trails and open spaces.



## Initiatives to work towards health and wellness:

### C4 Link Neighbourhoods

- a. **Develop Community Trails** - The District will develop new trails to link neighbourhoods and offer residents and visitors of all ages, abilities and interest, health and wellness opportunities (e.g. Lakeside Trail Project and Council 2015 trail priorities).

Owner: Recreation

Target: Q4, 2015

KPI: Council approved trails are development



- 
- b. **Develop opportunities for alternate transportation (non automobile) links between neighbourhoods and to the downtown core** - The District wishes to provide pedestrian and cycle/scooter transportation corridors throughout the community to make it more convenient to move through neighbourhoods without having to use a car.

Owner – Development Services

Target – Q1, 2016

KPI – A proposed trail network map and strategy is presented to Council.



### C6 Strengthen the Physical, Cultural and Democratic Participation of Citizens

- a. **Develop a Parks and Recreation Master Plan** - The last Parks and Recreation Master Plan was developed in 2001 for a ten year period. Community input is imperative to the building of the master plan for future planning and budgeting for parks, trails and recreation infrastructure, programs and policies.

Owner: Recreation

Target: Q2, 2016

KPI: Council adopt a Parks and Recreation Master Plan

## F2 Maintain Comparable Taxes and Fees

- a. **Build a rate comparison review into the financial planning process** – To remain competitive, the District requires information regarding the property taxes and user fees in communities of a similar size during the annual financial planning process (population/service area, region/province-wide).

Owner – Finance

Target – Q4, 2015

KPI – comparison of tax rates and user fees

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## P2 Engage the Community

- a. **Launch the new municipal website** - The District will deliver a more rich, dynamic, responsive, and intuitive experience for website users. Providing a modern, user-centric web presence will provide Summerland residents, community groups, businesses, and visitors better access to timely and relevant information and enable better communication among all stakeholders.

Owner – Corporate Services

Target – Q1, 2015

KPI – New website launched

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## L2 Leverage Technology, Innovation, and Best Practices

- a. **Implement recreation program registration website** – Recreation and Corporate Services will launch a website for Recreation users to register for programs. Current methods are limited and inconvenient in the context of the Internet-connected world, making on-line registration imperative to best serve our users.

Owner – Recreation Department

Target – Q4, 2015

KPI – Registration website launched

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## Safe Community

A community with increased citizen awareness, education and involvement creates shared responsibility and ownership of local safety issues. Shared ownership increases the community capacity to plan for and respond to safety concerns. Summerland builds community partnerships to reduce crime, increase building and transportation safety, enhance emergency preparedness, and improve prevention and response capacity.

## Initiatives to work toward a safer community:

### C5 Enhance Public Safety

- a. **Build a Fire Department Training Facility** – Works and Utilities will complete site servicing and installing a Fire Department training building on the municipal property located at 9111 Bland St. This facility will provide for firefighter training in accordance with provincial standards, thereby enhancing firefighter and public safety.

Owner – Fire Department

Target – Q4, 2015

KPI – Begin use of the training facility



- b. **Contribute to safer youth through restorative justice, high risk youth and School Liaison Programs** - To assist the Summerland Detachment in realizing the goal of Contributing to Safer Youth, three initiatives have been identified for 2015, including continued support for the Restorative Justice Program, High Risk youth programming and the School Liaison Program.

Owner: Area Commander RCMP

Target – Q4 2015

KPI – 2015 programs delivered

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### **L1 Develop and Retain a Skilled Municipal Workforce**

- a. **Ensure Firefighter Training meets or exceeds new Provincial Standards** - In November 2014, the Fire Commissioner released a new firefighter training standard, "The Playbook". All fire departments operating within British Columbia must now use the material contained within the "Play Book" as a minimum training standard. The Province has now released phase one "Exterior Operations" training material with phase two "Interior Operations" training material pending.

Owner – Fire Department

Target – Q4, 2015

KPI – Completion of "Phase 1 – Exterior Operations"

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### **L2 Leverage Technology, Innovation and Best Practices**

- b. **Convert Fire Department operating software to new platform** – The Fire Department records management system utilized by the Fire Department requires an upgrade to a new operating platform. The vendor will no longer support the current version, and there are concerns that the existing data is at jeopardy of being lost if the conversion is not completed in a timely manner.

Owner – Fire Department

Target – Q3, 2015

KPI – Complete upgrade to new operating platform.

---

## Cultural Vitality – A Vision

By enhancing both quality of life and place, a sustainable community promotes human wellbeing the focus of cultural vitality. Art,

culture, and heritage bring beauty into our lives, nurture individual and community identity, promote social cohesion and create 'social capital'. As a community rich in social capital, Summerland enjoys high rates of volunteerism and citizen involvement, an inclusive social and cultural fabric, and an intelligent, sensitive and wise ethic supporting ecological sustainability and wealth creation.

### Creative Community

As a creative community, Summerland exploits the vital links between the arts, culture, heritage and commerce and consciously invests in human and financial resources to prepare its citizens to meet the challenges of the rapidly evolving post-industrial, knowledge-based economy and society.



### Initiatives toward cultural vitality:

#### C6 Strengthen the Physical, Cultural and Democratic Participation of Citizens

- b. **Develop a Cultural Plan** – Summerland needs a Cultural Plan to guide how the community develops, celebrates and funds Summerland's culture into the future. A plan will help the District attract "the most important resource of a modern economy – creative people."

Owner – Community Task Force (Development Services)

Target – Q3, 2016

KPI – Cultural Plan Adopted



## Active Citizenship

Summerland fosters a participatory governance environment where citizens can connect and engage, and can contribute information, ideas and opinions to decision-making processes that will help lead the community to its full potential.

### Initiatives toward active citizenship:

#### P2 Leverage Technology, Innovation and Best Practices



**b. Amend the Procedure Bylaw to get more public input** - The public desires more opportunities to offer feedback on Council meeting agenda items. A procedure bylaw amendment is required to provide public comment on agenda items before they are heard with a public question period at the end of a Council meeting on any item of local government interest.

Owner – Corporate Services

Target – Q1, 2015

KPI – Procedure Bylaw Amended



**c. Develop a Community Engagement Policy** - A community engagement policy identifies principles and best practices for reaching out to inform and involve citizens in public decision-making such as civic priority setting, program development, and service delivery. Community engagement improves governance and gives policymakers better information to make decisions, while meeting citizen expectations for transparency and responsiveness.

Owner – Administration

Target – Q4, 2015

KPI – Council Adopt a Community Engagement Policy

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## Economic Vibrancy – A Vision

The Summerland economy is connected locally, regionally and globally offering diverse economic

opportunities. Summerland's clean, appealing environment, skilled workforce, responsive public services and excellent community infrastructure make it an ideal place to live, work and conduct business.

### Vibrant Connected Economy

The local economy is connected regionally and globally and therefore it must be resilient in uncertain economic times. Summerland supports community economic interests and active engagement in local and regional economic development strategies. Summerland preserves and promotes its key local economic competitive advantage: a high quality of life, place, people and environment.

### Initiatives towards a vibrant, connected economy:

#### C7 Facilitate Economic Development

- a. **Form a Mayor's Task Force on Economic Development** - To strengthen economic development partnerships in Summerland, the District will, in concert with the Chamber of Commerce, arrange six roundtables to spur discussion, generate new ideas, build synergies, and encourage action to refresh the Summerland economy. To gain wider community involvement, the District will set up a parallel virtual roundtable to gather public feedback.

Owner – Administration/Development Services

Target – Q4, 2015

KPI – Action taken on a minimum three ideas

- b. **Consider Quick Read (QR) codes for engaging the community and visitors** – The District will consider installing signage at key locations throughout Summerland that include QR codes and clear instructions on their use and purpose. These site-specific QR codes could connect the current location of citizens and visitors to relevant web-based information, encouraging them to expand and enrich their Summerland experience.

Owner – Corporate Services

Target – Q3, 2015

KPI – Signs with QR codes installed at key locations

- c. **Review feasibility of a hotel tax** - The District will explore the impacts of a hotel tax to support tourism, particularly tourism promotion and the financing and operation of new tourism facilities that have District, Regional District, tourism industry's support.

Owner – Finance

Target – Q2, 2016

KPI – Report to Council

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- d. **Refresh Wharton Street Area Redevelopment** - The District has a vacant parcel of land in the downtown core that it wishes to see developed. The District will review re-development options for the area to help revitalize the downtown commercial core.

Owner – Development Services

Target – Q3, 2015

KPI – Request for Proposal initiated

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- e. **Study potential uses for downtown back lanes** - The District wants to revitalize the downtown core with more efficient use of existing opportunities. Allowing additional business retail opportunities from back lanes is an interesting option.

Owner – Development Services

Target – Q2, 2016

KPI – Council review report identifying opportunities

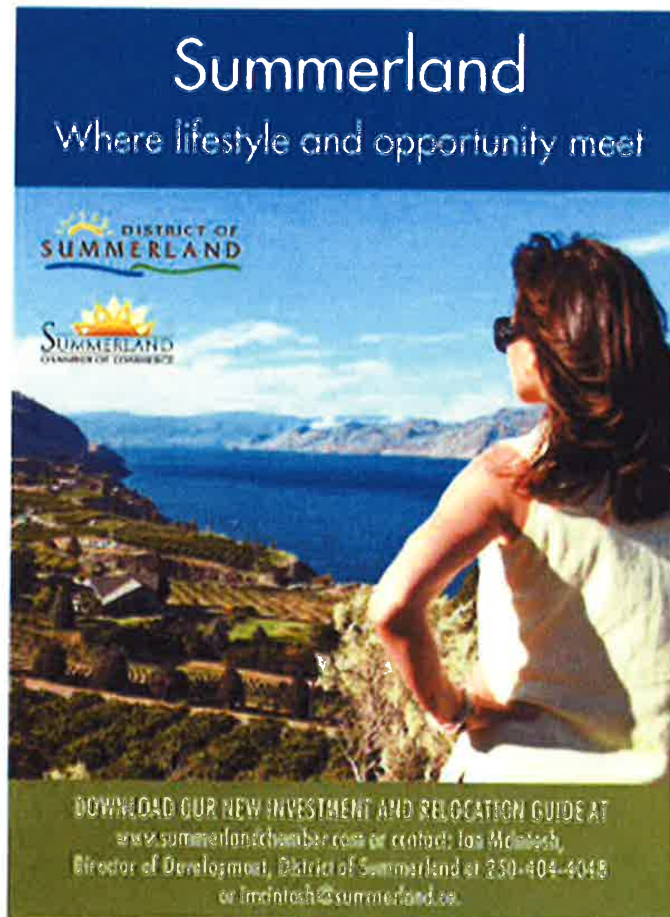
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- f. **Support the Chamber of Commerce in implementing their strategy on investment attraction -**  
The District and Chamber of Commerce wants to attract investment. The District supports the Chamber business attraction initiatives such as Biking initiative regional map, Venture Connect program, InvestBC provincial publication, and a study on Precision Agriculture.

Owner – Development Services

Target – Q4, 2015

KPI – The Chamber's 2015 initiatives are achieved



## Service Excellence

Summerland employees provide efficient, accessible and reliable public services that meet community expectations. The Municipality attracts, develops, retains and trains a highly effective workforce and fosters a safe and respectful workplace. Summerland effectively aligns human, technological and financial resources to serve its customers.



## Initiatives to work towards service excellence:

### C8 Foster Corporate Excellence

- a. **Hire a Chief Administrative Officer** - The Regional District of Okanagan-Similkameen will help the District recruit and select a new Chief Administrative Officer to advise Council, oversee municipal operations and engage the community, and execute strategic priorities.

Owner – Administration

Target – Q2, 2015

KPI – New CAO starts employment





- b. **Dialogue to streamline the development approvals process** – The District will continually improve on service excellence as well as facilitate economic development. Examining development approval processes will identify service improvements.

Owner – Development Services

Target – Q4, 2015

KPI – Implement service improvements

#### **F4 Diversify Revenue Sources**

- a. **Confirm the land inventory and develop a land disposal policy** - A comprehensive land inventory will systematically earmark properties for public or private uses, and a land disposal procedure will ensure transparency, fairness and consistency. The District may want to dispose of lands surplus to its needs and target the proceeds to infrastructure and other land acquisition.

Owner – Administration

Target – Q1, 2015

KPI – Land Disposal Procedure completed



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#### **P4 Monitor and Report Progress**

- a. **Conduct a citizen survey and prepare a five year strategic plan** - For the 2016/2020 Strategic Plan, the District will have more time for community outreach such as a citizen survey, stakeholder consultation, and web based feedback. With extensive public involvement, Council can enrich the current strategic plan.

Owner – Administration

Target – Q1, 2016

KPI – Council adopts strategic plan

---

### P3 Provide Best Value for Money

- a. **Review Funding Opportunities for Renewable Energy** - In 2013, the District received a study on self-generated electricity options based on technical, economic, environmental and social criteria. This initiative would reconsider these options in light of current funding resources for renewable energy.

Owner – Administration

Target – Q4, 2015

KPI – Council report on renewable energy opportunities

- b. **Review the impact of a potential sale of the electric utility** - The District wants to explore the impacts of selling the electric utility. In 2014, the District met with FortisBC to determine if there was any interest on their part to purchase the utility and learned that the verification of the assets of the utility is key to any further discussions.

Owner – Finance

Target – Q3, 2016

KPI – Report to Council



For more information regarding the 2015 – 2019 Strategic Plan, please call Municipal Hall 250-494-6451.



THE CORPORATION OF THE  
DISTRICT OF SUMMERLAND  
**Memo**

DATE: March 17<sup>th</sup>, 2015  
TO: Mayor and Council (In Camera)  
FROM: T. Wood, Interim Chief Administrative Officer (CAO)  
SUBJECT: Council Advisory Committees

---

Recommendation:

THAT Council approve in principle the Council Advisory Committee structure and terms of reference outlined in the Report from the Interim CAO dated March 17<sup>th</sup>, 2015;

AND THAT Council strike a three person select committee consisting of the Mayor as Chair and two Councillors to fine tune the Council Committee terms of reference;

AND FURTHER THAT Council direct staff to canvas the community for volunteers to serve on Council Committees through a direct mail approach to stakeholder organizations, newspaper advertisements, newsletter feature, website, and open house.

Background

In December 2014, Council extended Council Advisory Committee appointments two months to give the District time to review the committee structure and give citizens further time to express an interest in serving on committees. Staff have since refreshed and standardized the Committee terms of reference, designed terms of reference for new Committees, and confirmed the interest of existing Committee members in continuing their service.

For Council's reference, there are various types of local government committees:

**Advisory Committees** form the majority of Summerland's committees as is the common practice in many municipalities. These committees provide recommendations to Council, offer valuable citizen input to staff, and engage in activities supporting an area of local government interest. A Councillor is generally assigned as a liaison or Committee Chair. If a Council wishes to create a more autonomous Council committee, they can set up a Commission by bylaw (e.g. Parks and Recreation Commission, Advisory Planning Commission, Heritage Commission)

**Standing Committees** consist of elected officials only or at least one half elected officials. The Mayor appoints all members of a standing committee and they primarily provide recommendations to Council.

**Statutory Boards and Authorities** are created and regulated through provincial and federal legislation. Each Board and Authority has a unique function within the Municipal framework.

**Technical Committees** are administrative staff committees that deal with specific technical matters. Technical committees may include a Council member as a liaison.

**Select Committees** are appointed to consider or inquire into any matter and to report their findings and opinions to the Council. Select committees may be made up of only Councillors or a combination of Councillors, members of the public, and/or staff. Select committees and Task Forces are generally finite (Official Community Plan select committee, Cultural Plan Task Force).

The following highlights the modest proposed changes in the Summerland Committee Structure:

- Reinstate the Agricultural Advisory Committee to emphasize Council's recognition of agriculture's importance to Summerland's economy, character, and health and wellness.
- Reinstate the Water Advisory Committee consisting of water experts to advise on water quality and quantity matters.
- Move the Advisory Planning Commission's review of ALR applications function to the Agricultural Advisory Committee.
- Expand the responsibilities of the Design Panel to Development Permits and expand the Committee membership from three to five members including building professionals, community and disabled person representation.
- Have the Chief Administrative Officer form a corporate technological and innovations staff working group with a Council liaison to look for technology/innovative solutions for service delivery and infrastructure replacement.
- Strike a Cultural Task Force to prepare a Cultural Plan and lay dormant the Community Cultural Advocacy Committee while preparing the Plan.
- Carry out an economic development task force initiative through six broadly based community roundtables.
- Standardize existing committee terms of reference with a purpose, objectives, membership, term, and staff support sections.
- Establish a two year term for the majority of committee appointments so that Council and the community have the chance midterm to inject new perspectives into the advisory committee function if necessary; and amend the advisory planning, parks and recreation and heritage bylaws to provide for two year terms.



When Council and the community have completed the Cultural Planning and Parks and Recreation Master Plan processes and 2016/2020 strategic planning process, the District will closely examine the requirements for Council Committees or Commissions, including the 50+ and youth demographic. Attachment #1 includes draft terms of reference for Council review.

Once Council has approved a committee structure, a select committee will refine the terms of reference concurrently with staff canvassing the community for Committee Members. In early May, Council could finalize the select committee approved terms of reference and appoint Committee members.

Respectfully submitted,

*Tim Wood*

T. Wood  
Interim CAO

## **Attachment #1**

### **Committees and Commissions**

**Advisory Design Panel** – new committee – replaced Summerland Design Committee. Need to appoint five (5) new members.

**Advisory Planning Committee** – revise Bylaw 94-002 to update membership and some terms as we now have AAC. Only 6 members needed now (eight, possibly nine want to renew). Ag members could go to AAC.

**Agricultural Advisory Committee** – reinstated committee – new Terms of Reference, need seven (7) new members.

**Board of Variance** – no changes to Bylaw 2000-141. All three (3) members want to renew.

**Climate Action Committee** – standardized format and updated term. All members would like to renew their term.

**Community Cultural Advocacy Committee** – Committee dormant for the next year while the Cultural Plan is developed. Standardized format and updated term No appointments necessary at this time.

**Community Cultural Plan Task Force** – new task force – Eight (8) new members to be appointed.

**Heritage Commission** – Update term in Bylaw 95-006. Three (3) people not renewing.

**Recreation Commission** – Update term in Bylaw 2000-057. One (1) member not renewing.

**Sister City Advisory Committee** - standardized format and updated term.

**Summerland Official Community Plan Bylaw Review Committee** - remains unchanged.

**Water Advisory Committee** – reinstated committee– need four (4) new members



## Terms of Reference Advisory Design Panel

### **Purpose:**

The purpose of the Advisory Design Panel is to advise Council or the Director of Planning on the design merits of plans supporting specific public & private development applications.

### **Objectives**

The Advisory Design Panel will, consistent with the purpose described above, undertake the following:

- Advise on the design merits of all plans supporting development permit applications for the multi-family DPA, Lower Town DPA, Trout Creek DPA, Downtown DPA, and Bentley Road DPA.
- Comment on all buildings to be constructed on public property.
- Respond to requests from Council and the Planning Department for advice and information.

### **Membership:**

The Committee will consist of five (5) members appointed by Council who shall serve without compensation as follows:

- One architect or building professional;
- One landscape architect or landscape professional;
- One representative of the building industry;
- One representative of the disabled community;
- and, one community representative or building professional

An alternate architect or building professional member will be appointed annually by Council and called upon when one of the architect or building professional members is unavailable.

If a committee member is continuously absent from committee meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the committee members, the member's appointment will be deemed vacant and a new volunteer will be appointed.

### **Term:**

Members shall be appointed by Council resolution to a term of two years. Terms will expire December 31st of even years so terms will expire during election years and the new Council can review terms and membership. Appointments made partway through a year will have a renewal date of December 31 of the next even year. Members may serve more than one term.

### **Meeting Procedures:**

Every January, the Committee shall choose a Chairperson to preside over its meetings. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson. A quorum shall be a majority of the Committee.

Minutes of meetings of the Committee shall be prepared by the Planning Department, and approved by the Chairperson. Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

Agendas shall be prepared by Planning Department. Agendas are to be forwarded to Committee members as well as to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

### **Advisory Design Panel Guidelines**

The Advisory Design Panel will give consideration to the following when reviewing development applications:

- a) Professional critique on the overall design.
- b) The character of the development in relation to adjacent and surrounding development.
- c) The impact of the proposed development upon the subject property, both natural and man-made features, including the safety and preservation of natural elements.
- d) Total site development with attention to:
  - Siting of the building
  - Landscaping
  - Parking;
  - Driveway entrances;
  - Internal circulation;
  - Grade elevations
- e) Building quality with regard to materials and finishes with attention to:
  - Quality and durability of materials
  - Color and form
  - Durability of design elements
- f) Building quality with regard to livability and human needs including:
  - Building entrances;
  - Quality of view from habitable rooms
  - Privacy and noise
- g) Other aspects of design and construction as the panel feels relevant

### **Staff Support**

A staff member (non-voting) from the Planning Department will attend meetings in a resource capacity and will book the meeting room, prepare agendas and minutes and prepare and forward recommendations to Council.

1/14/2009

## THE CORPORATION OF THE DISTRICT OF SUMMERLAND

### BYLAW NUMBER 94-002

Consolidated for convenience to include Bylaws 2000-063 and 2000-353

#### A BYLAW OF THE CORPORATION OF THE DISTRICT OF SUMMERLAND TO ESTABLISH AN ADVISORY PLANNING COMMISSION

WHEREAS Section 955 (1) of the Municipal Act, provides that Council may, by bylaw, establish an Advisory Planning Commission;

AND WHEREAS Council deems it desirable to establish an Advisory Planning Commission;

NOW THEREFORE, The Municipal Council of The Corporation of the District of Summerland hereby enacts as follows:

1. There is hereby established an Advisory Planning Commission which shall be known as the "Summerland Advisory Planning Commission" (hereinafter referred to as "the Commission");

***Bylaw 2000-063 replaced the following section and then***

***Bylaw 2000-353 replaced the following section: seven (7)***

2. The Commission shall consist of ~~ten~~<sup>six (6)</sup> members of which two thirds must be residents of the Municipality. ~~Seven~~<sup>six (6)</sup> members shall represent a variety of community interests, ~~two members shall be representatives of the agricultural industry,~~ and one member shall be a representative of the School District. A member of Council, employee or officer of the Municipality is not eligible to be a member but may attend a meeting of the Commission in a resource capacity.
3. Members of the Commission shall be appointed by resolution of Council. The initial appointment of the ~~terms for the commission~~ shall be structured so that three members shall be appointed for three years, two members for two years; and two members for one year. All subsequent appointments shall be for three full year terms. At its first meeting in December in each year, the Council shall appoint the members of the Commission, each for a term of three years. Council may

*Replace with standard 2 year term.*

1/14/2009

~~reappoint any member to the Commission for one additional term.~~

4. At any time, the Council may, by a vote of two thirds of Council, revoke the appointment of any member of the Commission.
5. Whenever a vacancy arises on the Commission, Council may appoint a person to fill the vacancy for the balance of the term.
6. In the event that a member of the Commission fails to attend three consecutive meetings of the Commission, the member's seat shall be deemed to be vacant unless he/she has been excused by resolution of the Commission.

***Bylaw 2000-353 replaced the following section:***

7. The duties of the Commission shall be to assist Municipal Council in an advisory capacity only to any of the following matters which may be presented to it:
  - ~~any application to the Agricultural Land Commission which requires Municipal Council Approval;~~
  - amendments to the Official Community Plan;
  - Applications for rezoning of lands; and
  - Any request which may be referred to it by Municipal Council.'
8. At its first meeting each year, the Commission shall choose from among its members a chairperson who shall preside over the meetings of the Commission and a vice chairperson who shall preside in the absence of the chairperson.
9. The Commission shall cause proper minutes to be kept of all its proceedings and meetings and those minutes shall be available to the public upon request.
10. The Municipality shall provide the Commission with a Recording Secretary who shall attend all Commission Meetings and shall record all decisions, and reasons for and against those decisions.
11. The execution of documents by the Commission shall be evidenced by the signatures of the Secretary plus one of the Chairperson or Vice Chairperson.
12. A majority of members of the Commission shall constitute a quorum.
13. The District Planner shall attend Commission Meetings in a resource capacity, and shall be responsible for the preparation of each meeting's agenda. Such agenda shall be available for each member of the Commission at least seven days before the date of each meeting.
14. Where the Commission is reviewing an application, the applicant for the amendment or permit is entitled to attend at such meeting of the Commission to be heard.



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15. The Commission shall hold regular meetings during each month at such time and place as may be fixed by resolution of the Commission. Additional meetings may take place as required.
16. A special meeting of the Commission may be called by the Secretary when he/she is requested in writing to do so by the Chairperson or by any three members. A notice of the day, hour and place of every special meeting shall be given at least 24 hours before the time of the meeting shall be given by leaving a copy of the notice for each member of the Commission at the place to which he/she has directed such notices to be sent.
17. The Commission shall advise Council on all matters considered by it by forwarding a report to the District Planner for consideration by Council at ~~its next~~ regular meeting. ~~The report will highlight discussion, dissenting opinion and show the votes cast on each recommendation.~~
18. This bylaw may be cited for all purposes as the "Advisory Planning Commission Bylaw Number 94-002".
19. Bylaw Number 92-063 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME, by the Municipal Council this 28th day of December, 1993.

RECONSIDERED, FINALLY PASSED AND ADOPTED, by the Municipal Council of The Corporation of the District of Summerland this 10th day of January, 1994.

'Donald C. Cameron'  
MAYOR

'George Redlich'  
CLERK



## Terms of Reference Agricultural Advisory Committee

### **Purpose:**

The Agricultural Advisory Committee (AAC) advises Council on issues important to the agri-business community including land use and economic development matters with respect to agriculture. The AAC acts as a liaison between Council and the agricultural community.

### **Objectives**

The primary objective of the AAC is to advise Council on sustainable agricultural land use from a multiple bottom line (i.e. cultural, economic, environmental, and social) perspective.

The AAC may provide advice to Council on matters relating to agriculture and agri-business in Summerland including:

- Applications initiated under the Agricultural Land Commission (ALC) Act, which are to be considered by Council.
- Applications to amend the Official Community Plan (OCP) and Zoning Bylaw where the subject property is within or adjacent to the Agricultural Land Reserve (ALR).
- Applications to amend the OCP and Zoning Bylaw Amendments where the subject property is zoned agricultural or is adjacent to an agriculturally zoned parcel.
- Assisting with the comprehensive review of the following documents as they relate to agriculture and agri-business matters of Summerland:
  - Bylaws;
  - OCP;
  - Neighbourhood and Comprehensive Development Plans;
  - Cultural and Heritage Plans;
  - Parks and Recreation Plans; and
  - Transportation Plans
- Working with Council, at Council's request, on submissions related to agricultural issues with other levels of government.
- Other matters as referred by Council.

**Membership:**

The Committee shall consist of seven (7) voting members, appointed or as otherwise directed by Council, who shall serve without compensation as follows:

- One (1) member of Council
- One (1) member of each of the following commodity groups, associations or interests:
  - Tree fruits
  - Wine/grapes
  - Livestock/animal husbandry
- Two (3) members from the agricultural community at large and with direct agricultural interest and expertise. (i.e. agricultural finance, or academia).
- One (1) representative from the Ministry of Agriculture, Food and Fisheries (non-voting)

Where insufficient members can be identified to represent the specific commodity groups, associations or interests identified above, additional members may be appointed from the community at large.

Community experts may be called upon as non-voting members as required.

If a committee member is continuously absent from committee meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the committee members, the member's appointment will be deemed vacant and a new volunteer will be appointed.

**Term:**

Members shall be appointed by Council resolution to a term of two years. Terms will expire December 31st of even years so terms will expire during election years and the new Council can review terms and membership.

Members may serve more than one term.

Appointments made partway through a year will have a renewal date of December 31 of the next even year.

### **Meeting Procedures:**

Every January, the Committee shall choose a Chairperson to preside over its meetings. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson.

A quorum shall be a majority of the Committee.

Minutes of meetings of the Committee shall be prepared by the Planning Department, and approved by the Chairperson.

Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

Agendas shall be prepared by Planning Department. Agendas are to be forwarded to Committee members as well as to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

### **Staff Support**

A staff member from Development Services (non-voting) will attend meetings in a resource capacity and will book the meeting room, approve agendas and minutes and prepare and forward recommendations to Council.

## THE CORPORATION OF THE DISTRICT OF SUMMERLAND

### BYLAW NUMBER 2000-141

#### A BYLAW TO ESTABLISH A BOARD OF VARIANCE

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

#### 1. Establishment of Board

- 1.1 Pursuant to Section 899 of the Local Government Act, a Board of Variance for the District of Summerland is hereby established.

#### 2. Definitions

- 2.1 In this bylaw, unless the context requires otherwise:

**Board** means the **Board** of Variance

**Board Meeting** means a meeting of the **Board** of Variance

**Chair** means the **Chair** of the **Board**

**District** means the **District** of Summerland

**Municipal Clerk** means the person appointed by Council who has the responsibility of corporate administration for the **District** as specified in Section 198 of the Local Government Act.

**Secretary** means **Secretary** to the **Board**.

#### 3. Secretary to the Board

- 3.1 The **Municipal Clerk** is appointed as **Secretary** to the **Board** of Variance.

- 3.2 The responsibilities of the **Secretary** are:

- (a) to receive notices of appeal,
- (b) to prepare agendas on behalf of the **Board**,
- (c) to ensure that property notification is given in compliance with this Bylaw;
- (d) to maintain minutes of all proceedings and orders of the **Board**, and
- (e) after their adoption by the **Board**, ensure that such minutes are signed by the **Chair** and **Secretary**, and made available for inspection by the public during normal business hours of the **District**.

#### 4. **Application Procedure**

- 4.1 A person wishing to apply to the **Board** for an order under this Bylaw must complete an application which is available from the **District** of Summerland Development Services Department.
- 4.2 The completed application, together with:
- (a) the required attachments specified in such application, and
  - (b) the application fee of \$200.00,
- must be submitted to the **District** Planner who will advise the applicant if it is felt that the application is within the jurisdiction of the **Board**.
- 4.3 If it is felt that the application is beyond the jurisdiction of the **Board**, and agreed to by the applicant, the application will not be processed further, and the full application fee will be refunded.
- 4.4 Any application to be submitted to the **Board**, must be forwarded by the **District** Planner to the **Secretary**, together with the required attachments, not less than 14 days prior to the date of the **Board** Meeting at which the application is to be considered.

#### 5. **Processing of an Application**

- 5.1 The **Secretary** must, upon receipt of a completed application, and not less than 10 days before the date of the **Board** Meeting at which such application is to be considered, mail or otherwise deliver a notice of the **Board** Meeting to:
- (a) the applicant;
  - (b) the agent of the applicant (if any);  
the owners and tenants in occupation of the land which is the subject of the application; and
  - (c) the owners and tenants in occupation of the land which is adjacent to land which is the subject of the application.
- 5.2 A notice of a **Board** Meeting must:
- (a) identify by street address and/or legal description, the land which is the subject of the application; and
  - (b) state the subject matter of the application, and the time, date and place of the **Board** Meeting.
  - (c) be posted on the notice **Board** in the Municipal Hall, and if possible, on the **District** of Summerland website.

#### 6. **Board Agenda**

- 6.1 Not less than 7 days before the date of each **Board** Meeting, the **Secretary** must:
- (a) prepare an agenda of all applications to be considered at that meeting; and
  - (b) mail or otherwise deliver a copy of the agenda for that meeting to each member of the **Board** and the **District** Planner.



**7. Meeting Proceedings**

- 7.1 The **Board** of Variance shall consist of three members appointed by resolution of Council for a three year term.
- 7.2 At the first meeting of the **Board**, the members shall elect a **Chair**.
- 7.3 The **Board** must meet at the call of the **Chair**, in consultation with the other members of the **Board** and the **Secretary** as to the date of such meeting, in the Summerland Municipal hall, at the time and place specified in the agenda.
- 7.4 Where the **Chair** is not present at the meeting, the remaining members shall appoint a **Chair** for that meeting.
- 7.5 If a quorum is not present within fifteen minutes after the scheduled time of the meeting, the meeting is deemed to have been cancelled.
- 7.6 The decision of the **Board** to either grant or deny an order must be made by motion adopted by the majority of the **Board** present at the meeting.
- 7.7 Any member of the **Board** who abstains from voting is deemed to have voted in favour of the motion.

**8. Submissions to a Board Meeting**

- 8.1 Any person with interest in property within the **District** is entitled to make oral or written submissions at a **Board** Meeting.
- 8.2 The applicant, if present, must be afforded the first opportunity to make a submission to the **Board**.
- 8.3 The deliberations and the decision of the **Board** to either grant or deny an order must be made in an open public meeting.
- 8.4 Any **Board** member may view any property which is the subject of, adjacent to, or which in their opinion, is affected by an application, and may enter such property with the permission of the occupier.

**9. Notification after Board Decision**

- 9.1 The **Secretary** must, within 3 days of a decision by the **Board** to either grant or deny an order, mail written notification of the decision to the owner, applicant, the agent of the applicant (if any), and the **District** Planner.

**10. Repeal of Previous Bylaw**

- 10.1 **Board** of Variance Establishment Bylaw 1227 is hereby repealed.

**11. Severability and Citation**

11.1 If any section, subsection, paragraph, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of the bylaw.

11.2 This bylaw is cited as "Board of Variance Bylaw 2000-141."

Read a first, second and third time this 9<sup>th</sup> day of June, 2003.

Adopted by the Municipal Council of the District of Summerland this 23<sup>rd</sup> day of June, 2003.



Mayor



Clerk



## Terms of Reference Climate Action Committee

### **Purpose:**

The purpose of the Climate Action Committee is to initiate climate action, implement corporate and community climate action Plans, and provide advice on climate change and environmental considerations as requested by Council.

### **Objectives**

The Climate Action Committee's mandate is to recommend to Council on all matters referred to the Committee, including:

- Implementing and updating Summerland's Community Climate Action Plan;
- Implementing and updating the District of Summerland's Corporate Energy and Emissions Assessment;
- Recommending Climate Action Fund expenditures;
- Undertaking and recommending additional measures to address climate change;
- Recommending plans, studies, and initiatives related to the environment; and
- Pursuing other items as directed by Council;

### **Membership:**

The Committee shall consist of nine (9) voting members, appointed or as otherwise directed by Council, who shall serve without compensation as follows:

- One (1) member of Council
- Seven (7) community members
- One (1) community student representative

Consideration will be given to include representatives with expertise in relevant areas such as climate change, the environment, energy, and community planning.

Community experts may be called upon as non-voting members as required.

If a committee member is continuously absent from committee meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the committee members, the member's appointment will be deemed vacant and a new volunteer will be appointed.

**Term:**

Members shall be appointed by Council resolution to a term of two years. Terms will expire December 31st of even years so terms will expire during election years and the new Council can review terms and membership.

Members may serve more than one term.

Appointments made partway through a year will have a renewal date of December 31 of the next even year.

**Meeting Procedures:**

Every January, the Committee shall choose a Chairperson to preside over its meetings as well as a Recording Secretary. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson.

A quorum shall be a majority of the Committee.

Minutes of meetings of the Committee shall be prepared by the Recording Secretary, and approved by the Chairperson and Staff Support person.

Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

Agendas shall be prepared by the Chairperson and approved by the Staff Support person. Agendas are to be forwarded to Committee members as well as to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

**Staff Support**

A Works and Utilities staff member (non-voting) will attend meetings in a resource capacity and will book the meeting room, approve agendas and minutes and prepare and forward recommendations to Council.



## Terms of Reference Community Cultural Advocacy Committee

### **Purpose:**

The Community Cultural Advocacy Committee is an advocate for the cultural improvement and benefit of Summerland.

### **Objectives**

The Community Cultural Advocacy Committee's role is to:

- Liaise between the Summerland's cultural community and Council;
- Prepare an annual "cultural activities program" for Summerland;
- Assist in the development and future maintenance of a Community Cultural Plan

### **Membership:**

The Community Cultural Advocacy Committee shall consist of up to nine (9) members. Eight (8) from the community at large, representing the breadth of the cultural community in Summerland appointed by Council and who shall serve without compensation and one (1) member of Council.

Members of the committee will be selected on the basis of a demonstrated interest in and knowledge of cultural development, an ability to help create a vibrant cultural climate for the whole community, a willingness to contribute individual viewpoints and the ability to be flexible in order to reach group consensus.

### **Term:**

Members shall be appointed by Council resolution to a term of two years. Terms will expire December 31st of even years so terms will expire during election years and the new Council can review terms and membership.

Members may serve more than one term.

Appointments made partway through a year will have a renewal date of December 31 of the next even year.

**Meeting Procedures:**

Every January, the Committee shall choose a Chairperson to preside over its meetings from among its members. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson.

A quorum shall be a majority of the Committee.

The Committee shall appoint one of their members as the Recording Secretary. Minutes of meetings of the Committee shall be prepared by the Recording Secretary, and must be signed by the Chairperson and the person acting as Recording Secretary.

Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

The Chairperson, in consultation with the Vice-Chairperson, shall be responsible for preparing an agenda which will be forwarded to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

**Staff Support**

A staff member from Development Services (non-voting) will attend meetings in a resource capacity and will book the meeting room, approve agendas and minutes and prepare and forward recommendations to Council.





## Terms of Reference Community Cultural Plan Task Force

### **Purpose:**

The purpose of the Community Cultural Plan Task Force (CCPTF) is to develop a Community Cultural Plan for Summerland.

### **Objectives**

The objective of the Community Cultural Plan Task Force is to develop a plan within 12 months.

### **Membership:**

The CCPTF shall consist of up to nine (9) members. Eight (8) from the community at large, representing the breadth of the cultural community in Summerland appointed by Council and who shall serve without remuneration and one (1) member of Council.

Members of the committee will be selected on the basis of a demonstrated interest in and knowledge of cultural development, an ability to help create a vibrant cultural climate for the whole community, a willingness to contribute individual viewpoints and the ability to be flexible in order to reach group consensus.

### **Term:**

Members shall be appointed by Council resolution to a term expiring March 31, 2016.

### **Meeting Procedures:**

The Committee shall choose a Chairperson to preside over its meetings from among its members. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson.

A quorum shall be a majority of the Committee.

The Committee shall appoint one of their members as the Recording Secretary. Minutes of meetings of the Committee shall be prepared by the Recording Secretary, and must be signed by the Chairperson and the person acting as Recording Secretary.

Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

The Chairperson, in consultation with the Vice-Chairperson, shall be responsible for preparing an agenda which will be forwarded to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

#### **Staff Support**

A staff member from Development Services (non-voting) will attend meetings as required in a resource capacity.

**THE CORPORATION OF THE DISTRICT OF SUMMERLAND**

**BYLAW NUMBER 95-006**

**A BYLAW TO ESTABLISH A HERITAGE ADVISORY  
COMMISSION IN AND FOR THE CORPORATION OF THE  
DISTRICT OF SUMMERLAND**

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**WHEREAS** Section 1008 of the Municipal Act, provides that Council may, by bylaw, establish a Heritage Advisory Commission;

**AND WHEREAS** Council deems it desirable to establish a Heritage Advisory Commission.

**NOW THEREFORE**, The Municipal Council of The Corporation of the District of Summerland hereby enacts as follows:

1. There is hereby established a Heritage Advisory Commission which shall be known as the "Summerland Heritage Advisory Commission" (hereinafter referred to as "the Commission");
2. The Commission shall consist of seven (7) members, of which two thirds (2/3) must be residents of the Municipality. The seven (7) members shall represent a variety of community interests. An Employee or officer of the Municipality is not eligible to be a member but may attend at a meeting of the Commission in a resource capacity. The Commission shall consist of:
  - a) one member of Municipal Council
  - b) one member of the Museum and Heritage Society
  - c) five members from the public at large
3. Members of the Commission shall be appointed by resolution of Council. ~~The initial appointment of the terms for the commission shall be structured so that three members shall be appointed for three years, two members for two years, and two members for one year. All subsequent appointments shall be for three full year terms. Council may reappoint any member to the Commission for one additional term.~~  
*Replace with standard 2 year term*
4. At any time, the Council may, by a vote of two thirds of Council, revoke the appointment of any member of the Commission.
5. Whenever a vacancy arises on the Commission, Council may appoint a person to fill the vacancy for the balance of the term.

6. In the event that a member of the Commission fails to attend three consecutive meetings of the Commission, the member's seat shall be deemed to be vacant unless he/she has been excused by resolution of the Commission.
7. The duties of the Commission shall be to advise Municipal Council on those matters relating to heritage conservation, or those matters coming within the scope of the Heritage Conservation Statutes Amendment Act which are from time to time referred to it by Council, and to make recommendations to Council respecting heritage buildings and heritage lands and the demolition, preservation, alteration, or renovation of those buildings, structures and lands.
8. At its first meeting each year, the Commission shall choose from among its members a chairperson who shall preside over the meetings of the Commission and a vice chairperson who shall preside in the absence of the chairperson. Each chairperson shall occupy that position no longer than one term or three calendar years.
9. The Commission shall cause proper minutes to be kept of all its proceedings and meetings and those minutes shall be available to the public upon request.
10. The Municipality shall provide the Commission with a Recording Secretary who shall attend all Commission Meetings and shall record all decisions, and reasons for and against those decisions.
11. The execution of documents by the Commission shall be evidenced by the signatures of the Secretary plus one of the Chairperson or Vice Chairperson.
12. A majority of members of the Commission shall constitute a quorum.
13. The District Planner shall attend Commission Meetings in a resource capacity, and shall be responsible for the preparation of each meeting's agenda. Such agenda shall be available for each member of the Commission at least seven days before the date of each meeting.
14. Subject to Section 221 of the Municipal Act, meetings of the Commission must be open to the public, except those meetings or portions of meetings at which the Commission considers matters for which the Municipal Council has authorized the Commission to meet in private.
15. The Commission may hold regular meetings during each month at such time and place as may be fixed by resolution of the Commission. Additional meetings may take place as required.
16. A special meeting of the Commission may be called by the Secretary when he/she is requested in writing to do so by the Chairperson or by any three members. A notice of the day, hour and place of every special meeting shall be given at least 24 hours before the time of the meeting shall be given by leaving a copy of the notice for each member of the Commission at the place to which he/she has directed such notices to be sent.

17. The Commission shall advise Council on all matters considered by it by forwarding a report to the District Planner for consideration by Council at its next regular meeting. The report will highlight discussion, dissenting opinion and show the votes cast on each recommendation.
18. This bylaw may be cited for all purposes as the "Summerland Heritage Advisory Commission Bylaw Number 95-006".
19. Bylaw Number 1959 is hereby repealed.

**READ A FIRST AND SECOND TIME**, by the Municipal Council this 23rd day of January, 1995.

**READ A THIRD TIME** by the Municipal Council this 13th day of February, 1995.

**RECONSIDERED, FINALLY PASSED AND ADOPTED**, by the Municipal Council of The Corporation of the District of Summerland this 27th day of February, 1995.

  
MAYOR

  
CLERK

**THE CORPORATION OF THE DISTRICT OF SUMMERLAND  
BYLAW NUMBER 2000-057**

**A BYLAW ESTABLISHING A RECREATION COMMISSION PURSUANT  
TO SECTION 618 OF THE LOCAL GOVERNMENT ACT**

**Consolidated for convenience to include Bylaw 2000-102**

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. There is hereby established a Parks and Recreation Commission which shall be known as the 'Summerland Parks and Recreation Commission' (hereinafter referred to as the 'Commission').
2. The Commission shall be comprised of <sup>nine</sup>~~seven~~ members who shall serve without remuneration.
3. The membership of the Commission shall be as follows:

- (a) Two members of the Municipal Council of the District of Summerland, one of whom shall serve as the Chairperson, with both being voting members of the Commission,
- (b) One member of the Board of School Trustees, School District No. 67 (Okanagan Skaha), who will be a voting member,

**Bylaw 2000-102 replaced the following section:**

- (c) Six members of the District at large who will be voting members of the Commission
4. The Board of School Trustees shall appoint two Summerland trustees to the Commission for one year terms, with one member serving as an alternate.

**Bylaw 2000-102 replaced the following section:**

5. Municipal Council shall appoint six members who are residents of the District of Summerland, who shall be selected for their interest in sports, cultural activities, and matters of social interest. ~~These members shall be appointed for a term of three years, with appointments made so vacancies are staggered.~~  
*Replace with standard 2 year term*
6. If a vacancy occurs in the membership of the Commission, that member shall be replaced in accordance with sections 4, 5, and 6 of this bylaw. The term of office for such an appointee shall be for the un-expired term of the original appointee.
7. The following rules and regulations shall govern meetings of the Commission:
  - (a) The Commission shall hold regular meetings at least two times per year or at the call of the Chairperson when deemed necessary.
  - (b) Meetings of the Commission shall be open to the public unless the subject matter relates to one or more of the matters referred to in section 242.2 of the *Local Government Act*.
  - (c) Prior to closing a meeting to the public, or part of a meeting to the public, the Commission must state, by resolution the fact that the meeting is to be closed,



## Bylaw 2000-057 – Page 2

and the basis under section 242.2 of the *Local Government Act* on which the meeting is to be closed.

- (d) A majority of the members of the Commission shall constitute a quorum.
- (e) The latest edition of Roberts Rules of Order is to govern the proceedings of all meetings of the Commission.
- (f) The Chairperson of the Commission shall post a public notice of the meeting, including an agenda on the notice board in the foyer of the Municipal Hall at least 72 hours prior to the scheduled meeting date.
- (g) The Recreation Director shall have minutes of the meetings of the Commission prepared and signed by the Chairperson, and shall forward them to the Municipal Clerk for safekeeping.
- (h) Members of the Commission shall be governed by the conflict of interest provisions outlined in Section 231 of the *Local Government Act*, and shall not participate in the discussion of any matter, vote on a question in respect of any matter, or attempt in any way to influence voting on any matter in which they have a direct or indirect pecuniary interest, all as outlined in Section 231 of the Act. Members who are in a conflict position shall declare so at the meeting and this declaration shall be recorded in the minutes of the meeting.

8. The duties and responsibilities of the Commission are to promote recreational and leisure activities as they relate to the Commission's philosophy, purpose, and goals:

- (a) Philosophy: The Parks and Recreation Commission and Council believe that leisure opportunities play an important and vital role in enhancing the quality of life for the citizens of Summerland.
- (b) Purpose: The purpose of the Parks and Recreation Commission is to identify and meet the physical, cultural, and social needs of the citizens of Summerland.
- (c) Goals:
  - (1) To recommend the provision of facilities in order that citizens of all ages can pursue their leisure activities. The Commission will:
    - (i) recommend policies for the use of facilities, parks, multi-purpose playing fields, public beaches and open spaces,
    - (ii) recommend a schedule of fees and charges,
    - (iii) provide input into annual operating and capital budget expenditures,
    - (iv) recommend plans for future development of new facilities, facility improvements, parks, multi-purpose playing fields, and open spaces.
  - (2) To provide a direct program service by
    - (i) analysing and evaluating existing programs and initiating new programs based on community needs,
    - (ii) analysing trends in participation and providing long term direction in terms of future program delivery services.
  - (3) To provide assistance to community groups, associations, and agencies by
    - (i) working with community groups and volunteer associations so that each may achieve their goals and objectives as an organization and in turn provide a service to the community,
    - (ii) providing a vehicle whereby community groups and organizations can express their relevant concerns and their future plans.

9. The Municipal Council may refer any matter concerning Parks and Recreation to the Commission, and all minutes of meetings of the Commission shall be regularly submitted to Municipal Council for receiving and filing.

Bylaw 2000-057 – Page 3

10. Municipal Council shall, as soon as the District Budget is approved, submit the Parks and Recreation Department budget to the Commission which will be guided by this budget when considering their recommendations.
11. The Commission does not have the authority to commit the District of Summerland to any financial obligations exceeding those approved in the District's annual budget.
12. Municipal Council may prescribe conditions when approving recreational, cultural and social programmes which are to be conducted in any specified area outside the District of Summerland.
13. This Bylaw may be cited for all purposes as 'Parks and Recreation Commission Establishment Bylaw No. 2000-057'.
14. Bylaw 2415 is hereby repealed.

Read a first, second, and third time this 27th day of November, 2000.

Adopted by the Municipal Council of the Corporation of the District of Summerland this 11th day of December, 2000.

'Donald C. Cameron'

\_\_\_\_\_  
MAYOR

'Gillian D. Matthews'

\_\_\_\_\_  
CLERK



## Terms of Reference Sister City Advisory Committee

### **Purpose:**

The purpose of the Sister City Advisory Committee is to act as official liaison between Toyokoro Town elected officers, staff, Toyokoro School District personnel, and Toyokoro Sister City Committee.

### **Objectives**

The Sister City Advisory Committee's role is to:

1. Encourage and support economic stimulation and to facilitate the exchange of information and cultural experiences between the District of Summerland and its Sister City, Toyokoro, Japan.
2. Recommend the number and duration of official visits to Toyokoro, subject to the budgetary limits established annually by Council.
3. Coordinate planning of all aspects required in receiving visiting delegations from Toyokoro (both student and adult).
4. Recruit for and coordinate a bi-annual cost recovery excursion for Summerland residents to visit Toyokoro, Japan.
5. Under the direction of the Toyokoro School District and Toyokoro Town recruit, hire, and provide ongoing support for a Summerland resident to work as an Assistant English Teacher (AET) in Toyokoro, Japan on a renewable one year contract.
6. Maintain regular communication with the Japanese Embassy in Vancouver.

### **Membership:**

The Sister City Advisory Committee shall consist of up to ten (10) members from the community at large who are appointed by Council and who shall serve without compensation.

One member of Council will be appointed to the committee as a Council liaison.

### **Term:**

Members shall be appointed by Council resolution to a term of two years. Terms will expire December 31st of even years so terms will expire during election years and the new Council can review terms and membership.

Members may serve more than one term. Appointments made partway through a year will have a renewal date of December 31st of the next even year.

### **Meeting Procedures:**

Every January, the Committee shall choose a Chairperson to preside over its meetings from among its members. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson.

A quorum shall be a majority of the Committee.

The Committee shall appoint one of their members as the Recording Secretary. Minutes of meetings of the Committee shall be prepared by the Recording Secretary, and must be signed by the Chairperson and the person acting as Recording Secretary.

Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

The Chairperson, in consultation with the Vice-Chairperson, shall be responsible for preparing an agenda which will be forwarded to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

Recommendations are to be forwarded by letter to Council.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

### **Staff Support**

The Mayor's Assistant will assist in coordinating help from other departments and provide assistance such as photocopying and posters as required. The Mayor's Assistant will also organize receptions as needed.



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## **Summerland Official Community Plan Bylaw Review Committee**

### **Terms of Reference**

The Official Community Plan Review Steering Committee shall aid Council in a review of all OCP Amendments since 2008. This review shall include:

- Researching all proposed amendments to the OCP since 2008;
- Advising Council on the amendment history to the OCP, proposing revisions to the OCP Growth Strategy amendment currently at third reading

### **Membership**

The Summerland OCP Review Committee shall consist of 3 members appointed as follows, who shall serve without compensation:

- Mayor Waterman
- Councillor Boot
- Councillor Trainer

All members are required for a quorum.

Consideration will be given to include representatives with expertise in relevant areas.

The Committee shall choose a chairperson to preside over the meetings as well as a vice-chairperson to preside in the absence of the chairperson. The Committee shall also choose a recording secretary.

### **Terms of Office**

The term of the OCP Bylaw Review Committee shall be completed once the final report has been received by Council no later than April 2015.



## Terms of Reference Water Advisory Committee

### **Purpose:**

The purpose of the Water Advisory Committee is to make recommendations to Council with respect to the quality and quantity of Summerland's water supply and on issues regarding the most efficient, effective use of the irrigation water supplied by the District of Summerland.

### **Objectives**

Priorities for the committee are agricultural irrigation scheduling, potential development of a lake source of water, the impact of activities in our watershed, water conservation, water quality, water rates and other matters referred to the Committee by Council. Projects which have received Council approval are not within the mandate of the committee.

### **Membership:**

The Committee shall consist of five (5) voting members, appointed or as otherwise directed by Council, who shall serve without compensation as follows:

- One (1) member of Council
- Four (4) water experts

If a committee member is continuously absent from committee meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the committee members, the member's appointment will be deemed vacant and a new volunteer will be appointed.

### **Term:**

Members shall be appointed by Council resolution to a term of two years. Terms will expire December 31st of even years so terms will expire during election years and the new Council can review terms and membership.

Members may serve more than one term.

Appointments made partway through a year will have a renewal date of December 31 of the next even year.

**Meeting Procedures:**

Every January, the Committee shall choose a Chairperson to preside over its meetings as well as a Recording Secretary. The Committee shall also choose a Vice-Chairperson, to preside in the absence of the Chairperson. All meetings to be held at the call of the Chairperson.

A quorum shall be a majority of the Committee.

Minutes of meetings of the Committee shall be prepared by the Recording Secretary, and approved by the Chairperson.

Minutes of the meetings are to be forwarded to the Administration Department at Municipal Hall for safekeeping, and will be available for public inspection.

Agendas shall be prepared by the Chairperson. Agendas are to be forwarded to Committee members as well as to the Administration Department a minimum of three (3) days prior to the meeting for public posting. All meetings are open to the public.

All Committee proceedings shall adhere to Council Procedure Bylaw 2000-156, Part 8 – Committees and Part 9 – Commissions as amended.

**Staff Support**

A Works and Utilities staff member (non-voting) will be available for meetings as required in a resource capacity and will book the meeting room, approve agendas and minutes and prepare and forward recommendations to Council.



## THE CORPORATION OF THE DISTRICT OF SUMMERLAND

### BYLAW NUMBER 2000-156

### COUNCIL PROCEDURE BYLAW

CONSOLIDATED FOR CONVENIENCE TO INCLUDE: Bylaw 2000-334,  
2000-354 and 2015-001.

WHEREAS, pursuant to the requirements of the *Community Charter*, Municipal Council must, by bylaw, establish the general procedures to be followed by Council and Council Committees in conducting their business;

THEREFORE the Municipal Council of the District of Summerland enacts as follows:

#### PART 1 - INTRODUCTION

##### Title

1. This Bylaw may be cited as the "Council Procedure Bylaw No. 2000-156".

##### Definitions

2. In this Bylaw,

"Municipal Hall" means Summerland Municipal Hall located at 13211 Henry Avenue, Summerland, British Columbia;

"Municipal Website" means the information resource found at an internet address provided by the District;

"Commission" means a municipal commission established under s.143 of the *Community Charter*;

"Committee" means a standing, select, or other committee of Council, but does not include COTW;

"COTW" means a Committee of the Whole of Council;

"Corporate Officer" means the Corporate Officer for the District;

"Council" means the Council of the District of Summerland;

"District" means the Corporation of the District of Summerland;

"Mayor" means the Mayor of the District;

"Public Notice Posting Places" means the notice board at Municipal Hall and the Municipal Website, if available;

### **Application or Rules of Procedure**

3. (1) The provisions of this Bylaw govern the proceedings of Council, COTW, Commissions, and all standing and select committees of Council, as applicable.
- (2) In cases not provided for under this Bylaw, The New Robert's Rules of Order, 2<sup>nd</sup> edition, 1998, apply to the proceedings of Council, COTW, Commissions, and Council committees to the extent that those Rules are
- (a) applicable in the circumstances, and
- (b) not inconsistent with provisions of this Bylaw or the *Community Charter*.

## **PART 2 – COUNCIL MEETINGS**

### **Inaugural Meeting**

4. (1) Following a general local election, the first Council meeting must be held on the first Monday in December in the year of the election.
- (2) If a quorum of council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

***Bylaw 2000-334 adopted June 23, 2008 amended the following section***

***Bylaw 2000-354 adopted December 22, 2008 amended the following section to read.***

***Bylaw 2015-001 adopted February 10<sup>th</sup>, 2015 amended the following section to read:***

### **Time and Location of Meetings**

5. (1) All Council meetings must take place within Municipal Hall except when Council resolves to hold meetings elsewhere.
- (2) Regular Meetings must:
- (a) be held on the second and fourth Monday of each month beginning at 7:00 p.m.; and
- (b) be adjourned at 10:00 p.m. unless Council resolves to proceed beyond that time in accordance with section 29.
- (3) Regular Meetings may be cancelled:
- (a) by Council provided that two consecutive meetings are not cancelled; or
- (b) by the Corporate Officer in consultation with the Mayor if there are no business items for the agenda.
- (4) When a Regular Meeting falls on a statutory holiday, the meeting shall be held on the next day the Municipal Hall is open following the statutory holiday.

### **Notice of Council Meetings**

6. (1) In accordance with section 127 of the *Community Charter*, Council must prepare annually on

or before January 1st, a schedule of the dates, times and places of regular Council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Places.

- (2) In accordance with section 127 of the *Community Charter*, Council must give notice annually on or before January 1st of the time and duration that the schedule of regular Council meetings will be available beginning on January 1st in accordance with section 94 of the *Community Charter*.
- (3) Where revisions are necessary to the annual schedule of regular council meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a regular council meeting.

#### **Notice of Special Meetings**

7. (1) Except where notice of a special meeting is waived by unanimous vote of all council members under section 127(4) of the *Community Charter* a notice of the day, hour, and place of a special Council meeting must be given at least 24 hours before the time of meeting, by
  - (a) posting a copy of the notice at the Public Notice Posting Places, and
  - (b) leaving one copy of the notice for each Council member in the Council member's mailbox at Municipal Hall
- (2) The notice under subsection (1) must describe in general terms the purpose of the meeting and be signed by the Mayor or the Corporate Officer.

#### **Electronic Meetings**

8. (1) Provided the conditions set out in subsection 128(2) of the *Community Charter* are met,
  - (a) a special Council meeting may be conducted by means of audio electronic or other communication facilities if:
    - (i) the Mayor requires or
    - (ii) the Council requires.
  - (b) a member of Council who is unable to attend at a Council meeting, may participate in the meeting by means of audio electronic or other communication facilities, if:
    - (i) the meeting is a regular or special meeting; and
    - (ii) the member is unable to attend because of other commitments.
- (2) The member presiding at a special or regular council meeting must not participate electronically.
- (3) No more than two members of council at one time may participate at a council meeting under section 8(1)(b).

- (4) Council members participating electronically must have received copies of agendas and other written information being presented to Council prior to the meeting in which they are participating electronically.

### **PART 3 – DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR**

#### **Acting Mayor**

- 9. (1) Annually in December, Council must from amongst its members designate Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- (2) Each Councillor designated under section 9(1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and the member designated under section 9(1) are absent from the Council meeting, the Council members present must choose a Councillor to preside at the Council meeting.
- (4) The member designated under section 9(1) or chosen under section 9(3) has the same powers and duties as the Mayor in relation of the applicable matter.

### **PART 4 - COUNCIL PROCEEDINGS**

#### **Community Charter Provisions**

- 10. (1) Matters pertaining to Council proceedings are governed by the *Community Charter* including those provisions found in Division 3 of Part 4 and Division 2 of Part 5 .

#### **Attendance of Public at Meetings**

- 11. (1) Except where the provisions of section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting of the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter*.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter*, including without limitation:
  - (a) COTW,
  - (b) standing and select committees,
  - (c) parcel tax review panel,
  - (d) board of variance
  - (e) advisory bodies such as commissions.
- (5) Despite subsection 11(1), the Mayor or the Councillor designated as the member responsible for

acting in the place of the Mayor under section 9 may expel or exclude from a Council meeting a person in accordance with section 21 (8).

**Minutes of Meetings to be Maintained and Available to Public**

12. (1) Minutes of the proceedings of Council must be
  - (a) legibly recorded,
  - (b) certified as correct by the Corporate Officer, and
  - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) Subject to subsection 12(3), and in accordance with section 97 (1)(b) of the *Community Charter* [other records to which public access must be provided] minutes of the proceedings of Council must be open for public inspection at Municipal Hall during its regular office hours.
- (3) Subsection 12(2) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter*.

**Calling Meeting to Order**

13. (1) As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council meeting to order, however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with section 9 must take the Chair and call such meeting to order.
- (2) If a quorum of Council is present but the Mayor or the Councillor designated as the member responsible for acting in the place of the mayor under section 9 do not attend within 15 minutes of the scheduled time for a Council meeting:
  - (a) the Corporate Officer must call to order the members present, and
  - (b) the members present must choose a member to preside at the meeting.

**Adjourning Meeting Where no Quorum**

14. (1) If there is no quorum of Council present within 15 minutes of the scheduled time for a Council meeting, the Corporate Officer must
  - (a) record the names of the members present, and those absent, and
  - (b) adjourn the meeting until the next scheduled meeting.

**Agenda**

15. (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda outlining all the items for consideration at that meeting, noting in short form a summary for each item on the agenda.

**Bylaw 2015-001 adopted February 10<sup>th</sup>, 2015 amended the following section (2) and (3) to read:**

- (2) The deadline for submissions by the public to the Corporate Officer of items for inclusion on the Council meeting Agenda must be noon on the Tuesday prior to the meeting.
- (3) The Corporate Officer must make the agenda available to the members of Council and the public by 4 p.m. on the Wednesday afternoon prior to the meeting.
- (4) Council must not consider any matters not listed on the Agenda unless a new matter for consideration is properly introduced as a late item pursuant to section 17.

#### **Order of proceedings and business**

**Bylaw 2015-001 adopted February 10<sup>th</sup>, 2015 amended the following sections (1) and (2) to read:**

- 16. (1) The agenda for Committee of the Whole shall contain the following matters in the order in which they are listed below:
  - (a) Call to Order;
  - (b) Adoption of minutes;
  - (c) Introduction of Late Items;
  - (d) Regular Meeting Agenda Review;
  - (e) Unfinished Business;
  - (f) New Business;
  - (g) Resolution to close meeting to the public in accordance with section 92 of the *Community Charter*, and to rise to a Regular Meeting of Council;
  - (h) Closed session to consider those matters outlined in section 90 of the *Community Charter*;
  - (i) Adjournment.
- (2) The agenda for all Regular Council meetings contains the following matters in the order in which they are listed below:
  - (a) Call to Order;
  - (b) Adoption of minutes;
  - (c) Introduction of late items, Resolution to Amend the Agenda;
  - (d) Public and Statutory Hearings
  - (e) Delegations
  - (f) Public Comment Opportunity – 15 minutes maximum  
(2 minutes per speaker)  
Comments/Questions must pertain to Agenda Items  
\*items that can be commented on marked with asterisk  
(exception: no comments on any item with a statutory requirement, such as Zoning/OCP Amendments, DVP and TUP applications)
  - (g) Mayor's Report;
  - (h) CAO's Report
  - (i) Unfinished business;
  - (j) Correspondence;
  - (k) Development Services Reports;
  - (l) Staff and Other Reports;
  - (m) New Business;
  - (n) Bylaws;
  - (o) Councillor Reports;

- (p) Public/Media Question Period – up to 15 minutes on any matter of Local Government interest  
(2 minutes per speaker)
- (q) Adjournment.
- (3) Particular business at a Council meeting must in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

#### **Late Items**

- 17. (1) An item of business not included on the Agenda must not be considered at a Council meeting unless introduction of the late item is approved by Council at the time allocated on the Agenda for such matters.
- (2) If the Council makes a resolution under section 17(1), information pertaining to late items must be distributed to the members.

#### **Voting at Meetings**

- 18. (1) The following procedures apply to voting at Council meetings:
  - (a) when debate on a matter is closed the presiding member must put the matter to a vote of Council members;
  - (b) when the Council is ready to vote, the presiding member must put the matter to a vote by stating:  
  
"Those in favour raise your hands.", and then  
  
"Those opposed raise your hands.";
  - (c) when the presiding member is putting the matter to a vote under paragraphs (a) and (b) a member must not
    - (i) cross or leave the room,
    - (ii) make a noise or other disturbance, or
    - (iii) interrupt the voting procedure under paragraph 9 (b) unless the interrupting member is raising a point of order
  - (d) after the presiding member finally puts the question to a vote under paragraph (b), a member must not speak to the question or make a motion concerning it;
  - (e) the presiding member's decision about whether a question has been finally put is conclusive; and
  - (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
  - (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative or the negative.



### **Delegations**

19. (1) The Council may allow an individual or a delegation to address Council at the meeting provided a written request outlining the nature of the presentation has been received by the Corporate Officer by noon on the Tuesday prior to the meeting. The Corporate Officer shall assign a time limit for each delegation and shall include this limit on the agenda. In general, the Corporate Officer shall allow a delegation a 5 minute time limit unless the Officer believes additional time is warranted. The members of Council present at the meeting may approve an extension to the time limit set by the Corporate Officer by unanimous consent.
- (2) The Corporate Officer must only place delegations on the agenda which have been approved for inclusion by the Chief Administrative Officer and Mayor or Acting Mayor. If a delegation wishes to appeal the decision to deny their inclusion on an agenda, the Corporate Officer must forward any information on the application for appearance as a delegation to Council under separate cover, for their consideration.
- (3) Where written request to appear as a delegation has not been received by the Corporate Officer as prescribed in section 19(1), an individual or delegation may address the meeting if approved by the unanimous vote of the members present.
- (4) Council must not permit a delegation to address a meeting of the Council regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (5) The Corporate Officer may schedule delegations to another Council meeting or advisory body as deemed appropriate according to the subject matter of the delegation.
- (6) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.

### **Points of Order**

20. (1) Without limiting the presiding member's duty under section 132(1) of the *Community Charter*, the presiding member must apply the correct procedure to a motion
  - (a) if the motion is contrary to the rules of procedure in this bylaw, and
  - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (2) When the presiding member is required to decide a point of order
  - (a) the presiding member must cite the applicable rule or authority if requested by another Council member,
  - (b) another member must not question or comment on the rule or authority cited by the presiding member under subsection (2)(a), and
  - (c) the presiding member may reserve the decision until the next Council meeting.

**Conduct and Debate**

21. (1) A Council member may speak to a question or a motion at a Council meeting only if that member first addresses the presiding member.
- (2) Member must address the presiding member by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Members must address other non-presiding members by the title Councillor,
- (4) No member must interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the presiding member must call on the member who, in the presiding member's opinion, first spoke.
- (6) Members who are called to order by the presiding member must
  - (a) immediately stop speaking,
  - (b) may explain their position on the point of order, and
  - (c) may appeal to Council for its decision on the point of order in accordance with section 132 of the *Community Charter*.
- (7) Members speaking at a Council meeting
  - (a) must use respectful language,
  - (b) must not use offensive gestures or signs,
  - (c) must speak only in connection with the matter being debated,
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
  - (e) must adhere to the rules of procedure established under this bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7)(e), the presiding member may order the member to leave the member's seat, and
  - (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
  - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
  - (a) a member may speak more than once in connection with the same question only

- (i) with the permission of Council, or
  - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
- (b) a member who has made a substantive motion to the Council may reply to the debate;
- (c) a member who has moved an amendment, the previous question, or an instruction to a committee may not reply to the debate;
- (d) a member may speak to a question, or may speak in reply, for longer than a total time of 10 minutes only with the permission of Council.

#### **Motions Generally**

- 22. (1) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (2) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with Council's permission.
- (3) A Council member may make only the following motions when the Council is considering a question:
  - (a) to refer to committee;
  - (b) to amend;
  - (c) to lay on the table;
  - (d) to postpone indefinitely
  - (e) to postpone to a certain time;
  - (f) to move the previous question;
  - (g) to adjourn.
- (4) A motion made under subsections (3)(c) to (g) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

#### **Motion to Commit**

- 23. (1) Until it is decided, a motion made at a Council meeting to refer to committee precludes an amendment of the main question.

#### **Motion for the Main Question**

- 24. (1) In this section, 'main question', in relation to a matter means the motion that first brings the matter before the Council.
- (2) At a Council meeting, the following rules apply to a motion for the main question, or for the main question as amended;
  - (a) if a member of Council moves to put the main question, or the main question as amended, to a vote, that motion must be dealt with before any other amendments

are made to the motion on the main question; and

- (b) if the motion for the main question, or for the main question as amended is decided in the negative, the Council may again debate the question, or proceed to other business.

#### **Amendments Generally**

- 25. (1) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (2) An amendment may propose removing, substituting for, or adding to the works of an original motion.
- (3) A proposed amendment must be reproduced in writing by the mover if requested by the presiding member.
- (4) A proposed amendment must be decided or withdrawn before the motion being considered is put to a vote unless there is a call for the main question.
- (5) An amendment may be amended once only.
- (6) An amendment that has been defeated by a vote of Council cannot be proposed again.
- (7) A Council member may propose an amendment to an adopted amendment.
- (8) The presiding member must put the main question and its amendments in the following order for the vote of Council:
  - (a) a motion to amend a motion amending the main question;
  - (b) a motion to amend the main question, or an amended motion amending the main question if the vote under subparagraph (a) is positive;
  - (c) the main question.

#### **Reconsideration by Council Member**

- 26. (1) Subject to section 131 of the *Community Charter*, a Council member may, at the next Council meeting,
  - (a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and
  - (b) move to reconsider an adopted bylaw after an interval of at least 25 hours following its adoption.
- (2) A Council member who voted affirmatively for a resolution adopted by Council may at any time move to rescind that resolution.
- (3) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (4) A vote to reconsider must not be reconsidered.

- (5) Council may only reconsider a matter that has not
  - (a) had the assent of the electors,
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter*,
  - (c) been acted on by an officer, employee, or agent of the District.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter* is as valid and has the same effect as it had before reconsideration.

#### **Privilege**

- 27. (1) In this section, a matter of privilege refers to any of the following motions:
  - (a) fix the time to adjourn;
  - (b) adjourn;
  - (c) recess;
  - (d) raise a question of privilege of the Council;
  - (e) raise a question of privilege of a member of Council.
- (2) A matter of privilege must be immediately considered when it arises at a Council meeting.
- (3) For the purposes of subsection (2), a matter of privilege listed in subsection (1) has precedence over those matters listed after it.

#### **Reports from Committees**

- 28. (1) Council may take any of the following actions in connection with a resolution it receives from a committee, commission or COTW:
  - (a) agree or disagree with the resolution;
  - (b) amend the resolution;
  - (c) refer the resolution back to the committee, COTW or Commission;
  - (d) postpone its consideration of the resolution.

#### **Adjournment**

- 29. (1) A Council may continue a Council meeting after 10:00 p.m. only by an affirmative vote 2/3 of the Council members present.
- (2) A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at the meeting by the same motion.

- (3) Subsection (2) does not apply to either of the following motions:
  - (a) a motion to adjourn to a specific day;
  - (b) a motion that adds an opinion or qualification to a preceding motion to adjourn.

## **PART 5 – BYLAWS**

### **Copies of Proposed Bylaws to Council members**

- 30. (1) A proposed bylaw may be introduced at a Council meeting only if a true copy of it has been delivered to each Council member at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

### **Form of Bylaws**

- 31. (1) A bylaw introduced at a Council meeting must:
  - (a) be printed;
  - (b) have a distinguishing name;
  - (c) have a distinguishing number;
  - (d) contain an introductory statement of purpose; and
  - (e) be divided into sections.

### **Bylaws to be Considered Separately or Jointly**

- 32. (1) Council must consider a proposed bylaw at a Council meeting either;
  - (a) separately when directed by the presiding member or request by another Council member, or
  - (b) jointly with other proposed bylaws in the sequence determined by the presiding member.

### **Reading and Adopting Bylaws**

- 33. (1) The presiding member of a Council meeting may
  - (a) have the Corporate Officer read a synopsis of each proposed bylaw or group of proposed bylaws, and then
  - (b) request a motion that the proposed bylaw or group of bylaws be read.
- (2) The readings of the bylaw may be given by stating its title and object.
- (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Community Charter*.

- (4) Subject to section 882 of the *Local Government Act*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.
- (5) In accordance with section 135 of the *Community Charter*, and in accordance with section 890(9) of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.
- (6) Despite section 135(3) of the *Community Charter*, and in accordance with section 890(9) of the *Local Government Act*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

#### **Bylaws Must be Signed**

- 34. (1) After a bylaw is adopted, and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the District's records for safekeeping, and endorse upon it:
  - (a) the District's corporate seal,
  - (b) the dates of its readings and adoption; and
  - (c) the date of Ministerial approval or approval of the electorate if applicable.

### **PART 6 – RESOLUTIONS**

#### **Copies of Resolutions to Council Members**

- 35. (1) A resolution may be introduced at a Council meeting only if a true copy of it has been delivered to each Council at least 24 hours before the Council meeting, or all Council members unanimously agree to waive this requirement.

#### **Introducing Resolutions**

- 36. (1) The presiding member of a Council meeting may:
  - (a) have the Corporate Officer read the resolution; and
  - (b) request a motion that the resolution be introduced.

### **PART 7 - COMMITTEE OF THE WHOLE**

#### **Going Into Committee of the Whole (COTW)**

- 37. (1) At any time during a council meeting, Council may by resolution go into COTW.
- (2) In addition to subsection 1, a meeting, other than a standing or select committee meeting, to which all members of Council are invited to consider but not to decide on matters of the District's business, is a meeting of the COTW.

#### **Notice of COTW Meetings**

- 38. (1) Subject to subsection (2) a notice of the day, hour and place of a COTW meeting must be given at least 24 hours before the time of the meeting by:

- (a) posting a copy of the notice at the Public Notice Posting Places; and
  - (b) leaving a copy of the notice for each Council member at the Council member's mailbox at Municipal Hall.
- (2) Subsection (1) does not apply to a COTW meeting that is called, in accordance with section 38 during a Council meeting for which public notice has been given under section 6 or 7.

**Minutes of COTW Meetings to be Maintained and Available to Public**

39. (1) Minutes of the proceedings of COTW must be
- (a) legibly recorded,
  - (b) certified by the Corporate Officer,
  - (c) signed by the member presiding at the meeting, and
  - (d) open for public inspection in accordance with section 97 (1) (c) of the *Community Charter*.

**Presiding Members at COTW Meetings and Quorum**

40. (1) Any Council member may preside in COTW.
- (2) The members of Council attending a meeting of COTW must appoint a presiding member for the COTW meeting.
- (3) The quorum of COTW is the majority of Council members.

**Points of Order at Meetings**

41. (1) The presiding member must preserve order at a COTW meeting and, subject to an appeal to other members present, decide points of order that may arise.

**Conduct and Debate**

42. (1) The following rules apply to COTW meetings:
- (a) a motion is not required to be seconded;
  - (b) a motion for adjournment is not allowed;
  - (c) a member may speak any number of times on the same question
  - (d) a member must not speak longer than a total of 10 minutes on any one question.

**Voting at Meetings**

43. (1) Votes at a COTW meeting must be taken by a show of hands if requested by a member.
- (2) The presiding member must declare the results of voting.



**Reports**

44. (1) COTW may consider reports and bylaws only if
- (a) they are printed and the members each have a copy, or
  - (b) the Council members present decide without debate that the requirements of paragraph (a) do not apply.
- (2) A motion for COTW to rise and report to Council must be decided without debate.
- (3) The COTW's reports to Council must be presented by the Corporate Officer.

**Rising Without Reporting**

45. (1) A motion made at a COTW meeting to rise without reporting
- (a) is always in order and takes precedence over all other motions,
  - (b) may be debated, and
  - (c) may not be addressed more than once by any one member.
- (2) If a motion to rise without reporting is adopted by COTW at a meeting constituted under section 38(1), the Council meeting must resume and proceed to the next order of business.

**PART 8 – COMMITTEES**

**Duties of Standing Committees**

46. (1) Standing committees must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- (a) matters that are related to the general subject indicated by the name of the committee;
  - (b) matters that are assigned by Council;
  - (c) matters that are assigned by the Mayor.
- (2) Standing committees must report and make recommendations to Council at all the following times:
- (a) in accordance with the schedule of the committee's meetings;
  - (b) on matters that are assigned by Council or the Mayor,
    - (i) as required by Council or the Mayor, or
    - (iii) at the next Council meeting of the Council if the Mayor does not specify a time.

**Duties of Select Committees**

47. (1) Select committees must consider, inquire into, report, and make recommendations to Council about the matters referred to the committee by the Council.
- (2) Select committees must report and make recommendations to Council at the next Council meeting unless Council specifies a different date and time.

**Schedule of Committee Meetings**

48. (1) At its first meeting after its establishment a standing or select committee must establish a regular schedule of meetings.
- (2) The chair of a committee may call a meeting of the committee in addition to the scheduled meetings or may cancel a meeting.

**Notice of Committee Meetings**

49. (1) Subject to subsection (2), after the committee has established the regular schedule of committee meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
- (b) providing a copy of the schedule to each member of the committee.
- (2) Where revisions are necessary to the annual schedule of committee meetings, the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Places which indicates any revisions to the date, time and place or cancellation of a committee meeting.
- (3) The chair of a committee must cause a notice of the day, time and place of a meeting called under section 49(2) to be given to all members of the committee at least 12 hours before the time of the meeting.

**Attendance at Committee Meetings**

50. (1) Council members who are not members of a committee may attend the meetings of the committee.

**Minutes of Committee Meetings to be Maintained and Available to Public**

51. (1) Minutes of the proceedings of a committee must be
- (a) legibly recorded,
- (b) certified by the Corporate Officer,
- (c) signed by the chair or member presiding at the meeting, and
- (d) open for public inspection in accordance with section 97(1) (c) of the *Community Charter*.

**Quorum**

52. (1) The quorum for a committee is a majority of its members.

### **Conduct and Debate**

53. (1) The rules of the Council procedure must be observed during committee meetings, so far as is possible and unless as otherwise provided in this Bylaw.
- (2) Council members attending a meeting of a committee, of which they are not a member, may participate in the discussion only with the permission of a majority of the committee members present.
- (3) A motion made at a meeting of a committee is not required to be seconded.

### **Voting at Meetings**

54. (1) Council members attending a meeting of a committee of which they are not a member must not vote on a question.

## **PART 9 – COMMISSIONS**

### **Schedule of Commission Meetings**

55. (1) At its first meeting after its establishment, a commission must establish a regular schedule of meetings.
- (2) The Chair of a Commission may call a meeting of the Commission in addition to the schedule meetings or may cancel the meeting.

### **Notice of Commission Meetings**

- 56 (1) Subject to subsection (2), after the Commission has established the regular schedule of Commission meetings, including the times, dates, and places of the Commission meetings, notice of the schedule must be given by:
- (a) posting a copy of the schedule at the Public Notice Posting Places; and
- (b) providing a copy of the schedule to each member of the Commission.
- (2) Where revisions are necessary to the annual schedule of the Commission meetings, the Corporate Officer must, as soon as possible, post notice at the Public Notice Posting Places which indicates any revisions to the date, time and place for cancellation of a Commission meeting.
- (3) The Chair of a Commission must cause a notice of the day, time and place of a meeting called under section 56(2) to be given to all members of the Commission at least 12 hours before the time of the meeting.

### **Minutes of Commission Meetings to be Maintained and Available to the Public**

57. (1) Minutes of the proceedings of a Commission must be:
- (a) legibly recorded;
- (b) signed by the Chair or a member presiding at the meeting, and open for public

inspection in accordance with section 97(1)(c) of the *Community Charter*.

**Quorum**

58. (1) The quorum of a Commission is a majority of all of its members.

**Conduct and Debate**

59. (1) The rules of the Council procedure must be observed during Commission meetings, so far as is possible and unless as otherwise provided in this bylaw.

**PART 10 – GENERAL**

60. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
61. This bylaw may not be amended or repealed and substituted unless Council first give notice in accordance with section 94 of the *Community Charter*.
62. Council Procedure Bylaw Number 2000-045 is hereby repealed.

Read a first, second and third time this 13<sup>th</sup> day of April, 2004.

Adopted by the Municipal Council of the Corporation of the District of Summerland this 26<sup>th</sup> day of April, 2004.

'Tom Johnson'  
Mayor

'Gillian Matthews'  
Corporate Officer

**NOTICE OF MOTION – REGULAR COUNCIL MEETING MONDAY, MARCH 23<sup>rd</sup>, 2015**

'WHEREAS District of Summerland staff inexplicably stopped charging some agricultural properties under two acres for a second service for unmetered irrigation water in 2011;

AND WHEREAS Council on December 8<sup>th</sup>, 2014 (Regular Council Meeting), decided to continue the no charge practice in 2015 on the basis the District would complete an irrigation water rate review and implement new rates in January 2016; and District staff advised affected users on December 16<sup>th</sup>, 2014 (letter attached);

AND WHEREAS there is no guarantee the District will complete its irrigation rate review process in 2015;

AND WHEREAS not charging a class of water users for water services is unfair to other water utility users;

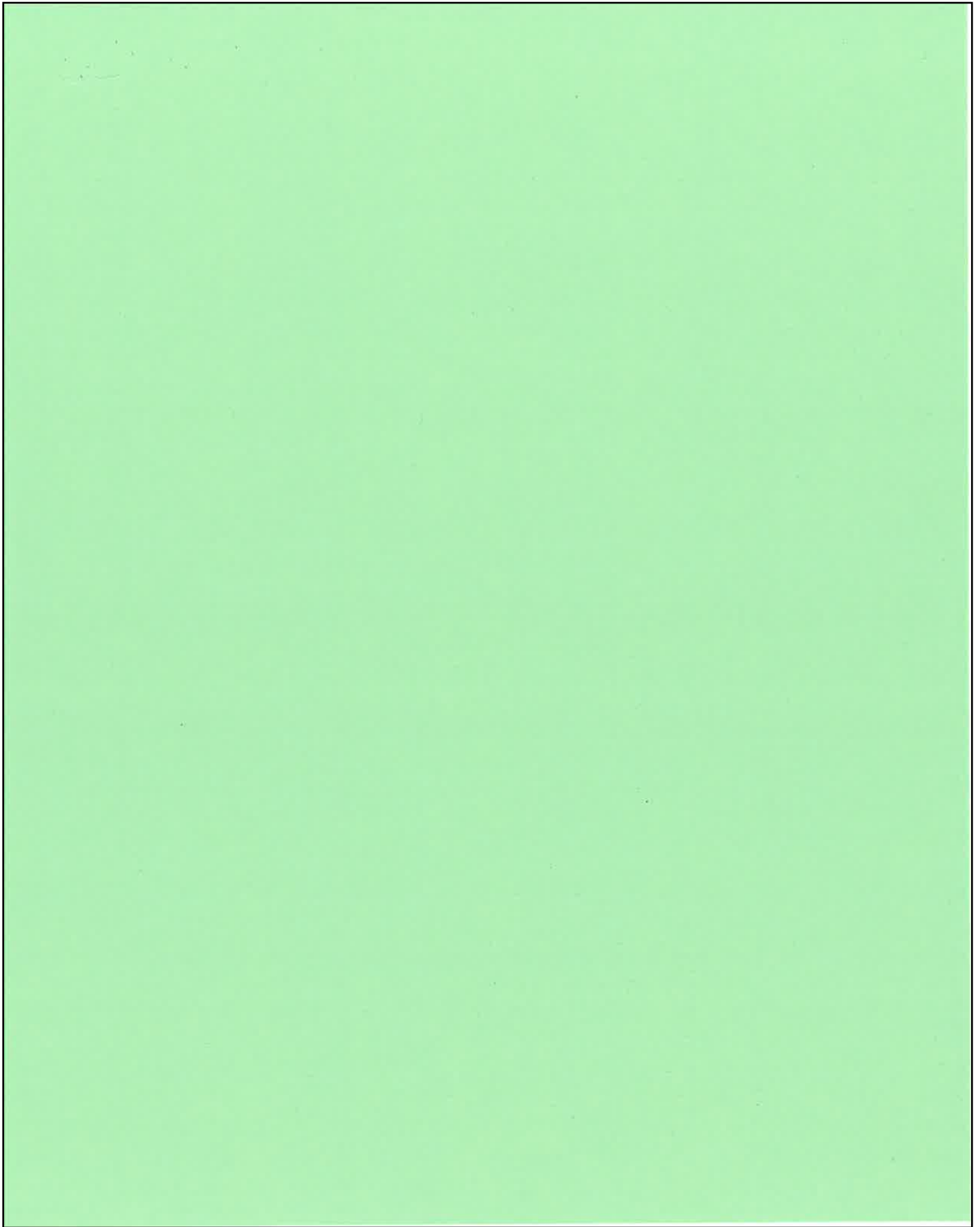
I, Councillor Richard Barkwill, give Council notice that the following motion will be placed for Council consideration on the Monday, March 23<sup>rd</sup>, 2015 Regular Council Meeting Agenda:

THAT Council direct staff to bring a water rate bylaw amendment forward for Council consideration at the April 27<sup>th</sup>, 2015 Regular Council meeting providing a special irrigation rate for those agricultural properties under two acres wanting unmetered irrigation service for the 2015 irrigation season, approximating the 2011 charges.



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SIGNED this 17<sup>th</sup> day of March, 2015.





THE CORPORATION OF THE  
DISTRICT OF SUMMERLAND  
**COUNCIL REPORT**

DATE: December 3, 2014  
TO: Mayor and Council  
FROM: Tom Day, Chief Administrative Officer  
SUBJECT: Amendment to Fees and Charges Bylaw-Second Water Service

---

**STAFF RECOMMENDATION:**

That Bylaw 2014-32, Amendment of Fees and Charges Bylaw 98-001 (Domestic Second Water Service), be read a first, second and third time.

**BACKGROUND AND DISCUSSION:**

In 2014 staff and Council went through a comprehensive public process in order to develop a system of fair and equitable water rates for residential and commercial users. At first it was the intention to look at rates throughout the community (domestic/business/irrigation/farm), but given the variety of users and circumstances it was resolved not to address irrigation and farm water rates until 2015.

As we worked through the process I learned there are a large number of anomalies in the methods that users receive their water service. Each of these variances required thoughtful consideration to ensure a fair rate.

One of the last circumstances considered was those properties under 2 acres that have two services: one with a domestic meter and one without a meter. This was of particular concern because:

- In an effort to ensure adequate revenues in a fee for consumption model all water consumption need be metered. A second unmetered service does not comply with this principle.
- Small parcels with two services may fall between the vastly different category rates between domestic and irrigation/farm.
- Depending on the type of rate category different meters will be provided.
- People may choose to eliminate their second service given that each service will now be charged for.
- Several years ago, in an inexplicable move by Summerland administration, these users were removed from any fee for the second service. They were in fact receiving free water, therefore being subsidized by the remainder of users, for the past 3 years.

In the end the recommendation that was placed before Council was that these second services would be charged a flat monthly fee, arrived at by adding the

domestic service fee plus a modest amount for water consumption. After much discussion this approach was thought best to address the issues noted above.

Recently, hearing from a good number of members of the public (see attachments; additional petition to be provided to Council prior to meeting) I realize we did not ensure adequate public process for those small lot owners with two water services. The conclusion arrived at may have best addressed the multiple difficulties with the circumstances but the decision was not subject to adequate public discussion or notice.

In order to provide that process I am recommending that Council terminate fees for another year on the second service. This will enable public discussion and a more informed decision by property owners (2015 discussions will conclude with a definition of who qualifies for irrigation/ farm rates and what those rates will be, and this will better inform owners as to whether they should keep their second service or not).

FINANCIAL IMPLICATIONS:

This will adversely impact water revenues making less money available for capital projects. However because we were uncertain how many of these users would retain their second service, revenues from these services were understated in our calculations for total required revenue.

CONCLUSION:

The existing Fees and Charges Bylaw will result in properties with a second unmetered service paying an additional fee of \$35.82 per month for the second service should they choose to retain it. Without amending the fees and charges bylaw this change would take effect January 1, 2015.

By deleting this section of the Fees and Charges Bylaw and eliminating the second service fee of \$35.82, the issue of how to deal with properties with two water services can form part of the larger discussion around agriculture and irrigation rates scheduled for 2015.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could choose to retain the Fees and Charges Bylaw as is.

Respectfully Submitted



---

*Chief Administrative Officer*



**THE CORPORATION OF THE DISTRICT OF SUMMERLAND**

**BYLAW NUMBER 2014-032**

**A BYLAW TO AMEND BYLAW NUMBER 98-001, A  
BYLAW TO AUTHORIZE THE CHARGING OF FEES  
FOR VARIOUS MUNICIPAL SERVICES  
(DOMESTIC SECOND WATER SERVICE)**

---

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. That Schedule "B" Water Fees, Charges, Rates and Fines, under heading 'Domestic Water Use', Paragraph 4 – **Domestic Second Water Service, which reads:**

'Where a property is under .81ha (2.0 acres) and there is an existing second water service in place as of July 1<sup>st</sup>, 2014, and the purpose of the second water service is Domestic Seasonal Water Use, the monthly charge shall be \$35.82. This fee includes the supply and system maintenance necessary for each account's access to water and the domestic seasonal water use.'

**be deleted in its' entirety.**

2. This bylaw may be cited as "Bylaw Number 2014-032, Amendment of Fees and Charges Bylaw No. 98-001 (Domestic Second Water Service)."

Read a first, second and third time this      day of      , 2014.

Adopted by Municipal Council of the District of Summerland this      day of      2014.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

RECEIVED

NOV 27 2014

ENGINEERING AND  
PUBLIC WORKS

10615 Front Bench Road,  
Summerland, B.C. V0H1Z0  
November 24, 2014

Mr. Don Darling,  
District of Summerland,  
Box 159,  
Summerland, B.C.  
V0H 1Z0

Dear Mr. Darling,

We would like to request a meeting with you regarding our water situation. We fall into the group of residents with properties between 0.5 and 2 acres of arable land and have a unique situation. When purchasing our property in 1966 we contacted Mr. Ken Blagborne, works superintendent and later mayor, who informed us that the property was one of a handful in this corner of Summerland where the municipality had only installed one water connection per property and that only one water line to the house would be required. He told us our water allotment would be twelve Imperial gallons per minute (an amount we have never fully used). We purchased the property, installed one line, and run our irrigation lines from it. We have been on the irrigation roll and have paid every irrigation bill since 1966.

We indicated by phone that we wanted to keep our irrigation water as we need it for our fruit trees, berries and extensive vegetable garden. Is it possible to consider some sort of grandfathering arrangement in our situation? We also have other concerns we would like to discuss such as the inadequate line on the road allowance portion of Front Bench Road which was installed a number of years ago and has resulted in such low pressure that at times in the summer there is only a dribble of water in the house. We would like to discuss these issues in person. Please call us at 250 494 1513.

Yours truly,



Bill Johnston  
Pat Johnston

cc Peter Waterman, Erin Trainer, Erin Carlson, Doug Holmes, Toni Boot, Richard Barkwill, Janet Peake

Dear City Council

NOV 15/14

With regards to Water Meters.  
I would request my second line  
(which is an irrigation line to  
this property since 1946)  
to be operational May thru  
Sept. @ \$35.00 a month.

This line is only in  
operation those months so  
therefore should not be  
\$35. p.m. when not  
available. Thanks kindly  
I have 1 acre of cherry trees.

Carol Gutsell  
2700 Thonber St  
250 494 1673

RECEIVED

NOV 1 - 2014

ENGINEERING AND  
PUBLIC WORKS

RECEIVED

NOV 18 2014

FINANCE & ADMINISTRATION



## Works and Utilities

8215 Cedar Avenue Box 168, Summerland, BC V0H 1Z0  
Phone: 250-494-0431 Fax: 250-494-3399  
www.summerland.ca

Dear Property Owner(s):

July 31, 2014

Re: **Water Meters**

On January 1, 2015, the District of Summerland will be implementing a new two part water billing system that is comprised of:

1. A mandatory monthly base rate that pays for the costs associated with operating and maintaining the entire District Water Utility, including reservoirs, the water treatment plant and the distribution system, to provide water to your property line, and
2. A metered rate that will be billed based on how much water you use.

Your property has been identified as having two water services of which one of the services is not metered and you have not been billed for water use. The District needs to know if you wish to continue using this second water service because billing for water use on these second water services will commence on January 1, 2015. There are two options outlined below that will assist you in making your decision:

1. You may decide to abandon the second water service because you no longer need it in which case the District will arrange to have the second water service decommissioned at no cost to you, or
2. You may decide to keep the second water service, in which case you will be billed \$35.82 per month flat fee for the use of the second water service. Note that this monthly flat fee is in addition to what you will be billed for your household metered water use and will be billed twelve months per year. It should also be noted that the monthly flat fee of \$35.82 will be under review sometime in 2015. Once the review is complete the second water service will require metering at your cost and will be subject to the applicable fees as revised.

All residents receiving this letter must either visit the Works and Utilities Department at 9215 Cedar Avenue or call us at 250-494-0431. Staff will be happy to answer any questions and provide technical assistance but the District needs to know of your decision by September 15, 2014 in order to make the necessary changes for billing purposes.

This process is an important step in ensuring that all residents are paying for all the water they are using.

Yours truly,

Don Darling, ASCT GSC  
Director of Works and Utilities

cc: Chief Administrative Officer  
Council



## Works and Utilities

9215 Cedar Avenue Box 159, Summerland, BC V0H 1Z0  
Phone: 250 494-0431 Fax: 250 494-3399  
www.summerland.ca

Dear Property Owner(s):

October 29, 2014

**Re: Clarification of Letter Dated July 31, 2014**

According to our records, your property is one of the properties in Summerland that has two water services and should have received the letter dated July 31, 2014 that is on the reverse side of this letter. To clarify the intent of this previous letter we provide the following:

In 2014, the only thing you need to do is decide if you want to continue to use the second service and do one of the following:

1. If you decide **NOT** to keep the second service you need to contact the Works and Utilities Department by the end of the year to avoid being billed for the second service.
2. If you decide to keep your second service you need to contact the Works and Utilities Department to let them know. Residents who confirm that they want to keep the second service, and residents who do not contact the Works and Utilities Department by December 31, 2014, will be billed \$35.82 per month for the second service commencing January 01, 2015.

Please note that installation of a water meter on your second service will **NOT** commence until after the review of irrigator rates, as outlined below, is completed in 2015.

In 2015, the District will be conducting a review of irrigator water rates. The review will also determine what the criteria will be to be eligible for those rates. Once this review is completed, another letter will be sent to you if you have chosen to keep your second service. This letter will outline what the revised irrigator rates will be, whether or not you qualify for these rates, and whether or not you will be required to pay for a second water meter. At that time you will be given another opportunity to decide if you want to keep or abandon the second service.

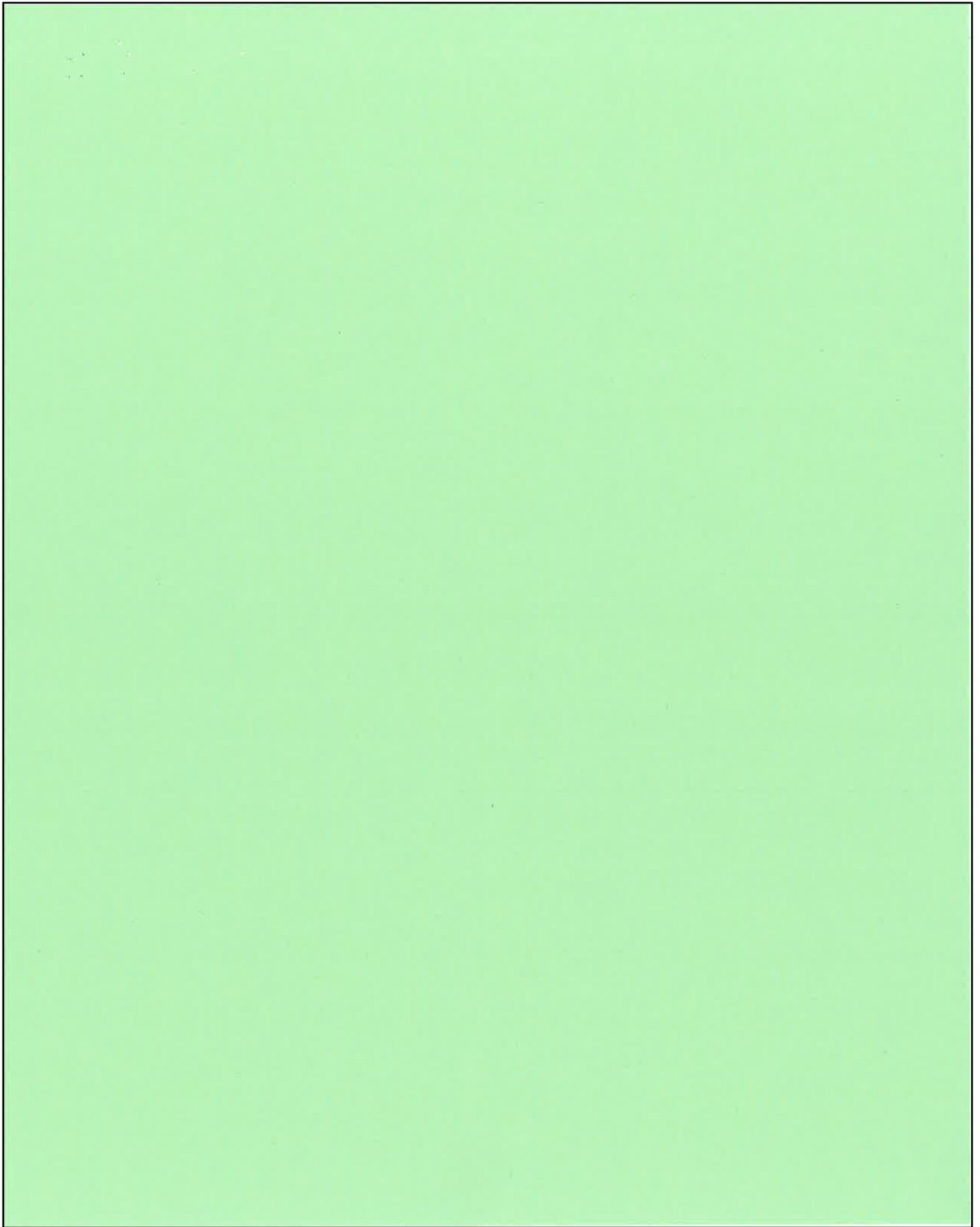
Similar to the domestic water rates review, the review of the irrigator rates will include public consultation through open houses. We would encourage those residents who wish a say in how these rates are applied attend these public open houses so that we can make sure their concerns or suggestions are considered.

As mentioned in our previous letter, this process is an important step in ensuring that all residents are paying for all the water they are using. It is also an effort to provide water to all users in a fair and equitable manner.

Yours truly,

Don Darling, ASCT GSC  
Director of Works and Utilities

cc: Chief Administrative Officer  
Council





## Works and Utilities

9215 Cedar Avenue Box 169, Summerland, BC V0H 1Z0  
Phone: 250 494-0431 Fax: 250 494-3399  
www.summerland.ca

mailed Dec 17/14

December 16, 2014

Dear Property Owner(s):

**Re: Water Meter Second Services**

The District appreciates comments from our residents and we thank you for taking the time to give us your input on the water meter second service charge that was to take effect January 1, 2015. After a review of letters received and meetings with numerous residents who expressed concern about the second service water meter charges, staff submitted a report to Council on Dec. 8, 2014 recommending that the change in fees be reversed and a more in depth public consultation process take place when the agricultural rates are reviewed. Council unanimously supported this resolution.

**What does this all mean?**

1. the Fees and Charges Bylaw has been amended and there will be **no charge** for the use of your second service until a review of agricultural rates and second service use is completed,
2. residents who have a second water service will be permitted to continue use of that service,
3. all second services will be turned on in the spring of 2015. **Note that this includes those second services where residents had responded to previous letters and stated they did not want to keep their second service unless those residents contact our office and reconfirm that they want the second service removed,**
4. public consultation will take place and residents will be provided with opportunities for input on agricultural rates and second service use,
5. there will be no meters installed on second services until the public consultation process has been completed and Council has made their decision as to what, if any, changes need to take place.

Again, we would like to thank residents for their input. We look forward to working with you in 2015 to establish rates that are as fair as possible. If you have any questions regarding this letter please feel free to contact the Works and Utilities Department at 250-494-0431.

Yours truly,

Don Darling, ASCT GSC  
Director of Works and Utilities

cc: Chief Administrative Officer  
Council