



REGULAR COUNCIL MEETING AGENDA

Monday, September 14, 2015 - 7:00 PM
Council Chambers
Municipal Hall, 13211 Henry Ave.
Summerland, BC

Page

1. **Call to Order**

1.1 Call to Order

2. **Adoption of Minutes**

2.1 Adoption of Minutes

Recommended Resolution:

THAT the minutes of the Special and Regular Council meetings held August 24, 2015, and the Special Council meeting held August 27, 2015, be adopted.

3. **Resolution to Adopt the Agenda**

(Introduction of Late Items / Resolution to Amend the Agenda)

3.1 Adoption of Agenda

Recommended Resolution:

THAT the agenda be adopted/amended.

4. **Public and Statutory Hearings**

5. **Delegations**

(maximum 5 minutes per delegation)

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

(2 minutes per speaker)

Comments/Questions must pertain to Agenda Items

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)

7. **Mayor's Report**

8. **CAO's Report**

9. **Unfinished Business**

6 - 16

10. Correspondence

17 - 50

10.1 Informational Items

Recommended Resolution:

THAT the informational items included in the report dated for the September 14, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

51 - 64

10.2 Committee/Commission Minutes

Recommended Resolution:

THAT the committee/commission minutes included in the report dated for the September 14, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

11. Development Services Reports

65 - 69

11.1 Development Variance Permit - 14612 Biagioni Avenue

Recommended Resolution:

THAT a Development Variance Permit application to vary Section 7.3.1 a) of Zoning Bylaw 2000-450 to allow a secondary suite not connected to the municipal sanitary sewer system, for Lot 2, Block 2, DL473, ODYD, Plan 1005, located at 14612 Biagioni Avenue, be denied.

70 - 74

11.2 Development Variance Permit - 15416 Victoria Road

Recommended Resolution:

That a Development Variance Permit application to:

- 1. vary Section 8.1.6.a ii and iii of Zoning Bylaw 2000-450 to reduce the rear and interior side yard setback to 1.5m for an accessory building, and**
- 2. vary Section 8.1.9 (b) to increase the maximum gross floor area of an accessory structure from 100m² to 134m²**

for Lot 2, DL3640, ODYD, Plan 39497, located at 15416 Victoria Road, be approved.

75 - 83

11.3 Official Community Plan and Zoning Bylaw Amendments for District Lot 2895, Osoyoos Division Yale District, Except Plans M66, B12625, KAP55537 and KAP70371 (35888 Garnet Valley Road) - Bylaw No. 2015-025 and Bylaw No. 2015-026

Recommended Resolution:

THAT Bylaw No. 2015-025, "Amendment of Official Community Plan Bylaw (2014) (35888 Garnet Valley Road)" to amend Official Community Plan Bylaw No. 2014-002 to change the OCP land use designation for the property located at 35888 Garnet Valley Road from Open Space to Agricultural, be introduced and read a first time;

AND THAT Bylaw No. 2015-026, "Amendment of Zoning Bylaw No. 2000-450 (Garnet Valley Road)", to amend Zoning Bylaw No. 2000-450 to change the zoning classification of the property located at 35888 Garnet Valley Road from PP-Preservation and Protection to A2 –

Agricultural Large Acreage, be introduced and read a first time;

AND FURTHER THAT a Public Hearing be scheduled for Tuesday, October 13, 2015.

- 84 - 91 11.4 Zoning Bylaw Amendment to allow breweries, distilleries and meaderies in the A1 and A2 Zones - Bylaw No. 2015-024
Recommended Resolution:
THAT Bylaw No. 2015-024, "Amendment to Zoning Bylaw No. 2000-450 (Breweries, Distilleries and Meaderies)", to amend the Zoning Bylaw to allow breweries, distilleries, and meaderies as a permitted use in the A1 and A2 Zones, be introduced and given first reading, and proceed to a Public Hearing scheduled for Tuesday, October 13, 2015.
- 92 - 107 11.5 Zoning Bylaw Amendment for the Hunters Hill Cluster Development (18654 Garnet Valley Road and 19013 Bentley Road) - Bylaw No. 2015-027
Recommended Resolution:
THAT Bylaw No. 2015-027, "Amendment of Zoning Bylaw No. 2000-450 (Hunters Hill Cluster Development)", to allow cluster development on Lot 1, DL 1178, ODYD, Plan KAP91886 (18654 Garnet Valley Rd); and That Part DL 1178 Outlined Red on Plan B1755, ODYD, Except Parts Outlined Red on Plans B5590, B3577 and B7646 and except Plan KAP91886 (19013 Bentley Rd), be introduced and given first reading, and proceed to a Public Hearing scheduled for Tuesday, October 13, 2015;
- AND THAT that final adoption of Bylaw No. 2015-027 be considered in conjunction with a 219 covenant registered on the titles of the properties:***
- i) limiting development to a maximum of 67 lots;***
 - ii) requiring the dedication of a minimum of 28 hectares of the property as park, as a condition of any lot being created through subdivision of the lands that is less than one hectare in area; and***
 - iii) requiring the upgrading of Sanborn Street from Bentley Road to the subject property including a minimum of 7.3m of asphalt and all required utilities as a condition of any lot being created through subdivision of the lands that is less than one hectare in area.***
- 108 - 121 11.6 Development Cost Charges Bylaw Amendment (Small Residential Buildings) - Bylaw No. 2015-023
Recommended Resolution:
THAT Bylaw No. 2015-023, "Amendment of Development Cost Charges Bylaw No. 2000-194 (Small Residential Buildings)", be introduced and read a first, second and third time, and be forwarded to the Provincial Inspector for approval prior to adoption.

12. Staff and Other Reports

- 122 - 189 12.1 Perpetual Slide - Canyon View Road
Recommended Resolution:

THAT Council receive the presentation by Golder Associates Ltd. for information;

THAT Council receive the Perpetual Slide Geotechnical and Hydrogeological Study as prepared by Golder Associates Ltd. dated September 04, 2015;

AND THAT Council direct staff to prepare scope of work and cost estimates, for 2016 budget consideration, for the following work related to Canyon View Road:

- **land use planning measures**
- **survey monitoring program**
- **intrusive field investigation**
- **flood mitigation options**
- **collection of water use information and**
- **bylaw measures.**

190 - 194

12.2 **2016 Permissive Tax Exemption Bylaw**

Recommended Resolution:

THAT a special Committee of the Whole meeting be scheduled for September 29, 2015 at 7:00 pm in the Council Chambers, to review the applications for 2016 permissive tax exemptions and that the meeting be advertised in the Summerland Review.

195 - 196

12.3 **Appointment of Deputy Corporate Officer**

Recommended Resolution:

THAT the appointment of the Chief Administrative Officer as Deputy Corporate Officer be rescinded;

AND THAT in the absence of the Corporate Officer, the Deputy Corporate Officer be appointed to act in the Corporate Officer's position, with all the same powers, duties and functions as established by Section 148 of the Community Charter.

197 - 200

12.4 **The Summerland Health-Care Auxiliary**

Recommended Resolution:

THAT staff be directed to work with the Summerland Health-Care Auxiliary to find a suitable location for their trailer on District of Summerland property, and if successful, that the District of Summerland provide the use of this property to the Summerland Health-Care Auxiliary for this purpose at no cost for a renewable term of 5 years;

AND THAT the Mayor and Corporate Officer be authorized to execute all documents related to this matter.

201 - 203

12.5 **Crown Land Tenure - Summerland Yacht Club**

Recommended Resolution:

THAT the District of Summerland's application for a Crown Land

Tenure with the Province of British Columbia for a lease of properties “DL 5226 PL 63084” and “DL 2208”, located at 13209 Lakeshore Drive South, to allow for a sublease of this property to the Summerland Yacht Club, be endorsed.

12.6 **Skateboard Park Committee**

* Report to follow

13. New Business

14. Bylaws

204 - 206

14.1 **Outdoor Smoking Regulation Bylaw No. 2015-020**

Recommended Resolution:

THAT "Outdoor Smoking Regulation Bylaw No. 2015-020", be read a third time.

15. Councillor Reports

16. Public/Media Question Period

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

17. Adjournment

17.1 **Adjourn Meeting**

Recommended resolution:

THAT the meeting be adjourned.



MINUTES OF THE SPECIAL COUNCIL
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, AUGUST 24, 2015

Members Present:

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

Members Absent:

Staff Present:

Linda Tynan, CAO

1. CALL TO ORDER

The meeting was called to order at 8:30 a.m.

2. ADOPTION OF AGENDA

Moved and Seconded,

THAT the agenda be adopted.

R229-2015

CARRIED.

3. RESOLUTION TO CLOSE MEETING TO THE PUBLIC

Moved and Seconded,

THAT this meeting now be closed to the public pursuant to Sections 90(1)(c) and (e) of the Community Charter for Council to discuss:

- labour relations or other employee relations; and
- the acquisition, disposition or expropriation of land or improvements.

R230-2015

CARRIED.

4. ADJOURNMENT

Moved and Seconded,

THAT the meeting be adjourned.

CARRIED.

The meeting was adjourned at 10:15 a.m.

Certified Correct:

Mayor

Corporate Officer



MINUTES OF THE REGULAR COUNCIL
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, AUGUST 24, 2015

Members Present:

Mayor Peter Waterman
Councillor Richard Barkwill
Councillor Toni Boot
Councillor Erin Carlson
Councillor Doug Holmes (part)
Councillor Janet Peake
Councillor Erin Trainer

Staff Present:

Linda Tynan, CAO
Lorrie Coates, Director of Finance
Jeremy Denegar, Director of Corporate Services
Katie Karn, Deputy Corporate Officer

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

2. ADOPTION OF MINUTES

Moved and Seconded,

THAT the Special and Regular Council meeting minutes dated August 10, 2015, be adopted.

R231-2015

CARRIED.

3. RESOLUTION TO ADOPT THE AGENDA

Moved and Seconded,

THAT the agenda be adopted as amended, adding "Summerland Healthy Communities Partnership" as item 13.1; and "Regular Meeting of Council on September 28, 2015", as item 13.2, under New Business.

R232-2015

CARRIED.

4. PUBLIC AND STATUTORY HEARINGS

None.

5. DELEGATIONS

Councillor Holmes declared a conflict of interest with the following item, as he is on the Board of the Lakeshore Racquets Club, and left the meeting at 7:01 p.m.

5.1 Colleen Power, Secretary, Lakeshore Racquets Club, regarding the Lakeshore Racquets Club, and permissive tax exemptions

Colleen Power spoke to her powerpoint presentation, providing an overview of the history of and services offered by the Lakeshore Racquets Club. She noted that over the course of the years, the Club's property taxes have grown significantly, and concluded by requesting fair and equitable treatment in the application of permissive tax exemptions.

Moved and Seconded,

THAT the delegation of Colleen Power, regarding the Lakeshore Racquets Club, be received.

R233-2015

CARRIED.

Councillor Holmes returned to the meeting at 7:15 p.m.

5.2 Henry Sielmann, Chair, Trail of the Okanagans Committee, regarding the ceremonies of the lakeside trail, and the Fur Brigade Trail project

Henry Sielmann spoke to his powerpoint presentation, noting the Trail of the Okanagans is a volunteer group, advocating for a continuous cycling and hiking trail; he provided an update on the Lakeside Recreational Parkway, noting the committee is hoping to have a cycling map erected at the south end of the trail; provided a summary of the Fur Brigade Trail Project; and spoke to the hope for a continued relationship with the District of Summerland.

Moved and Seconded,

THAT the delegation of Henry Sielmann, regarding the Trail of the Okanagans Committee, be received.

R234-2015

CARRIED.

6. PUBLIC COMMENT OPPORTUNITY - 15 MINUTES MAXIMUM

6.1 Comments from Members of the Public

Christopher Boisvert-Gilman, 13218 North Victoria Road

- Commented on various aspects of backyard chicken care, including public health, chicken health, and economic impact.

Lauren Holler, 8242 Pierre Drive

- Commented in support of the proposed Backyard Chicken Bylaw.

Aleshia Holler, 11120 Prairie Valley Road

- Commented in support of the proposed Backyard Chicken Bylaw.

Juanita Laye, 8230 Pierre Drive

- Commented on concerns regarding enforcement of the proposed Backyard Chicken Bylaw.

Jim Laye, 8230 Pierre Drive

- Spoke regarding the keeping of backyard chickens, including canvassing of neighbours to gather their opinion of backyard chickens, issues with his neighbour's chicken coop, and legal restrictions against keeping chickens contained in a Building Scheme registered with Land Titles for his and his neighbour's properties.

7. MAYOR'S REPORT

The Mayor provided his report, highlighting the ongoing draught and current wildfire situation faced by much of the province, as well as discussion regarding the salmon rehabilitation project taking place in the Chanel Parkway in Penticton.

8. CAO'S REPORT

The Chief Administrative Officer reported that on August 15, 2015, at the request of the Regional District of Okanagan-Similkameen, four of the District's Emergency Support Services members were dispatched to assist with the wild fires burning near Oliver, BC, by manning the reception center.

9. UNFINISHED BUSINESS

9.1 Resolution(s) Brought Forward

None.

10. CORRESPONDENCE

10.1 Informational Items

Moved and Seconded,

THAT the informational items included in the report dated for the August 24, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

R235-2015

CARRIED.

11. DEVELOPMENT SERVICES REPORTS

11.1 Development Variance Permit - Lot 1, DL 454, ODYD, Plan 3709 (17016 Logie Road)

Moved and Seconded,

THAT a Development Variance Permit to vary Section 4.8.1 (a) of Zoning Bylaw 2000-450, to allow a swimming pool to be located in the front yard of Lot 1, DL 454, ODYD, Plan 3709, be approved.

R236-2015

CARRIED.

12. STAFF AND OTHER REPORTS

12.1 Park and Trail Naming Policy No. 100.15

Moved and Seconded,

THAT Park and Trail Naming Policy No. 100.15, as attached to the report dated August 24, 2015 from the Director of Corporate Services, be approved.

R237-2015

CARRIED.

12.2 Summerland Food Bank and Resource Centre - Request for Letter of Support

Moved and Seconded,

THAT a letter of support be provided to the Summerland Food Bank and Resource Centre, in support of its Community Gaming Grant application.

R238-2015

CARRIED.

12.3 Skateboard Park

Moved and Seconded,

THAT Council direct staff to work on establishing a skateboard park committee and to bring back a proposed format and terms of reference to an upcoming Council meeting.

R239-2015

CARRIED.

13. NEW BUSINESS

13.1 Summerland Healthy Communities Partnership

The Chief Administrative Officer reported that the District of Summerland has been approached to be the host agency for a University of Victoria Masters student in a Healthy Communities Partnership, and that Interior Health has agreed to oversee the individual.

Moved and Seconded,

THAT the proposed Healthy Communities partnership between Interior Health, the District of Summerland and the University of Victoria, to continue to improve the health of the community by reducing chronic disease and obesity, be supported; that the District of Summerland agree to be the host agency for a University of Victoria Masters in Public Health student to complete her practicum between September 2015 and April 2016, which will focus on support for the continued development of the Summerland Healthy Community group; and further that the Chief Administrative Officer be authorized to execute the formal agreement for this partnership.

R240-2015

CARRIED.

13.2 Regular Meeting of Council on September 28, 2015

The Chief Administrative Officer noted the proximity of the September 28, 2015 Regular Council meeting to the Union of British Columbia Municipalities' annual convention, taking place September 21 to 25, 2015, remarking there may be limited time to prepare a full agenda for September 28, 2015.

Moved and Seconded,

THAT the September 28, 2015 Regular Meeting of Council be cancelled.

R241-2015

CARRIED.

14. BYLAWS

14.1 Outdoor Smoking Regulation Bylaw No. 2015-020

Moved and Seconded,

THAT "Outdoor Smoking Regulation Bylaw No. 15-020", be read a first and second time.

R242-2015

CARRIED.

14.2 Animal Control Amendment (Backyard Chickens) Bylaw No. 2015-022

Moved and Seconded,

1. THAT "Animal Control Amendment (Backyard Chickens) Bylaw No. 2015-022", be read a first and second time; and

2. THAT staff be directed to implement a process to encourage public input regarding the proposed Backyard Chickens Bylaw, prior to third reading.

R243-2015

CARRIED.

14.3 Amendment of Fees and Charges Bylaw No. 98-001 (Electric Fees and Charges) Bylaw No. 2015-021

Moved and Seconded,

THAT "Bylaw No. 2015-021, Amendment of Fees and Charges Bylaw No. 98-001 (Electric Fees and Charges)", be read a first, second and third time.

R244-2015

CARRIED.

Moved and Seconded,

THAT a Special Meeting of Council be held on August 27, 2015, to present "Bylaw No. 2015-021, Amendment of Fees and Charges Bylaw No. 98-001 (Electric Fees and Charges)" for adoption.

R245-2015

CARRIED.

14.4 Amendment of the Fees and Charges Bylaw (Busking Permit)

Moved and Seconded,

THAT Bylaw No. 2015-019, "Amendment of Fees and Charges Bylaw No. 98-001 (Busking Permit)", be adopted.

R246-2015

CARRIED.

15. COUNCILLOR REPORTS

16. PUBLIC/MEDIA QUESTION PERIOD

16.1 Comments/Questions from Members of Public:

Christopher Boisvert-Gilman, 13218 North Victoria Road

- Spoke about backyard chickens, specifically regarding issues of health/welfare of chickens, attraction of pests and vermin, and restriction on the sale of eggs.

John Bubb, 15317 Prairie Valley Road, Summerland Food Bank

- Thanked Council for its support of the Summerland Food Bank.
- Spoke of his concern regarding the impact of ever-increasing electrical rates.

Eric Thompson, Summerland

- Spoke in support of the planned rainbow painted crosswalks in Summerland, and their representation of the community's openness, inclusiveness, and diversity.

17. ADJOURNMENT

Moved and Seconded,

THAT the meeting be adjourned.

CARRIED.

The meeting was adjourned at 9:06 p.m.

Certified Correct:

Mayor

Corporate Officer



MINUTES OF THE SPECIAL COUNCIL
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON THURSDAY, AUGUST 27, 2015 – 8:30 AM

Members Present:

Mayor Peter Waterman
Councillor Richard Barkwill
Councillor Toni Boot
Councillor Erin Carlson
Councillor Doug Holmes
Councillor Erin Trainer

Members Absent:

Councillor Janet Peake

Staff Present:

Linda Tynan, CAO
Lorrie Coates, Director of Finance
Jeremy Denegar, Director of Corporate Services
Katie Karn, Deputy Corporate Officer

1. CALL TO ORDER

1.1 Call to Order

Meeting called to order at 8:33 AM.

2. ADOPTION OF AGENDA

2.1 Adoption of Agenda

Moved and Seconded,
THAT the agenda be adopted.

Carried

3. BYLAWS

3.1 Amendment of Fees and Charges Bylaw No. 98-001 (Electric Fees and Charges) Bylaw No. 2015-021

Moved and Seconded,
THAT "Bylaw No. 2015-021, Amendment of Fees and Charges Bylaw No. 98-001 (Electric Fees and Charges)", be adopted.

Carried

4. ADJOURNMENT

4.1 Adjourn Meeting

Moved and Seconded,
THAT the meeting be adjourned.

Carried

Meeting adjourned at 8:34 AM.

Certified Correct:

Mayor

Corporate Officer

DRAFT

THE CORPORATION OF THE DISTRICT OF SUMMERLAND
ITEM 10.1 - CORRESPONDENCE – INFORMATIONAL ITEMS

DATE September 14, 2015 – Regular Council Meeting

RECOMMENDATION:

THAT the following correspondence be received by Council for information.

ITEMS SUMMARY:

The following items of correspondence and interest have been received since the last meeting of Council.

CORRESPONDENCE

	SENDER	SUBJECT	ACTION
1.	Development Services	Building Statistics	Receive for information
2.	Development Services	Planning Report	Receive for information
3.	Regional District of Okanagan-Similkameen	Prevention of Quagga/Zebra Mussels entering waterways	Forwarded to the Shared Environmental Planner
4.	Regional District of Okanagan-Similkameen	Regional Economic Development Bylaw No. 2695, 2015	Receive for information
5.	Selina Robinson, MLA, Opposition Spokesperson for Local Government	Opportunities to meet at the 2015 UBCM Conference	Receive for information
6.	Township of Spallumcheen	Standard Response Protocol for Blue-Green Algae Blooms	Receive for information
7.	Okanagan Regional Library	New Summerland Library	Receive for information
8.	College of Applied Biology	Contracting registered applied biology professionals	Receive for information
9.	The Lung Association of British Columbia	Public health risk of radon gas	Receive for information

OUTSTANDING ITEMS

Outstanding resolutions	Receive for information
Outstanding tasks	Receive for information

Note: Unless items listed are dealt with specifically by Council, staff will respond to requests, referrals and issues where appropriate and as outlined by District Policy and as indicated on each item.

AUTHOR:

Katie Karn
KATIE KARN, DEPUTY CORPORATE OFFICER

REVIEWED BY:

Linda Tynan
LINDA TYNAN, CHIEF ADMINISTRATIVE OFFICER

Building Statistics Summary

Period From : Aug 2015 - Aug 2015

Year : 2015

Display Area Permit Billing : Yes

Display Area Project Value : Yes

Area Code : All

Area Status : All

Area Rate Type : All

BUILDING PERMIT

These BUILDING PERMIT(S) ISSUED can be broken down as follows:

2	ENGINEERED	107,000.00
5	SINGLE FAMILY DWELLING	1,592,000.00
4	RESIDENTIAL ADDITIONS & ACCESS	79,500.00
1	GARAGES & CARPORTS	11,000.00
1	FARM & AGRICULTURE BUILDINGS	100,000.00
1	COMMERCIAL ADDITIONS/ALTER	300,000.00
1	INSTITUTIONAL NEW	431,000.00
1	ADDITIONAL FEES FOR REPEAT INSPECTIONS	0.00
1	SECONDARY SUITE	5,000.00
4	RESIDENTIAL - RENOVATIONS	404,000.00
1	PLUMBING / WATER LINE	0.00
1	CARRIAGE HOME	129,000.00
23		3,158,500.00

These BUILDING PERMIT COMPLETED can be broken down as follows:

1	SINGLE FAMILY DWELLING	404,000.00
2	RESIDENTIAL ADDITIONS & ACCESS	30,200.00
4	GARAGES & CARPORTS	116,000.00
1	COMMERCIAL ADDITIONS/ALTER	2,000.00
1	ADDITIONAL FEES FOR REPEAT INSPECTIONS	0.00
3	RESIDENTIAL - RENOVATIONS	22,000.00
3	SINGLE FAMILY DWELLING FULLY ENGINEERE	1,225,000.00
15		1,799,200.00

The comparative analysis of the permits issued is shown in these statistics :

	For the Month		Year to Date	
2015	3,158,500.00	24 permits	16,305,000.00	135 permits
2014	428,000.00	11 permits	5,780,500.00	88 permits
2013	31,500.00	6 permits	10,258,300.00	101 permits
2012	1,197,300.00	12 permits	13,899,750.00	120 permits
2011	1,593,000.00	8 permits	15,136,500.00	85 permits

Respectfully submitted,

*

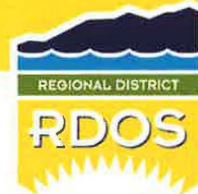
Chief Building Inspector

Monthly Planning Report for August 2015

<i>ApplicationType</i>	<i>This month</i>	<i>2015 to date</i>	<i>Total for 2014</i>	<i>Street</i>	<i>Address</i>	<i>Application Date</i>	<i>Approved Date</i>
<i>ALR</i>	0	1	2				--
<i>Amend Covenant</i>	0	0	0				--
<i>Board of Variance</i>	0	0	1				--
<i>Bylaw Enforcement</i>	0	0	0				--
<i>Development Permit</i>	0	7	17				--
<i>Liquor License</i>	0	0	0				--
<i>OCP</i>	0	0	2				--
<i>OCP/Rezone</i>	0	0	0				--
<i>Rezone</i>	1	6	7				--
			1614	NIXON RD	5818	Aug-21-2015	--
<i>Section 57 Notice</i>	0	0	0				--
<i>Strata</i>	0	0	0				--
<i>Subdivision</i>	1	8	12				--
			1605	BLAGBORNE AVE	12406	Aug-7-2015	--
<i>Totals</i>	6	36	51				

<i>ApplicationType</i>	<i>This month</i>	<i>2015 to date</i>	<i>Total for 2014</i>	<i>Street</i>	<i>Address</i>	<i>Application Date</i>	<i>Approved Date</i>
<i>Variance Permit</i>	4	14	10				
				1608	BIAGIONI AVE	14612	--
				1612	RUTHERFORD AVE	10806	--
				1611	RUTHERFORD AVE	10811	--
				1610	VICTORIA RD	15416	--
<i>Wharf</i>	0	0	0				
						--	--
<i>Totals</i>	6	36	51				

101 Martin Street, Penticton, British Columbia V2A 5J9
Tel: 250.492.0237 Fax: 250.492.0063
Toll Free: 877.610.3737
Email: info@rdos.bc.ca



OKANAGAN-SIMILKAMEEN	
File:	5330.20
Circulated:	For agenda
Copy to:	
Action:	8

August 20, 2015

Mr. Jeremy Denegar
District of Summerland
PO Box 159
Summerland, BC V0H 1Z0

Dear Mr. Denegar:

Re: Prevention of Quagga/Zebra Mussels entering Waterways

At the August 20, 2015 Regular Board Meeting, the Board of Directors discussed and subsequently passed the following resolution:

"THAT the Board of Directors approve taking an inventory of all Electoral Area boat launches, marinas and recreational launch points for appropriate signage for the prevention of the spread of Quagga/Zebra Mussels.

THAT Member Municipalities be requested to consider endorsement and provide inventories to be included in overall South Okanagan inventory of Quagga/Zebra signage. – Carried"

I have enclosed the following information which may be of assistance:

- Letter from Zoe Kirk, RDOS Public Works Projects Coordinator
- Maps of area beaches and boat launches
- Inventory Spreadsheet
- Photos of signage we want to avoid
- Staff report

If you have any questions, please don't hesitate to call me (250-490-4146) or Zoe (250-490-4110).

Yours truly,

Christy Malden
Manager of Legislative Services

Enclosures (9)

www.rdos.bc.ca

July 2015,

Hello all:

RDOS (through the 2015 RBC Blue Water Project Grant) via Lisa Scott from OASISS is conducting education and outreach for the prevention of the quagga/zebra mussel entering Okanagan/Similkameen waterways. We are strategically working alongside many partners to accomplish this task while trying our best not to duplicate efforts. This is why we are contacting you today – to ask for your help.

It has come to our attention that the signage at Okanagan boat launches and marinas, whether regional, municipal or Provincial has some issues. Some have one sign, some two and some have no signs. The first initial signage developed by the Ministry of Environment through Invasive Species Council of BC (ISCBC) now has an outdated call to action phone number. The ISCBC is producing a sticker to update the number (which is now the RAPP Line # 1-877-952-7277) to reduce the amount of new signage that needs to be erected. The Ministry is currently working on an updated version of the sign and will get these out to launches and marinas that do not have any signage as of yet, or if the old sign is damaged. The OBWB also produced signage and has distributed signs throughout the valley on a pre-ordered basis.

What all the partners collectively do not have is a comprehensive list of what signage is where. If it is possible, could each RDOS Board member take this information back to your offices and task someone to visit each boat launch and marina in your jurisdiction to photograph and address each sign, and send it to me? That way we can efficiently replace outdated numbers, remove sign pollution where two or more signs with the same message are placed (see photo below of Peachland where they were placed side by side) and most importantly make sure all recreational launch points have appropriate signage.

I have prepared and attached a spreadsheet that will make the job much easier to complete.



New OBWB signage



Old signage with wrong # if it has 1-800-WEEDSBC

If you have any questions or concerns, please do not hesitate to call me,
Regards,
Zoe Kirk – 250-490-4110 direct line

RDOS- Zoe Kirk

QUAGGA/ZEBRA MUSSEL
BOAT LAUNCH/MARINA SIGNAGE

August 2015

Electoral Area or Municipality	Boat Launch	Marina	Other	Address/GPS Coord/Description	# of signs	Old signage wrong #	OBWB signage	Other	Photos	Notes
Penticton	X			1234 Boat Launch Road	2	X	X		Y #2 & 3	spaced apart, need sticker for new #

Further notes

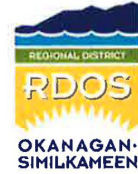
Correct ph # is 1-877-952-7277





ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: July 16, 2015
RE: Boat Launch and Marina Signage Inventory



Administrative Recommendation:

THAT the Board of Directors approve taking an inventory of all Electoral Area boat launches, marinas and recreational launch points for appropriate signage for the prevention of the spread of Quagga/Zebra Mussels.

THAT Member Municipalities be requested to consider endorsement and provide inventories to be included in overall South Okanagan inventory of Quagga/Zebra signage.

Reference:

- 2015 OBWB/OASISS educational outreach initiative to the public – using summer students to inform residents and visitors of the dangers of quagga/zebra mussels and other aquatic Invasive Species: monthly update to Board

History:

Over the past few years, the threat of quagga/zebra mussels entering Okanagan waterways is increasing. The USA and Alberta have increased patrols and decontamination stations in efforts to stop the mussels from spreading into the Northwest.

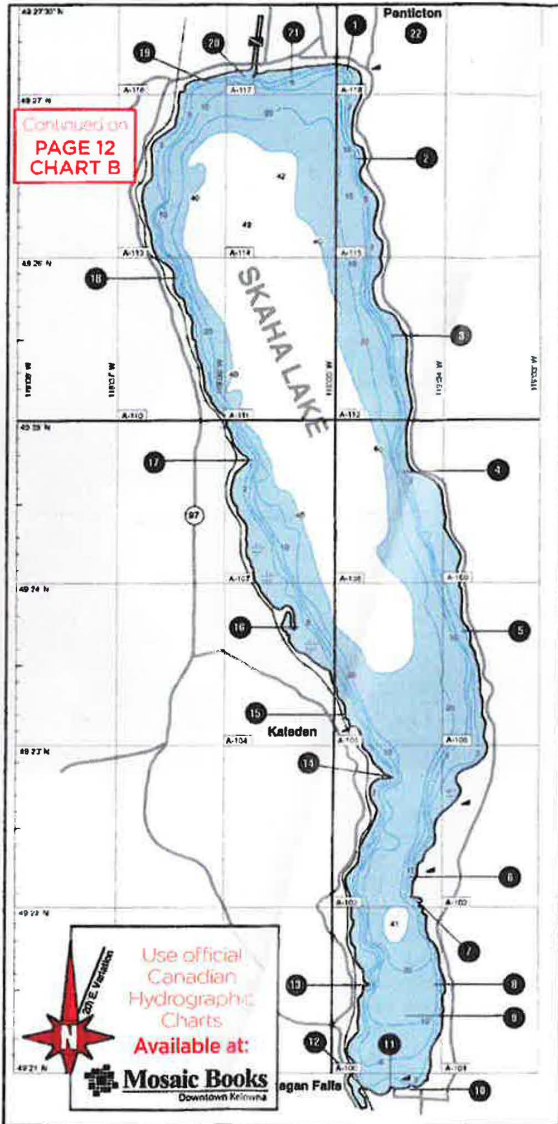
BC has lagged in its response and as a result, local governments and agencies have stepped in to try to fill the gap, while petitioning the Province to elevate its participation. The Okanagan Basin Water Board (OBWB) over the past two years has provided Lisa Scott and the Okanagan and Similkameen Invasive Species Society (OASISS) a small block of funding to conduct public outreach.

Current Status:

This year, the Province has upped its commitment and participation to stop the spread of mussels, both by adding decontamination stations and creating rapid response objectives undertaken by the Conservation Officer Service. The province is also vested in messaging and would like to work with local governments and the RDOS to make sure the area is well signed.


2014/15 the OBWB developed Okanagan specific “Don’t Move a Mussel” signage and there is some existing signage developed by the Ministry of Environment. As a result, signage at Okanagan boat launches and marinas, whether regional, municipal or Provincial has some issues. Some have one sign, some two and some have no signs. The first initial signage developed by the Ministry of Environment

A Skaha Lake



1. Beautiful beaches and concessions by the park.
2. Private beaches and docks past the breakwater for 800 m south. Rocky shores - no beaching.
3. Marshy area with rocky shores. No beaching for 800 m south.
4. Small boat launch - marshy areas on both sides and shallow water.
5. Some residential areas with private beaches and docks. Shallow water with rocky shores - no beaching.
6. Private beaches north and south of the boat launch - located in the center of a residential area.
7. Scenic area within a quiet, picturesque bay - a large brown house rests on an immense rock outcrop along the shore line.

8. Residential area with private beaches and docks to the south end of the lake. No beaching.
9. Two red channel marker buoys - not to be used as moorage buoys.
10. Very nice large park. Pull up a picnic table and enjoy the vista.
11. Do not anchor near the six foot cable sign and stay clear of the island.
12. Kiwanis Gardens - For your utility and enjoyment. Picnic tables, park benches, lagoons, and a walking bridge constitute this beautiful park. Do not enter the old trestle area to the north and there are private beaches and docks to the east.
13. Nice log home located on the point. Rocky shores south of the trestles and for 1.6 km north - no beaching.
14. Ponderosa Point - Private beach - no PWC's in the bay. The bay provides shelter from north and south winds.
15. Kaleden Pioneer Park - A very old, large, abandoned stone building which stands four stories high and rests in the park. It was dedicated to the founder, James Ritchie, and to the pioneering families who helped settle and develop Kaleden on April 25, 1982. There is a boat launch and fire pits but overnight camping is not permitted - stay clear of swimming areas.
16. Do not enter this area as the water is very shallow and marshy - rocky shores for 1.6 km south.
17. Shelter from the north winds to the south of the point and from south winds to the north.
18. Rocky shores with marshy areas. No beaching up to the north end of the lake.
19. A beautiful beach that is perfect for beaching and enjoying the summer sun. The Penticton airport is just past the highway. Be wary of the constant flow of traffic in this part of the lake.
20. Okanagan River Channel - Do not enter this channel at any time as it is usually saturated with people on tubes.
21. Skaha Beach - Large beaches, concessions, change rooms, a children's playground, volleyball and tennis courts make up this great, family-oriented beach.
22. Penticton - To the nomadic Salish Natives "Pen-Tak-Tin" meant, roughly, that "this was a place to stay forever." While gazing upon the area, in 1866, Tom Ellis agreed - he built a great cattle ranch and planted a few fruit trees. Fifty years later the orchards had spread across the ranch lands and today, the beautiful ranches and the multitude of fruit trees make Penticton a great place to visit and live as thousands of residents will attest.





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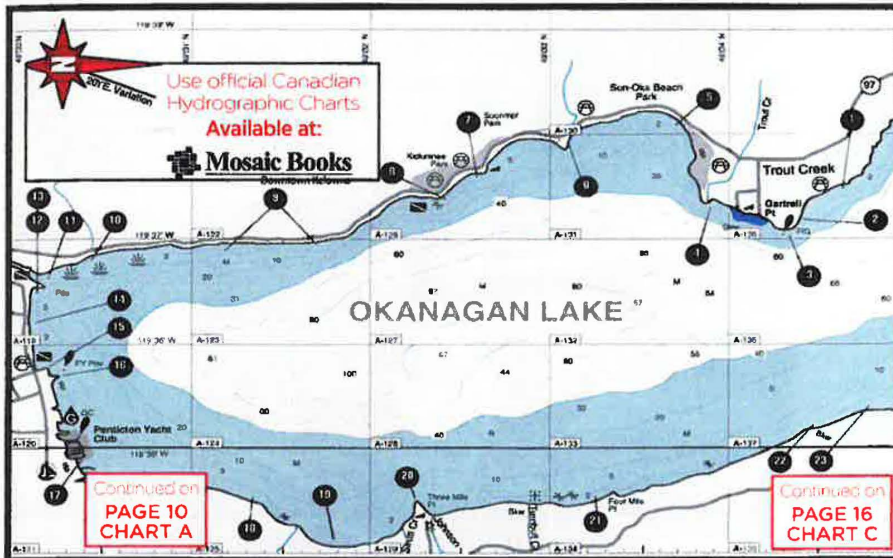
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110 Riverside Drive, Penticton, BC

B Penticton



1. Shallow bay with shelter from south winds. Private beaches and docks so no beaching for 800 m north.

2. Powell Beach - Nice sandy beaches southeast of the light with picnic tables, washrooms, tennis court and a children's playground - provides shelter from south winds.

3. Gartrell Point - Light - Named after James Gartrell who, in May 1885, owned the first commercial orchard in the Okanagan Valley. Do not enter the small private canal.

4. Steadfast Canadian flag by Trout Creek - Respect private beaches and docks. Boat launch is located south of the south point at the end of the road.

5. Sun-Oka Beach Park - A beautiful bay with sandy beaching areas in the west corner and the east end. Picnic tables, fire pits, washrooms and a children's playground sit on 550 meters of shoreline. Shelter from north winds here along with a marked swimming area, beaching and camping from 7:00am until dusk.

6. Pyramid Picnic Park - Nice beaching areas with picnic tables and washrooms. Shelter is provided from south winds to the north.

7. Soorimpt Picnic Park - Sandy beaching area with picnic tables, a washroom and a boat launch. Shelter from south winds on the north side.

8. Kickinnee Park - A good day-use, sandy beaching area with picnic tables and a washroom. Watch for rocks and beach with care. Divers - novice discovery item; there is a boat at the bottom.

9. Marshy areas and a rocky shore situated in and around shallow water. There is no beaching from Kickinnee Park south to the channel.

10. Private beaches with two large docks.

11. Okanagan River Channel - Do not enter this area and stay clear of the old pilings. It is the only connection from Okanagan Lake to Skaha Lake. Good drift diving and snorkeling.

12. S.S. Naramata - In 1913, the second ever CPR tug boat went into service on the Okanagan Lake. It was built at Port Arthur, Ontario by the Port Arthur Drydock & Shipbuilding Company and was assembled at Okanagan Landing. It is 89 feet, 8 inches long and has a beam of 19 feet, 5

inches. When necessary it was used as an icebreaker. On the date of May 18, 1965, the S.S. Naramata experienced its last working voyage and was then towed to its present location. There is an old wharf in the area - watch for pilings.

13. S.S. Sicamous - She was the queen of Lake Okanagan and the show piece of the valley. Built in 1914 and costing \$180,000, she cruised the Okanagan Lake for more than three decades under Captains like Estabrooks, W. Kirby, G. Robertson and the unforgettable Joe Weeks. The daily passenger service from Kelowna to Penticton was discontinued in 1931. On July 23, 1937, the S.S. Sicamous transported passengers for the last time.

14. Okanagan Beach - Beautiful, sandy beaches containing washrooms, a children's playground and a marked swimming area. Boats are not allowed between the shore and the markers but offshore day anchorage is permitted. There is a good selection of restaurants and accommodations across the road from the beach.

15. Rotary Park - Sandy beaches, picnic tables and a playground - the start and finish points of the annual 2.4km swim, 112km. bike ride, 26.2km run Ironman Canada Triathlon Championship.

16. Kiwanis Walking Pier - Light - The Canadian, British Columbia and United States flags are flown here. There is a large public beach on the east side and a beaching area on the west side of the pier.

17. Penticton Yacht Club (250-492-2853) - Washrooms and showers are made available for members and guests. There is a boat launch in the east bay behind rock break water.

18. Pebble and sandy beaches north to the point - beach with care. Beaching is difficult beneath the rock walls but a very secluded area awaits those who endeavor. There are some less risky beaching areas to the south.

19. A beautiful bay with rocky shores. Respect the private property signs to the south but some secluded beaching can be found at the north end of the bay which will provide shelter from north winds.

20. Three Mile Beach - Fire pit, washrooms and a boat launch are located here. There is a nice beach south of the point. Nice beaches north of the point with a swimming area and shelter from south winds.

21. Two large estates at the point with small beaching areas to the south.

22. Private beaches and docks on the point. Small beaching areas south 1.6 km. Careful of underwater hazards here.

23. Large home with a rock retaining wall - some beaching areas.

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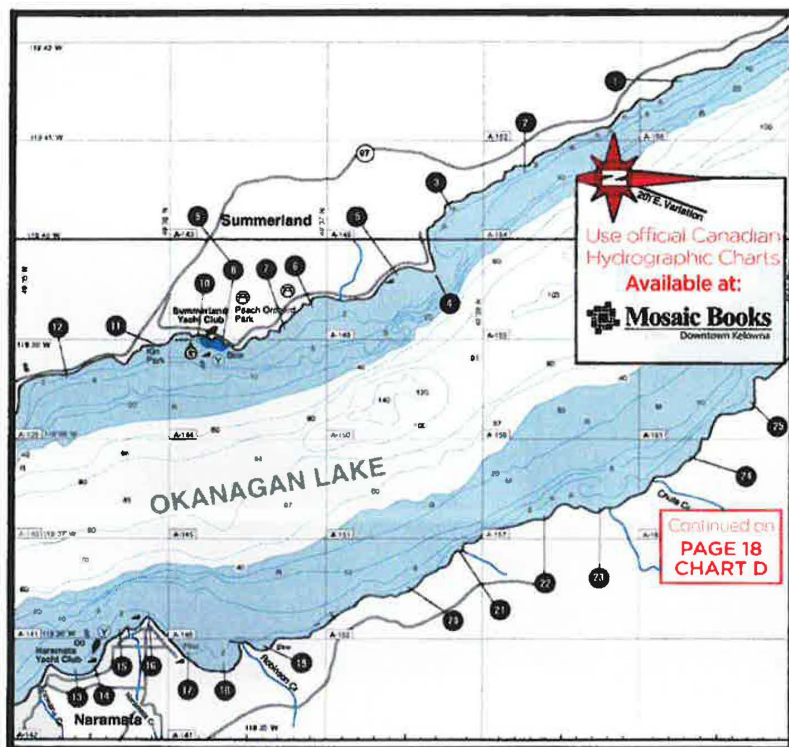
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C Summerland



1. Some nice secluded beaching areas but beach with care.
2. Pebble day-beaches.
3. A nice secluded bay with sandy beaches - provides shelter from south winds. Beach with care.
4. Private beaches and docks located on both sides of the point. There is very shallow water for 500 feet offshore up to the S.Y.C. orange marker.
5. The public boat launch is hard to see but there is a beaching area in the north corner of the bay which provides shelter from north winds.

6. Private beaches and docks for 400 m south and north - no beaching.
7. Peach Orchard Park - A playground, sandy beach, washrooms, picnic tables, marked swimming areas and a cement boat launch.
8. The C.P.R. wharf was the hub of the first community in the area. There were no roads along the lake so the Canadian Pacific Steamboats carried the first pioneers who were to set foot in Summerland. Rotary Beach has picnic tables, sandy beaches, and washrooms.

9. Summerland Trout Hatchery - The hatchery breeds rainbow trout and eastern char to stock 300 lakes with over two million fish each year. They have videos on fish habitat, fly tying and angling for anyone interested in luring the big one! Come with the family and friends to this self-guided tour. The hatchery is open seven days a week.

breakwater and a light. The bay immediately to the south provides sufficient shelter from north winds.

11. Kin Park - A great beach and children's playground is located here, but there is no beaching. The creek has a fish ladder to aid spawning fish.
12. Private beaches and docks. Be careful as the water is very shallow in this area.
13. Manitou Park - Beach with care for 400 m south. A beautiful bay with pebble beaches provides shelter from north winds. Watch for the pilings in the bay and the marked swimming area.
14. Naramata Yacht Club (250) 469-5771 - Stall #25 is for visitors. There is a park and beach on the east side - large breakwater with a light. Enter with care from the east end of the bay - shallow water. The boat launch is \$5 per launch or a yearly membership with various privileges for \$125.

15. Naramata Centre Park - Sandy beaches, water slide, benches, and a large dock. Swimming areas to the south and north. The Naramata II kid's boat is in the park just across the street from Naramata Centre Park. Private beaches and docks are located to the south. Caution: very shallow water.

16. Private beaches and docks south to Naramata Creek and north to the pilings. No beaching.

17. Old wharf with a small boat launch on the east side of the pilings.

18. Beautiful bay providing shelter from south winds. Avoid private beaches and docks. There is a small beach on the east side.

19. Beautiful Bay that offers shelter from south winds. Avoid private beaches and beach only in emergencies.

20. Rocky shores - no beaching for 800 m south or north.

21. Nice sandy beach in the bay with extensive shelter from winds. There are beaching areas to the north for 800 m.

22. Small cove with some beaches to the north of the private beaches - beach with care. Shelter from north winds in the cove.

23. Small rock outcrop close to shore - stay clear. A "Cable" sign on shore may be used as a reference point. Some nice beaching areas are located in the area.

24. Some beaching areas - beach with care north of the private beaches and docks.

25. Paradise Ranch - Major Wilson used to own this land. This location is where they filmed My American Cousin. There are old pilings and a private beach with small pebble beaches to the north.



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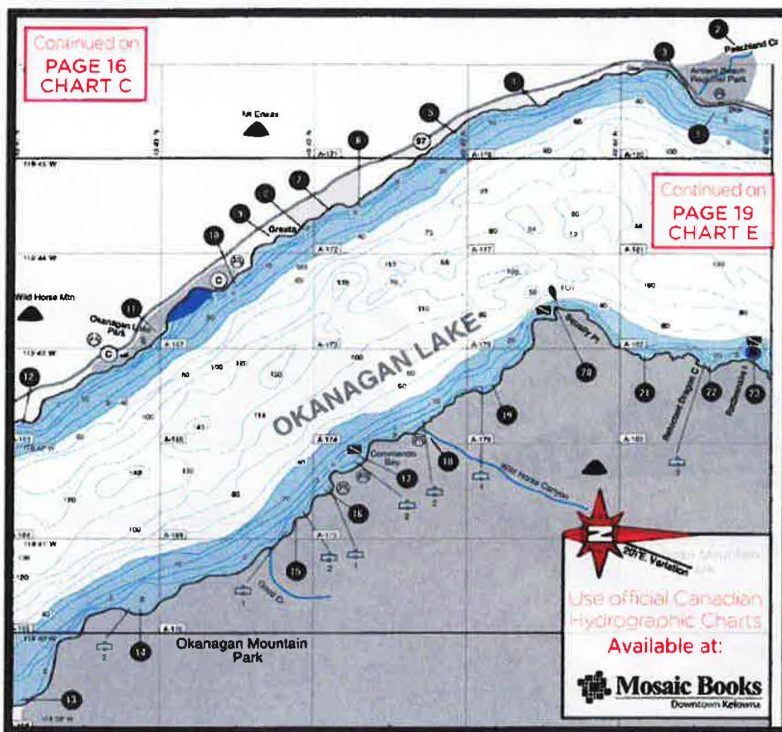
SYC Invasion Weekend AUGUST 1 - 2

Giant's Head Regatta AUGUST 7 - 10

Ogopogo Bathtub Race Fundraiser AUGUST 22

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D Okanagan Lake Park



1. Very rocky point so no beaching.
2. Peachland Creek (Deep Creek) - Available parking and picnic area is located at the mouth of the creek. Hardy Falls is an easy ten minute walk over small bridges on a well marked trail.
3. Antlers Beach Regional Park - A nice sandy beach with washrooms, picnic tables, and a marked swimming area.
4. Pebble foreshore with small beaching areas. Avoid private beaches and docks.
5. Rocky shores lined with private beaches and docks. There is no beaching for 400 m south or north.
6. Four rocks penetrate the surface so be careful when close to shore. Nice areas with pebble and rocky shores.
7. Good anchoring spot with shelter from south and north winds. There are pebble beaches to the north with one mooring buoy.
8. Watch for rocky shores and old pilings when beaching. Respect private beaches and docks.

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9. Sufficient shelter from south winds in the bay but respect private beaches and docks. Greata was the largest ranch in the district in 1895. In 1899, G.H. Greata took the first water record and in 1900, he built a pipeline to Deep Creek. In 1996, Cedar Creek Winery opened Greata Ranch Winery here.

10. The north end of Okanagan Lake Park has campsites, picnic tables, beaching areas and swimming areas available for public use.

11. Okanagan Lake Park - Marked swimming areas, 68 campsites, picnic tables, washrooms, hiking trails, sandy beaches, and a playground are available for public use. You will find a cement boat launch at the south end and beaching areas with shelter from south winds in the north bay.

12. Beaching areas for 400 m south. Private beaches and docks north of the point.

13. Okanagan Mountain Park - The Fire in the Park will slightly alter our readings and some info will change from year to year. This marks the south end of the park. Good overnight camping with shelter from north winds. Secluded sandy beaches with picnic tables north for 800 m.

14. A nice shallow bay with sandy beaches and two mooring buoys.

15. Two mooring buoys in the north bay and one in the south bay. Good beaching on either side of the point.

16. A small, secluded, overnight beach and one mooring buoy. Will provide shelter from north winds.

17. Commando Bay - A great destination point named Dunrobin's Bay after L. Race Dunrobin. This bay was used by a British special unit that used to train Commandos to work behind enemy lines. As

news became public of the secret army activities which were being carried out in this area, it was renamed Commando Bay. Divers - there may be World War II articles in the bay. Two kinds of snakes inhabit the park (or they use to), one being the poisonous Rattlesnake with a broad triangular head and a rattle on its tail, and the other, a non-poisonous Gopher Snake with a slim pointed head and its resembling pointed tail. Three mooring buoys and shelter from north and south winds make for a nice beaching area. Watch for rock outcrops at the south point of the bay.

18. Wild Horse Canyon was named after herds of wild horses that roamed the canyon in the early 1900's. Today, it is a great place to tie up to one of the two moorage buoys. Located in a nice beaching area. Shelter from north winds.

19. This bay has a rock wall for 400 m north and south. No beaching.

20. Squally Point - Light - Native legend has it that the lake's great sea serpent N-ha-a-itk (Ogopogo) makes its home in a cave here. Small animals were once carried to Squally Point in canoes to quell the serpent. Stay clear of the rock walls and watch for south winds but good shelter is provided from north winds in the south bay. No beaching for 400 m south or north. Divers - Qualified divers only. A cavern entrance that can be explored lies 100 feet from the point and 20 feet down. Take lights and be cautious.

21. Nice bay with shelter from north and south winds. Rock walls line the shore, so stay clear and use caution. There is a private dock in the north bay.

22. Reluctant Dragon - Secluded beach with an outhouse, three mooring buoys and shelter from north and south winds. Beach with care in the south corner.

23. Rattlesnake Island - It is not recommended to go between the island and the shore for the depth of the channel is shallow. The island has a small bay on the south side for refuge of small boats only. Very rocky shore so beach with care. Watch for rocks close to the surface on the north/west corner of the island. Divers - there are small caves on the west side with rock formations and sheer drop-offs. Old docks are located on the north side.

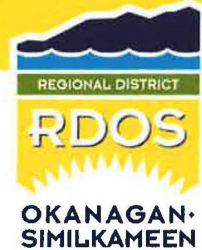
correspondence

101 Martin Street, Penticton, British Columbia V2A 5J9

Tel: 250.492.0237 Fax: 250.492.0063

Toll Free: 877.610.3737

Email: info@rdos.bc.ca



September 3, 2015

RECEIVED

SEP 08 2015

District of Summerland

Ms. Linda Tynan
Chief Administrative Officer
District of Summerland
PO Box 159
Summerland, BC V0H 1Z0

Dear Ms. Tynan:

**Re: Regional District of Okanagan-Similkameen Regional Economic Development
Service Establishment Bylaw No. 2695**

Please be advised that at the September 3, 2015 Regional District of Okanagan-Similkameen Board Meeting, the Directors resolved to rescind first, second and third readings of the Regional Economic Development Service Establishment Bylaw No. 2695 and abandon the bylaw.

A copy of the staff report to the Board has been enclosed for your information. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Christy Malden
Manager of Legislative Services

Enc.

www.rdos.bc.ca

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: September 3, 2015

RE: Regional Economic Development Bylaw No. 2695, 2015



Administrative Recommendation:

THAT the three readings of Regional District of Okanagan-Similkameen Regional Economic Development Service Establishment Bylaw No. 2695, 2015 be rescinded and the bylaw abandoned.

Reference:

February 19, 2015 Report to Community Services Committee, June 4, 2015 Report to Corporate Services Committee. June 18, 2015 Report to Board

History:

At the June 4, 2015 Corporate Services meeting, the Committee recommended that the Board adopt a Regional Economic Development Service Establishment Bylaw and a draft of the proposed bylaw was reviewed. At the following meeting the bylaw received three readings and was then forwarded to all Electoral Area Directors and municipalities to obtain consent.

For the purposes of establishing a service which promotes economic development, the *Local Government Act* allows for consent, in writing, by a Director on behalf of an electoral area or Council on behalf of a municipal area, providing the participating area includes all of that municipality or electoral area, and that the service may be established without borrowing.

The Act also states that should an Electoral Area Director refuse to give consent, the board may dispense with the consent of the Electoral Area Director and give participating area approval by consenting to adoption of the bylaw on behalf of the electors in the proposed participating area. Legislation does not allow for the same process if a municipality does not provide consent.

Analysis:

Those jurisdictions consenting to the establishment of a Regional Economic Development Bylaw are Electoral Areas "A" through "F" and "H", as well as Summerland, Penticton, and Osoyoos. Those jurisdictions not consenting to the adoption of the bylaw include Electoral Area "G", Keremeos, and Oliver.

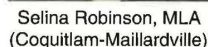
Because at least one municipality has not provided consent, establishment of a regional economic development service will not proceed and the first three readings of the bylaw should be rescinded.

Respectfully submitted:

"Christy Malden"

C. Malden, Manager of Legislative Services

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Page 1 of 1



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August 24, 2015

Mayor Waterman and Council
District of Summerland
Box 159
Summerland, BC V0H 1Z0

Dear Mayor Waterman and Council,

I hope that you've enjoyed the summer and you had an opportunity to take a break. I am writing to remind you that my caucus colleagues in the Official Opposition are available and eager to meet with you at the upcoming Union of BC Municipalities annual conference in Vancouver, September 22-25.

As the Opposition Spokesperson for Local Government, former City Councilor for Coquitlam, and past Executive member of the Lower Mainland Local Government Association, I continue to be passionate about strengthening our communities through local leadership. I believe that local government is closest to our constituents and has the knowledge and flexibility to be most responsive to community needs.

I have been paying close attention to your successes and your challenges. This past spring I travelled to all five area association meetings to hear directly from you about the issues facing your communities. I heard concerns related to aging infrastructure, offloads to local governments, and the sometimes difficult relationship between local and other orders of government. At every area association meeting, I saw the passion and commitment you all have for your communities. Thank you for bringing that to your role. It really does make a difference.

I would love the opportunity to meet with you at the UBCM. If you would like to set up a meeting with me or any of my colleagues, please contact Elena Banfield at 250-952-7647 or elena.banfield@leg.bc.ca. Enclosed is a list of all Opposition MLAs and their Spokesperson areas, so you know who works on issues important to your community. Also, please join us for the Official Opposition UBCM Breakfast for all delegates on Friday, September 25, at 6:45 AM at the Fairmont Waterfront Hotel. We look forward to seeing you there.

All the best,

Selina Robinson, MLA
Opposition Spokesperson for Local Government





John Horgan and the

New Democrat Opposition Team

 John Horgan, Leader MLA, Juan de Fuca		 Robin Austin, MLA Skeena Northern Economic Development	 Harry Bains, MLA Surrey-Newton Forests, Lands and Natural Resource Operations	 Spencer Chandra Herbert, MLA Vancouver-West End Environment	 Raj Chouhan, MLA Burnaby-Edmonds Assistant Deputy Speaker
 Katrine Conroy, MLA Kootenay-West Interior Economic Development, Columbia Power, Columbia River Treaty	 Kathy Corrigan, MLA Burnaby-Deer Lake Advanced Education	 Judy Darcy, MLA New Westminster Health	 Adrian Dix, MLA Vancouver-Kingsway BC Hydro	 Doug Donaldson, MLA Stikine Children and Family Development	 David Eby, MLA Vancouver-Point Grey Tourism, Housing, Liquor Policy, BCLC, PavCo
 Mable Elmore, MLA Vancouver-Kensington Deputy Finance, ICBC	 Mike Farnworth, MLA Port Coquitlam Justice (Public Safety and Solicitor General), Caucus House Leader	 Rob Fleming, MLA Victoria-Swan Lake Education	 Scott Fraser, MLA Alberni-Pacific Rim Aboriginal Relations and Reconciliation, Caucus Deputy Whip	 Sue Hammell, MLA Surrey-Green Timbers Mental Health and Addictions	 George Heyman, MLA Vancouver-Fairview Green Economy, Technology, TransLink
 Gary Holman, MLA Saanich North & the Islands Democratic Reform, Deputy Environment, Fisheries and B.C. Ferries	 Carole James, MLA Victoria-Beacon Hill Finance	 Maurine Karagianis, MLA Esquimalt-Royal Roads Women, Seniors, Early Childhood Development, Caucus Whip	 Leonard Krog, MLA Nanaimo Justice (Attorney General)	 Norm Macdonald, MLA Columbia River-Revelstoke Energy and Mines	 Michelle Mungall, MLA Nelson-Creston Social Development, Caucus Deputy House Leader
 Iana Popham, MLA Saanich South Agriculture and Food	 Bruce Ralston, MLA Surrey-Whalley Natural Gas, Development, Trade, Immigration, Multiculturalism	 Jennifer Rice, MLA North Coast Northern and Rural Health, Deputy Children and Family Development	 Selma Robinson, MLA Coquitlam-Maillardville Local Government and Sports Caucus Deputy Chair	 Bill Routley, MLA Cowichan Valley Deputy Forests - Coastal	 Doug Routley, MLA Nanaimo-North Cowichan Deputy Forest Futures, Citizen Services
 Jane Shin, MLA Burnaby-Lougheed Deputy Trade, Immigration, Multiculturalism	 Nicholas Simons, MLA Powell R.-Sunshine Coast Coastal Economic Development, Small Business, Art and Culture	 Shane Simpson, MLA Vancouver-Hastings Economic Development, Jobs, Labour and Skills, Caucus Chair	 Claire Trevena, MLA North Island Transportation and Infrastructure, B.C. Ferries, B.C. Transit		

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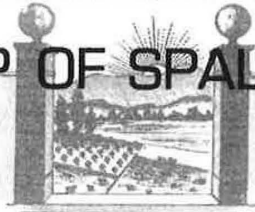
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FAX. (250) 546-8878
OUR FILE NO.



www.spallumcheentwp.bc.ca

4144 Spallumcheen Way
Spallumcheen, B.C. V0E 1B6
Email: mayor@spallumcheentwp.bc.ca

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Council	9/14
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OFFICE OF THE MAYOR

August 17th, 2015

Honourable Terry Lake, Minister of Health
Room 337 Parliament Buildings
Victoria, BC V8V 1X4

Honourable Mary Polak, Minister of Environment
Room 112 Parliament Buildings
Victoria, BC V8V 1X4

Re: **Standard Response Protocol Urgently Needed for Blue-Green Algae Blooms**

Dear Honourable Terry Lake and Honourable Mary Polak,

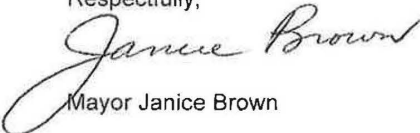
Please be advised that at the Monday, August 10th, 2015 Regular Meeting of Spallumcheen Council, the following resolution was passed:

"..THAT the email from K. James Littley, Operations and Grants Manager, Okanagan Basin Water Board, dated July 9th, 2015 regarding the Standard Response Protocol Urgently Needed for Blue Green Algae and the Letter from Doug Findlater, Chair, Okanagan Basin Water Board, dated July 10th, 2015 regarding Update: Standard Response Protocol Urgently Needed for Blue-Green Algae Blooms be received;

AND THAT the Township of Spallumcheen Council send a letter to the Minister of Health and the Minister of Environment in support of the Drinking Water Leadership Council completing the draft protocol regarding blue-green algae blooms."

If you have any questions in this regard, please contact the undersigned.

Respectfully,


Mayor Janice Brown

cc:

- James Littley, Okanagan Basin Water Board
- Erwin Malzer, Chair, Interior Health Authority;
- Dr. Robert Halpenny, President and CEO, Interior Health;
- Martin McMahon, Vice President Allied Health & Planning Strategic Services, Interior Health;
- Roger Parsonage, Director of Health Protection, Interior Health;

The difference between
a good community
and a **GREAT** one
is a **LIBRARY!**



O K A N A G A N
OK REGIONAL
LIBRARY

orl.bc.ca

For almost **80** years, the Summerland Branch of the Okanagan Regional Library (ORL) has been your local source for accessible information, learning, and entertainment. The library has grown with the community, from providing books and reference materials, and navigating the digital age with computer terminals, online resources and Wifi access. Thousands of children have been inspired to read and use their imaginations during storytimes and special events.

The library is also the best resource for those facing disadvantages in our community, offering special materials for people with visual or hearing impairments. Free children's books, music, feature films and educational DVDs are available for everyone to borrow. In 2014 alone, there were over **71,370** visits to the Summerland Library, a total of **135** children's programs, and over **131,000** materials circulated.

For many years, the size of the local library has not kept pace with the needs of the growing community. A brand new library to serve Summerland and area will open for service in October 2015. The Summerland Library will be **8,000** square feet, over twice the size of the previous branch, with dedicated space for children, teens, and community groups. And it is slated to be the first ORL venue with an outdoor terrace, so readers can take advantage of beautiful Okanagan weather while browsing a magazine or using Wifi. The terrace will be a community gathering place and an ideal venue for outdoor events.

This is all made possible thanks to public and private contributions. While the ORL is fortunate to have core operations funded through a shared pool of municipal and regional district tax revenue, enhancements to service come from the generosity of library supporters.

We are inviting individuals and community groups to contribute to the capital costs of the terrace and branch enhancements to make the new Summerland Library an even more inviting and accessible place for generations to come.



Adele, Dianne and Caroline



Sue Kline, Community Librarian

The ORL wishes to gratefully acknowledge the vital contributions of the Summerland Library staff, the Friends of the Summerland Library Society, the District of Summerland, Urban Arts Architecture and Tango Project Management for bringing the Summerland Library vision to life.

Gifts of all amounts are welcome and appreciated, and will make a tangible difference to the new Summerland Library. As a registered charity, the ORL will issue charitable tax receipts for donations over **\$25**. Supporting level gifts of **\$250-999** will be acknowledged in the ORL's Annual Report. Donors contributing **\$1000** or more will have the option to have their name added to the new Summerland Library's Donor Wall.

There are also opportunities to dedicate a tree or one of three benches on the terrace with a contribution of **\$2,500**. These contributions will cover the purchase, installation and maintenance of these items on the terrace and will include a dedication plaque. See back for guidelines.



OKANAGAN REGIONAL LIBRARY - DONATION OF CASH FORM

NAME: _____

ADDRESS: _____

CITY: _____ PROVINCE: _____ POSTAL CODE: _____

PHONE: _____ EMAIL: _____

SIGNATURE: _____ DATE: _____

GIFT AMOUNT: _____

Receipts for income tax purposes will be issued for amounts over \$25.00 Cash or Cheque

This form can be given to the Summerland branch of the Okanagan Regional Library or mailed to:

Okanagan Regional Library
Administration Office
1430 K.L.O. Road
Kelowna, BC V1W 3P6

Charitable Rgistration #
133285882RR0001

Thank You!

GET INVOLVED!



Bench Dedication Guidelines:

- Bench and tree dedication sites are dealt with on a first come first served basis; ORL staff have final say on the placement of these items.
- Benches, landscaping and other furnishings become the property of and will be maintained by the ORL.
- Bench and tree donations are not in perpetuity, but for the usable life of the item.
- Benches, landscaping, furnishings and styles are standardized and the ORL reserves the right to change the standard from time to time.
- ORL reserves the right to relocate the bench or tree, if necessary, and will make every effort to keep the donor informed of such changes.
- Dedication plaque sizes and materials are standardized. The Donor and ORL must agree on the plaque inscription, which is limited to three lines of text with a maximum of 25 characters on each line. Placement of wreaths, flowers, or other items or any modifications to the benches and picnic tables will not be permitted.
- If multiple people are contributing to a bench or tree, then all donations must be collected by one individual. Tax receipts will be made out to one donor, unless a letter is provided at the time of payment indicating names, addresses, and amounts for all donors.

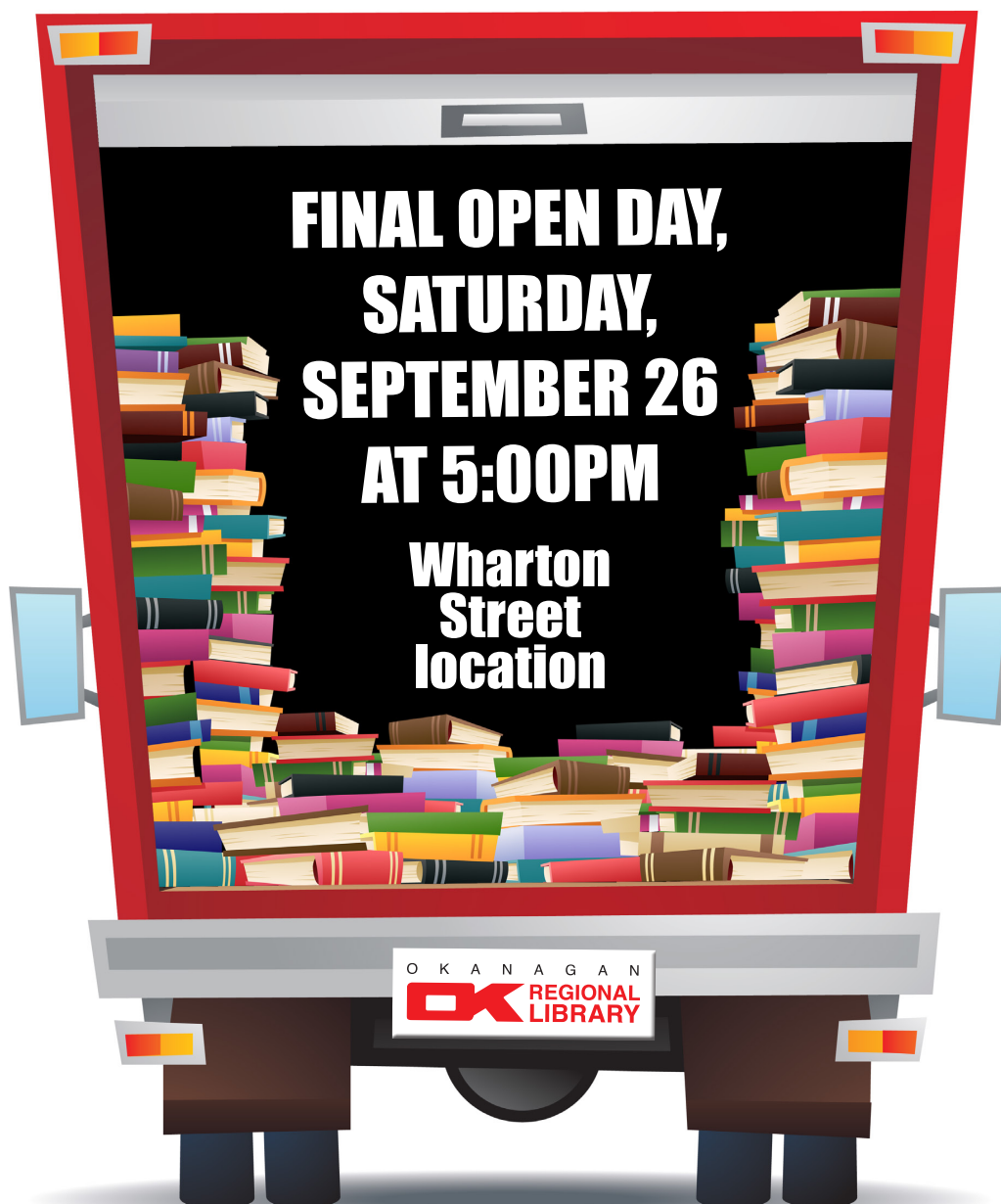
For more information on these or other ways to get involved with the ORL, please feel free to contact Summerland Library staff, or Marla O'Brien, Public Relation/Fundraising Manager, at mobrien@orl.bc.ca or call 250-860-4300, Ext. 2456.

WE'RE MOVING

Summerland Library Moving Timeline and FAQs

September 1, 2015 – October 3, 2015

As we finally make the move to our brand new space,
please be prepared for some disruptions to library service.



Tuesday, September 1: Big wooden “book trucks” will have arrived at the current library location, and Nonfiction and Fiction books will have been moved onto the trucks for temporary shelving. The permanent central shelves will be dismantled and moved to the new library; these are the only ones that will be used in the new location

September 1 – September 26: Expect some confusion as items are on the temporary shelves. Please feel free to ask a staff member for assistance with finding what you’re looking for.

Saturday, September 26 at 5:00 p.m. – Doors close at the Wharton Street location.

September 27 – October 2: The Summerland library is closed while books and furnishings are moved to the new location on Main Street. Scheduled programs will continue in the bottom floor of the Wharton building.

Saturday, October 3 at 10:00 a.m. – The new Summerland library is targeted to be open for service and celebrates its Grand Opening! More information about the Grand Opening will be forthcoming.

While we are closed, stay tuned to the ORL website and social media pages (www.facebook.com/OKRegLib and @ORLReads on Twitter) for updates or changes.

FAQs:

1. What services will be available during the closure?

While the Summerland library is closed from September 27 until its expected opening on October 3, all online services will still be available. You will be able to use online resources and place holds on books, although you won’t be able to pick up any items until the library re-opens. Scheduled programs during this week will take place in the bottom floor of the Wharton Street building. Also, feel free to visit nearby ORL libraries in Naramata, Peachland, and Kaleden; visit orl.bc.ca for their open hours.

2. What about due dates while you’re closed?

No items will be due during this time. Items checked out from from August 25 on will have a 5-6 week loan period and not due until the Summerland library re-opens. No fines will accrue during this time. Book drops at the former Wharton Street location will be open and you will be able to drop materials there until the new library opens.

3. What if I need to contact the library while you are closed?

The phone line to the Summerland library will be down during the closure. If you need to contact the library about your account or with another question, the Kelowna Reference Desk will be providing account support during this time. You can reach them at 250-762-2800 or email info@orl.bc.ca. Also, follow our social media streams where we’ll be updating information and able to answer questions about the progress of the move.

4. How can the community help?

- You can volunteer for our Paperback Brigade on Saturday, September 26 to help us move boxes of paperbacks. Sign up at the Summerland library.
- You can help us spread the word! Tell your neighbors, friends, and family that we’re closed, and tell them about the new library’s Grand Opening on October 3!
- You can support enhancements at the new library with a donation; ask Summerland staff for information.
- You can be patient and understanding during this time of transition. While we are working on a move that is efficient, timely, and smooth, we know that there will be unforeseen issues and problems that occur. As we enter into a time of great change for our organization and our community of users, please bear with us and know that we are working to get your public library up and running in its new home as soon as possible!



**COLLEGE OF
APPLIED BIOLOGY**
Professional Accountability

Mayor Peter Waterman and Council
District of Summerland
Box 159
13211 Henry Ave
Summerland, BC V0H 1Z0

August 19, 2015

Re: Working with applied biology professionals ensures access to credible and accountable science-based advice

Dear Mayor Peter Waterman,

In recognition of the increasing roles of local governments in managing and influencing land use planning and natural resource management, we are contacting you to recommend that your municipality consider hiring and/or contracting registered applied biology professionals to ensure any advice you seek to inform such decision-making is from qualified and accountable professionals.

The College of Applied Biology is the self-regulating professional organization for applied biology professionals in British Columbia. We have over 2,200 members employed by all levels of government, natural resource industries, First Nations, and consulting firms who inform decisions about the use of natural resources in all regions of the province, a growing number of whom are employed by local governments. Their areas of practice range from conducting environmental assessments and riparian area assessments, to drafting environmental management plans, assessing and remediating contaminated sites, and advising governments and private firms on how to reduce the impacts of their activities on the natural environment.

The applied biology professionals we regulate, Registered Professional Biologists (RPBios) and Registered Biology Technologists (RBTechs), have met stringent entry requirements and are required to stay up to date in their areas of practice through mandatory continuing professional development requirements. This provides employers, clients, and the public with assurance that they are competent and qualified in the work they do. Furthermore, we have a number of quality assurance mechanisms in place, including random audits, practice reviews, and discipline processes, to ensure applied biology professionals are accountable for their work. When hiring or seeking external advice to assist with land use planning or environmental management decisions, we encourage you to hire and work with applied biology professionals to ensure the advice you receive is credible and science-based.

We welcome an open dialogue with your municipality and would encourage you to visit the College's website at www.cab-bc.org. We would be pleased to answer any questions you have about applied biology professionals and the work they do.

Sincerely,

Dr. Vanessa Craig, RPBio
President

#205-733 Johnson Street Victoria, BC V8W 3C7
T 250.383.3306 | F 250.383.2400 www.cab-bc.org

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September 1st, 2015

Mayor and Council
District of Summerland
Box 159
Summerland, BC
V0H 1Z0

Dear Mayor and Council,

For more than 100 years, the BC Lung Association has led the fight for healthy lungs and healthy air. We work to save lives and prevent and improve lung health through research, advocacy, education and support. Today we are writing in regard to a serious public health risk called radon gas - the leading cause of lung cancer in British Columbia, after smoking.

Radon is the leading cause of lung cancer, after smoking

Our core focus is programs of lung disease prevention and control. For many years we've encouraged British Columbians to test their homes for radon gas. The challenge with radon is homeowners can't smell, taste or see it, leading to most families doing nothing at all.

Your community is in a radon risk area

Some regions of BC are known to be at greater risk for elevated radon levels. BC's Office of Housing and Construction Standards, the ministry responsible for the BC Building Code, separates BC into Area 1 (high risk) and Area 2 (low risk). Your community is in Area 1 – the area at risk for radon levels above established health safety guidelines.

We invite you to work with us to protect families from a known lung cancer risk

Homeowners need to be aware of the issue and offered testing solutions to determine if their home has a radon problem. We invite you to join with us to protect families in your community by doing the following:

1. Proclaim this coming November RADON AWARE MONTH

Please find an easy-to-use proclamation template in this package.

2. Promote home radon testing in NOVEMBER

Please find an example of a radon home testing/mitigation pamphlet and poster in this package, which can be downloaded at radonaware.ca. We invite you to place the information in your municipal office to inform residents about radon and where they can buy a home radon test kit.

3. Ensure new homes meet NEW BC BUILDING CODE RADON REGULATIONS

The latest version of the BC Building Code includes specific requirements to mitigate the risk of radon. The Code requires radon pipes be labelled. We are pleased to offer each community a standardized Radon Warning Label, available to municipalities and builders at no cost. Please find a copy of the Radon Warning Label included in this package and how additional labels can be ordered.

British Columbia Lung Association | 2675 Oak Street Vancouver, BC V6H 2K2 | Toll-Free 1.800.665.5864

RECEIVED
SEP 08 2015
District of Summerland

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SAMPLE PROCLAMATION TEMPLATE

RADON AWARE MONTH

WHEREAS,	The City/Town/Village of XXXXXX is located in Area 1 of the Province of BC; and
WHEREAS,	Area 1 of the Province of BC is considered to be at a greater risk for high levels of indoor radon gas; and
WHEREAS,	Indoor radon gas is known to be a serious public health risk causing as many as 16% of lung cancer deaths in Canada each year; and
WHEREAS,	Detecting levels of indoor radon gas is simple with a low cost and easy to administer test; and
WHEREAS,	If high levels of indoor radon are present in a home cost-effective solutions exist to reduce unsafe levels.

Now, therefore, I, **XXXXXX** Mayor of **the City/Town/Village of XXXXXX**, do hereby proclaim November 1st To November 30th as **RADON AWARE MONTH** in the **City/Town/Village of XXXXXX**.

Information note: The texts in **red** are to be customized by the municipality.

RADON:

Have you tested
your home?



"Radon is the leading cause of lung cancer after smoking. The only way to know if your home has a radon problem is to test for it. Get your home tested for radon – it could save your life or someone else's."

Mike Holmes,
Canada's Most Trusted Contractor



Radon is a radioactive gas that is produced by the breakdown of uranium in the ground and can get trapped in your home undetected. You can't see it, smell it or taste it. Radon is the leading cause of lung cancer death in Canada among non-smokers.

BE RADON AWARE
Test your home for radon.

radonaware.ca

"Test your home for radon. Purchase a simple and low-cost kit online at RadonAware.ca. It's easy-to-use and includes confidential lab results for just \$29.99 plus shipping."

Britt Swoveland holding a radon test device
RadonAware Manager, BC Lung Association



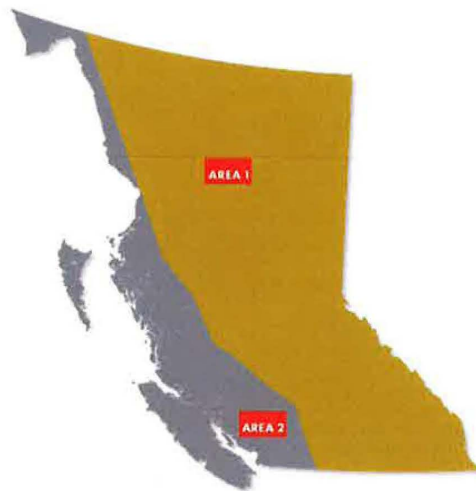
THE  LUNG ASSOCIATION™
British Columbia

RADON **AWARE**
THE LUNG ASSOCIATION

IMPORTANT: Recent BC Building Code Changes

New changes are designed to increase protection against radon gas, a serious lung cancer risk

In December 2014, the British Columbia Office of Housing and Construction Standards, Building and Safety Standards Branch, made changes to the 2012 BC Building Code's measures for controlling soil gases. The BC Building Code now requires all **NEW CONSTRUCTION** in Area 1 of British Columbia be designed with increased protection against radon gas. Your community is located in Area 1 and now requires a **Radon Vent Pipe** as indicated by the new BC Building Code measures.



What does this mean?

New homes must include a **Radon Vent Pipe**.

As of December 19th, 2014 when a new home is constructed, it must include a **Radon Vent Pipe**. A Radon Vent Pipe extends from the sub-slab of a home, through the interior, and vents out of the house. Rather than leaking into a home, the vent pipe design allows radon to safely vent to the outdoors where it quickly and safely dissipates.

Additional information:

- New homeowners should be provided with an explanation of the **Radon Vent Pipe** and how it works to protect health.
- A **Radon Warning Label** must be applied to clearly identify the Radon Vent Pipe as required by the BC Building Code.
- After a home is constructed, new homeowners should **purchase and deploy a long-term radon test to ensure levels are below the health guideline of 200 Bq/m³**.
- If a new home's indoor radon level tests above the health guideline (even with the inclusion of a Radon Vent Pipe) there is an option to attach a radon fan to the pipe to assist in drawing radon gases from below the home. In most cases, with the addition of a fan attached to the pipe, radon levels can be reduced to near undetectable levels.

For more information on radon and to purchase a radon test kit please visit radonaware.ca

RADON WARNING LABEL

CODE REQUIREMENT

Radon system labels as required by **2012 BC Building Code Section 9.13.4.3.3.b.iii.** are now available from the Canadian Home Builders' Association of BC (CHBA BC) thanks to a partnership with the BC Lung Association's **RadonAware** program.

2012 BC Code Section 9.13.4.3.3.b.iii. requires the pipe be clearly labeled near the cap and, if applicable, every 1.8 m and at every change in direction to indicate that it is intended only for the removal of radon from below the floor-on-ground.

For readability and durability, the labels are black on yellow vinyl, wide enough to wrap around a standard 100mm pipe to adhere to itself.



To pick up labels or arrange delivery, please contact your nearest CHBA local affiliate.

CHBA - Okanagan

#216 - 1884 Spall Road
Kelowna, BC, V1Y 4R1
Tel: 250-861-3988
Fax: 250-861-3950
E-mail: sherri@chbaokanagan.ca
www.chbaokanagan.ca

CHBA – Fraser Valley

P. O. Box 365
Abbotsford, BC V2T 6Z6
Tel: 604-755-9306
Fax: 604-755-0223
E-mail: christy@chbafv.com
www.chbafv.com

CHBA - South Okanagan

104 Dunant Crescent
Penticton, BC, V2A 3E9
Tel: 250-493-0001
Fax: 250-493-4475
E-mail: chbaso@shaw.ca
www.chbaso.org

CHBA – Central Interior

921C Laval Crescent
Kamloops, BC V2C 5P4
Tel: 250-828-1844
Fax: 250-828-6611
E-mail: info@chbaci.ca
www.chbaci.ca

CHBA - Rocky Mountain

P.O. Box 2602
Ferne, BC
V0B 1M0
Tel: 250-420-1102
E-mail: info@chbarm.com
www.chbarm.com

CHBA – Northern BC

#300 1705 3rd Avenue
Prince George, BC V2L 3G7
Tel: 250-563-3306
Fax: 250-563-3815
E-mail: admin@chbanorthernbc.ca
www.chbanorthernbc.ca

WWW.RADONAWARE.CA

Outstanding Council Resolutions

Resolution #	Date	Resolution	ACTION	End date
	Jan 27, 2015	That the Mayor and Interim CAO request results and information from FortisBC in relation to the recent electrical power surge.	Follow up meeting with Fortis (UBCM) to discuss letter. Meeting requested.	meeting requested for UBCM
	July 13, 2015	THAT Council direct staff to research and develop a bylaw which bans smoking on all municipal property and to bring report and draft bylaw to council for consideration.	in process	on agenda
	July 13, 2015	1. THAT Council endorse the Summerland Harvest Days project. 2. THAT Council authorize a Grant in Aid of \$700 for the project. 3. THAT Council direct staff to work with the Summerland Harvest Days project organizers to partner with a non-profit society.	referred to staff	Complete
R222-2015	Aug 10, 2015	THAT pursuant to Section 954 of the Local Government Act, Council establish a community heritage register that identifies real property that is considered by the local government to be heritage property; AND THAT the property identified as Lot 1, DL455, ODYD, Plan 791, located at 5505 Butler Street be included on the community heritage register.	Application for BC Register of Heritage places submitted	
R238-2015	Aug 25, 2015	THAT a letter of support be provided to the Summerland Food Bank and Resource Centre, in support of its Community Gaming Grant application.	referred to staff	Complete
R239-2015	Aug 25, 2015	THAT Council direct staff to work on establishing a skateboard park committee and to bring back a proposed format and terms of reference to an upcoming Council meeting.	referred to staff	on agenda

OUTSTANDING TASKS - STAFF

	Project/Issue	Person Responsible	Next Steps	Anticipated Timing
1	Old RCMP lands	IM	First draft of agreement with Developers	Sept 30
2	Skateboard Park	JD/BI	SD67 continues to support proposed location. To bring back to council for discussion. Letter received from Pennylane extending their funding offer to December 31, 2015. Lease template sent to SD67 for their review. On agenda	September to council for discussion.
3	Lakeside Trail Project	DD/JD	Sign frame approved and under construction. Trail of the Okanagans is responsible for wording and getting sign made for installation on frame.	September
4	New Subdivision Servicing Bylaw			2016
5	Grant app followup - Asset Management	LT	Grant app submitted; staff to contact for update on expectations. Advised that grants will be announced in Winter 2015.	
6	Grant app followup - Water Separation	DD/DV	First meeting with staff complete. Report being prepared for submission to Council outlining next steps and options to proceed with this project.	
7	DCC Bylaw Amendment	IM	Draft bylaw amendment prepared	Sept 14 meeting
8	Grant app followup - Bike BC	DD/MS	Initial discussion with Engineering Tech complete. They will be working on preparing a simple design and Tender	October
9	Garnet Road Right of Way Aquisition	JD/DD/IM	Send initial contact letter to affected owners	Fall 2015
10	Request for Non-motorized signage - Test of Humanity	BI/DD	Seven signs were installed. Additional signs were ordered and placed into inventory for damage replacement or if additional signage is requested	Completed
11	Building Bylaw review project	JD/IM	Negotiate terms of reference with MIA and Lidstone	2015-2016
12	Online registration system - Recreation	JD/BI	Report to council.	Fall 2015
13	Leases of municipal properties	JD	In progress; will bring forward leases to upcoming council meetings as prepared.	Ongoing
14	Wharton Street RFP	IM	Discussing process options with Administration. Discussing potential Downtown Plan for 2016.	
15	Miltemore, Willow Sanitary Sewer	LC/DD	Construction has commenced.	November

OUTSTANDING TASKS - STAFF

	Project/Issue	Person Responsible	Next Steps	Anticipated Timing
16	Protocol Agreement - PIB	LT	Referrral Committee struck and intending on meeting bi-monthly (land use matters-staff).	Ongoing
17	MTI Bylaw	JD	JD reviewing MTI bylaw with all departments	Fall 2015
18	Citizen Survey	LT	Preliminary	1st quarter 2016?
19	Community Engagement Policy	LT		September
20	Parks and Recreation Masterplan	BI/LT	Reviewing RFP templates; issue RFP	Aug 15
21	Debt, surplus, reserve policies	LC	Update research and draft policies	
22	Gravel Sales & Pit Development	DD/JD	Cantex is working on mobilizing on-site	September
23	Fleet Renewal Policy	JD/LC/DD	Corporate Services to work with Works and Utilities/Finance	November
24	Sidewalk Master Plan	IM	In progress.	2016
25	Cemetery Upgrades	DD/MS	Initial discussion with Engineering Tech complete. They will be working on preparing a simple design and Tender	September
26	Scale Replacement at Landfill	DD/MS	Replacement of scale will be deferred for discussions during 2016 budget deliberations	November
27	Flume and Water Intake	DD/DV	Design 70% complete. Funding application was submitted and will need followup	Design completion Sept
28	Raw Water Slidegate Upgrade	DD/DV	Confined space issue. Design 80% complete. Review delayed until new Eng Tech arrives the week of August 17	Design completion Sept
29	Wastewater Filtration and Grit Removal Upgrade	DD/DV	Design is complete. Funding application was submitted and will need followup	
30	Cultural Plan	IM	Public Engagement implemented; ongoing. Update to council on October 26	Oct. 26 update
31	Backyard Chicken bylaw	JD	Gathering feedback from public. Report to Council in October.	October
32	Perpetual Slide	DD/MS	Presentation of report to council scheduled for Sept 14	Sept 14
33	Fire Training Facility	GN	Site fully serviced; fencing completed. The contract for the training building has been awarded, expected completion date for the building is mid-October.	Nov 30, 2015

OUTSTANDING TASKS - STAFF

	Project/Issue	Person Responsible	Next Steps	Anticipated Timing
34	Rodeo Grounds footings	BI/DD	Parks and Rec and Works and Utilities continue to work with Gwen to complete this project.	
35	Sister City (gift received)	BI	Waiting for information from Leanne	
36	Foreshore Tenures with Crown	JD	In progress	December
37	IT Coordinator	JD	Position filled. Starts Sept 14.	Completed
38	Engineering Technologist	DD/LT	Positions filled. Start the week of August 17.	Completed
39	Asset Management	LC	Waiting on results of grant application before determining next steps.	
40	Joint Use Agreement	JD	Jeremy and Brenda negotiated terms of Joint Use Agreement with SD67 on August 17. SD67 to provide a draft agreement in October.	October
41	Cell Tower Policy	JD	Gathering cell tower policies from other municipalities. Will prepare a report to Council.	October
42	Trail Signage	LT/BI	Gather examples and develop a trail signage plan / policy. Intend to engage contractor to assist with trail signage plan;	
43	Policy: Air BnB; vacation rentals		For council discussion	Fall 2015
44	Business License Bylaw	JD/LC/DD	Review draft (written), finalize and take to council	Fall 2015
45	Dog Regulation Bylaw	JD	Review draft bylaw to replace existing bylaw. Bring to Council.	Fall 2015
46	HST Residential Energy Credit	LC	Working with the Ministry to resolve the rebate application process	week of Sept 14
47	Infrastructure Planning Grant	BI/LC/DD	Applications have been submitted	July
48	No smoking on muni property bylaw	LT/KK	3rd reading of Outdoor Smoking Regulation Bylaw	Sept 14
49	Implement increased water conservation actions, including but not limited to Stage 2 water restrictions, public education, and reduced watering of municipally owned property.	DD/LT	Stage 2 was implemented. Public education continues through the District website and newsletter.	September

THE CORPORATION OF THE DISTRICT OF SUMMERLAND
ITEM 10.2 – CORRESPONDENCE – COMMITTEE/COMMISSION
MINUTES

September 14, 2015 – Regular Council Meeting

RECOMMENDATION:

THAT the following minutes from Council Committees/Commissions be received by Council.

COMMITTEE MINUTES

Water Advisory Committee July 20, 2015 and August 13, 2015	Receive for information
Cultural Plan Task Force August 4, 2015 and August 21, 2015	Receive for information
Climate Action Committee August 20, 2015	Receive for information

Any recommendations for Council consideration will be brought forward under separate cover.

AUTHOR:

Katie Karn
KATIE KARN, DEPUTY CORPORATE OFFICER

REVIEWED BY:

Linda Tynan
LINDA TYNAN, CHIEF ADMINISTRATIVE OFFICER



Inaugural meeting Water Advisory Committee

Attendees (clockwise from chair)

Richard MacDonald, Don Gayton, John Davies, Kyle Girgan, Therese Washtock, Don Darling, Lorrie Coates, Gord Shandler, Lorraine Bennest, Ken Heemeryk, Katrina Magolan, Toni Boot

Lorrie Coates called the meeting to order

MEMBER INTRODUCTION

Kyle Girgan - Trout Hatchery Manager - been in Summerland 15 months - here to learn

John Davies - retired here for 4 years - IT background - B.C. Hydro

Don Gayton - 10 years here - ecologist - P. Ag. grassland and range management - interested in bio diversity and fire ecology in our watershed

Richard MacDonald - long time resident - retired from plant breeding at PARC - orchardist - chair of previous WAC

Toni Boot - council rep. - non voting - interested in water conservation and low water use gardening

Katrina Magolan - here for 1.5 years - Vista Ranch Bed and Breakfast - switching from growing hay to planting 5000 vines

Ken Heemeryck - here just over 6 months from working in Alberta forest service and oil and gas industry reclamation of well sites - DFO approvals

Lorraine Bennest - long time resident - orchardist - tree fruit industry and local government experience - Okanagan Basin Water Board - Summerland Water Use Plan process

Gord Shandler - long time resident - orchardist - participant in Water Use Plan process - B.C. Fruit Growers rep. on OBWB Water Stewardship Council - hoping to improve DOS compost process - on previous WAC - finds email communication beneficial in working thru committee discussions

Lorrie Coates - Chief Financial Officer and Deputy CAO DOS - worked here 2 years - 20 years in Naniamo

Don Darling - Director of Public Works and Utilities - in charge of power, water, sewer utilities and public works - ctte. staff resource

Therese Washtock - long time resident - horses - pasture - interested best management practices in different ag uses of water - on previous WAC

REVIEW OF TERMS OF REFERENCE

Don G. noted specific objectives in TOR like irrigation scheduling and lake pump options - concerned over potential conflicts

Richard M - recognized need for training session to review basics like water licensing, infrastructure

Lorraine B. - developing good information before making recommendations should reduce conflict - agenda items might break down into categories like priority items, background information, data development and ongoing research

Lorrie Coates - a priority issue might be ag. water rates
- another one might be discussion around the policy for properties 2 acres and less - originally there were 400 properties on

the irrigation roll 2 acres and less - they were removed from the roll and 120 were disconnected - the remainder were given until July 10 to respond with an interest in maintaining their connection - 180 have responded positively and council may wish input into how best to structure the water rate for these properties

MEETING DATE AND TIME

in general the first and third Wednesday of the month at 6 pm will be the scheduled meeting (until background information is covered) due to scheduling conflicts the next meeting will be **Wednesday August 12** from 6-8 Council Chambers with guest speaker Bob Hrasko author of the 2008 Water Master Plan - he is also Manager of Black Mountain Irrigation District and engineering consultant for DOS - to help us review the Water Master Plan

Wednesday August 19 from 6-8 Council Chambers - review the operation of the DOS water meters

SELECTION OF OFFICERS

Chair Richard MacDonald - Vice-Chair Kyle Girgan - Secretary Lorraine Bennest

Don Darling reported that our water supply of 14,136 ML is currently at 88.6% of full storage. The Water Treatment Plant is currently running at 60% of the 76ML capacity of the plant but we hit about 96% earlier in July. Fish Flow is still operating as per the Water Use Plan maintaining a flow below the intake at a percentage of the fluctuating Camp Creek hydrograph.

meeting adjourned

Approved, CHAIR
Richard MacDonald

SECRETARY *L Bennest*



MINUTES OF THE Water Advisory Cttee.
Council Chambers August 13/15 6 pm.

In attendance

Chair Richard MacDonald - Recording Secretary Lorraine Bennest - Ken Heemeryck - John Davies - Kyle Girgan - Therese Washtock - Gord Shandler - Don Gayton

Council rep. Toni Boot

Staff Don Darling - Devon Van Der Meulen

Guests Councillor Richard Barkwill, Karl Seidel, Dave Powell, Ron Vollo, Ron Johnson

Speaker

- Bob Hrasko, P.Eng., consultant with Aqua Consulting Inc. Aqua Consulting was the firm used by the Municipality to collect, review, analyze and determine options for the Summerland Water Master Plan starting in 2008, and has been since used regularly by the Municipality for water use planning.

Meeting called to order at 6 pm

agenda and minutes adopted by consensus

Speaker Bob Hrasko gave an overview of the Master Water Plan.

He began with a review of water licenses - 3 types: storage which is tied to irrigation and domestic

Summerland holds lots of capacity for irrigation but needs to increase the domestic to more accurately reflect usage - adjusting existing licenses retains the existing date - date is very important in establishing priority of use in a drought situation - we operate in a 'First in Time, First in Right'

system - storage is critically important in our system

the Provincial Government regulates water use thru the Water Act which they have recently reviewed after a multi year consultation process - they are now creating the regulations with further consultation - ground water extraction will be regulated

Since the 2008 Water Master Plan the Province has established a Provincial Drought Plan and sockeye salmon have returned to Skaha Lake which makes fisheries pay more attention to water supplies for fish

if we didn't have dams for water supply then Trout Creek would not have much water right now - Summerland has a storage advantage - Thirsk will fill even in a 100 year drought

Interior Health is the water quality regulator - grants the operating permit and establishes the conditions on the permit

irrigation allocation is 800ml or 32 inches per year - Summerland holds 16000 ml of license for irrigation - usage has dropped in recent years - haven't looked at irrigation roll to check on non irrigated lands on the roll

the bulk of the cost of the water is a fixed cost - cost of the infrastructure and its maintenance

Summerland has looked into the feasibility of using our Okanagan Lake water licenses to pump water out of the lake to create resiliency and extra capacity - our lake licenses have a relatively new date

our Master Water Plan is a guide book for our water system and its existence really helps us acquire infrastructure grants

meeting adjourned at 8 pm

NEXT MEETING

Wednesday September 9/15 to review the metering program - costs, effectiveness, data collected, potential

Approved CHAIR


SECRETARY 



District of Summerland

Cultural Plan Task Force

Meeting Minutes

Tuesday, August 4, 2015 at 6:30 pm

Council Chambers

Municipal Hall - 13211 Henry Avenue, Summerland, BC

Present: Jean Evanishen, Janet Peake, Denese Espeut- Post, Barbara Thorburn, Dianne Hildebrand, Susan Gibbs, Doug Holmes, Sophia Jackson, Linda Beaven, John Bubb, Dan Dinsmore

Guests: Tara Hollis-Summerland Food Bank

- 1) **Call to Order** at 6:33pm
- 2) **Approval of Agenda-** Motion to approve. Carried.
- 3) **Adoption of Minutes** – Motion to approve July 17, 2015 meeting minutes.

Carried.

4) Presentation:

Social Issues –Tara Hollis Summerland Food Bank The Food Bank provides food hampers for needy Summerland residents. Volunteers are critical to providing these services. Grant from Community Foundation received and will be used to purchase a refrigerator for perishables. Services are mostly for those on disability, welfare or pension. Annual budget is about \$100,000; 40% from community, \$15,000 from District of Summerland and \$12,000 from the United Church. There is a 22% increase in single users this year. Affordable housing is a serious need in Summerland for those at welfare rates. In addition, Jobs for people on disability are also needed. Resources Center opened last year to provide expanded services. Offices for free tax returns and counselling are available at no cost. This is handicapped accessible center.

- 5) **Task Force Membership** –B.Thorburn has resigned. Jane Curtin has resigned.

There is a need for a Vice-Chair replacement. Tabled to next meeting.

6) Team Updates

- a) **Time Management Team** (Task manager and timeline chart) D. Dinsmore stated we have two time sensitive tasks are communications strategy and consultation strategy. Task Manager updates will be presented each meeting. J. Bubb contacted Jeremy Denegar re organization of consultation. Jeremy recommended One Note system which allows for a lot more filing of folders. There are some downsides like online conversations. Decision made to currently stay with Basecamp and eliminate draft documents.
- b) **Comment Collating Team**
 - i) Take Home Assignment on Conversation Café on Vision discussed. The team will look at the relationship between the questionnaires and the previous Cafes data. D. Espeut-Post has volunteered for the team.
- c) **Facebook Page and Website Development Team**
 - i) Facebook and website updates. J. Denegar has started on the CPTF website. M. Holler will follow-up this with J. Denegar.
- d) **Community Consultation Team**
 - i) Final Format of the Cultural Survey- Discussion held about the questionnaire and its appropriateness. Final questionnaire changes to be drafted by D. Espeut-Post.
 - ii) Use of Public Works Displays- 2 banners made up by the Art Gallery. These are used in the tent at the Markets and Wednesdays on the Water. Doug Holmes will look into the Municipality purchasing a tent.
 - iii) Completion of Surveys (Wednesdays by the Water and Farmers' Market) 89 questionnaires completed. A varied group of people in the community have completed it. D. Espeut- Post will contact Ian McIntosh about reformatting this questionnaire.
 - iv) Communication Plan - Media Requests -D. Espeut-Post will contact Mike Swanson at EZRock about an interview.
 - v) Consultation Plan –to be tabled until next meeting.

7) Financial Considerations for the Task Force –tabled until the next meeting.

8) Action Items

- a) Scheduling of guest invitation – Vicki Jones re Princeton cultural plan
- b) Time Management Team report
- c) Facebook and Website Team report
- d) Community Consultation Team report
- e) Communication Plan Strategy session
- f) Financial Considerations discussion.

9) **Next Meeting:** Friday, August 21, 2015 at 9:00 am

10) **Adjournment** Motion to adjourn at 9:10 pm.

Signed:


Chair


Recording Secretary



District of Summerland

Cultural Plan Task Force (CPTF)

Meeting Minutes

Friday, August 21, 2015 at 9:00 am

Avery Law Office

Present: Janet Peake, Denese Espeut- Post, Dianne Hildebrand, Susan Gibbs, Doug Holmes, Linda Beaven, John Bubb, Dan Dinsmore, Jane Curtin, Betty Ann Xenis, Margaret Holler

Staff: Ian McIntosh, Director Development Services

- 1) **Call to Order** at 9:12 am
- 2) **Approval of Agenda** Motion to approve agenda. Carried
- 3) **Adoption of Minutes** – August 4, 2015 meeting Motion to approve. Carried.
- 4) **Financial Considerations for the Task Force** – Budget Development. Initially, we need to develop an internal budget. M. Holler has spoken to the C.A.O. L Tynan and C.F.O. Lori Coates about getting proforma budgets from other communities. She can use this to develop a draft budget which the Task Force would approve. B Xenis suggested we should look at outside persons to support the search for funding sources to support the report recommendations. M. Holler and J. Peake will present a draft budget as soon as possible. Team to be formed later for funding recommendations.
- 5) **Team Updates**
 - a) **Communication/ Consultation Team**
 - i) **Update** – Form of Cultural Survey Now Finalized French version is available thanks to Dominique Gaury.
 - ii) **Public Consultation Tent**-D Holmes has spoken to CAO Linda Tynan about purchase. M. Holler will provide hers until then.
 - iii) **Public Engagement Roster for Survey** – D. Espeut-Post suggested volunteers are needed to cover events. Sign up sheet handed around at meeting. The Basecamp Calendar to be used for events/volunteers. J. Bubb to set this up initially.
 - iv) **Consultation Planning (including Communications Planning)**- D. Dinsmore discussed the process of communications strategy. Need to target stakeholders, communication tools and timelines for the next step of the communications plan. D.Holmes discussed a consultation document which indicates that display boards, questionnaires, workshops, written submissions, high school consultation and open house are effective consultation processes. There is a need to contact the groups in early September to establish a schedule and assign members to each meeting. Members of the Communication Guiding team appointed are D. Holmes and D Hildebrand. Consider asking E.van Nie and S. Jackson to join because of their skill set? Basecamp will be set up to establish the schedule of consultations.

Page 1 of 2

b) Time Management Team

- i) Task manager/timeline update and identification of time sensitive matters- Consultation scheduling is a priority at this time. Table to next meeting.

c) Comment Collating Team

- i)L. Beaven spoke about how the team will accumulate the data across all consultation processes to form the different parts of the report, the definition of culture, what Summerland culture is currently and what residents want to see in cultural activities, organization and spaces. The team reviewed the Conversation Cafes comments on future /vision forward to separate the comments by theme area. The eight areas are arts, heritage, festivals, public spaces, environment, economic, performance art and agriculture.

d) Facebook Page and Website Development Team

- i)Website progress (removal of IP restriction) B. Xenis reported about the meeting with Jeremy. CPTF has access to the CPTF website page through B.Xenis. Question asked of I. McIntosh to ask Dawn if she can set up the interactive Fluid Surveys survey as well as input completed questionnaires. An email account set up through the website. M. Holler reported on questionnaires. 162 completed so far.

6) New Items

- a) VitalSigns Survey J. Peake asked group to respond.
- b) UBC Centre for Cultural Planning & Development Online Workshops – D. Espeut- Post received an email from J.Evanishen about the courses. Table until next meeting
- c) I McIntosh will report next meeting on the Culture Map.

7) Action Items

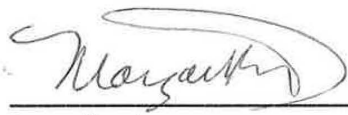
- a) Scheduling of guest invitation – Vicki Jones re Princeton cultural plan- M. Holler to contact
- b) Position of Vice-Chair- Table to next meeting.
- c) Reports by Teams
- d) Finance report
- e) UBC course discussion
- f) Culture Map report.

8)Next Meeting: Tuesday, September 8, 2015 at 6:30 pm -M.Holler to ask Art Gallery

9)Adjournment at 11:07 am

Signed


Chair


Recording Secretary



DISTRICT OF SUMMERLAND
Minutes of the Climate Action Committee
Held at District of Summerland
Council Chambers
13211 Henry Avenue, Summerland, BC
On Thursday, August 20, 2015 at 8:45 AM

Members Present:	Chairperson D. Hill J. Arendt H. Sielmann N. Hildebrand G. Downton L. Scott L. Wilson B. Harris
Staff Present:	M. Stam, Manager of Works
Councillors Present:	E. Carlson
Members Absent:	J. Lusted, Student Member

1. Call to Order

Chairperson D. Hill called the meeting to order at 8:55 a.m.

2. Adoption of Minutes

Recommendation:

Moved, seconded,

THAT the CAC meeting minutes dated June 18, 2015 be adopted.

Carried.

3. Adoption of Agenda

Recommendation:

Moved, seconded,

THAT the CAC meeting agenda be adopted.

Carried.

4. Delegations

Cameron Baughen of the Regional District Okanagan-Similkameen was scheduled to introduce the RDOS Food Waste Composting Program. Unfortunately Cameron could not attend and will be rescheduled.

5. Unfinished Business

5.1. Update Climate Action Tracker

The updated Climate Action Tracker will be reviewed at each regular meeting.

Update re recycling: M. Stam advises that there is a recycling help line for those who do not refer to the online instructions. It was agreed to form a Recycling Subcommittee comprising L. Scott and G. Downton. In addition a new Communication Subcommittee should focus on promoting awareness of the recycling information available from the District.

5.2. Cultural Task Force Report

D. Hill attended the meeting of June 19 and reported that the Cultural Task Force is very receptive to what we are doing particularly in the areas of transit, cycling and the Urban Forest Concept. They cover a very broad range of topics as part of a visioning process for Summerland.

5.3 Projects proposed by CAC Members

D. Hill circulated a budget summary report. It is not sure if all cost approved by CAC has been accrued. In addition there is \$38,000 for the municipal tree fund which is generated by savings from electronic billing.

Action: Perform a CAC budget planning exercise in preparation of the annual DOS financial planning process. This should be the key topic for a special meeting.

D. Hill read the list of projects proposed by CAC members and informed members of some research that he has done. These project proposals will be reviewed at a dedicated workshop scheduled for Wednesday August 26 at 8:45 am. Projects need to comply with the Climate Action Strategic Plan developed in 2011.

6. New Business

6.1 Form a Communication Committee

It was suggested that a Communications Subcommittee should be formed. Karen Jones should be invited to meet the Subcommittee once it is formed.

Action: Set up a Communications Subcommittee at the next meeting.

7. Correspondence

D. Hill summarized the following correspondence directed to the CAC:

7.1 Summerland Healthy Communities Initiative

Email Request from Summerland Healthy Communities Initiative regarding a Community Garden Project. A member would like to come to a future CAC meeting and present information.

7.2 Hometown Heroes – Environmental Awards

L. Scott's nomination is being processed.

8. Next meeting date

The next meeting is scheduled for September 17 at 8:45 a.m.

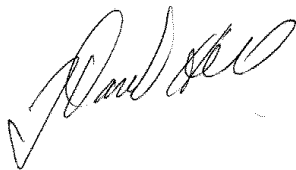
Adjournment

The meeting was adjourned at 10:15 a.m.

This is a correct record of the meeting:



Henry Sielmann, Recording Secretary
August 20, 2015



Dave Hill, Chairperson
August 26, 2015



Lisa Scott, Vice Chairperson
August 26, 2015



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 14th 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Development Variance Permit
Lot 2, Block 2, DL 473, ODYD, Plan 1005
14612 Biagioni Avenue)

STAFF RECOMMENDATION:

That Council pass the following resolution:

*THAT a Development Variance Permit application to vary Section 7.3.1 a) of Zoning Bylaw 2000-450 to allow a secondary suite not connected to the municipal sanitary sewer system, for Lot 2, Block 2, DL473, ODYD, Plan 1005, located at 14612 Biagioni Avenue, **be denied.***

PURPOSE:

To present a comprehensive review of the application for a Development Variance Permit.

BACKGROUND:

Current Use: Residential
Parcel Size: 0.6 acres (2500 sq. m)
Zoning: RSD3 – Residential Estate Lot Zone
OCP: Low Density Residential
M.o.T Approval: Not Required

The subject property is located on Biagioni Avenue near the intersection of Hwy #97 and Rosedale Avenue. The property is 2500 sq. m in area and contains a 2 bedroom single detached house, a detached carport, and an attached shed/studio which has an unpermitted secondary suite. A site map is attached as Schedule "A". New property owners wish to legalize the existing secondary suite in the attached shed/studio building. The applicant's request is attached as Schedule "B". The District's Zoning Bylaw requires any secondary suite to be connected to municipal sewer. There is no municipal sewer available in this area. The property is designated as Low Density Residential on the OCP however is outside the new growth boundary.

Development Variance Permits (DVPs) may be issued by Council if the use or density permitted by the zoning bylaw is not affected by the application. Typically DVPs are meant to be considered when site specific characteristics or other unique circumstances

do not permit strict compliance with the existing bylaw. This property is unique as it is greater than ½ acre in size and is located in the urban area of Summerland but does not have access to municipal sanitary sewer.

DISCUSSION:

Section 7.3.1 a) of the Zoning Bylaw requires that secondary suites be limited to lots having full urban services. This means that secondary suites must be connected to municipal sewer. The main reason for this regulation is to allow increases in density from secondary suites only in urban areas that can take advantage of existing services and are close to amenities. Another reason that secondary suites must be connected to full urban services is to ensure that there are no issues with septic system feasibility/replacement as a result of the density increase.

There is no municipal sewer service on the east side of Highway 97 in this area. The existing house has only two bedrooms and the secondary suite is a single bedroom. The property owners have installed a professionally designed septic system to accommodate the existing dwelling and suite.

The District receives many requests for secondary suites or additional dwellings on larger rural lots in the municipality. Current policy directs additional density to the urban core where full urban services are available as well as local amenities. There has been resistance to allowing additional density in the rural areas that have no sewer service and are far from amenities.

In this situation the applicants are new owners that are trying to legalize an existing suite. Typically people are encouraged to legalize suites provided they can meet the regulations in the Zoning Bylaw and Building Code. In this case the applicants cannot meet the zoning bylaw requirements due to the lack of a sewer service so have applied to vary this regulation.

Staff are not recommending the Development Variance Permit be approved due to the following:

- the construction was completed without a building permit and legalization is being requested after the construction is complete, and
- The secondary suite is outside the sewer area and there are no plans to expand the sanitary sewer to this area, and
- The lot is outside the urban growth area.

It is noted that this property is close to amenities as it is right across Hwy#97 from the northern edge of the downtown core. Should council support the variance, a covenant could be considered limiting development on the property to a total of three bedrooms. This would allow the secondary suite but would provide clear limitations on such development outside the sewer area. The property owners have confirmed they would be agreeable to a restrictive covenant limiting development on the property to a total of 3 bedrooms.

CIRCULATION COMMENTS:

This application has been circulated to the Works and Utilities Department as well as the Fire Department and no concerns have been raised. Notification of this Development Variance Permit application has been provided to adjacent property owners and residents in accordance with the Land Use Procedure Bylaw. No concerns have been received as of the writing of this report.

FINANCIAL IMPLICATIONS:

There are no financial implications with respect to this application.

CONCLUSION:

This request is meant to allow an existing secondary suite, constructed without the required permits, to be authorized through variance. The variance request is being made by new property owners who wish to legalize the suite. The variance is requested because the suite cannot be connected to municipal sewer as required by the Zoning Bylaw. A building permit will be required if the variance is issued to ensure the secondary suite meets the BC Building Code.

OPTIONS:

1. Deny the application (staff recommendation).
2. Approve the application subject to registration of a restrictive covenant limiting development on the property to a maximum of 3 bedrooms.
3. Approve the application without conditions.
4. Send the application back to staff for further review.

Respectfully submitted,



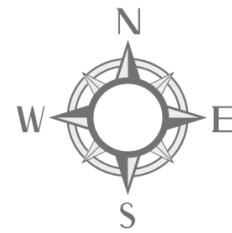
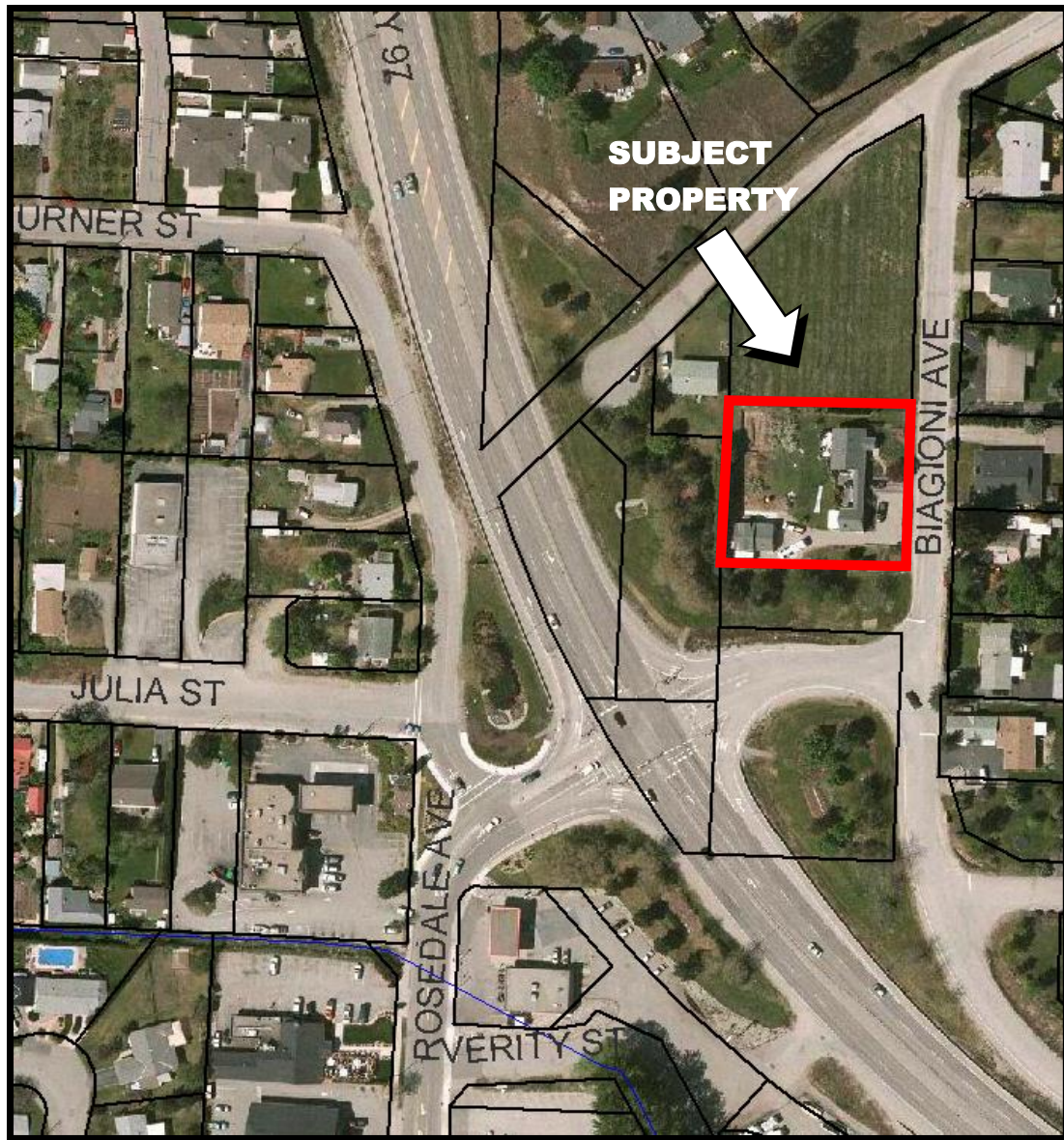
Ian McIntosh
Director of Development Services

Approved for Agenda



CAO – Linda Tynan

Schedule "A" – Site Map



Schedule B – Development Variance Permit request

Please explain your requested variance as well as your reasons and justification for this request:

Requesting Council approve a variance to permit a secondary suite at 14612 Biagioni Ave. Currently we have a 1 bedroom (400 sq') unit attached to our main house by way of a connecting breezeway. We are wishing approval to reclassify this unit as a secondary suite and rent it on a monthly basis.

Recently we have installed a complete new septic system that far exceeds the required capacity.

We have ample off-street parking as the lot is $\frac{2}{3}$ acre and granting this variance would help to increase density in the central part of Summerville.



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 14th 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Development Variance Permit - Lot 2, DL 3640, ODYD, Plan 39497
15416 Victoria Road

STAFF RECOMMENDATION

That Council pass the following resolution:

THAT a Development Variance Permit application to:

- 1. vary Section 8.1.6.a ii and iii of Zoning Bylaw 2000-450 to reduce the rear and interior side yard setback to 1.5m for an accessory building, and*
- 2. vary Section 8.1.9 (b) to increase the maximum gross floor area of an accessory structure from 100m² to 134m².*

*for Lot 2, DL3640, ODYD, Plan 39497, located at 15416 Victoria Road **be approved.***

PURPOSE:

To present a comprehensive review of the Development Variance Permit application.

BACKGROUND:

Current Use:	Residential
Parcel Size:	0.87 acres (3540 Sq. M)
Zoning:	A1 – Agricultural Small Acreage
OCP:	Agricultural
M.o.T.I. Approval:	N/A

The property is located near the intersection of Victoria Road and Thompson Road. A site map is attached as Schedule A. The property is zoned A1 – Small Acreage and located within the Agricultural Land Reserve. The property is being used for residential purposes as the lot was created under the retiring farmer /home site severance policy in the 1980's which allowed property owners to subdivide off their home from the remaining agricultural land to use as a residence.

Development Variance Permits (DVPs) may be issued by Council if the use or density permitted by the zoning bylaw is not affected by the application. Typically DVPs are meant to be considered when site specific characteristics or other unique circumstances do not permit strict compliance with the existing bylaw. The subject lot has a large slope which limits the buildable area of the property and is undersized in relation to the current zoning regulations.

DISCUSSION:

Section 8.1.6(a) of the Zoning Bylaw requires structures to be setback a minimum of 7.0m from a rear property line and 4.0m from a side property line. These setbacks are larger than those for residential lots as the agricultural zones typically apply to larger acreages. The requested variance is to reduce these setbacks to 1.5m which is consistent to the setbacks found in residential zones. The lot is approximately 0.87 acres which is significantly less than the 5 acre minimum lot size required in the A1 zone.

Section 8.1.9 (b) of the Zoning Bylaw only allows residential accessory structures with gross floor area up to 100 sq. m. This is more restrictive than the District's residential zones. In comparison the District's residential zones allow for accessory structures up to a maximum of 25% of the allowable lot coverage. For example if this property was zoned residential the maximum allowable size of the accessory structure would be approximately 300 sq. m. The reason for the discrepancy between the agricultural and residential zones is that the agricultural zone attempts to reserve as much land as possible for agricultural purposes. In this situation the property is not being used for agricultural purposes as it was created as a home-site severance lot to be used as residential.

The property is located in the ALR as are all the adjacent properties. The site is adjacent to an active farm operation however the property is located on a slope and most of the lot is approximately 7.0m above the adjacent farm. The buildable area of the lot is also further constrained by the slope.

The property owners wish to vary the setbacks to those of an accessory building for a typical residential property. While it appears the building could be moved further from the property lines and still be functional, the owners have requested the reduction to 1.5m to maximize the use of their property. The proposed building is a garage/shop as shown on Schedule B.

CIRCULATION COMMENTS:

The application has been circulated to neighbouring property owners within 30m of the subject property in accordance with the Land Use Procedures Bylaw. No concerns have been received as of the writing of this report.

FINANCIAL IMPLICATIONS:

There are no financial implications with respect to this application.

CONCLUSION:

The requested variance is to reduce the side and rear yard set-back to 1.5m to allow for an accessory building/shop to be built; and to increase the allowable gross floor area of the structure by 34 sq. m. The property is constrained by a steep slope which acts as a slight buffer between the site and the existing agricultural operation along the rear of the property. The regulations governing structures in the agricultural zones are intended to protect land for farming. In this case the lot was created for residential purposes under the ALC regulations and is significantly undersized compared to the minimum lot size of

the A1 Zone. The proposed variance is consistent with the setbacks and site coverage regulations found in residential zones. While this is a significant variance request, it is recommended by staff provided no major concerns are raised from adjacent property owners.

OPTIONS:

1. Approve the application for a Development Variance Permit.
2. Deny the application.
3. Send the application back to staff for further review.

Respectfully submitted,



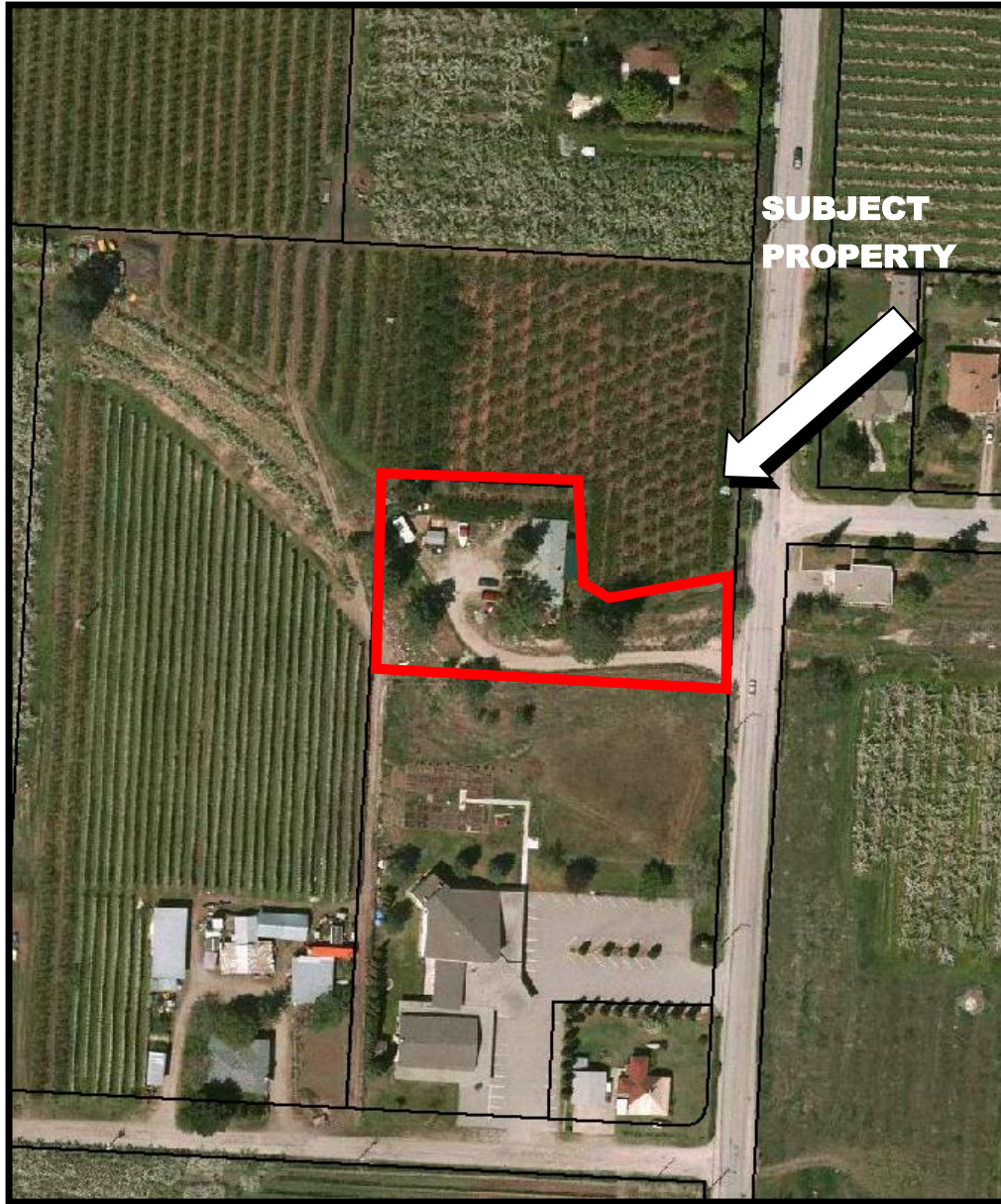
Ian McIntosh
Director of Development Services

Approved for Agenda

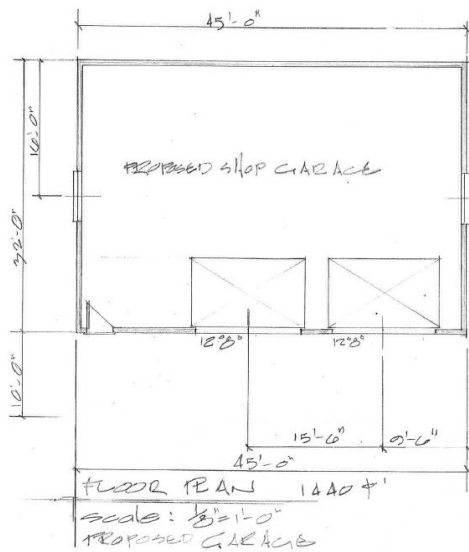
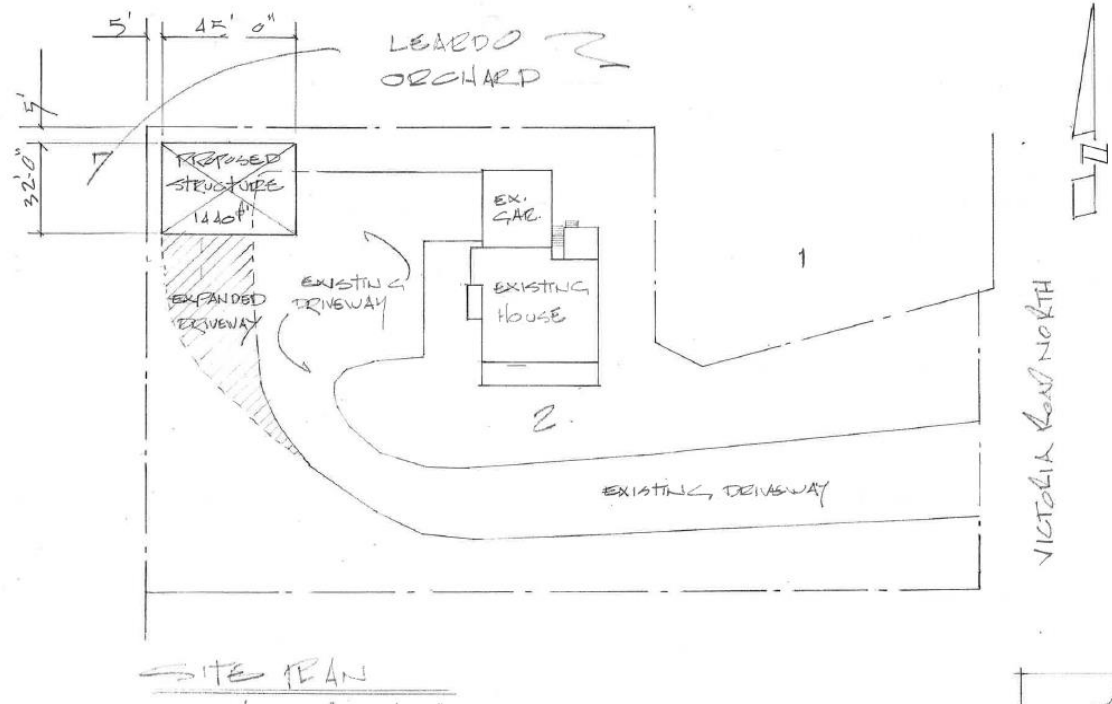


CAO – Linda Tynan

Schedule "A" – Site Map



Schedule "B" – Proposed Accessory Structure





THE CORPORATION OF THE
DISTRICT OF SUMMERLAND

COUNCIL REPORT

DATE: September 14th 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
SUBJECT: OCP and Zoning Bylaw amendment to change of the OCP Designation of DL 2895 (PID: 011-342-625) located at 35888 Garnet Valley Road from Open Space to Agricultural and rezone the property from PP – Preservation and Protection to A2 – Agricultural Large Acreage

STAFF RECOMMENDATION:

That Council pass the following resolutions:

THAT Bylaw No. 2015-025, “Amendment of Official Community Plan Bylaw (2014) (35888 Garnet Valley Road)” to amend Official Community Plan Bylaw No. 2014-002 to change the OCP land use designation for the property located at 35888 Garnet Valley Road from Open Space to Agricultural, be introduced and read a first time;

AND THAT Bylaw No. 2015-026, “Amendment of Zoning Bylaw No. 2000-450 (Garnet Valley Road)”, to amend Zoning Bylaw No. 2000-450 to change the zoning classification of the property located at 35888 Garnet Valley Road from PP–Preservation and Protection to A2 – Agricultural Large Acreage, be introduced and read a first time;

AND FURTHER THAT a Public Hearing be scheduled for Tuesday, October 13, 2015.

PURPOSE:

To propose a bylaw amendment that corrects an inadvertent zoning error and proposes the appropriate OCP designation.

BACKGROUND:

Current Use:	Residential
Parcel Size:	90 Hectares (223 Acres)
Zoning:	PP – Preservation and Protection
OCP:	Open Space
M.o.T. Approval:	N/A

This property is located at the northern end of Garnet Valley Road and is directly adjacent to the Garnet Valley Water Reservoir. A site map is attached as Schedule “A”. Most of the property is undeveloped however contains one single detached dwelling. The property is located in the Agricultural Land Reserve but is zoned PP – Preservation and Protection which does not allow for agricultural uses.

The property owners have informed the District that they intend to use the property for agricultural purposes which they would be permitted to do regardless of District Zoning. This inquiry uncovered the zoning anomaly. As the District’s Zoning Bylaw is not consistent with the Provincial Agricultural Land Reserve boundaries District staff are bringing this application forward for consideration. A copy of the

ALR mapping is attached as Schedule “B”. It is noted that the property is not serviced with municipal water and has a private well. Municipal water is approximately 920m away.

DISCUSSION:

OCP

This property has been designated as Open Space in the 1996, 2008 and current OCP. The property is located in the Agricultural Land Reserve however has never been used for agricultural purposes. In order to accommodate agricultural use, the property should be designated as Agriculture. The property is located in the Environmentally Sensitive and Watercourse Development Permit areas due to the fact most of the lot is undeveloped and is adjacent to the Garnet Valley Reservoir. Staff do not recommend changing the permit areas as these are useful if non-agricultural development were proposed on the site. The development permit areas would not affect the agricultural use of the property as the OCP exempts any farm use as defined under the Agriculture Land Commission Act for lands within the Agricultural Land Reserve from obtaining a development permit.

Zoning Bylaw

In the 1999 Zoning Bylaw this property was zoned FG – Forestry Grazing. In the current Zoning Bylaw the property is zoned as PP – Preservation and Protection. Staff believe this is a mapping error caused by the transition from paper mapping to digital mapping and occurred in 2008. There does not appear to be an identifiable reason for zoning this large site to Preservation and Protection. Regardless of the FG or PP zoning, the property is located in the Agricultural Land Reserve and can be farmed. The change from FG zoning to PP zoning was inadvertent and as the property is located within the ALR and can be farmed, the most appropriate zoning is Agricultural. Specifically, staff recommend that the zoning for the property be changed to the A2 – Agricultural Large Acreage Zone due to the large area of the property and its remote location.

CIRCULATION COMMENTS:

This is a simple amendment to bring District bylaws into conformity with the Provincial Agricultural Land Reserve legislation. District staff recommend that this bylaw does not require consultation with the RDOS, adjacent municipalities, first nations or other Provincial or Federal agencies. District staff are therefore satisfied that all appropriate consultation has taken place. The requirements of Section 879 - Consultation during OCP development of the Local Government Act have therefore been fulfilled.

The proposed bylaw amendment has been forwarded to the Okanagan Skaha School District 67 for consultation as all OCP amendments must be referred to the applicable school district. The requirements of Section 881 – Planning of School Facilities have therefore been fulfilled.

The proposed bylaw amendment has been considered in conjunction with the District of Summerland's financial plan and waste management plan. The requirements of Section 882 – Adoption procedures have therefore been fulfilled.

FINANCIAL IMPLICATIONS:

There are no direct financial implications to the District related to this amendment.

CONCLUSION:

The proposed amendment is considered by staff to be a correction of a mapping error that has been overlooked in previous versions of the Zoning Bylaw. The property is located in the ALR and the property owners have advised staff that they intend to use the property for agricultural purposes. The property is in the ALR allowing the property owners to farm the land regardless of the District's OCP and Zoning designations. To ensure the District's OCP and Zoning Bylaw are consistent with the ALR mapping staff are recommending that OCP designation be changed to Agricultural, and the zoning be

changed to A2 – Agricultural Large Acreage Zone.

OPTIONS:

1. Provide first reading of Bylaw Nos. 2015-025 and 2015-026 and proceed to Public Hearing.
2. Refer back to staff for other options.

Respectfully Submitted,



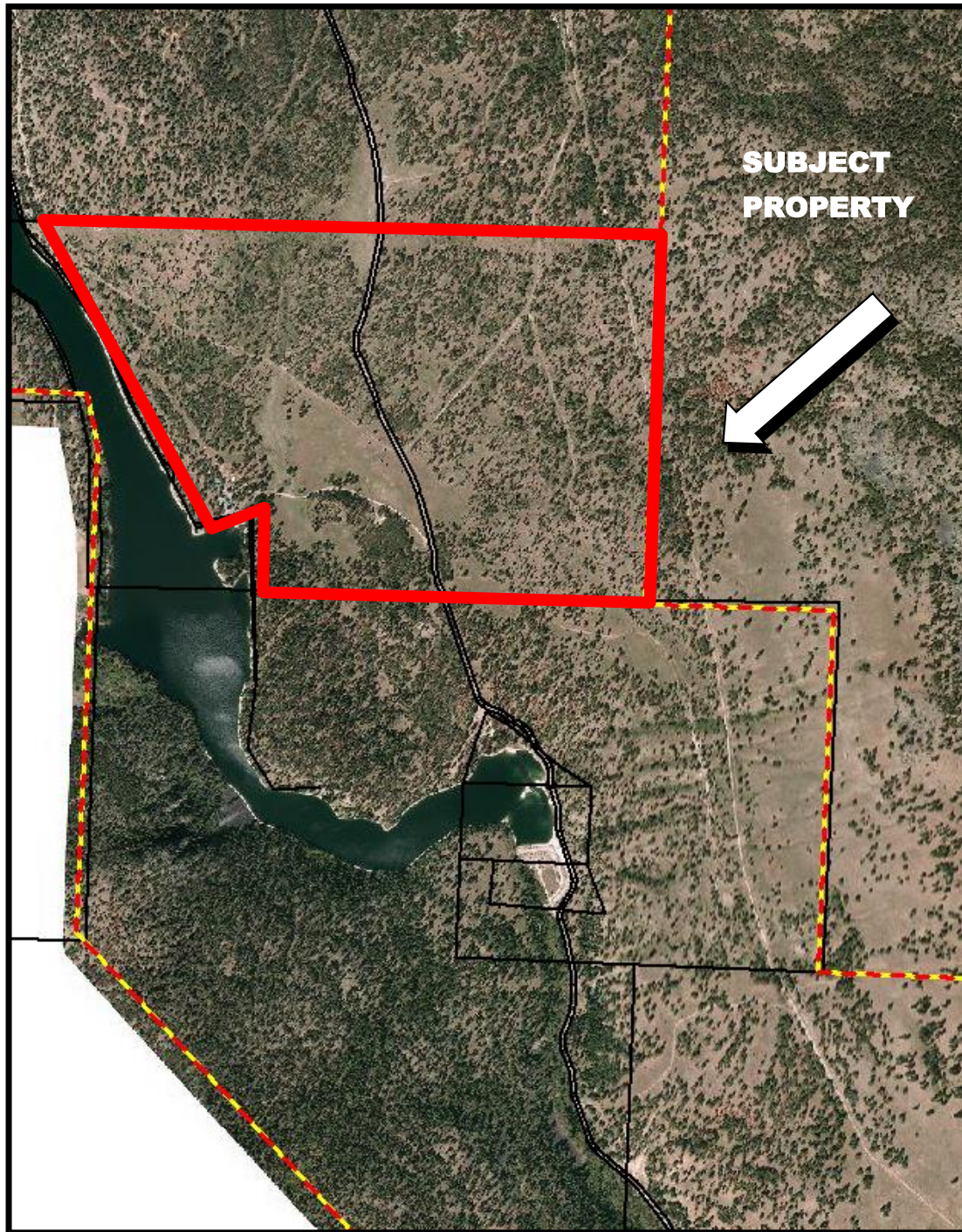
Ian McIntosh
Director of Development Services

Approved for Agenda

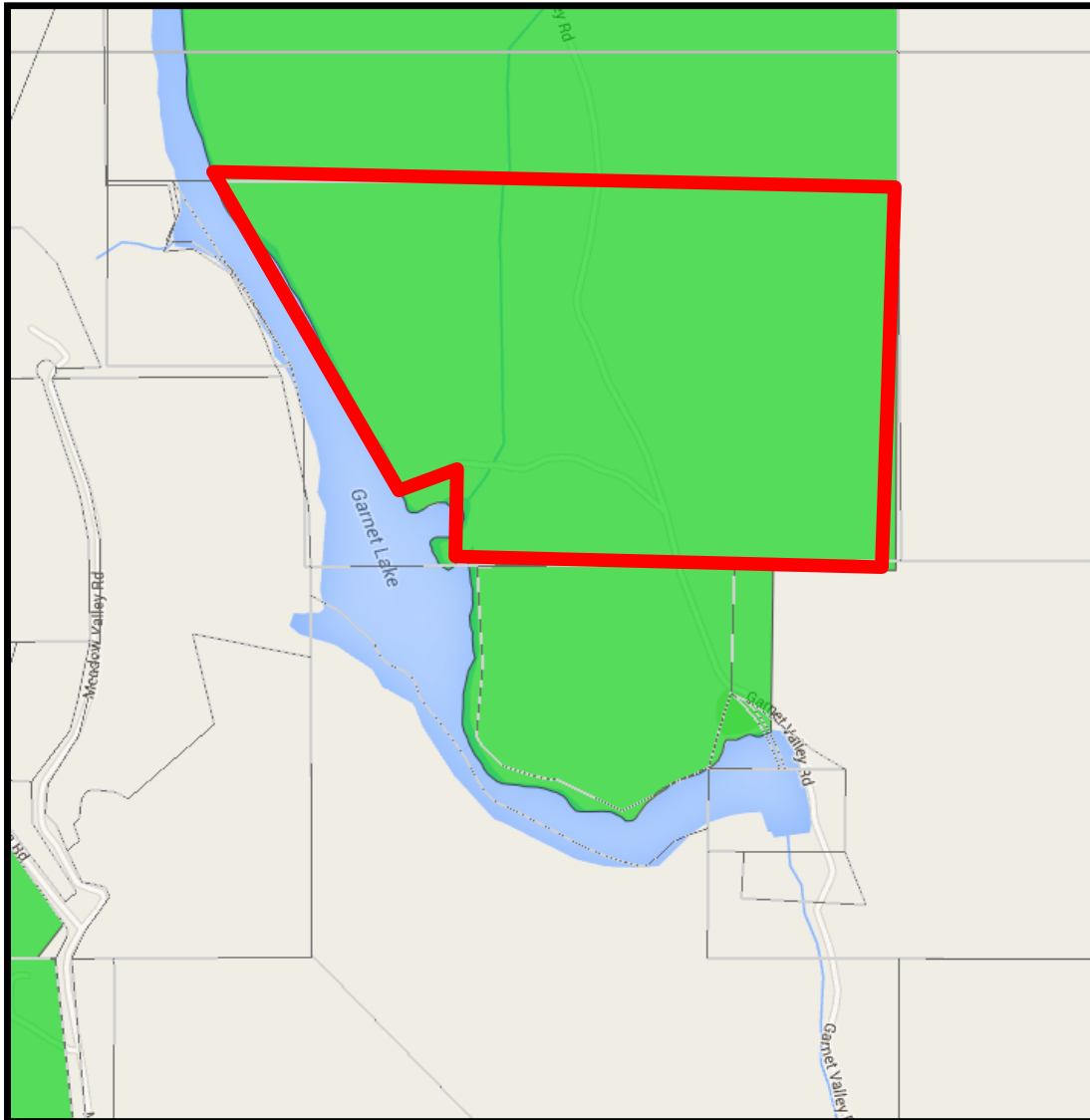


Linda Tynan, CAO

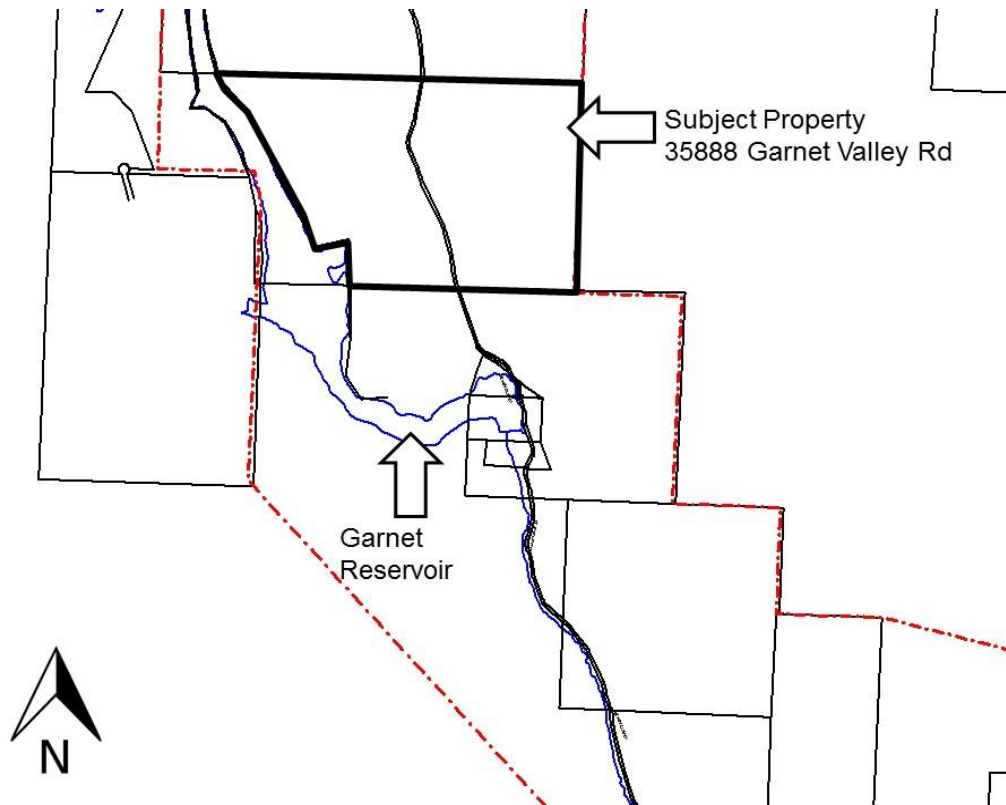
Schedule "A" – Site Map



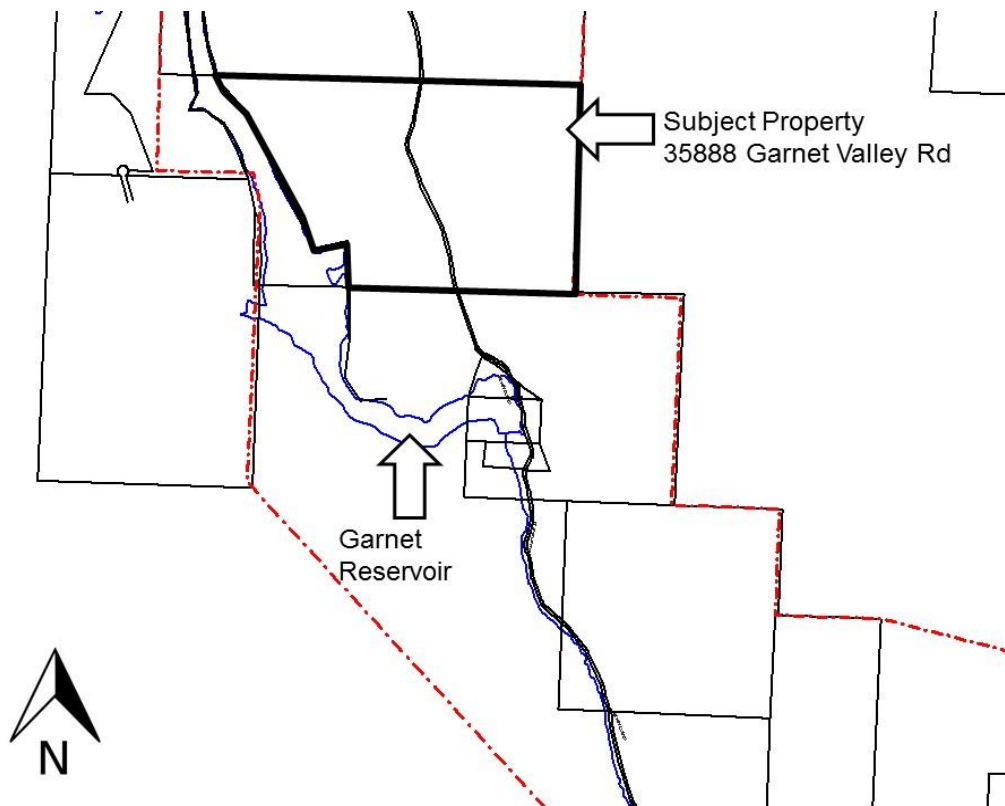
Schedule B – Agricultural Land Reserve Map



SCHEDULE A



SCHEDULE A





THE CORPORATION OF THE
DISTRICT OF SUMMERLAND

COUNCIL REPORT

DATE: September 14th 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
SUBJECT: Zoning Bylaw amendment to allow brewery, distillery or meadery in the A1 and A2 Zone.

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Bylaw No. 2015-024, "Amendment to Zoning Bylaw No. 2000-450 (Breweries, Distilleries and Meaderies)", to amend the Zoning Bylaw to allow breweries, distilleries, and meaderies as a permitted use in the A1 and A2 Zones, be introduced and given first reading, and proceed to a Public Hearing scheduled for Tuesday, October 13, 2015.

PURPOSE:

To present a comprehensive review regarding recent updates to the Agricultural Land Reserve, Use Subdivision and Procedure Regulation in relation the District of Summerland Zoning Bylaw.

BACKGROUND

On June 15th 2015 the BC Lieutenant Governor approved several amendments to the Agricultural Land Reserve, Use Subdivision and Procedure Regulation. The amendment includes allowing breweries, distilleries, and meaderies as a farm use. In response District of Summerland staff are recommending that the District's Zoning Bylaw be updated to ensure municipal regulations are consistent with the provincial regulations. The amendment text is attached to this report as 'Schedule A' and the amendments are discussed in detail below.

DISCUSSION:

Section 2 of the ALR Use Subdivision and Procedure Regulation was recently amended to state a brewery, distillery or meadery, and ancillary uses are designated as farm uses if at least 50% of the farm product used to make the beer, spirits or mead produced each year is grown on the farm on which that brewery, distillery or meadery is located. 'Farm uses' are uses in addition to regular farming/ranching and are for the most part directly linked to agriculture. Farm uses can be restricted but not prohibited by local government. Many of the permitted farm uses are subject to conditions, thresholds, or other requirements. Examples of permitted farm uses include wineries, cideries, and farm retail sales.

Currently the District's Zoning Bylaw allows for wineries & cideries on agricultural land but does not contemplate breweries, distilleries or meaderies. A municipality may not prohibit farm uses but may add regulations to govern the use such as set-backs from property lines and building heights.

CIRCULATION COMMENTS:

This amendment was presented to the Agricultural Advisory Committee on July 31st 2015. The question for consideration was *does the Agricultural Advisory Committee recommend that the District consider allowing breweries, distilleries, and meaderies in agricultural zones? And if so, are there any specific regulations that the District should consider creating to regulate the use?* The consensus from the

committee was that these uses should be permitted in the Zoning Bylaw and to regulate them the same as wineries and cideries.

This application was discussed at the citizen Advisory Planning Commission on August 21st 2015. The commission unanimously passed the following resolution:

THAT APC support adding breweries, distilleries, and meaderies as allowable uses in the A1 and A2 zones.

FINANCIAL IMPLICATIONS:

There are no direct financial implications to the District related to this amendment. If approved the District may benefit from increased tax and business licence revenue as result of new development being undertaken.

CONCLUSION:

The ALC has amended their regulations to permit breweries, distilleries, and meaderies as farm uses. The District cannot prohibit these farm uses. To ensure the District's Zoning Bylaw is consistent with the ALR regulations staff are recommending that these uses are added to the agricultural zones. Furthermore, district staff are recommending that these uses be regulated in the same way that wineries & cideries are currently regulated.

OPTIONS:

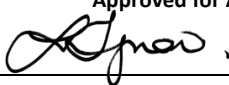
1. Provide first reading of Bylaw No. 2015-024 and proceed to Public Hearing.
2. Refer back to staff for other options.

Respectfully Submitted,



Ian McIntosh – Director of Development Services

Approved for Agenda



Linda Tynan, CAO

Schedule A – Proposed Zoning Bylaw Text Amendment

Section 2 – Definitions:

Brewing & Distilling means the *Use of Premises* for the *Brewing or Distilling* of alcoholic beverages or beverage products with alcoholic content exceeding one percent by volume, where the *Use* may involve the milling of grain, rice ~~or~~, malt or honey licensed under the Liquor Control and Licensing Act.

Section 8.1.3 A1 Zone

8.1 A1 Agricultural Small Acreage Zone

A1

8.1.1 Purpose

To provide a zone to accommodate existing small *Lot Agricultural Uses*. Lands must be designated as Agriculture under the *District's* Official Community Plan.

8.1.2 Principal Uses

The following *Uses* and no other *Uses* shall be the permitted *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Agriculture, General*;
- (b) *Agriculture, Intensive*;
- (c) Greenhouses and plant nurseries;
- (d) *Manufactured Housing - Type 1 or 2*; and
- (e) *Single Detached Housing*.

8.1.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the permitted *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Accessory Buildings and Structures*;

Bylaw 2000-459 added the following definition (b) ~ (November 14, 2011):

- (b) *Animal Shelter, Major* on Lots having a minimum Lot Area of 2.0ha;
- ~~(c)~~ *Bed & Breakfast home*;
- ~~(e)~~(d) *Brewing & Distilling*;
- ~~(d)~~(e) *Commercial Kennel* on Lots having a minimum Lot Area of 4.0ha;
- ~~(e)~~(f) *Dwelling for farm help*;
- ~~(f)~~(g) *Home Occupation - Type 1,2 or 3*;
- ~~(g)~~(h) *stable*;
- ~~(h)~~(i) *Temporary Farm Worker Accommodation*;
- ~~(i)~~(j) *Winery & Cidery*; and
- ~~(j)~~(k) *automotive and boat repair shop as a Type 3 Home Occupation Use* on property at 19555 Matsu Drive (Lot 7, DL 2194, ODYD, Plan 267 Except Plans 34018, 41387, H577 and B3577) subject to the following limitations:
 - (i) for the purposes of this *Use* only, located in an *Accessory Building*;

8.1.6 Siting Regulations

Bylaw 2012-025 amended the following definition (a) and (b) - (November 26th, 2012):

- (a) Principal and Accessory Buildings and Structures within a Farm Home Plate and crop, machinery and/or chemical storage Buildings outside a Farm Home Plate.
 - (i) Minimum Front Yard Setback 7.0m
 - (ii) Minimum Rear Yard Setback 7.0m
 - (iii) Minimum Side Yard Setback (Interior) 4.0m
 - (iv) Minimum Side Yard Setback (Exterior) 4.5m
- (b) Greenhouses; Wineries; Cideries; Brewing & Distilling; Buildings and Structures housing animals, livestock or poultry; livestock feeding stations; mushroom growing facilities; and all other Structures:
 - (i) Minimum Front Yard Setback 15.0m
 - (ii) Minimum Rear Yard Setback 30.0m
 - (iii) Minimum Side Yard Setback (Interior) 30.0m
 - (iv) Minimum Side Yard Setback (Exterior) 15.0m

Section 8.2.3 – A2 Zone

8.2 A2 Agricultural Large Acreage Zone

A2

8.2.1 Purpose

To provide a zone to accommodate Agricultural Uses. Lands must be designated as Agriculture under the District's Official Community Plan.

8.2.2 Principal Uses

The following Uses and no other Uses shall be the permitted *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) Agriculture, General;
- (b) Agriculture, Intensive;
- (c) greenhouses and plant nurseries;
- (d) Manufactured Housing - Type 1 or 2; and
- (e) Single Detached Housing.

Bylaw 2012-017 amended the following (July 23rd, 2012):

8.2.3 Accessory Uses

The following Uses and no other Uses shall be the permitted *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) Accessory Buildings and Structures;

Bylaw 2000-459 added the following definition (b) (November 14, 2011):

- (b) Animal Shelter, Major on Lots having a minimum Lot Area of 2.0ha;
- ~~(c)~~ Bed & Breakfast home;
- ~~(c)(d)~~ Brewing & Distilling
- ~~(d)(e)~~ Commercial Kennel on Lots having a minimum Lot Area of 4.0 hectares;
- ~~(e)(f)~~ Dwelling for farm help;
- ~~(f)(g)~~ Home occupations - type 1, 2 or 3;
- ~~(g)(h)~~ Stable
- ~~(h)(i)~~ Temporary Farm Worker Accommodation; and
- ~~(i)(j)~~ Winery & Cidery.

8.2.6 Siting Regulations

Bylaw 2012-025 amended the following definition (a) and (b) - (November 26th, 2012):

- (a) Principal and Accessory Buildings and Structures within a Farm Home Plate and crop, machinery and/or chemical storage Buildings outside a Farm Home Plate.
 - (i) Minimum Front Yard Setback 7.0m
 - (ii) Minimum Rear Yard Setback 7.0m
 - (iii) Minimum Side Yard Setback (Interior) 4.0m
 - (iv) Minimum Side Yard Setback (Exterior) 4.5m
- (b) Greenhouses; Wineries; Cideries; Brewing & Distilling; Buildings and Structures housing animals, livestock or poultry; livestock feeding stations; mushroom growing facilities; and all other Structures:
 - (i) Minimum Front Yard Setback 15.0m
 - (ii) Minimum Rear Yard Setback 30.0m
 - (iii) Minimum Side Yard Setback (Interior) 30.0m
 - (iv) Minimum Side Yard Setback (Exterior) 15.0m

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NO. 2015-024

A BYLAW TO AMEND ZONING BYLAW NO. 2000-450 TO ALLOW BREWERIES, DISTILLERIES AND MEADERIES IN THE A1 AND A2 ZONES

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

1. THAT Summerland Zoning Bylaw No. 2000-450 as amended, be further amended by:
 - a. in Section 2, Definitions, amending the definition of *Brewing & Distilling* to read as follows:

"Brewing & Distilling means the Use of Premises for the Brewing or Distilling of alcoholic beverages or beverage products with alcoholic content exceeding one percent by volume, where the Use may involve the milling of grain, rice, malt or honey licensed under the Liquor Control and Licensing Act.";
 - b. in Section 8.1.3 A1 Zone, adding new subsection (d) *Brewing & Distilling*, and renumbering all subsequent subsections;
 - c. amending Section 8.1.6 (b) Siting Regulations, by adding the words "*Brewing & Distilling*;" between the words "*Cideries*" and "*Building*";
 - d. in Section 8.2.3 A2 Zone, adding new subsection (d) *Brewing & Distilling*, and renumbering all subsequent subsections; and
 - e. amending Section 8.2.6 (b) Siting Regulations, by adding the words "*Brewing & Distilling*;" between the words "*Cideries*" and "*Building*".
2. Bylaw No. 2015-024 may be cited as "Amendment of Zoning Bylaw No. 2000-450 (Breweries, Distilleries and Meaderies)".

Read a first time this day of , 2015.

Considered at a Public Hearing this day of , 2015.

Read a second and third time this day of , 2015.

Approved pursuant to section 52(3) (a) of the *Transportation Act* this day of,
2015.

For Minister of Transportation and Infrastructure

Adopted by the Municipal Council this day of , 2015.

Mayor

Corporate Officer



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 14, 2015
TO: Linda Tynan, CAO
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Zoning Amendment to allow cluster development on the Hunters Hill property

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Bylaw No. 2015-027, "Amendment of Zoning Bylaw No. 2000-450 (Hunters Hill Cluster Development)", to allow cluster development on Lot 1, DL 1178, ODYD, Plan KAP91886 (18654 Garnet Valley Rd); and That Part DL 1178 Outlined Red on Plan B1755, ODYD, Except Parts Outlined Red on Plans B5590, B3577 and B7646 and except Plan KAP91886 (19013 Bentley Rd), be introduced and given first reading, and proceed to a Public Hearing scheduled for Tuesday, October 13, 2015;

AND THAT that final adoption of Bylaw No. 2015-027 be considered in conjunction with a 219 covenant registered on the titles of the properties:

- i) limiting development to a maximum of 67 lots;*
- ii) requiring the dedication of a minimum of 28 hectares of the property as park, as a condition of any lot being created through subdivision of the lands that is less than one hectare in area; and*
- iii) requiring the upgrading of Sanborn Street from Bentley Road to the subject property including a minimum of 7.3m of asphalt and all required utilities as a condition of any lot being created through subdivision of the lands that is less than one hectare in area.*

PURPOSE:

To present a comprehensive review of the applicant's request to allow cluster development on the Hunters Hill property.

BACKGROUND:

Current Use: Vacant
Parcel Size: 68ha (169ac)
Zoning: CR1 – Country Residential/A1-Agricultural Small Acreage
OCP: RR – Rural Residential
M.o.T. Approval: Required

The area known as 'Hunters Hill' is a large site located between Garnet Valley and Highway 97, northwest of Sanborn St in the Bentley Rd area. The site is comprised of three separate lots. A

location map is attached as Schedule A. The property is triangular in shape and has undulating topography with steep slopes and bedrock bluffs. The property has never been developed and has natural/wildlife values throughout.

A small portion of the property located at 11700 Sanborn St is partially located within the Agricultural Land Reserve (ALR) and is zoned A1. Development on these lands is meant to be guided by the Hunters Hill Neighbourhood Plan (HHNP). A 6.2ha portion of the site has already been dedicated as park as envisioned in the HHNP. This site specific zoning amendment does not apply to the property on Sanborn St as it is zoned A1-Agriculture and not CR1-Country Residential. It is recognized this property does form part of the neighbourhood planning area, and is required for access to the larger lots.

Most of this property has been zoned for country residential use for many years. In 2014 the HHNP and the Rural Residential designation were both adopted in the Official Community Plan (OCP). The neighbourhood plan notes *"The site is anticipated to develop between 30 to 50+ large lot single family home sites"*. This identified density is a result of the geography and physical constraints of the site.

The property owner is now applying to amend the zoning classification to allow for a cluster style development that is meant to be consistent with both the neighbourhood plan and the Rural Residential OCP designation. The developer has submitted a document describing the application which is attached as Schedule C.

This cluster style of development requires a site specific amendment to the CR1 zone in the District's Zoning Bylaw to reduce the minimum lot size from one hectare (2.5ac) to 1300m2 (1/3ac). A final development plan has not been submitted as this will be determined with the input of a professional biologist at the development permit stage. If a cluster development is permitted, the number of lots could increase to 68, representing the technical density of one unit per hectare permitted in the CR1 zone and one unit on the A1 portion of the site. While the number of lots will increase with a cluster style development, the amount of land being dedicated as park could increase from approximately 8ha (20ac) to 34ha (84ac).

Cluster development is intended to 'cluster' or group the permitted density in a limited area of a property to preserve the remainder of the property. Cluster development is characterized by smaller lots developed in a compact configuration surrounded by un-developed/preserved land. A copy of the proposed amendment is attached as Schedule "B". The property owner is applying to allow for the clustering of up to 67 lots with a lot size of around 1/3 of an acre. It is noted that the area already dedicated as park has been included in the determination of total density as it is part of the neighbourhood plan area and forms part of the development proposal.

DISCUSSION:

OCP

Section 5.2.1.3.5 of the OCP includes policy to encourage the protection, preservation, enhancement and management of sensitive ecosystems or land contiguous to sensitive ecosystems of private lands through density clustering. Section 5.2.3.4 in the OCP includes policy which requires that the level of service to be provided in rural residential areas to include community water, storm drainage, rural standard roads and on-site sewage disposal. The Hunters Hill neighbourhood plan addresses how these levels of service will be achieved. How on-site sewage disposal will be managed has yet to be determined. This issue is discussed in greater detail below.

The Hunters Hill neighbourhood Plan states that: *"Hunters Hill has the option of introducing some minor forms of "cluster development", subject to septic system approvals. All lots to be created must prove sufficient buildable area that will not impact the steeper slopes (30%+) on each lot. Such buildable area will include space for house, parking, accessory buildings, and other structures permitted pursuant to the zoning. Driveways and drive lanes will be exempt from this calculation. Rezoning is required for creating lots smaller than 1 hectare."*

This property is located within the Wildfire Hazard Development Permit Area and Environmentally Sensitive Development Permit area. The Development Permits will need to be issued by Council prior to subdivision approval.

Zoning Bylaw

The property is zoned CR1 – Country Residential. The CR1 zone is meant to accommodate residential developments on larger lots employing conventional subdivision designs in rural areas where sanitary sewer services are unavailable. The minimum lot size is 1.0ha and the zone does not contemplate cluster development consisting of lots smaller than 1.0ha. To achieve the proposed development concept the CR1 zone must be amended to allow for a smaller lot size of approximately 1,300m² (1/3 of an acre). A strata form of development may be preferred in order to facilitate potential management of a private community septic system. The zoning amendment also permits a bareland strata form of development on this property. The amendment under consideration is a site specific amendment adding the option of cluster style development on the lands described.

Septic Sewage Disposal

There are no plans to connect this property to the municipal sewer system as this property is located approximately 1km from the nearest sewer main and is not located within the District's Urban Growth Area. The proposed development is required to provide a septic system to service each lot. As stated in the Hunter's Hill neighbourhood plan clustering of lots will only be permitted if septic systems can meet the requirements of the approving authority. The final 'build-out' of lots will ultimately be determined by the feasibility of the septic system.

The applicant has provided information from qualified engineers outlining the steps required for construction and approval of a communal septic system. This document is attached as Schedule D. There are numerous new technologies available for treatment and disposal to meet effluent quality regulations. These will be reviewed during the detailed design stage of the subdivision. The septic system would likely consist of a single community treatment and disposal system for the entire development. There is one previous example of such a system in Summerland. The LaVista bareland strata development on Turner Street is a 50 lot development that was serviced by a private septic treatment plant system administered by the strata council prior to installation of the District sewer system. The logistics as to how the long-term maintenance and operation of the on-site sewage system would be administered is still to be determined. This will need to be agreed upon between Hunters Hill Holdings Ltd. and the District at the subdivision stage should the zoning be successful.

Road Access

Primary access to the site is proposed from Sanborn Street. The existing road right-of-way varies from 13m in width to 10m in width whereas the District's local road standard is 16m in width. Obtaining additional right-of-way width may not be possible along Sanborn Street as the adjacent properties are not owned by the developer. In addition, Section 938 of the Local Government Act limits upgrading during subdivision to roads adjacent to the site up to the

centerline. In this case the entire length of Sanborn Street will require upgrading to accommodate the subdivision. A covenant is therefore recommended that prohibits subdivision of a lot less than 1300m² in area unless suitable upgrading of Sanborn St is completed. Staff have confirmed that suitable upgrading is possible however will require some engineering that has not been completed to date.

Environmental Values

A comprehensive environmental assessment was received in support of the adopted neighbourhood plan. This assessment identified the entire property as being ESA1 and ESA2, the highest environmental sensitivity. The District's adopted Terms of Reference for Environmental Assessments notes that development should avoid ESA1 and ESA2 although "...some loss of (ESA2) can be offset by habitat improvements to the remaining natural areas found on the property". In this case the entire site was zoned for country residential development prior to our Environmental Development Permit Area regulations in the OCP. The owner does have development rights that come with the zoning. This will result in the entire proposed development being located on ESA2 areas regardless of whether a traditional or cluster development is constructed.

The conventional development concept provided in the neighbourhood plan proposes that approximately 28 hectares (70ac) of land will be protected through a combination of park dedication, wildlife corridor covenant and protection of steep un-developable land. The developer has already dedicated 6ha (15ac) of land as park and is proposing to protect an additional 24 hectares (59ac) of land with the change in zoning to allow a cluster style of development and is prepared to dedicate all these lands as park.

A detailed environmental assessment on a proposed cluster style development on the Hunters Hill site has not been completed. Key considerations will include the number of units, the distribution of the units, and overall development footprint. This detailed information will be required with the Environmental development permit that must be issued prior to subdivision. It is clear that a greater area of the site will be protected with the cluster proposal however the additional units may well cause a greater impact on the site. If council wishes to determine the exact impact of a cluster approach over a traditional approach before considering the rezoning application, further environmental work will be required. The developer prefers to provide this information with the Environmentally Sensitive Area development permit.

Cluster style development is meant to allow for protection of a greater area than typical residential subdivision as it concentrates development to a smaller portion of the site. The remaining lands can be dedicated to the District as parkland, donated to a Land Trust, or protected through covenant as common strata property. The Developer has indicated he is supportive of all preservation options.

The amount of land to be preserved should be determined by a detailed environmental assessment at the development permit stage of development. There are no conventions around how much land should be preserved as part of a cluster development. Staff are therefore making a subjective recommendation that the full development rights could be concentrated on half the site allowing the other half to be preserved. Therefore it is recommended that if the cluster zoning is supported, that a minimum of 34 hectares (84ac) of land is dedicated as park at the time of subdivision. 6 hectares of the site has already been dedicated by the developer so staff are recommending an additional 28 hectares be dedicated as park as a condition of subdivision should the zoning be successful. The configuration of the park dedication will be determined with the environmental development permit application.

Protection of Sensitive Lands

The tools available to protect the environmentally sensitive areas generally include:

- dedication as municipal parkland,
- donation to a land trust, or
- protection of the lands by covenant.

Unless the preferred tool is determined by council and required at the time of zoning, it is generally left to the developer to determine which method is preferred. Staff are suggesting that if Council prefers the highest level of protection then the lands should be dedicated as park.

- Park dedication is a high level of protection as it places the land under the direct control of the municipality. The District can allow public access for recreational purposes, if desired, however this does place maintenance costs and potential liability onto the municipality. Potential pressure to develop or use the land by adjacent owners is less of an issue as the land is not privately owned and can be fenced off if necessary.
- Donating the land to a land trust also provides a high level of protection. Administration of the land is given to a third party so municipal control is reduced however there is no municipal liability or maintenance. Public access is usually limited depending on the conservation values present on the property.
- Leaving the lands in the hands of private owners as common property in a strata or a part of individual lots is the third option. The lands can be protected by covenant prohibiting development. Public access would be limited or prohibited as the lands would be private property. Protection may require enforcement of covenants if landowners clear or use these portions of their property, contrary to the terms of the covenants. This is generally considered the lowest level of protection.

CIRCULATION COMMENTS:

This application was referred to the Advisory Planning Commission on August 21, 2015. Discussion included support for the traditional development style as it would limit the number of lots and provide a unique residential product. Discussion also included the fact that if this non-ALR hillside property is to be developed, it should be developed as efficiently and affordably as possible and include as many lots as is reasonable. The Commission ultimately passed the following resolution with one dissenting vote:

That the Advisory Planning Commission support the proposal as presented.

This application requires approval of the Ministry of Transportation and Infrastructure. The application has been uploaded on their web portal and has received preliminary approval.

FINANCIAL IMPLICATIONS:

There may be positive financial implications to the district if a greater number of lots are created due to additional taxation. There may be some additional management and maintenance costs if additional land is dedicated as park. If the property is developed as a bareland strata there will be less infrastructure maintenance costs as the roads and other infrastructure will be privately maintained.

CONCLUSION:

The proposed zoning amendment under consideration is to decide if a site specific amendment to the District's CR1 zone is warranted to allow for cluster style development on this site. The main rationale is protection of a greater area of the site by concentrating development into a smaller area.

The proposed cluster development of up to 68 lots is technically not an increase in density as the property owner is entitled to a gross density of one lot per hectare and the subject property is approximately 68 hectares. If approved, the resulting cluster development would likely result in a higher number of lots than what would be feasible with the existing zoning.

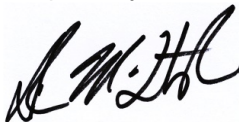
A cluster development is more efficient as it uses less land for roads and residential areas which ultimately preserves the remainder of the site. The benefits of this style of development include cost savings on infrastructure and protection of a larger portion of the site.


It is recommended that adoption of the zoning amendment be considered in conjunction with a covenant requiring dedication of a minimum of 28 hectares of environmentally sensitive land, the upgrading of Sanborn Street and development being limited to 67 lots.

OPTIONS:

- i. Support the application as presented.
This would allow the zoning to proceed subject to the issues noted in the recommendation. The applicant could then proceed with subdivision and development permit applications.
- ii. Support the application with conditions other than those identified in the staff report.
This would allow also the zoning to proceed subject to additional issues identified by council being satisfied. The applicant could then proceed with subdivision and development permit applications
- iii. Not support the application as presented.
This would allow the property to develop in a traditional one-hectare fashion in accordance with the current CR1 zoning.
- iv. Refer the application back to staff for further review and information.
This would allow staff to investigate any other issues or collect additional information that council may identify.

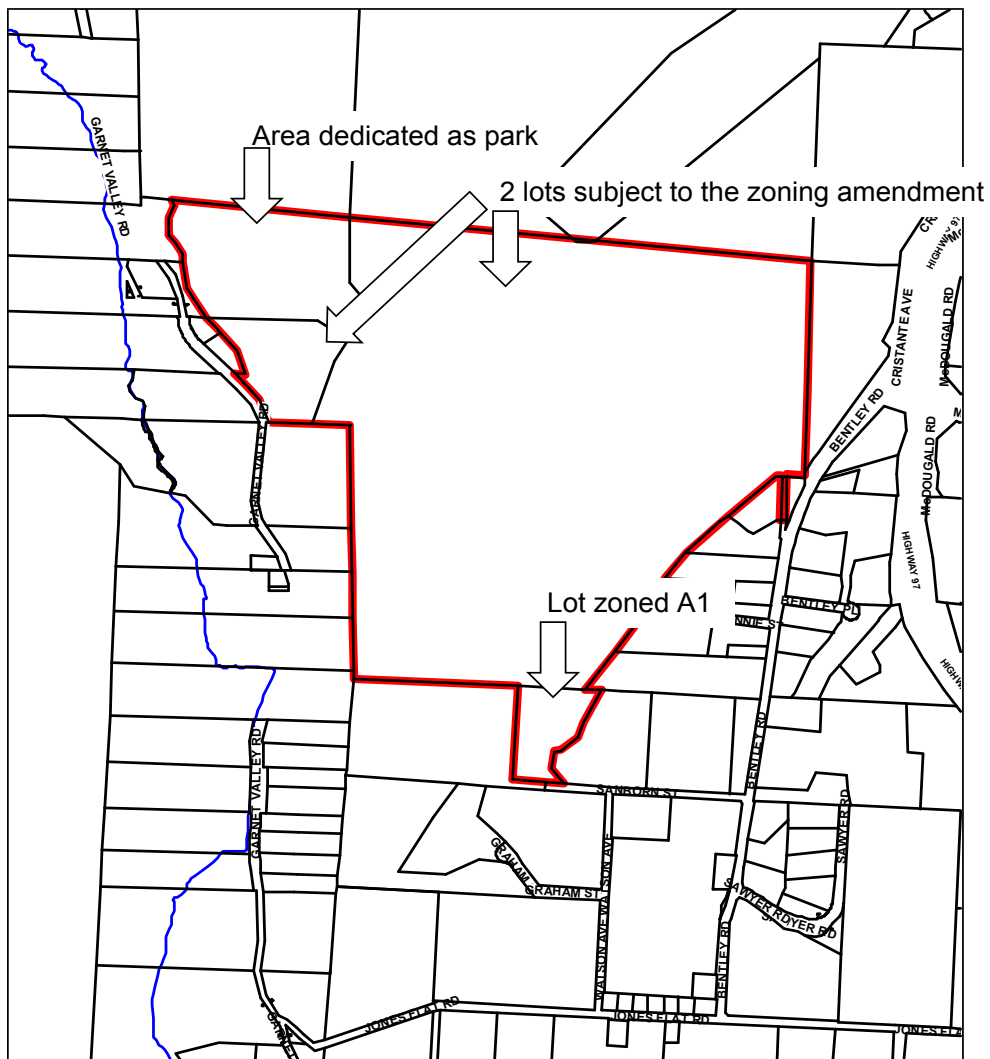
Respectfully Submitted,



Approved for Agenda	
	
CAO	Sept. 10, 2015

Ian McIntosh
Director of Development Services

Schedule A – Map showing subject property



Schedule B – Proposed Zoning Bylaw Amendment

The following be added as 9.1.4 (c) to the zoning bylaw:

For Lot 1, DL 1178, ODYD, Plan KAP91886 (18654 Garnet Valley Rd) and That Part DL 1178 Outlined Red on Plan B1755, ODYD, Except Parts Outlined Red on Plans B5590, B3577 and B7646 and except Plan KAP91886 (19013 Bentley Rd); to accommodate the comprehensive cluster development of single detached housing in a bare land strata format or conventional fee simple subdivision format:

- | | | |
|------|-------------------|-------------|
| i. | Minimum Lot Size | 1,300 sq. m |
| ii. | Minimum Lot Width | 20.0 m |
| iii. | Minimum Lot Depth | 35.0m |

Schedule C – Developer's submission

MAYOR AND COUNCIL:

Thank you for your consideration of this application for minor rezoning.

The land under consideration for development at Hunters Hill is NON- ALR, currently zoned CR, or one hectare lots. The size of this property is 68 hectares.

When we purchased the land from an out-of-the-area developer, the definition of CR zoning was 1/3 acre lots, and could have allowed for in excess of 400 lots. It was on this premise that the land was purchased. Subsequent to the purchase, the definition of CR was changed from 1/3 acre lots to 1 hectare (approximately 2 1/2 acre) lots. This increased the size of the lots by over 700%.

The approximately 75 acres of land that we are offering to donate as parkland will become a most valuable asset to the community. This amount of land represents almost half of the subject property. Further it is not steep-slope and unbuildable property! It is in fact, some of the most beautiful, unique and valuable land in the 68 hectare parcel.

We had been engaged with the district for approximately one and a half years in an effort to gain approval for a neighborhood plan that was finally approved in October 2014.

During these negotiations with the district, we agreed to donate approximately 15 acres to parkland as a show of good faith, on the UNDERSTANDING THAT THIS DONATION WOULD ALWAYS BE CONSIDERED AS PART OF THE OVERALL NEGOTIATION TOWARDS AN APPROVED SUBDIVISION. Obviously, in donating this land we reduced the number of lots that could be created. The neighborhood plan foresaw this problem and, therefore the ability to cluster smaller lots was included and approved.

After serious consideration of all the possibilities that the neighborhood plan envisioned, we decided approximately 6 months ago to pursue the cluster design. We were advised by the district staff that a minor change to the existing zoning would facilitate cluster. Because we are not seeking to increase the density, and because the approved neighborhood plan anticipated this type of proposal, it would be treated as a minor rezoning and not create any problems.

We appeared before the Advisory Planning Committee three weeks ago. They have expressed their support and together with the District Staff recommend approval. Needless to say, the process to reach this point has been long, arduous and very expensive. In approving this first reading today, the next step is the Public Hearing. We understand this cannot be held until the 13th of October 2015. Assuming it is in fact approved, this minor zoning change will have taken six months, and coupled with the neighborhood plan process a total of in excess of 2 1/2 years! All to reach the point where we can make a subdivision application.

Should we be granted this minor re-zoning, we would anticipate much more work - more studies, more time, and much more money to be spent in meeting very specific regulatory requirements. The subdivision application process will require the detailed engineering solutions, and approval, for septic and drainage and approvals for continued environmental mitigation solutions.

We have been asked many times why we are giving up so much of our property. We are of the very strong belief that dedicating almost half the property to parkland (without any increased density) is indeed generous and is in the best interests of the residents of Summerland. Also, we are not aware of any other developer volunteering to give-up almost half of their property

without some "serious strings" attached. WE DO NOT ATTACH ANY SUCH CONDITIONS!

The Hunters Hill development land that is under consideration for this proposal is not in the ALR. We agree with the tone of the Advisory Planning Committee comments made in supporting our proposal:

- 1) That this council seemed to be elected to protect ALR Land from development pressures in Summerland, and
- 2) That 68 lots on over 160 acres of Non ALR land, with half donated to Summerland, will reduce the land swap argument that Summerland needs ALR land for housing developments.

Ultimately, it seems that Council is being asked to approve an already approved limit of 68 lots on non ALR land. We are confident that this development, with over 75 acres of new parkland and 68 home sites will become a premier showcase development.

In addition, it will have an economic benefit to Summerland while creating direct tax revenue to the District. In summary, it will be something that all of Summerland can be proud of.

Respectfully submitted,

Hunter's Hill Developments

Schedule D – Letter From Cleartech Consulting Ltd Regarding Septic Disposal

June 22, 2015

File: 315-0033

CLEARTech CONSULTING LTD.

1345 Salisbury Drive ph. 604-329-8324
Vancouver, BC V5L 4B4 fax. 604-893-8323
email. info@cleartechconsultingltd.com

Hunters Hill
PO Box 878
Summerland, BC V0H 1Z0

Attn: Patrick Murphy

Dear Sir,

**Re: Hunters Hill Subdivision, Development, Summerland, BC
On-Site Sewage Treatment and Disposal**

1.0 INTRODUCTION

As requested, Cleartech Consulting Ltd. provides the following comment regarding options for on-site sewage treatment and disposal for the above referenced development in Summerland, BC. It is understood that the proposed development will create 68 residential lots, and that municipal sewage collection and treatment is not available for the site. Therefore, an independent on-site collection, treatment, and disposal system(s) would be required.

Based on our review of the existing information, Cleartech anticipates that a single community sewage treatment and disposal system for the project would fall under the jurisdiction of the Ministry of Environment (MOE) and the Municipal Wastewater Regulation (MWR). Some requirements of this regulation are as follows:

- a 300m setback from the septic fields (see below) to any drinking water well;
- a primary and equally sized secondary disposal fields constructed on the site;
- a third reserve area equal in size to one of the fields mentioned above;
- preparation of a pre-construction Environmental Impact Study and Operating Plan; and,
- a capital replacement fund for the entire system.

Systems under the MWR are classified as Class A through Class D. Each system type corresponds to a different effluent quality requirement, with Class A being a very high level of treatment prior to discharge to the receiving environment.

The steps required for construction of a single community system under the MWR are as follows:

- a preliminary feasibility study
- a pre-Registration Meeting with MOE to introduce the development and define project parameters
- a detailed site assessment and completion of an Environmental Impact Study
- detailed engineering design
- completion of an Operating Plan and other associated documentation
- registration of the system with the MOE (includes the provisions for the capital replacement fund mentioned above)
- system construction, commissioning, and final sign off

CLEARTECH CONSULTING LTD.

Hunters Hill
Re: On-Site Sewage Collection, Treatment, and Disposal

Page 2 of 2

June 22, 2015
File: 315-0033

Another option for on-site sewage collection, treatment, and disposal would be utilization of a number of smaller systems in the development rather than one large system. Smaller cluster systems (each system servicing less than 22700 L/d) would likely fall under the jurisdiction of the Ministry of Health (MOH) and the Interior Health Authority (IHA), the Sewerage System Regulation (SSR), and the Interior Health Authority's Subdivision Report Criteria for Authorized Persons.

Systems under the SSR are classified as Type 1, 2, or 3. Each system type corresponds to a different effluent quality requirement, with Type 3 being a very high level of treatment prior to discharge to the receiving environment.

This avenue for sewage collection and disposal would be subject to the Interior Health Authority's Subdivision Report Criteria for Authorized Persons. The decision is yet to be made as to whether smaller grouped cluster systems, each servicing less than 22700 L/d, would service different clusters of homes.

The steps required for construction of a multiple cluster systems under the SSR are as follows:

- a preliminary feasibility study
- detailed site assessment and preparation of a subdivision report for submission to the IHA
- detailed engineering design for each system
- filing of each system with the IHA
- system construction, commissioning, and final sign off

We trust this meets with your immediate requirements and serves as an adequate information brief in regards to sewage disposal options for the proposed development. If you have any questions or require further information, please do not hesitate to contact the undersigned at 604-329-8324.

Yours truly,

CLEARTECH CONSULTING LTD.

per: Craig Regier, P.Eng., ROWP

Reviewed by:

CLEARTECH CONSULTING LTD.

Per: Chad Meier, P.Eng.

www.cleartechconsultingltd.com

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NO. 2015-027

**A BYLAW TO AMEND THE ZONING BYLAW TO ALLOW CLUSTER
DEVELOPMENT ON TWO PROPERTIES IN THE CR1-COUNTRY
RESIDENTIAL ZONE**

WHEREAS the Council has adopted a zoning bylaw; and

WHEREAS the Council wishes to allow cluster development on a particular site whereby density rights are consolidated onto a portion of the properties in order to preserve environmental values on the remainder;

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

1. THAT Summerland Zoning Bylaw No. 2000-450 as amended, be further amended by inserting new Section 9.1.4 (c) in Schedule "A", as follows:

"9.1.4 (c) For Lot 1, District Lot 1178, Osoyoos Division Yale District, Plan KAP91886 (18654 Garnet Valley Road) and that Part District Lot 1178 Outlined in Red on Plan B1755, Osoyoos Division Yale District, Except Parts Outlined Red on Plans B5590, B3577 and B7646 and except Plan KAP91886 (19013 Bentley Road); to accommodate the comprehensive cluster development of single detached housing in a bare land strata format or conventional fee simple subdivision format:

- i. Minimum Lot Size 1,300 sq. m
- ii. Minimum Lot Width 20.0m
- iii. Minimum Lot Depth 35.0m".

2. Bylaw No. 2015-027 may be cited as "Amendment of Zoning Bylaw No. 2000-450 (Hunters Hill Cluster Development)".

Read a first time this day of , 2015.

Considered at a Public Hearing this day of , 2015.

Read a second and third time this day of , 2015.

Adopted by the Municipal Council this day of , 2015.

Mayor

Corporate Officer



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: September 14, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Development Cost Charges Bylaw amendment

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Bylaw No. 2015-023, "Amendment of Development Cost Charges Bylaw No. 2000-194 (Small Residential Buildings)", be introduced and read a first, second and third time, and be forwarded to the Provincial Inspector for approval prior to adoption.

PURPOSE:

To propose an amendment to the Development Cost Charges (DCC) bylaw to remove an unintended exemption that allows multi-unit development constructed as duplexes or triplexes to avoid paying Development Cost Charges.

BACKGROUND:

A developer challenged the District of Summerland's DCC bylaw in October 2014, suggesting that individual buildings of less than four units are exempt from paying DCC's even though they may be part of a multi-unit development. The District obtained a legal opinion on the issue and was advised that the wording in our DCC bylaw, intended to remove this exemption, is insufficient. Should the District be challenged in court on this issue, the bylaw is unlikely to withstand the challenge. The attached bylaw revision is intended to remove this unintended exemption. The District has been in contact with the staff at the Ministry of Community, Sport and Cultural Development to develop language that would remove this exemption and be supported by the Inspector of Municipalities.

DISCUSSION:

Development Cost Charges are a mechanism for local governments to recover costs of new development on the general taxpayer. This mechanism is authorized and regulated under section 933 of the Local Government Act.

The section includes an exemption whereby a building containing less than four (4) self-contained dwelling units is not subject to the payment of DCC's. The intent of this exemption is to provide relief for small developments that would have little impact on existing infrastructure. Some municipalities feel small developments (single family

dwelling, duplex or triplex) do have a significant impact on existing infrastructure. In response to such concern, the act was revised to include a provision allowing a local government to remove this exemption should it wish to.

It was the District's intent to remove this exemption only where a large multi-unit development happened to be constructed as a series of single family homes, duplexes or tri-plexes and the whole development would have a significant impact on the existing infrastructure. The exemption was intended to remain where a single home, single duplex or single tri-plex was the only building on a property.

The Inspector of Municipalities office has advised the District that the "less than four units" exemption must be either left intact, or removed in its entirety. There is no option to partially remove it as the District initially intended. The proposed bylaw amendment is attached as Schedule A and removes the "less than four unit" exemption in its entirety. In the past, such partial exemptions have been allowed, however, the Ministry has concluded that this is no longer the case.

DCC bylaws must be approved by the Inspector of Municipalities. The bylaw will be forwarded to them immediately should the bylaw receive the first three readings. The ministry has noted that minor amendments can be processed within six weeks. It is noted that revision to the DCC bylaw would have no effect on any building permit application received prior to the bylaw adoption for a period of 12 months following bylaw adoption.

A copy of the DCC bylaw (excluding the schedules) noting the proposed revisions is attached as Schedule A. The proposed revisions are to sections 5, 6 and 7.

The exemption described in section 933(4) was previously supported in Summerland to allow more affordable construction for single family, duplex and triplex construction. The unintended consequence was that a development composed of multiple duplexes and triplexes was also exempt. This came to municipal attention with the construction of a 7 unit townhouse comprised of two duplexes and one triplex.

The result of the proposed amendment is that a duplex or triplex will be charged DCC's at the rate of \$8613 per unit at the time of building permit where they haven't been in the past. In most cases, single family homes will remain exempt as DCC's for single family development is collected at the time of subdivision and a development can only be charged once.

Research conducted on this issue has identified that a few municipalities have a partial exemption whereby single family dwellings and duplexes are exempt from paying DCC's at the time of building permit. While the Ministry is no longer supporting partial exemptions, they have suggested that the municipality could forward such a request to their office so legislative changes could be considered. It has come to our attention that other municipalities have also proposed partial exemptions for single family and duplex development.

LEGISLATION and POLICY:

Section 933 of the Local Government Act

933 (4) A charge is not payable under a bylaw made under subsection (1) if any of the following applies in relation to a development authorized by a building permit:

(b) subject to a bylaw under subsection (4.1) (a), the permit authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension,

(i) contain fewer than 4 self-contained dwelling units, and

(ii) be put to no other use other than the residential use in those dwelling units;

933(4.1) A local government may, in a bylaw under subsection (1), do one or more of the following:

(a) provide that a charge is payable under the bylaw in relation to a building permit referred to in subsection (4) (b);

FINANCIAL IMPLICATIONS:

There is financial gain for the district in removing the four unit exemption as all duplexes and triplexes will be charged development cost charges. Single family development will be unaffected as DCC's are collected at the time of subdivision.

OPTIONS:

1. Give the DCC amending bylaw three readings and forward to the provincial inspector for approval (staff recommendation).
2. Leave the existing DCC bylaw as drafted.
3. Refer the bylaw amendment back to staff for further review.

CONCLUSION:

The unintended exemption in the DCC bylaw should be removed to allow the District to collect the appropriate DCC's for infrastructure improvement as a result of duplex and triplex developments.

Respectfully Submitted



Ian McIntosh
Director of Development Services

Approved for Agenda


CAO

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

Article I. BYLAW NUMBER 2000-194

A BYLAW TO IMPOSE DEVELOPMENT COST CHARGES

Consolidated for convenience to include Bylaw No. 2000-454 and Bylaw No. 2015-023

WHEREAS the Municipal Council of the Corporation of the District of Summerland under authority provided by the Local Government Act, R.S.B.C. 1996, c. 323, as amended and the general provisions of the Community Charter, S.B.C. 2003, c. 26, may, by bylaw, impose development cost charges for the purposes of providing funds to assist the District of Summerland to pay the capital costs of providing, constructing, altering or expanding water facilities, highway facilities, sewer facilities, drainage facilities, providing park land and improving park land, to service, directly or indirectly, the development for which the charge is being imposed;

AND WHEREAS the Municipal Council has taken into consideration the provisions of Section 934 of the Local Government Act;

AND WHEREAS the charges to be imposed by this Bylaw are related to capital costs attributable to projects included in the District's capital expenditure program and are consistent with the District of Summerland's Official Community Plan.

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

1. Repeal of Existing Bylaws

On the Effective Date, all previous bylaws which impose development cost charges are repealed, including without limitation, Development Cost Charge Bylaw No. 2330 and all amendments thereto, in their entirety with respect to those developments for which subdivision applications or building permit applications are received after the date of the coming into force of this bylaw. Development Cost Charge Bylaw 2330 as amended will continue in force with

respect to any development to which the provisions of Section 8 apply until such time as any development cost charges due under that bylaw has been paid in full to the District or Section 8 is no longer applicable.

2. Definitions

“Approving Officer” means an approving officer as defined in the Land Title Act;

“Building Permit” means the document authorizing the carrying out of any development, alteration or other work in accordance with the District of Summerland Official Community Plan, Zoning Bylaw, Building Regulations Bylaw, the BC Building Code or any other applicable statute or regulation;

“Bylaw” means this bylaw and any subsequent amendments hereto;

“Civic Use” means a use providing for public functions that is not otherwise included in the definition of Commercial Use and Industrial Use as provided in this Schedule, including

(a) government offices,

(b) public schools and private schools operated by duly incorporated federal or provincial societies exclusively as non-profit, charitable organizations,

(c) public colleges and universities and non-profit colleges operated by duly incorporated federal or provincial societies exclusively as non-profit, charitable organizations,

(d) public hospitals and private hospitals operated by duly incorporated federal or provincial societies exclusively as non-profit, charitable organizations,

(e) community centres,

(f) courts, police stations and jails,

(g) libraries and museums, and

(h) buildings associated with public parks, public playgrounds, cemeteries and works yards;

“Commercial Use” means a use providing for

(a) the sale or rental of goods or services or the servicing and repair of goods,

(b) retail sales,

- (c) wholesaling in conjunction with retail sales,
 - (d) commercial offices,
 - (e) personal services, including without limitation, physiotherapy services, whether in a commercial or institutional zone as defined by the Zoning Bylaw,
 - (f) recreation or extensive recreation (as defined in the Zoning Bylaw) facilities,
 - (g) commercial schools, including, without limitation, facilities which include instruction in the arts, sports, business, self-improvement, academics and trades,
 - (h) household services and household repairs,
 - (i) service stations,
 - (j) tourist accommodations and facilities, including, without limitation, accommodations for the transient public in Dwelling Units or Sleeping Units, provisions for tents, trailers, motor homes (but not including mobile homes intended for permanent residency) and recreational vehicles,
 - (k) restaurants, drive-ins and food outlets,
 - (l) adult or child day care centres,
 - (m) Sleeping Units,
 - (n) uses ancillary to any Commercial Use described herein, including, without limitation, storage and warehouse areas and manufacturing, processing, fabricating, assembling, servicing and repairing facilities located within a building on the same Parcel that serve or enhance the Commercial Use,
 - (o) any Commercial Use permitted in any of the Institutional ("I") zones created pursuant to the Zoning Bylaw, and
 - (p) without limiting the generality of the foregoing, includes any uses other than for Dwelling Units permitted in any Neighbourhood Commercial, Commercial Tourist, Central Business or Heavy Commercial zones created pursuant to the Zoning Bylaw;
- "DCC"** means the Water DCC, the Highway DCC, the Drainage DCC, the Sewer DCC, the Park Land Acquisition DCC and the Park Improvement DCC;
- "Development"** means any use or change in use, construction, building, erection, installation, repair, alterations, addition, enlargement, moving, locating, relocating,

reconstruction, demolition, removal, excavation or shoring to which the District's Building Bylaw applies or Development Permit Approval is required;

"Dwelling" means a residence providing sleeping, washrooms and a kitchen intended for domestic use by a household. A dwelling shall not include more than one room or area which, due to its design, plumbing or wiring, equipment and furnishings, may be used as a kitchen. This does not include rooms in a motel;

"Effective Date" means the date on which this Bylaw is given fourth and final reading;

"Gross Floor Area" means the total floor area of all stories of all buildings or structures with a clear ceiling height of 1.8 meters or more, measured from the outside face of the exterior walls or glazing line of windows. The gross floor area measurement does not include enclosed or open parking areas, garbage or loading rooms, floor areas devoted exclusively to mechanical or electrical equipment, basements, lofts, carports, unenclosed balconies, decks and stairways;

"Household" means:

- a) a person; or
- b) two or more persons related by blood, marriage or adoption/foster care agreement; or
- c) group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption/foster care agreement; all living together as a single household using common cooking facilities.
- d) This does not include an approved group home or an approved bed & breakfast home;

"Housing, Apartment" means a building comprised of more than four dwellings intended to be occupied by separate households, having common corridors, staircases and shared entrance and exit facilities which does not conform to any other housing definition;

"Housing, Duplex" means a building containing two dwellings intended to be occupied by separate households, divided horizontally or vertically by a common party wall, having separate at grade entrances. This does not include secondary suites;

"Housing, Fourplex" means a building containing four dwellings intended to be occupied by separate households, divided by a combination of horizontal and vertical party walls, having separate at grade entrances, which does not conform to any other housing definition;

"Housing, Manufactured" means a building containing one dwelling for occupancy by one household, built in an enclosed factory environment in one or

more sections, intended to be occupied in a place other than its manufacture. All manufactured homes shall be constructed to either the CAN/CSA Z240 (Mobile Homes) or CAN/CSA A277 (Modular Home) standard;

“Housing, Row” means a building comprised of three or more dwellings intended to be occupied by separate households, in which the dwellings share no more than two vertical party walls with adjacent dwellings, each dwelling having a separate at grade entrance;

“Housing, Single Detached” means a building containing one dwelling designed for occupancy by one household. A secondary suite can be accommodated under this housing definition where specifically defined as a secondary use in this Bylaw. This use does not include manufactured housing;

“Housing, Stacked Row” means row housing except that the dwellings may be arranged two deep, either vertically so that the dwellings are placed over others or horizontally so that the dwellings may be attached at the rear as well as the side. Each dwelling will have a separate, but not necessarily, an at grade entrance;

“Housing, Triplex” means a building containing three dwellings intended to be occupied by separate households, divided by a combination of vertical and horizontal party walls, each dwelling having a separate, but not necessarily, an at grade entrance;

“Industrial Use” means a use that is not otherwise included in the definition of Commercial Use as provided in this Section, including uses providing for the manufacturing, processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing, wrecking or salvaging of goods, materials or things, and includes the operation of truck terminals, body shops, docks, railways, bulk loading facilities, storage facilities and abattoirs and, without limiting the generality of the foregoing, includes all uses permitted in any Industrial (“M”) zones created by the Zoning Bylaw;

“Land Title Act” means the Land Title Act, R.S.B.C. 1996, c. 250, as amended;

“Lot” means a parcel of land, including Crown Land, which is legally defined by registered plan or description at the Provincial Land Titles Office, but does not include a highway;

“Minister” means the Minister of Community, Aboriginal & Women’s Services for the Province of British Columbia;

“Park Land Acquisition DCC” means development cost charges imposed pursuant to this Bylaw for the purposes of providing the park land described in Part “I” of Schedule “E” to this Bylaw”;

“Park Improvement DCC” means the development cost charges imposed pursuant to this Bylaw for the purposes of providing the park land improvements described in Part “II” of Schedule “E” to this Bylaw;

“Park DCC” means Park Land Acquisition DCC and Park Improvement DCC;

“Roads DCC” means the development cost charges imposed pursuant to this Bylaw for the purposes of providing, constructing, altering or expanding the highway facilities described in Schedule “D” to this Bylaw;

“Secondary Suite” means a self-contained, second dwelling located within a single detached house having a separate outside entrance. This use does not include duplex housing;

“Sewer DCC” means the development cost charges imposed pursuant to this Bylaw for the purposes of providing, constructing, altering or expanding the sewer facilities described in Schedule “B” to this Bylaw;

“Sleeping Units” means one or more rooms that do not contain cooking facilities, used for the lodging of persons;

“Stormwater Drainage DCC” means the development cost charges imposed pursuant to this Bylaw for the purposes of providing, constructing, altering or expanding the stormwater drainage facilities described in Schedule “C” to this Bylaw;

“Strata Property Act” means the Strata Property Act, S.B.C. 1998, c. 43, as amended;

“Subdivision” means the division of land into two or more Parcels, whether by plan, apt descriptive words or otherwise, under the Land Title Act or the Strata Property Act;

“Water DCC” means the development cost charges imposed pursuant to this Bylaw for the purposes of providing, constructing, altering or expanding the water facilities described in Schedule “A” to this Bylaw;

“Zoning Bylaw” means the District of Summerland Zoning Bylaw No. 99-001, as amended or superceded from time to time.

3. Schedules

Schedules “A” through and including “F” annexed to this Bylaw are hereby incorporated into and form an integral part of this Bylaw.

4. Application of DCC

Subject to Section 5, every person who obtains:

- (a) approval of a Subdivision from the Approving Officer for the District, or
- (b) a Building Permit from the District,

for any Parcel must pay to the District the applicable DCC set out in Schedule “F” to this Bylaw in accordance with the provisions of Section 6.

5. Exemption from DCC

(a) DCC are not payable:

- (i) where the Building Permit authorizes the construction, alteration or extension of a building or part of a building that is, or will be, after the construction, alteration or extension, exempt from taxation under Section 220 (1)(h) or Section 224 (2)(f) of the Charter;

~~(ii) where a Building Permit authorizes the construction, alteration or extension of a building that will, after the construction, alteration or extension,~~

~~(1) contains less than 4 self-contained Dwelling Units, and~~

~~(2) be put to no other use other than the residential use in those Dwelling Units; (section to be removed)~~

- (iii) where the value of the work authorized by a Building Permit does not exceed \$50,000 or such other amount as the Minister may, by regulation, prescribe, and does not add Gross Floor Area to the existing building provided that, where the Building Inspector for the District, acting reasonably, believes that a construction estimate of less than \$50,000 provided in an application for a Building Permit in accordance with The District of Summerland Building Bylaw No. 92-081 is not reflective of the work described in the permit application, the Building Inspector may request that the applicant provide a construction estimate certified by a professional engineer in good standing with the Association of Professional Engineers and Geoscientists of the Province of British Columbia;

- (iv) where the Development does not impose new capital cost burdens on the District; or

- (v) where development cost charges have been previously paid for the Development unless, as a result of further development, new capital cost burdens will be imposed on the District.

- (b) If an owner of a Development has, with the approval of the District, provided or paid the cost of providing specific works and services outside the boundaries of the Development that are included in the calculations used by the District to determine the DCC, the cost of such works and services will be deducted from the class or classes of DCC which are applicable to the works and services.

6. Calculation of DCC

The DCC imposed by this Bylaw will be calculated in accordance with the charges set out in Schedule "F". The charges specified differ with respect to different uses, but the charges are similar for all Developments that impose similar capital cost burdens on the District. Unless otherwise specifically provided in Schedules "A" or "F" to this Bylaw, where a Development to which DCC apply contains two or more uses, the DCC to be paid will be calculated separately for each use within the Development and the total DCC to be paid will be the sum of the DCC for all uses within the Development. ~~If a Development would otherwise be subject to DCC where a Building Permit application or applications received concurrently for the entire Development or for phases of the Development containing three or more Dwelling Units each then, notwithstanding that an exemption might otherwise be available under Section 5(a) and (b) if the owner chooses to make only one Building Permit application at a time for each Dwelling Unit within the Development, DCC will be payable for each such Building Permit application.~~
(sentence to be removed)

7. Payment of DCC

- (a) Subject to Section 7(b), DCC imposed under this Bylaw must be paid in full to the District as follows:
 - (i) immediately before the approval of the final plan of Subdivision by the Approving Officer where the Subdivision creates One Family Residential Use or Two Family Residential Use, Parcels or bare land strata lots under the Strata Property Act; or
 - (ii) for all other types of Development to which this Bylaw applies, immediately before the issuance of a Building Permit for the Development by the District.
 - (iii) for buildings containing one, two or three dwelling units immediately before the issuance of a Building Permit for the Development by the District (sentence to be added)
- (b) DCC that would otherwise be payable in full at the times indicated in Section 7(a) may be payable in installments provided that the Minister has, by

regulation made pursuant to Section 933(6) of the Act, authorized the payment of the DCC in installments and prescribed the conditions under which such installments may be paid.

8. Grandfathering Provisions

- (a) In accordance with Section 943 of the Act and the decision of the British Columbia Court of Appeal in *Coho Creek Estates Ltd. v. Maple Ridge (District)* (1996), 34 M.P.L.R. (2d) 6, this Bylaw will not apply to any Subdivision or Building Permit for which the application was received by the District before the Effective Date provided that:
 - (i) the application is complete on its face at the time of submission and accompanied by all applicable fees of the District;
 - (ii) the owner of the Development to which the application relates has not otherwise agreed in writing to be bound by this Bylaw pursuant to Section 943 of the Act;
 - (iii) the final plan of Subdivision is approved by the Approving Officer and released to the applicant not more than 12 months after the Effective Date; and
 - (iv) the Building Permit is issued for the Development, as applicable, not more than 6 months after the Effective Date.
- (b) In the event that a Subdivision plan is not registered in the applicable Land Title Office within 60 days of the date of execution of the plan by the Approving Officer, any request for re-execution of the plan by the Approving Officer will be deemed to be a new subdivision application and Section 8(a) will not apply to exempt the Subdivision from the DCC otherwise applicable under this Bylaw. Similarly, if a Building Permit expires for any reason pursuant to the provisions of The District of Summerland Building Bylaw No. 92-081 as amended from time to time or superceded, any subsequent Building Permit issued by the District will be subject to this Bylaw.

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NO. 2015-023

**A BYLAW TO AMEND DEVELOPMENT COST CHARGES BYLAW NO. 2000-194
WITH RESPECT TO SMALL RESIDENTIAL BUILDINGS**

WHEREAS the Council has adopted a development cost charge bylaw; and

WHEREAS the Council may, in a development cost charge bylaw, provide that a charge is payable in relation to a building permit that authorizes the construction of a building that will contain fewer than four self-contained dwelling units and that would, but for such a bylaw provision, be exempt from development cost charges under the *Local Government Act*;

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

1. THAT Development Cost Charges Bylaw No. 2000-194 be further amended as follows:
 - (a) deleting Section 5(a)(ii), and all of its subsections in entirety, and renumbering all subsequent sections;
 - (b) deleting from Section 6, "Calculation of DCC", the sentence that starts with "If a Development would otherwise be subject to DCC..."; and
 - (c) adding new Section 7(a)(iii), as follows:
 - "(iii) for buildings containing one, two or three dwelling units immediately before the issuance of a Building Permit for the Development by the District."
2. Bylaw No. 2015-023 may be cited as "Amendment of Development Cost Charges Bylaw No. 2000-194 (Small Residential Buildings)".

Read a first, second and third time this day of , 2015.

Approved by the Ministry of Community,
Sport and Cultural Development this day of , 2015.

Adopted by the Municipal Council this day of , 2015.

Mayor

Corporate Officer



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: September 9, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Don Darling, Director of Works and Utilities
SUBJECT: Perpetual Slide – Canyon View Road

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Council receive the presentation by Golder Associates Ltd. for information;

THAT Council receive the Perpetual Slide Geotechnical and Hydrogeological Study as prepared by Golder Associates Ltd. dated September 04, 2015;

AND THAT Council direct staff to prepare scope of work and cost estimates, for 2016 budget consideration, for the following work related to Canyon View Road:

- *land use planning measures*
- *survey monitoring program*
- *intrusive field investigation*
- *flood mitigation options*
- *collection of water use information and*
- *bylaw measures.*

PURPOSE:

To identify the potential risks of the perpetual slide on Canyon View Road and to provide recommendations for mitigating action.

BACKGROUND:

There is an area on Canyon View Road that has been slowly creeping since 1917. The District recognizes the slide poses a potential risk to District infrastructure, residential structures, and public safety. On October 27, 2014 Council passed a resolution to authorize staff to retain a consultant to conduct a geotechnical review. A Request for Proposal was circulated and Golder Associates Ltd. (Golder) was engaged to prepare the geotechnical review.

DISCUSSION:

Golder has completed its geotechnical review and has submitted a draft copy of the Perpetual Slide Geotechnical and Hydrogeological Study for Council's review and comments. A copy of the Study is attached to this report and a representative from Golder will attend the Council meeting on September 14, 2015 to provide a detailed presentation of the Study to Council and to answer any questions.

The scope of work, as outlined in the Request for Proposals, was to review the potential risks that the Perpetual Slide may impose on nearby private and public properties, public utilities and roadways, and the northeast area of the Summerland Golf and Country Club. The scope also included reviewing the

impact a slide would have on downstream infrastructure and properties if the slide blocked Trout Creek and the blockage was subsequently breached.

The review was limited to non-intrusive assessments such as data collection and review, site reconnaissance, and interpretation of historical information. Golder was unable to confirm whether intrusive borehole investigation has ever taken place within the slide area.

It is Golder's opinion that the slide activity will continue and indicate that it is impossible to predict if or when a significant slide event may occur. Some of the recommendations of the Study include:

- Land use planning measures
- Survey monitoring program
- Intrusive field investigation
- Flood mitigation options
- Collection of water use information
- Bylaw measures

Although the slide is within District of Summerland boundaries, Trout Creek, up to and including the top of the creek bank, falls under the jurisdiction of the Province. District staff has been in contact with the Province and have informed the Province that this Study is taking place. Mayor and Council will be meeting with representatives of the Ministry during the upcoming annual Union of British Columbia Municipalities (UBCM) convention later this month, to discuss options and the potential of sharing costs to adequately mitigate the risk and liability for both parties.

FINANCIAL IMPLICATIONS:

The survey monitoring program can be established by staff. Any other financial implications will be dependent on the scope of work requested by the District. Discussions should take place with Golder to confirm the scope of work and to establish costs for budgetary purposes. Potential cost sharing options with the Province will also be discussed during the upcoming meeting with representatives from the Ministry at the UBCM convention.

CONCLUSION:

Staff recommends that Council receive the Perpetual Slide Geotechnical and Hydrogeological Study and that staff be directed to prepare scope of work and cost estimates, for 2016 budget consideration, for the following work related to Canyon View Road:

- land use planning measures
- survey monitoring program
- intrusive field investigation
- flood mitigation options
- collection of water use information and
- bylaw measures

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could decide to have revisions made to the Study and revise the recommendation based on these revisions.

Respectfully Submitted



Don Darling

Approved for Agenda


CAO



September 4, 2015

PERPETUAL SLIDE SUMMERLAND, BRITISH COLUMBIA

Geotechnical and Hydrogeological Study

Submitted to:
Don Darling, ASCT
District of Summerland
9215 Cedar Avenue
Box 159
Summerland, BC V0H 1Z0

REPORT



Report Number: 1417553-001-R-Rev0

Distribution:

District of Summerland - 2 copies
Golder Associates Ltd. - 1 copy





Executive Summary

This report presents the results of a geotechnical and hydrogeological study conducted by Golder Associates Ltd. (Golder) for a large slide mass commonly known as the “Perpetual Slide” that is located along the north side of the steep canyon overlooking Trout Creek, along the southern boundary inside the District of Summerland (DoS). The slide area is located along the southern boundary of the District of Summerland on the north side of the steep canyon overlooking Trout Creek within the general area is locally known as Paradise Flats. Land use in the area mainly consists of large residential lots with small scale agriculture. The Summerland Golf and Country Club is located immediately west of the slide.

The scope of work was specific to the review of potential risks that the Perpetual Slide might impose upon nearby private and public properties, public utilities and roadways along Canyon View Road, Paradise Road, and also upon the northern portion of the Summerland Golf and Country Club golf course, as well as the potential impact if a slide occurs blocking Trout Creek and is subsequently breached. The work was limited to a non-intrusive assessment, which consisted of:

- the collection and review of historical information from studies completed by Golder and others;
- a geotechnical and hydrogeological site reconnaissance of the slide to assess slide activity, to verify the slide scarp limits, and to review roadway conditions and distress features along portions of Canyon View Road, Paradise Road and the golf course maintenance access lane;
- the development of a Resident Questionnaire that may be distributed to residents in subsequent phases of work, if required; and,
- preparation of a report documenting the factual results of the study based on our interpretation of the slide condition observed at the time of the reconnaissance together with our review of available information.

To our knowledge, a borehole intrusive investigation within the slide area has never been conducted. Slide research studies have been based on assumed and inferred subsurface conditions, estimated slide failure zone depth(s) and groundwater conditions together with the collection of some shallow soil and rock samples taken from slope exposures. Golder provides a summary of previous work, which outlines the inferred slide mechanism and associated controlling factors. Others have concluded that the slide failure surface was founded with Tertiary sediments, primarily within claystone gouge material that exhibited cohesive properties and a weaker residual shear strength in comparison to other slide material types resulting in a massive retrogressive rotational failure causing a backward tilt in the direction of the head scarp. The gouge is clay rich, has a low permeability, and swells in contact with water. The slide gouge confines upward discharge from underlying bedrock and allows high porewater pressures to form at the base of the slide, which contribute directly to the slide mechanism. Groundwater flow is implicated as a significant factor in the failure of the slide.

Results of previous monitoring assessments, historical air photographs and topographic mapping were compared to results of the Site reconnaissance to assess apparent changes in the slide features together with an estimation of the magnitude of slide displacements and rate of material loss. In general, between 1970 and 2012 the slide surface across the middle and lower portions have dropped by about 5 to 10 m and moved laterally by about 5 to 20 m with the graben features showing the greater amount of displacement, especially approaching towards the crest of the canyon side slopes.



PERPETUAL SLIDE SUMMERLAND, BC

Based on the results of the slide reconnaissance together with comments provided by DoS and the golf course, Golder identified slide zones based on the level of observed slide activity together with the magnitude of ground surface displacements. Based on the slide angle and activity information Golder recommended that a preliminary setback zone be established along the crest of the existing head scarp that extends back for a distance of at least 50 m. The preliminary setback distance should be reviewed pending the results of a proposed monitoring program and detailed field investigation that is discussed in detail within the report.

Results of the hydrogeological review show the presence of several data gaps, including the lack of subsurface borehole records within and up-gradient of the slide area, no recent groundwater level monitoring data, no detailed information regarding wastewater disposal systems, and an apparent discrepancy between the calculated irrigation rates based on irrigation water meter data as compared to typical irrigation rates for the Okanagan Basin. Based on groundwater level data collected over the period between 1979 and 1982 an apparent trend for piezometers P1 and P5 showed that the peak groundwater levels occurred in the late fall and early winter months. This correlates with the observations made in a previous study by others that greater seepage discharge at springs was noted during the fall and winter months, which also corresponded with an increase in the slide displacement rates.

Based on our interpretation of the reviewed information it is Golder's opinion that ongoing slide activity will continue above the head scarp that will impact existing public infrastructure and private properties. It is not possible to predict if or when a significant slide may occur at this site. If one did occur, there is potential for the slide material to block off streamflow in Trout Creek. Depending on the size of the slide and volume of material plugging the canyon, a natural dam would form and it would begin impounding streamflow. The resulting scenario could lead to a dam breach failure and there could be an extreme hazard to downstream people, infrastructure, environmental values, and cultural values. To quantify or delineate the potential flood inundation impacts, further study is required along the lower floodplain of Trout Creek. If a slide dammed Trout Creek there could be a significant safety hazard to equipment and people working to remove deposited material, and as such the emergency response and recovery aspects need to be considered.

Based on Golder's interpretation of the potential hazard that the slide imposes to neighbouring properties and nearby public infrastructure, recommendations related to the following topics are provided for consideration:

- Land Use and Planning Measures (setback zone, minimizing impact to infrastructure above slide zone, education and outreach)
- Survey Monitoring Program
- Intrusive Field Investigation
- Flood Mitigation Options (monitoring streamflow, education and signage, emergency response, flood protection works)
- Collection of Water Use Information
- Bylaw Measures



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APPENDIX A

Important Information and Limitations of This Report

APPENDIX B

Historical Monitoring Data

APPENDIX C

Site Photographs

APPENDIX D

Resident Questionnaire

APPENDIX E

Irrigation Best Management Practices Information



1.0 INTRODUCTION

This report presents the results of a geotechnical and hydrogeological study conducted by Golder Associates Ltd. (Golder) for a large slide mass commonly known as the “*Perpetual Slide*” (hereafter referred to as the “slide”) that is located along the north side of the steep canyon overlooking Trout Creek, along the southern boundary inside the District of Summerland (DoS).

It should be noted that the scope of this report is limited to the geotechnical and hydrogeological study and does not include any investigations, analytical testing or other assessments associated with possible soil and groundwater contamination, archaeological or biological considerations or sediment control measures.

This report should be read in conjunction with “**Important Information and Limitations of This Report**” provided in Appendix A. The reader’s attention is specifically drawn to this information, as it is essential for the proper use and interpretation of this report.

Authorization to proceed was provided by Mr. Don Darling, Director of Works and Utilities with DoS on December 17, 2014 through an e-mail notification to Gerald Imada. The scope of work presented in Golder’s proposal was specific to the review of potential risks that the Perpetual Slide might impose upon nearby private and public properties, public utilities and roadways along Canyon View Road, Paradise Road, and also upon the northern portion of the Summerland Golf and Country Club golf course. The scope of work was later expanded to include a general discussion of the potential impact if a slide occurs blocking Trout Creek and is subsequently breached, based on discussions held a meeting between DoS and Golder on August 12, 2015 to review the Draft report issued on May 15, 2015.

1.1 Scope of Work

The scope of work for this study was described in Golder’s proposal titled *Proposal and Cost Estimate to Provide Geotechnical and Hydrogeological Assessment of the Perpetual Slide, Canyon View Road, Summerland, British Columbia*, dated November 26, 2014 (Reference Number P1417553). The terms and conditions included in the noted proposal are also applicable to this report.

For this study, the scope of work was limited to a non-intrusive assessment, which consisted of the following described tasks.

Task 1 – Desktop Review

This task included the collection and review of historical information from studies completed by others including Golder projects, together with other pertinent information provided by DoS, such as water usage records for properties adjacent to the slide including the golf course, history of infrastructure repairs along Canyon View and Paradise Roads, and 2005 and 2012 electronic topographic drawings with corresponding digital ortho-photographs.

- A review of recent and historical aerial photographs was also undertaken to determine progression and changes to the slide’s spatial extents and features. The aerial photographs reviewed are listed in the following table (Table 1).



PERPETUAL SLIDE SUMMERLAND, BC

Table 1: Aerial Photographs

Year	Flight Number	Photograph Number(s)
2012	Ortho-photograph	-
2007	BCD07035	039, 040
2005	Ortho-photograph	-
2001	BCC01032	143, 144
1996	-	-
1992	BCB9005	172, 173, 174
1985	BCC372	175, 176, 177
1980	BC80046	045, 046, 047, 048
1980	BC80046	036, 037, 038
1976	BC7602	145, 146
1969	BC5330	024, 025
1963	BC4192	169, 170
1951	BC1647	89, 90
1938	BC106	49, 50
1938	BC106	95

- Review of groundwater level information that was recorded by DoS until about mid-1982, after which semi-annual readings were taken to 1987, with the last known reading taken on July 1, 1988. It is not known if DoS continued the monitoring program beyond the 1988 reading.
- A preliminary review of surface, irrigation and groundwater information from sources within and above the slide area in order to assess the potential groundwater recharge condition within the slide area.
- The development of a Resident Questionnaire with the help of DoS to identify private water supply well locations, septic disposal field areas and other infrastructure that may provide information regarding the subsurface, and irrigation information (such as crop type, irrigation schedules, peak periods and estimated water consumption volumes). The Resident Questionnaire will only be distributed to residents in subsequent phases of work if required.

Task 2 – Site Reconnaissance

The second task of the study was to conduct a geotechnical and hydrogeological site reconnaissance of the slide to assess the magnitude of recent slide activity from observations of displacement features, and to verify the slide scarp limits in comparison to historical and recent aerial photographs together with other possible slide movement encroaching towards and/or onto nearby adjacent properties. This included a review of the roadway distress features along a portion of Canyon View Road, a review of the roadway conditions along Paradise Road and also along the golf course maintenance access lane along the east side of the golf course.



PERPETUAL SLIDE SUMMERLAND, BC

Golder attempted to locate six (6) monitoring piezometers that were installed in 1979 together with seven (7) survey monuments that were used to measure potential lateral movements along the slide head scarp. To our knowledge, survey coordinates do not exist for these installations as their locations were simply identified on a site plan at the time of the initial golf course construction.

Areas of possible shallow groundwater seepage and seepage discharge areas within the slide were also identified and located using a handheld GPS receiver.

Measurements using a total station survey instrument were taken for a remaining old monument and piezometer installation that was found near the north end of the golf course. Spot elevations were also taken along the Canyon View Road distress area to determine the magnitude of vertical displacement together with the setup of several temporary benchmarks that were established outside of the distress area that subsequently can be used and incorporated into a future field monitoring program.

Task 3 – Report Preparation

The final task of the study was the preparation of a report documenting the factual results of the study based on our interpretation of the slide condition observed at the time of the reconnaissance together with our review of available information. The following aspects are presented and discussed in the report.

- Comments regarding the magnitude of slide activity, progression of the slide scarp, and apparent changes to seepage zones within the slide. This includes a plan showing the current slide scarp limits together with establishing preliminary hazard zones above the slide scarp based on different level of risks for potential for property damage, damage to public infrastructure, and general public safety. The risk rating system is based on our interpretation of the current slide activity, the slide scarp progression, and the potential hydrogeological impacts.
- Estimation of the volume of slide material that flows into Trout Creek based on a review of topographic information.
- Comments regarding the potential consequences on the Trout Creek area should a slide occur damming Trout Creek and the subsequent breach of the dammed creek.
- Comments pertaining to the probable mechanism that caused distress to the infrastructure along a portion of Canyon View Road and to the northern portion of the golf course. This also includes geotechnical recommendations for the reconstruction of the affected portion of Canyon View Road.
- A review of available domestic and irrigation water use data was conducted. Best practice guidelines regarding irrigation are provided to reduce potential impacts that irrigation may have on the slide area and its progression, specifically by using better controls and/or implementing reasonable water usage guidelines.
- Comments and recommendations pertaining to an intrusive field investigation program with suggested borehole locations and depths, a survey monitoring program, and estimated costs.
- Considerations for Education and Outreach, Land Use Planning and Bylaw measures, which DoS may wish to implement.



2.0 SITE SETTING

The slide area is located along the southern boundary of the District of Summerland on the north side of the steep canyon overlooking Trout Creek. The elevation change between the creek and the top of the slide scarp is approximately 125 m. Above the scarp is a relatively flat bench between elevations of approximately 625 m above sea level (masl) and 590 masl, which slopes gently to the southeast, towards Trout Creek. Mount Conkle is located to the northwest of the slide, and rises to a peak of 935 masl.

Land use in the area mainly consists of large residential lots with small scale agriculture (horse pasture, forage crops, orchards and vineyards). The Summerland Golf and Country Club is located immediately west of the slide. There is also a cemetery located to the north of the slide, on Canyon View Road. The general area is locally known as Paradise Flats.

3.0 HISTORY OF THE PERPETUAL SLIDE

The most comprehensive known study conducted on the slide to date is the Riglin (1977) thesis. Based on this, it is understood that slide features were first noted by local settlers between 1914 and 1917 where the slide scarp had developed through to about 1925. Most of the large slide movements had occurred prior to 1938 based on a comparison between 1938 and 1970 topographic map where the main head scarp had progressed to about its present-day location.

To our knowledge, a borehole intrusive investigation within the slide area has never been conducted to date in order to determine actual subsurface conditions, the depth of the slide failure surface(s), and to acquire soil strength properties. Slide research studies have been based on assumed and inferred subsurface conditions, estimated slide failure zone depth(s) and groundwater conditions together with the collection of some shallow soil and rock samples taken from slope exposures.

3.1 Slide Mechanism

Riglin (1977) concluded that the slide failure surface was founded with Tertiary sediments, primarily within claystone gouge material that exhibited cohesive properties and a weaker residual shear strength in comparison to other slide material types resulting in a massive retrogressive rotational failure causing a backward tilt in the direction of the head scarp. The failure also caused large translational blocks to develop at different elevations across the middle and lower slide benches resulting in depressed features located near the toe of these slide benches, which are commonly referred to as grabens.

The claystone gouge material also may be acting as an impermeable layer whereby the underlying groundwater flow is constrained resulting in the development of higher hydraulic gradients in excess of hydrostatic between different soil units resulting in a decrease in the effective soil stress and thereby causing even lower shear strengths along the slide failure surface(s). Local perched groundwater conditions could also occur because of impermeable layers across the slide mass.

Shear testing results from the Riglin study on a sample of the gouge material reported a residual friction angle of 18.5 degrees. This is equivalent to a slope angle of about 3 horizontal to 1 vertical.



3.2 Slide Monitoring

Slide monitoring using a stadia survey technique was conducted between 1975 and 1976 where a series of surface monuments and stakes were surveyed to determine seasonal and spatial fluctuations across the slide area. The monitoring results indicated a significant range of movement existed across the slide's longitudinal profile suggesting complex rotational slide geometry. Movements were calculated at about 0.08 m/year along the toe of the head scarp and increased to about 0.13 m/year for the flatter middle portions of the slide. Going further downslope across the longitudinal slide profile, the magnitude of lateral displacement increased from about 0.51 m/year to 1.49 m/year and up to 15.69 m/year along the crest of the steep Trout Creek canyon. The monitoring results also indicated a seasonal increase in the displacement rates during the fall and winter months, which correlated closely with an increase in groundwater seepage discharge at the localized springs located across the crest of the steep slide slopes above Trout Creek canyon.

Riglin estimated that the total slide mass loss amounted to about 11,500 m³ per year for the portion of the slide mass located between the head scarp and the crest of the steep canyon slopes.

In 1979, Golder installed seven monument control points along the east side of the golf course overlooking Trout Creek with a reference base station located along the west side of the golf course along Mountain Avenue for the purpose of determining if lateral movements were occurring near the crest of the slide scarp as part of the golf course groundwater monitoring program that is discussed in the proceeding Subsection 2.3. Only one complete set of readings were taken by Golder at each monument control point on July 16, 1979 for use as a comparison baseline for future monitoring purposes, which to our knowledge was never carried out.

3.3 Surface Hydrology

Historical records indicate that irrigation was initially introduced into the Paradise Flats farming area around 1903 to 1906 that preceded the initial slide event(s) between 1914 and 1917. Prior to that time, no irrigation and domestic water existed within the slide drainage catchment area across Paradise Flats and below Conkle Mountain. Unlined earth ditches were initially constructed, and then gradually replaced by wooden flumes, which were then subsequently replaced by metal flumes in the 1930's through 1950's. Since the 1950's through to 1970's, the metal flumes were gradually replaced by concrete flumes, except for about a 0.5 km length of overflow line, which remained as an unlined earth ditch. Golder was not able to verify whether this unlined ditch still exists.

Past hydrology studies undertaken in the 1970's concluded that it is possible that changes to the groundwater regime caused by the introduction of irrigation into the Paradise Flats contributed to instability of the steep slopes above Trout Creek and consequently caused the initial slide failure event(s) from about 1914 to 1917.

Furthermore, it is also understood that "silty" water quality downstream of the slide in Trout Creek occurs on a regular basis as the slide material continues to be washed and scoured into the creek channel.



3.4 Groundwater Monitoring

A monitoring program commenced in 1979 for DoS, where Golder installed six (6) piezometers and seven (7) survey control points along the crest of the slope overlooking Trout Creek canyon. The purpose of the monitoring program was to assess if changes to the groundwater level were related to irrigation of the golf course as well as to determine if lateral movements were occurring along the slope crest that could be associated with increased groundwater levels and adversely impact slide movement.

The piezometers were installed through the upper sand and gravel deposits and into the underlying bedrock or glacial till deposits. Monthly groundwater levels were initially recorded by DoS to about mid-1982, after which time semi-annual readings were taken until 1987 with the last reading taken on July 1, 1988. It is not known if DoS continued the monitoring program beyond the 1988 reading. The locations of the monitoring piezometers and soil descriptions are included in Appendix B together with a summary of the groundwater levels to 1988 and the average monthly precipitation for 1979 to 1982.

Based on the results for the 1979 to 1980 groundwater monitoring period, it was determined that piezometers located closer to the Trout Creek slope crest along the east side of the golf course tended to have lower groundwater levels, and that groundwater levels tended to increase to the north possibly in response to adjacent agricultural irrigation practices.

Higher monthly precipitation amounts were recorded during May and December based on average values between 1979 and 1982. For the 1979 to 1988 period, higher precipitation was recorded for the months of May, June and December. Based on the limited piezometer monitoring data, an apparent trend for piezometers P1 and P5 showed that the peak groundwater levels occurred in the late fall and early winter months. The groundwater levels at these locations began to increase shortly after the high May-June precipitation. In general, there was a five to six month lag between the high May-June precipitation amounts and the late fall high groundwater levels. The higher fall groundwater levels correlates well with the observations made in the Riglin (1977) study where greater seepage discharge at springs was noted during the fall and winter months, which also corresponded with an increase in the slide displacement rates.

3.5 Trout Creek Impact

A hydrological risk assessment report for Trout Creek was prepared by Grainger and Associates Consulting Ltd., dated April, 2009 and submitted to the BC Ministry of Environment. The Perpetual Slide was noted as being *“a chronic source of sediment”*. It was stated *“Toe erosion along the base of the steep slopes may undermine and reactivate existing failures and/or initiate new failures. The result will be increased coarse and fine sediment loads downstream on the fan.”* Aggradation of the diked portions of the channel downstream of the Perpetual Slide has been documented following past flood events. Consequently, the Trout Creek fan area was assigned as having a *“very high”* hydrologic hazard rating. The results of the assessment also noted that the Highway 97 bridge structure and the upstream flood protection dikes were rated as having a *“Low”* vulnerability since the completion of the dike and bridge improvements that were carried out following the 1972 flood event.



Another hazard and risk assessment prepared by EmergeX Planning Inc. was submitted to DoS in February 2006. The results of that study identified the Perpetual Slide as not posing any risks to major structures, however it was stated that *"this could have a negative impact on the golf course itself"*. The substantial sediment release into Trout Creek was also identified as contributing to the loss of downstream fish habitat. That study rated the level of risk for a landslide occurrence as *"moderate"* defined as having a likelihood of *"occasional/slight chance"* for an event to occur with a corresponding impact/severity rating of (8-14) on a scale of (1-7) being *Low* and (22-28) being *High*.

4.0 DISCUSSION

The following provides a summary of our geotechnical and hydrogeological discussion after reviewing available information provided by DoS, the results of the site reconnaissance, review of historical air photographs, resident questionnaire, and estimated slide activity based on displacements derived by comparing topographical features using 1970, 2005, and 2012 base contour maps.

4.1 Site Reconnaissance

A site reconnaissance was conducted on February 13, 2015 along the slide head scarp, portions of Canyon View Road, Paradise Road, the northern portion of the golf course, and within the slide extents. The site reconnaissance was scheduled several weeks after the snow cover had melted in order to allow for easier identification of "fresh" tell-tale evidence of recent slide activity, particularly in areas where prominent slide features exist. Digital photographs were taken of pertinent slide features as well as GPS waypoints for future reference purposes. The pertinent GPS waypoint locations are shown on Figure 1.

4.1.1 Previous Piezometers/Monuments

At the time of the reconnaissance, Golder also attempted to locate the old 1979 piezometers and survey monuments using the old site location plan (Figure 1 in Appendix B) that was overlaid onto the 2012 Google Earth image coverage for the particular area of interest. Only piezometer/monument P1 was successfully located together with the base reference station that is located along the west side of the golf course. Piezometer/monument P1 was still intact within its protective box cover, as well as the base reference station that was set in a concrete pad. We were not able to locate the remaining piezometers and monuments as they appear to have been buried within raised features that border the east side of the golf course.

Piezometer/monument P1 was sounded to a depth of about 2.8 m where the probe unexpectedly stopped without the detection of any groundwater. A review of the last reading taken in July 1988 measured the groundwater at a depth of 14.87 m below ground surface. It is not known if the 2.8 m stoppage is caused by an obstruction inside the PVC pipe or if the pipe has been sheared by lateral ground movement as this piezometer is located within 10 m of the slide head scarp.



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On February 20, 2015, a measurement was taken between the base station and P1 using a Nikon DTM-520 total station in order to compare it to the July 16, 1979 reading. The result of the measurement shows an increase in distance of about 6.27 m between the base station and monument P1. This difference was also checked and verified using a differential GPS receiver. The additional displacement measured since the 1979 reading does not seem reasonable as there is no other site evidence to suggest that magnitude of lateral movement, except that this area is within a localized lower lying area (*Photograph 3864 in Appendix C*). Therefore, it is our opinion that the difference is probably related to the use of different instruments and their level of accuracy between the 1970s era and current electronic distance measuring technology. However, considering that the piezometer is now plugged at a depth of about 2.8 m, this does suggest that there has possibly been sufficient lateral movement to cause the obstruction or shearing of the PVC pipe at the 2.8 m depth, as unusual movement has also been reported at the golf green located to the north of this location for the past several years.

4.1.2 Canyon View Road

It is understood that recurring breaks have occurred within the water main pipe that is located along the south side of Canyon View Road. It is further understood that the water main consists of a 250 mm diameter AC pipe and that deflections were observed at every pipe joint indicating differential movements between the pipe sections.

An elevation and distance survey using a total station instrument was also carried out on a portion of the roadway where a distinct depression (dip) is located opposite 10920 Canyon View Road where limits of two large crescent shaped pavement cracks were measured and tied into several temporary benchmarks for future monitoring comparison purposes (*Photograph 3801 in Appendix C*). A series of repeating diagonal pavement cracks were also observed along the south outer 1.5 m roadway width (south wheel path) that extend further east up to the driveway at 10818 Canyon View Road (*Photograph 3818 in Appendix C*). Currently, it is not known if these cracks are associated with settlement of the roadway as a direct result of water line breaks with wetting of the roadway fill embankment and subgrade soil. It should be noted that these cracks are also located along a portion of the roadway that is constructed as a fill embankment that is about 1.7 m high.

Other observations did not reveal any unusual features for the remaining portions of Canyon View Road between Simpson Road and Paradise Road, except for localized pavement patches. However, a slight broad dip does exist near the west end of Canyon View Road that was previously noted at the time of a 2003 investigation for a proposed RV park. It is understood that this dip is probably associated with a former drainage swale that was in-filled years ago.

4.1.3 Paradise Road and McGee Street

It is understood that other water main breaks have also occurred in the last several years near the corner of Paradise Road at McGee Street across from an abandoned mobile home structure and across from the No. 3 Green and the 4th -tee box at the north end of the Summerland Golf and Country Club (Figure 4). It is understood that DoS did not keep track of the dates and details of these breaks.



4.1.4 Golf Course

In discussion with the Summerland Golf and Country Club course supervisor, it is understood that the No. 3 Green has experienced differential movement over the past several years and that the magnitude of movement appears to have increased in the last year or so that has resulted in the development of small tiered subsidence benches across the east portion of the green that now amounts to an overall drop of about 30 cm thus making the green practically unplayable. To date, breakage of irrigation pipes on the golf course has not occurred that would be associated with potential slide movement, especially at the north end of the golf course in the vicinity of the No.3 Green.

Suspicious movement has also been identified along the north end of the material storage yard. No other movements have been noticed at the work shop or other areas of the golf course.

The larger pond feature at the north end of the golf course is understood to be lined. Actual monitoring of the pond for potential water storage loss has never been carried out. It is understood that the pond was accidentally overfilled about seven years ago that resulted in the overnight flow of excess water that created a washout over the crest of the slide scarp.

4.1.5 Slide Features

The following table (Table 2) provides a summary of features that were noted at the time of the site reconnaissance. The locations of the GPS references listed in the table are also shown Figure 1 for reference purposes. References to site photographs that were taken on February 13, 2015 are also included in the following table with photographs and general comments found in Appendix C.

Table 2: Slide Features

GPS Reference Locations	General Description of Site Features
TC1, TC2	Localized roadway depression (dip) with patched pavement cracks at the east and west ends of Canyon View Road over a distance of about 95 m along the south edge of pavement (<i>Photograph 3801</i>). Water line breaks occurred in the 250 mm diameter pipe at each end of the road dip in 2012. A survey shows subsidence of up to about 52 cm has occurred along the outside south lane relative to its estimated original profile. A second crescent shaped crack has developed inside (south) of the larger outer crack within the last year or so (<i>Photograph 3809</i>). It is not known if this feature is associated with gradual post-break subsidence within the water line trench as a result of earlier water line breaks. The overall area of subsidence extends to a distance of about 5 m inside the property at 10920 Canyon View Road.
TC3, TC4	Fresh tension crack development along slide head scarp where vertical and horizontal displacements extend up to about 10 to 15 cm within predominantly sand deposits (<i>Photograph 3837</i>).



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GPS Reference Locations	General Description of Site Features
TC5	Multiple fresh tension cracks along old cut trail about 1.2 m apart with ~1 cm wide gap separations. This area is located immediately above a graben feature along the toe of the head scarp where deciduous tree growth was observed. It should be noted that a review of the old groundwater level records at piezometer/monument P1 shows the highest groundwater level was measured on December 30, 1983 at an elevation of about 579.9 m, which potentially puts the groundwater to within several metres above the toe of the steep scarp slope.
TC6	Fresh tension crack about 1-2 mm wide in asphalt pathway near piezometer/monument P1, crack is parallel to the head scarp (<i>Photograph 3863</i>).
TC7	Along crest of steep canyon side slope at far south end of golf course near old P4 piezometer that was not found (<i>see Figure 1 in Appendix B for P4 location</i>).
TC8	Outside of the south slide limits where no evidence of movement was observed.
TC9	South flank of the slide limits overlooking the middle slide bench and graben area.
TC10	Multiple tension cracks each having up to 15 cm vertical drop along ridge located immediately downslope of a graben feature.
TC11	Fresh tension crack that is partially covered by slope ravelling is located about midway up a steep sand and gravel slope overlooking the lower slide bench (<i>Photograph 3882</i>).
GPS12	Large bend in 70 cm diameter tree located within a graben feature showing about 7 m of displacement between its trunk and the upright top portion of the tree trunk that is indicative of significant slide movement. Most trees in this area are leaning backwards and upslope in a northwest direction.
GPS13	Area where significant landslide rotational movement resulting in the backwards leaning of mature trees that vary between angles of about 25 to 35 degrees from vertical (<i>stitched Photographs 3963-3965 and 3998</i>).
GPS14	Large seepage discharge area about 15 m wide within shallow graben with very loose wet soil conditions consisting of a mixture of sand and silty sand with pockets of cohesive clayey sand. Multiple tension cracks throughout the area that are spaced about 1.2 to 1.5 m apart with tension cracks widths of about 5 cm and up to 50 cm vertical displacements at the cracks (<i>Photograph 3991</i>).
GPS15	East side of large area of significant slide activity (~120 m wide) where recent backward rotational displacements/sloughs have occurred resulting in the development of fresh back scarps extending to about 3 to 5 m in height. Groundwater seepage discharge noted along the toe of the fresh back scarps. Slide material consists of intermixed sand with clayey silt and large blocks of highly fractured dark grey/black bedrock (<i>stitched Photographs 3940, 3942</i>).
GPS16	Top of groundwater seepage located within a narrow drainage gully starting at the treeline about 15 m upslope from the active slide back scarp.
GPS17	West flank of active slide limits along east-west ridge that consists predominantly of sand and gravel with fines.
GPS18	Wet area above the crest of the steep canyon near east side of the slide limits.
GPS19	Near toe of the east slide flank where a steep sided slope exists that predominantly consists of silty sand and gravel.



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4.1.6 Springs and Seepage

Based on the Site reconnaissance, the groundwater seepage discharge is limited to the lower slide bench that extends for about the full width of the slide at an elevation of about 525 m.

4.2 Review of Historical Air Photographs

The following table (Table 3) provides a brief summary of the historical air photograph review conducted by Golder.

Table 3: Air Photograph Review

Year	Comments
1938	Current golf course not developed. Areas north of slide not developed. Local areas at toe of Mt. Conkle developed with small orchards. Slide area consists of three hummocky benches (upper, middle and lower) incised by two major gullies, one at the east and one at the west sides of the slide. Appears to be a localized pond of water within the graben between Paradise Flats and the upper bench. Slope below lower bench subject to active sloughing.
1951	Appears to be very little noticeable change from the 1938 photographs.
1963	More orchards noted above the slide area. Slope between upper and middle benches appears to be subject to active sloughing.
1969	Same as 1963
1974	More orchard development. Lower bench width is narrower.
1980	Golf course has been developed. Extraction of sand and gravel occurring within upper bench during an ARDA project. Lower bench appears narrower and lower in elevation. Active sloughing occurring on slope below lower bench. Auto-wrecker occupying corner lot Paradise and Canyonview Roads.
1985	Middle and lower benches lower in elevation.
1992	Auto-wrecker gone. Lower bench no longer distinguishable.
1996	Small pond feature noted on golf course. Middle bench noted to be at about the same elevation of lower bench.
2001	Pond on golf course larger.
2005	Ortho-photograph, not a stereo pair.
2007	Active sloughing of slope below lower bench.
2012	Ortho-photograph, not a stereo pair.



4.3 Review of Slide Movements Using Topographic Maps

The following table (Table 4) provides a summary of our review regarding apparent changes in the slide features together with an estimation of the magnitude of slide displacements based on a comparison between 1970 and 2012 topographical mapping. The slide feature areas discussed in the following table are also shown on Figure 2.

Table 4: Comparison of Slide Features

Slide Reference Label	General Description of Slide Feature Location	Feature Comparison Comments
A	Along the west slide head scarp alongside Paradise Road and the north end of the golf course.	Little change in the upslope extents and elevation along the crest above the slide head scarp, i.e., the head scarp has not progressed further upslope.
B	Along the north slide head scarp along the south side of Canyon View Road.	1970 elevations are about 1 to 2 m higher than the 2012 elevations. There appears to have been some progression of the 1970 slide scarp by about 3 to 5 m further upslope (north) towards Canyon View Road, especially where the 1970 slide scarp is nearer to the road. This apparent progression may be related to previous gravel extraction operation carried out in that area of the old pit.
C	East slide flank along relatively flat bench.	1970 elevation is about 1 m higher than the 2012 elevation. The crest of this feature has progressed further upslope (easterly direction) by about 4 m.
D	Lower slide bench overlooking Trout Creek canyon.	Distinct graben features that existed at an elevation of about 522 m no longer exist on the 2012 plan as these areas have been replaced by steep slide scarps at elevations of about 525 to 530 m. This suggests significant lateral creep movement towards the canyon side slopes. The overall width of the lower slide bench has generally remained the same, but the elevation along the crest of the canyon side slope has dropped by about 5 to 8 m in elevation.
E	Southwest slide flank below the golf course maintenance yard.	Little change has occurred along the portion of the slide limits.
F	Distinct area along steep slope between upper and middle slide benches.	Distinct depression with steep side slopes in 2012 that did not exist in 1970. This feature is probably related to the previous gravel extraction operation as there are remnants of an old screening structure that is located to the south across an abandoned trail.
G	Toe along main/upper head scarp.	Depression areas (shallow graben feature) along the toe of the main slide scarp appears to have increased in depth as these depressions appear to be more pronounced.
H	Crest of upper slide bench where sand and gravel deposits are exposed.	The crest of the steep slope along the south side of the upper bench does not appear to have shifted further downslope as little change has occurred in its overall elevation.
I	Graben features along toe of steep sand and gravel slope.	The elevation at the 1970 graben was at 550 m. The 2012 graben elevation is lower at an elevation of 542 m with the centre of the graben feature now located about 18 m further downslope.



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Slide Reference Label	General Description of Slide Feature Location	Feature Comparison Comments
J	Isolated ridge along broad base gully feature along the east side of the slide.	The 1970 high point of the ridge was at an elevation of about 544 m. In 2012, this ridge no longer exists as it has disappeared and become part of the broad base gully at an elevation of about 535 m for the same gully location.

In general, the slide surface across the middle and lower portions have dropped by about 5 to 10 m and moved laterally by about 5 to 20 m with the graben features showing the greater amount of displacement, especially approaching towards the crest of the canyon side slopes.

4.3.1 Estimated Slide Material Volume Loss

The Perpetual Slide movement has resulted in the net loss of material into the Trout Creek channel that is continually being flushed downstream with finer sediments being washed into Okanagan Lake. The Riglin (1977) study estimated that the material loss amounted to an annual volume of about $11,500 \text{ m}^3$. The material loss is directly caused by the gradual downslope movement of large rotational blocks that results in backward (upslope) tilting of mature trees within graben areas, (*Photograph 3998 in Appendix C*) as the reworked slide material gradually sloughs upon getting wet by the groundwater seepage causing it to “flow” further downslope along the steep canyon side slopes and into Trout Creek. The repeated action is gradually eroding the crystalline bedrock surface above Trout Creek whereby the steep side slope has regressed further upslope by about 5 to 8 m, as illustrated on Figure 3 that shows the comparison of the 1938, 1970, 2005 and 2012 sectional profiles relative to Riglin’s 1938 and 1970 slide profile comparison.

Using the 2005 and 2015 topography provided by DoS, slide profiles were also prepared from 3D surface models and compared using the same sections that were presented in Riglin’s Figure 1-2c. Calculations using average end areas for these sections indicate that the volume loss between 1970 and 2012 is very similar at about $15,700 \text{ m}^3$ per year. It should be noted that this volume was calculated using the same profile length that extends between the head scarp down to the crest of the Trout Creek canyon and does not take into account for different levels of accuracy in the preparation of the topographic plans between the earlier and later years. The difference in the slide surfaces between each comparison year is shown by the shaded areas for each section on Figure 3.

A volume comparison between the 2005 and 2012 was also carried out as the level of accuracy is expected to be better than the earlier plans. Based on a comparison between the 3D surfaces for 2005 and 2012, it is interesting that the net volume loss was also calculated to be similar at about $11,600 \text{ m}^3$. However, this volume lost was generally limited to the lower slide bench below an elevation of 525 m with little volume change between the topography for the upper part of the slide between the head scarp and elevation 525 m.



4.4 Slide Zone Activity Rating

Based on the results of the slide reconnaissance together with comments provided by DoS and the golf course, different slide zones have been identified based on the level of observed slide activity together with the magnitude of ground surface displacements. The estimated zone boundaries are shown on Figure 4 and their degree of activity is discussed in the following table (Table 5).

Table 5: Slide Zone Activity Rating

Rating Designation	General Description
Very High (VH)	Lower bench area that extends up to an elevation of about 525 m where groundwater seepage discharge generally extends across the full width of the slide above the crest of the Trout Creek canyon. This area has little or no tree cover with fresh soil exposure throughout. Currently, the greater amount of activity is occurring across the west half of the bench.
High (H)	This area is located above an elevation of 525 m and extends upslope up to the crest of the steep middle slope. Graben features are typical along the toe of the steep sand and gravel slope where trees tilt backwards because of rotational slide movement.
Moderate to Low (M-L)	Upper slide bench and head scarp slope where most of the former gravel extraction was carried out. Shallower graben features exist along the toe of the head scarp with potential shallow groundwater along the graben areas.
IA – Increased Activity	Two areas of increased slide activity has developed since the last several years that did not exist at the time of the 2012 DoS aerial photography. These areas are located at the north end of the golf course near the intersection of McGee Street and Paradise Road and also along Canyon View Road about midway between Paradise and Simpson Roads that have resulted in several water line breaks as well as causing significant roadway subsidence. These areas of activity extend further up from the crest of the existing head scarp by a distance of approximately 30 to 50 m.

4.5 Hydrogeological Review

4.5.1 Contributing Watershed

Based on topographic data provided by the District of Summerland, Golder has inferred the watershed area of Trout Creek contributing recharge to the slide (the “contributing watershed”) to be as shown on Figure 5. The following provides a summary of area estimates based on topography and ortho-imagery.

- Total watershed area contributing to slide: 1,541,210 m² (approximately 154 hectares)
- Agricultural area within watershed: 381,525 m² (approximately 38 hectares)
- Total area of golf course: 488,015 m² (approximately 49 hectares)
- Area of golf course turf inside watershed: 38,586 m² (approximately 4 hectares)
- Area of golf course pond: 11,184 m² (approximately 1 hectare)



In comparison, Riglin (1977) estimated the catchment basin of the slide to be approximately 1,790,000 m² (179 hectares), 373,000 m² (37.3 hectares) of which was cultivated. As the catchment areas are very similar, the difference is inferred to be related to increased accuracy of estimating areas using current digital mapping methods.

4.5.2 Bedrock and Surficial Geology

Riglin (1977) provides a detailed review of bedrock and surficial geology of the slide area. Regional bedrock mapping is described in Okulitch (2011) and a comprehensive review of regional quaternary geology for the Okanagan is Nasmith (1962). To briefly summarize, surficial geology of the slide area consists of glacial outwash terraces, and bedrock in the area of the slide is mainly comprised of older, Jurassic crystalline rocks (granodiorite and a vein and dike complex) enclosing a younger, competent sedimentary limestone-sandstone unit. An unconformity between the older crystalline and younger sedimentary rocks exists, which trends northeast and dips gently northwest. The contact is inferred to be a major fault zone; however, Riglin (1977) states that this unconformity does not generally directly underlie the failure plane of the slide, except at its toe. Instead, Riglin inferred that tertiary sediments form the failure plane of the slide, as discussed in Section 3.1 of this report (Slide Mechanism). Slide gouge at the toe is a mixture of claystone, coal, broken sandstone and till. The gouge is clay rich, has a low permeability, and swells in contact with water. The slide gouge confines upward discharge from underlying bedrock and allows high porewater pressures to form at the base of the slide, which contribute directly to the slide mechanism. Groundwater flow is implicated as a significant factor in the failure of the slide.

4.5.3 Subsurface Conditions in Slide Area

Based on a review of the BC MoE Wells water well database accessed through the Water Resources Atlas, there are no water well records within the contributing watershed area. Thus, the only subsurface information available is that gathered from boreholes drilled during the Golder (1979) investigation (Appendix B). This data was combined with the 2012 elevation survey data to construct two cross sections through the slide area (Figure 6). Cross Section 1 cuts from southwest to northeast across the north end of the golf course and across the face of the slide (Figure 7). The golf course pond is not shown as a basin on the cross section because no bathymetry data were available. Cross Section 2 runs from northwest to southeast across the golf course (Figure 7). It is noted that no boreholes were drilled within the slide area in the 1979 investigation.

The site stratigraphy in the northern portion of the golf course can be described as loose sand and gravel from surface to depths of 3.0 m to 6.7 m overlying a 10 m to 12 m thick unit of compact sand and gravel containing cobbles followed by a 0.5 m to 2.4 m thick layer of glacial till deposited on bedrock. In this area groundwater appears to be perched on the glacial till, with the static water level observed within the compact sand and gravel layer, at depths ranging from 10.3 m to 14.9 m below ground surface (bgs).

Toward the south end of the golf course, where it borders the Trout Creek Canyon, the loose surficial sand and gravel is not present and the compact sand and gravel containing cobbles overlies a thick (14.3 m) unit of glacial till. It is noted that bedrock was not intersected at P4, bordering the canyon.



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At the south end of the golf course, the loose sand and gravel at surface is not present and instead the compact sand and gravel unit is present at surface. Below this is a thick unit of glacial till, up to 14.3 m thick at P4, where bedrock was not encountered. It is interesting to note that groundwater level monitoring at P4 over the 1979 to 1988 monitoring period indicated that the water level at P4 continually decreased and was nearly at the bottom of the well screen (installed within the glacial till) by the end of the monitoring program.

Regional groundwater flow is inferred to be generally from northwest to southeast, toward Trout Creek, however in the area of the slide there is a gradient in the direction of the slide graben and seepage areas are at elevations similar to the water table elevation (Figure 6).

4.5.4 Water Use

Available domestic and irrigation water use data for land parcels located within the contributing watershed area was provided by the District of Summerland for the 2014 calendar year, along with the arable area of the parcel in acres (Table 6). The domestic use data was provided in units of cubic metres (m³) and irrigation data was provided in units of Imperial Gallons. It is noted that some addresses have two entries for domestic water use, which are associated with a secondary building (carriage house or shop). Golder conducted unit conversions and calculated the irrigation rate based on the data provided by the District of Summerland (Table 6).

Table 6: Annual Water Use Data for 2014

Address	Domestic	Irrigation				
	2014 Usage (m ³)	Irrigation 2014 (Imperial Gallons)	Irrigation 2014 (m ³)	Arable Area (acres)	Arable Area (m ²)	Irrigation Rate (mm)
10818 Canyon View Road	109.194	20100	91.4	4.7	19020	5
10818 Canyon View Road	237.727					
10920 Canyon View Road	488.785	11700	53.2	4.7	19020	3
2405 Mountain Avenue (Golf Course)	No Information	39095	177.7	52	210435	1
3616 Mountain Avenue	88.244	0	0.0	4.8	19425	0
3810 Mountain Avenue	83.289	0	0.0	10.2	41278	0
4007 Mountain Avenue	185.109	12760	58.0	4.8	19425	3
4333 Mountain Avenue	196.545	33970	154.4	5	20234	8
4483 Mountain Avenue	213.725	No Irrigation Connection				
3801 Paradise Road	91.794	0	0.0	3.7	14973	0
3808 Paradise Road	95.91	39890	181.3	4.8	19425	9
4275 Sherk Street – House	146.27	39770	180.8	6.9	27923	6
4208 Sherk Street	129.767	No Information				
4217 Sherk Street	971.048	No Irrigation Connection				



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Address	Domestic	Irrigation				
	2014 Usage (m ³)	Irrigation 2014 (Imperial Gallons)	Irrigation 2014 (m ³)	Arable Area (acres)	Arable Area (m ²)	Irrigation Rate (mm)
4228 Sherk Street	233.383	18480	84.0	4	16187	5
4204 Simpson Road	79.927	5745	26.1	4.8	19425	1
4612 Simpson Road	145.574					
4612 Simpson Road	90.562	16020	72.8	6	24281	3

The provided domestic water use data shows that water use is variable, ranging from approximately a minimum of 80 m³/yr to a maximum of 971 m³/yr. These values appear to be reasonable and bracket the average water use for British Columbia as calculated using the residential per capita water use of 606 L/person/day (Environment Canada 2009) and the average number of persons per household of 2.5 (Statistics Canada 2011), which gives an annual residential water use of 553 m³/yr per household. One notable data gap is that there is no domestic water use data for the golf course.

The calculated irrigation rates are not considered to be reasonable as they are two orders of magnitude less than average water use data calculated for the Okanagan Basin of 660 mm for agriculture and 900 mm for golf courses, parks and domestic irrigation (van der Gulik et al 2010). This implies that the irrigation users apply considerably less water to their crops/fields than the average agricultural water user (i.e., 6 mm versus 600 mm of water). Golder contacted the DoS regarding this apparent discrepancy and it was confirmed that the units of the irrigation data were reported correctly.

4.5.5 Wastewater Disposal

Based on discussion with DoS it is understood that wastewater disposal for all of the parcels comprising the contributing watershed is via individual subsurface effluent disposal fields. No information was available on the locations of, design or condition of the disposal fields.

4.6 Resident Questionnaire

A questionnaire was developed by Golder for future distribution to the residents and businesses in the local area, when required. The questionnaire seeks out information related to water supply wells, septic systems, irrigation associated with the surrounding area. A copy of the questionnaire has been included as Appendix D. The questionnaire was not distributed to the residents as part of this investigation, but is available for future distribution when deemed necessary.



5.0 RECOMMENDATIONS

The following presents our recommendations regarding the activity of the Perpetual Slide based on our interpretation of the information, the potential hazard that it imposes to neighbouring properties and nearby public infrastructure together with our recommendations for short term measures a proposed monitoring program and intrusive geotechnical investigation.

5.1 Land Use and Planning Measures

5.1.1 Preliminary Slide Setback Zone

The overall slide angle starting at the toe of the steep canyon slope along Trout Creek and extending up to the approximate outside area of the noted activity ranges from about 13.5 degrees (4.2 horizontal to 1 vertical) at Section A-B (middle of slide), 15.3 degrees (3.7 horizontal to 1 vertical) at Section C-D and 14.5 degrees (3.9 horizontal to 1 vertical) at Section E-F (Figure 2).

Based on this information, it is recommended that a preliminary setback zone be established along the crest of the existing head scarp that extends back for a distance of at least 50 m (Figure 6). It is expected that this area will probably continue to be affected by retrogressive slide activity as the head scarp gradually continues to advance further upslope through a series of sloughs. It should be noted that the preliminary setback distance should be reviewed pending the results of a monitoring program and following a detailed field investigation that is discussed in the next section.

Consequently, existing infrastructure that is located within the proposed setback zone will likely be subject to unpredictable ground movement. Without specific monitoring data, it is not possible to predict the magnitude of future movements within the proposed setback zone, except that they will likely occur gradually either as slow creeps along the head scarp or suddenly with an abrupt ground subsidence that extends further away from the head scarp similar to the Canyon View Road subsidence.

5.1.2 Potential Impact to Existing Infrastructure above the Perpetual Slide

As discussed above, it is our opinion that ongoing slide activity will continue above the head scarp that will impact existing public infrastructure and private properties. Therefore, for short-term purposes the following items should be considered.

- DoS should implement an emergency response plan for an alternate vehicle route in the event that Canyon View Road becomes temporarily impassable to local traffic because of a sudden collapse of the roadway as well as a plan for the temporary replacement of affected utilities.
- Re-leveling of the settled portion of Canyon View Road can be considered, but it is likely that it will continue to settle and creep with time, which will require ongoing maintenance.
- Emergency shut-off valves should be considered when a sudden pressure drop occurs in the exiting 250 mm water main that will automatically shut the flow of water flow in the event of other breaks in order to reduce the volume of water that would be discharged directly into the slide mass. The low pressure shut-off valves should be installed beyond the limits of the proposed setback area.



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- Alternatively, the existing water main that is currently located within the zone of increased slide activity and also within the proposed setback area should be replaced with a flexible HDPE Sclairpipe that can tolerate significant differential movement with less potential for breakage.
- To date, the overhead hydro/telephone/cable lines and utility poles have not been impacted as a result of the increased slide extents. However, two power poles are currently located within 5 to 10 m from the edge of the north tension crack that extends across the roadway at 10920 Canyon View Road. It is expected that ongoing slide progression will eventually impact these utility poles with the potential loss of services to the noted property.
- The residential structure at 10920 Canyon View Road is not considered to be in imminent danger; however, it appears that the slide has progressed into the property, which could impact underground utilities that services the residence and the property. A review of each service connection to the residence should be conducted to verify their integrity.
- Review the feasibility of establishing a legal utility easement at the rear of the properties that front Canyon View Road in order to accommodate the water main as well as other utilities.

5.1.3 Potential Downstream Consequences to the Trout Creek Area

Flood risks are typically assessed in terms of the hazard (or consequence) of a flood event and the probability of that flood event occurring. It is not possible to predict if or when a significant slide may occur at this site. If one did occur, there is potential for the slide material to block off streamflow in Trout Creek. Depending on the size of the slide and volume of material plugging the canyon, a natural dam would form and it would begin impounding streamflow. The resulting scenario could lead to a dam breach failure and there could be an extreme hazard to downstream people, infrastructure, environmental values, and cultural values.

To quantify or delineate the potential flood inundation impacts, further study is required along the lower floodplain of Trout Creek. Different dam height scenarios could be modelled to assess the potential flood inundation impacts. However, Golder's knowledge of dam breach analysis indicates that the peak flow from a dam breach event would be significantly higher than peak flows from the natural watershed. Further, the hydrograph peak would be over short duration, sending a large flood wave down the river system potentially spilling across the floodplain.

If further study is completed on this potential flood hazard, mitigation options should be assessed. Some mitigation options may include, but are not limited to:

- monitoring downstream streamflow for sudden drops in water level;
- monitoring slope movement on the slide;
- public education and/or erecting signage along the dike system and bridge crossing;
- preparing an emergency response plan;
- additional flood protection works such as higher or set back dikes, or a large debris basin; and,
- modified local by-laws regarding land use on the floodplain.



Lastly, if a slide dammed Trout Creek the emergency response and recovery aspects need to be considered. There could be a significant safety hazard to equipment and people working to remove deposited material. The post-slide material could be unstable and construction access may be difficult. Managing and by-passing water would be an important part of the emergency operations.

5.1.4 Education and Outreach

It is recommended to conduct community outreach for property owners within the contributing watershed area to educate them regarding irrigation best practices such as those described in Appendix E and residential water conservation measures.

5.2 Proposed Survey Monitoring Program

It is recommended that a short-term survey monitoring program be considered for at least three months before a detailed intrusive investigation is started in order to determine the magnitude of slide displacements along the affected portion of Canyon View Road as well as the northern portion of the golf course in the vicinity of the old P1 piezometer. This will enable Golder to better select strategic test hole and in-ground instrumentation locations.

The survey monitoring program should consist of taking monthly coordinate and elevation readings (NEZ) on a series of permanent surface monuments using a total station instrument that can provide a reading accuracy of at least a centimetre. The survey should be tied into local geodetic survey monuments that will not be influenced by future slide activity using the UTM NAD83 spatial reference system. Surface monuments should consist of 20M deformed reinforcement bars installed to a depth of at least 0.8 m below into the ground together with a distinct mark for reading repeatability purposes, and a surface stake marker with an appropriate identification label.

Monthly readings should be taken for a period of at least one year in order to better understand the magnitude of movement relative to seasonal variations, irrigation usage, and groundwater levels. The monitoring frequency can be modified based on the review of monthly readings.

The surface monuments should be installed at 20 m intervals at the following locations:

- Canyon View Road between Sherk Street and Simpson Road for a distance of about 350 m; along the property line on the north side of the road, along the roadway centre line (using temporary surveying nail sets), and at an offset distance of 20 m south from the road centre line.
- Paradise Road starting at Canyon View Road going south to the old Angove Avenue right of way along the west property line and along the east edge of the golf course for a distance of about 350 m.

The survey monitoring program should also include the existing base station along the west side of the golf course and the P1 monument that is located between the existing golf course pond and the slide scarp (Figure 6).



5.3 Proposed Intrusive Field Investigation and Monitoring Program

Based on the results of the survey monitoring program, strategic borehole and inclinometer locations will be selected below and above the slide scarp taking into consideration reasonable site access for drilling equipment in order to reduce field investigation costs. Currently, it is expected that at least four (4) test holes will be required to assess the higher hazard areas, specifically along Canyon View Road where slide progression has apparently occurred over the past several years as well as the north end of the golf course near McGee Street. At each test hole location, slope inclinometers will be installed together with electric vibrating wire piezometers. The inclinometers will provide data that is specific to the depth of the slide surface(s) as well as the displacement rate at the slide surface(s). Data collectors should be included with each vibrating wire in order to record peak groundwater responses (hydraulic pressure response) rather than using conventional open piezometer standpipes that are only capable of recording static water levels. The actual test hole depths will depend on the subsurface conditions encountered, but it is expected that depths will probably extend between 20 to 40 m.

The information collected from the intrusive field program will be used for slope stability modelling purposes that can be used to better define a safe setback distance away from the head scarp.

Depending on the results of the monitoring program and the intrusive field investigation, short-term remediation options can be re-assessed, together with the evaluation of available long-term options.

Results of the monitoring program should be reviewed by qualified professionals.

5.4 Collection of Water Use Information

A discrepancy exists regarding the irrigation water use values within the Study Area, such that water used for irrigation purposes is inferred to be two orders of magnitude less than the average irrigation water use for agricultural users in the Okanagan Basin. Should groundwater infiltration rates be required to be assessed, this discrepancy in irrigation water use values should be reconciled. Water use information should continue to be collected on a monthly basis by the District of Summerland.

5.5 Bylaw Measures

The District of Summerland may wish to implement the following bylaw measures provided for consideration:

- Update the Official Community Plan bylaw to take into consideration the slide setback zone above the existing head scarp.
- Depending on the results of the monitoring program (geotechnical, hydrogeological and water use); the District of Summerland may wish to initiate the implementation of water application restrictions for domestic and agricultural water users that are located up-gradient of the slide head scarp, especially for properties between the foot of Conkle Mountain and Simpson Road.



6.0 CLOSURE

We trust this provides you with the information you require at this time. Should you have any questions or require additional clarification, please feel free to contact the undersigned at your earliest convenience.

GOLDER ASSOCIATES LTD.

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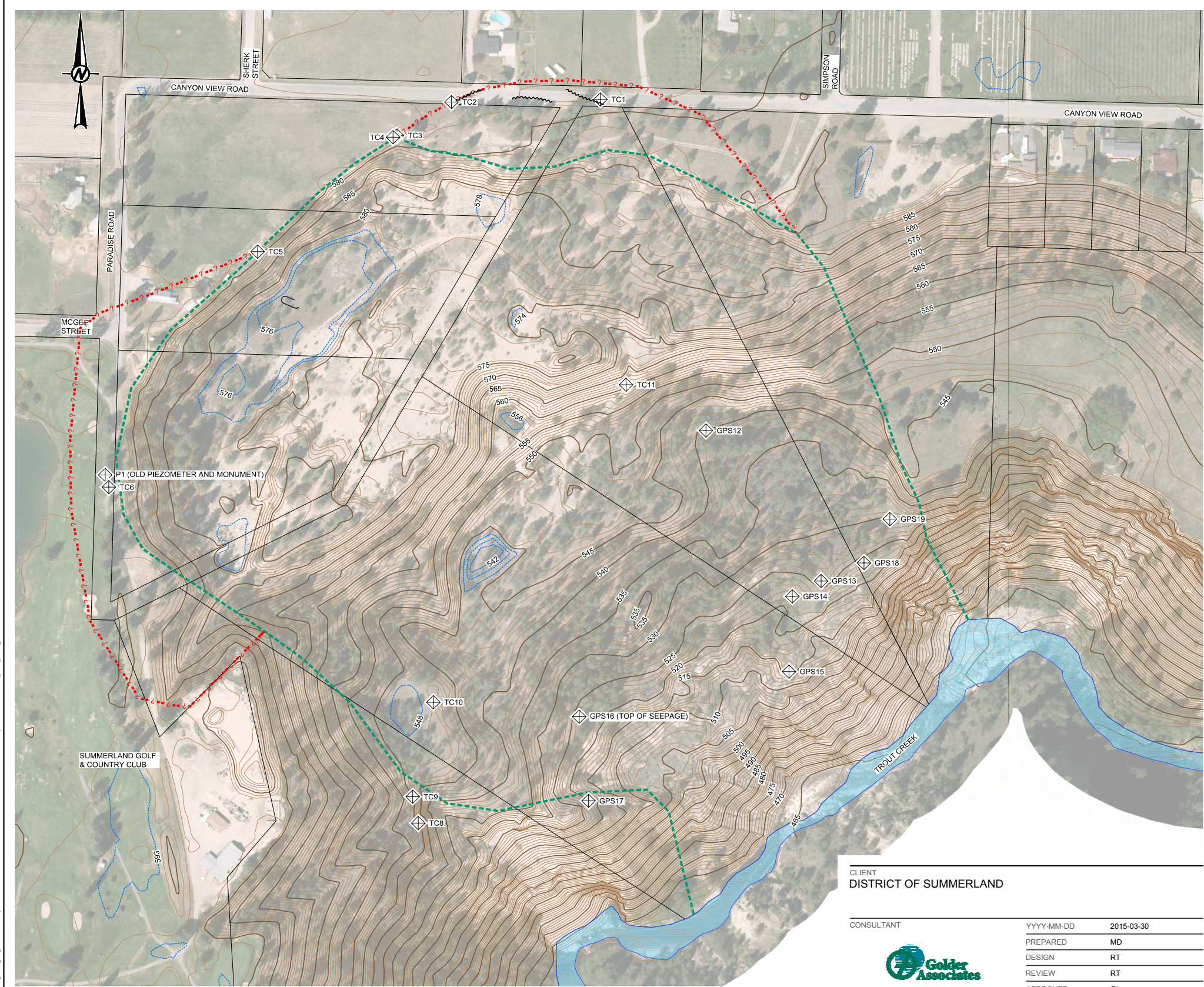
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- LEGEND**
- APPROXIMATE OLD SLIDE LIMITS
 - APPROXIMATE AREA OF RECENT MOVEMENT
 - PAVEMENT TENSION CRACKS
 - ◇ GPS REFERENCE LOCATIONS
 - MAJOR CONTOUR 5 m INTERVAL (2012)
 - MINOR CONTOUR 1 m INTERVAL (2012)
 - DEPRESSION CONTOUR (2012)

REFERENCE
CONTOURS AND LEGAL LOT LINES PROVIDED BY THE CLEINT IN DWG FORMAT.
IMAGERY PROVIDED BY THE CLIENT (2012 IMAGERY).



CLIENT
DISTRICT OF SUMMERLAND

CONSULTANT



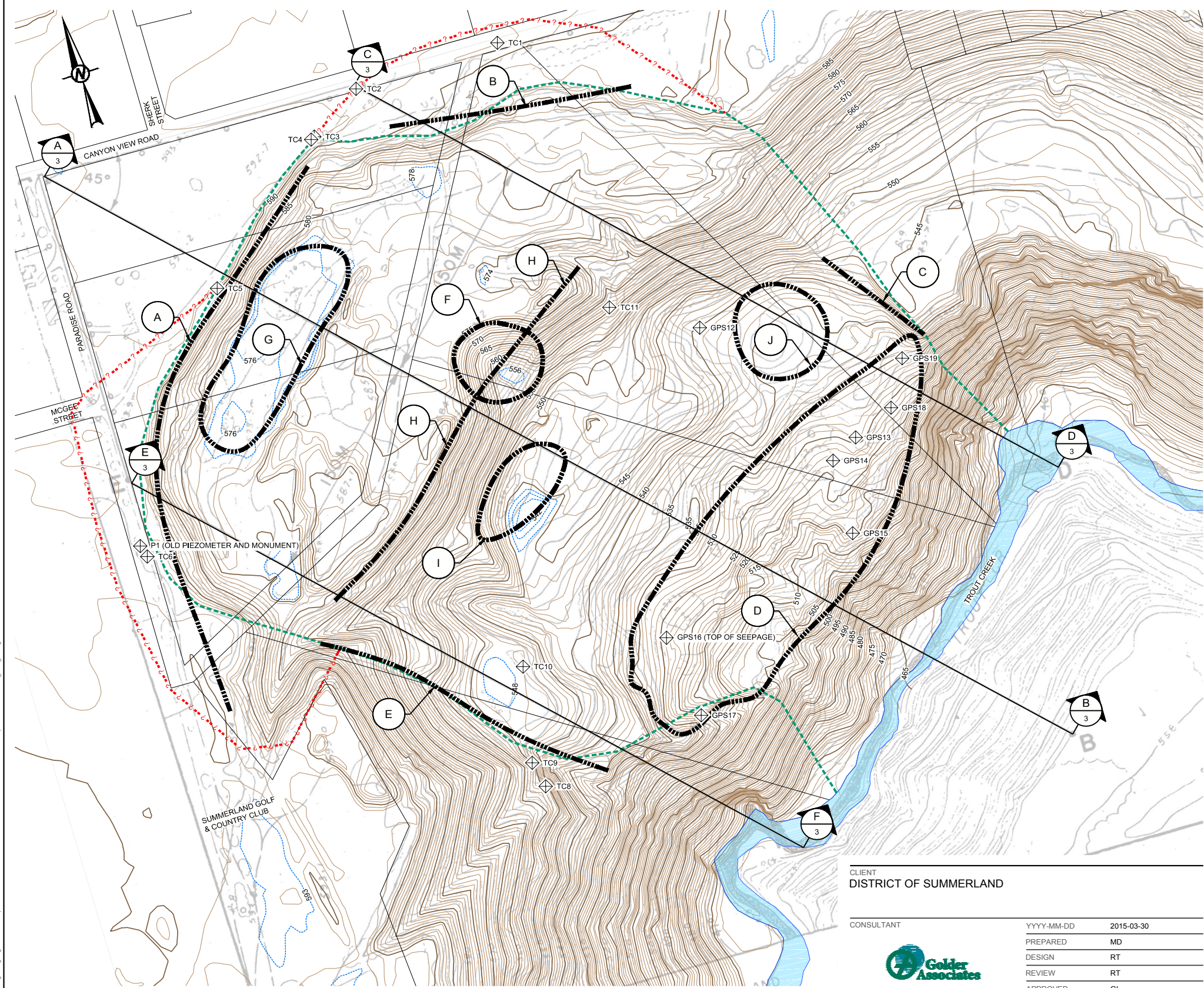
YYYY-MM-DD	2015-03-30
PREPARED	MD
DESIGN	RT
REVIEW	RT
APPROVED	GI

PROJECT
PERPETUAL SLIDE
SUMMERLAND, BC

TITLE
SITE PLAN

PROJECT No. 1417553	PHASE 3000	Rev. 0	FIGURE 1
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IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM A3/36" x 48" TO A4/36" x 48"



- LEGEND**
- APPROXIMATE OLD SLIDE LIMITS
 - ... APPROXIMATE AREA OF RECENT MOVEMENT
 - ⊕ GPS REFERENCE LOCATIONS
 - MAJOR CONTOUR 5 m INTERVAL (2012)
 - MINOR CONTOUR 1 m INTERVAL (2012)
 - DEPRESSION CONTOUR (2012)
 - REFERENCE LINE
 - REFERENCE LABEL

REFERENCE
CONTOURS AND LEGAL LOT LINES PROVIDED BY THE CLEINT IN DWG FORMAT.
BASE PDF PROVIDED BY THE CLIENT "1970 topo_UBC_1977_A6_7.pdf".



CLIENT
DISTRICT OF SUMMERLAND

CONSULTANT



YYYY-MM-DD	2015-03-30
PREPARED	MD
DESIGN	RT
REVIEW	RT
APPROVED	GI

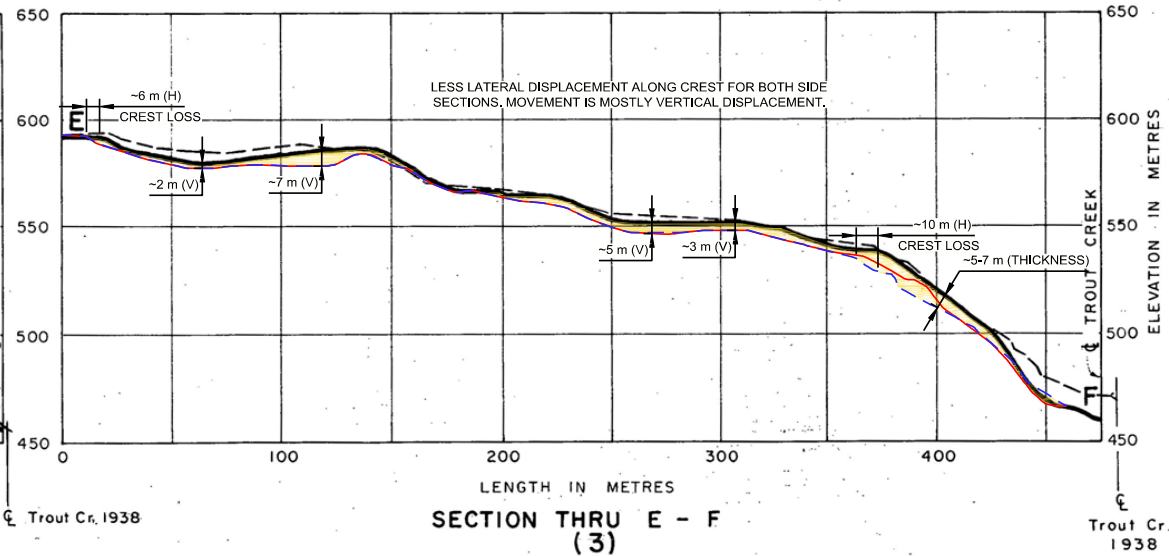
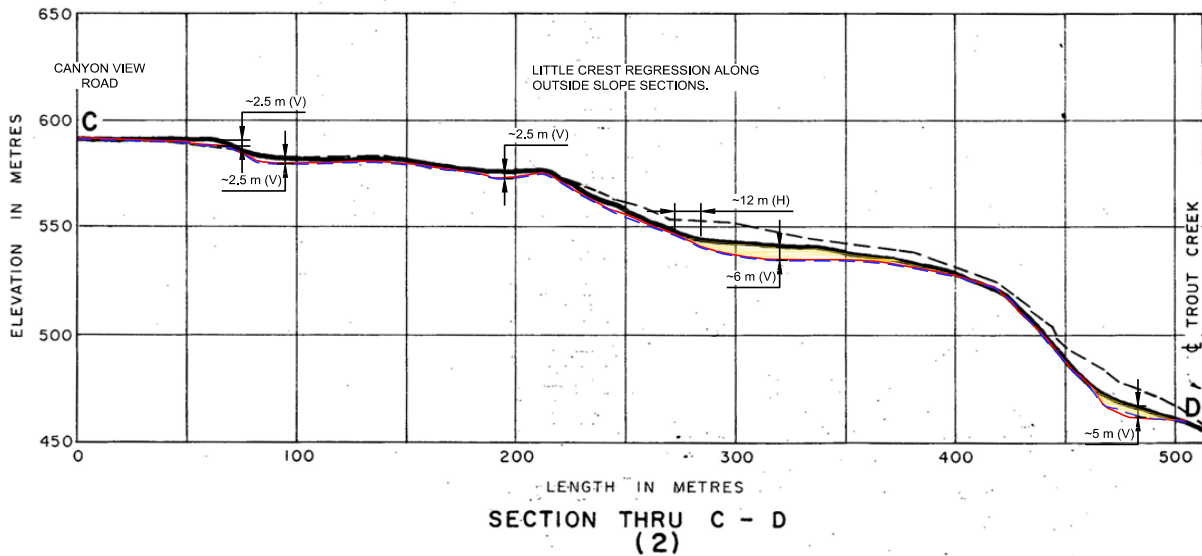
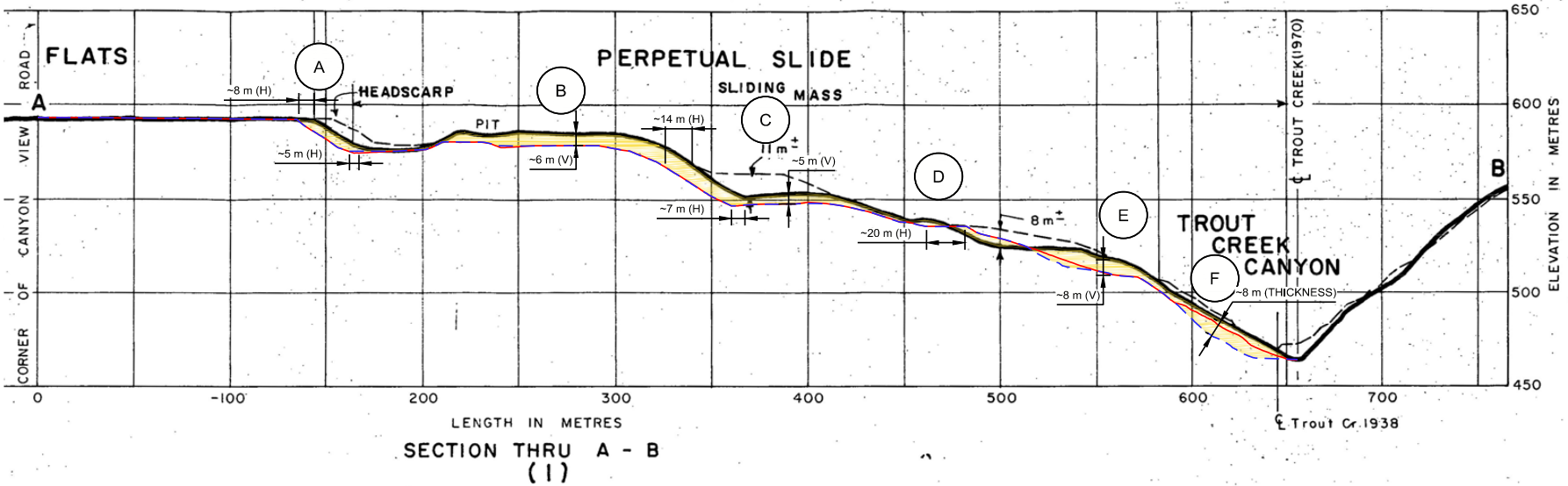
PROJECT
PERPETUAL SLIDE
SUMMERLAND, BC

TITLE
COMPARISON OF SLIDE FEATURES

PROJECT No. 1417553	PHASE 3000	Rev. 0	FIGURE 2
------------------------	---------------	-----------	-------------

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM A3/5 B

Reference Label	Remarks (1970 to 2012)
A	Head scarp progressed by about 8 m with loss of material along entire slope face
B	Middle bench dropped by about 6 m with downslope face loss of about 14 m thickness
C	Graben below toe of middle bench has dropped by about 5 m with horizontal toe loss of about 7 m
D	Fresh scarps along bottom treeline has advanced downslope by about 20 m
E	Crest of canyon slope has dropped by about 8 m
F	Steep canyon face has regressed into the slope by about 15 m with a corresponding material thickness loss of about 8 m



LEGEND

1938 DATA SHOWN

1970 DATA SHOWN

2005 DATA SHOWN

2012 DATA SHOWN

CHANGE IN PROFILE

A

REFERENCE LABEL

REFERENCE
BASE PDF PROVIDED BY THE CLIENT "Sections from 1970 Topo_Summerland
Perpetual Slide Thesis UBC_1977_A6_7.pdf".

CLIENT
DISTRICT OF SUMMERLAND

CONSULTANT



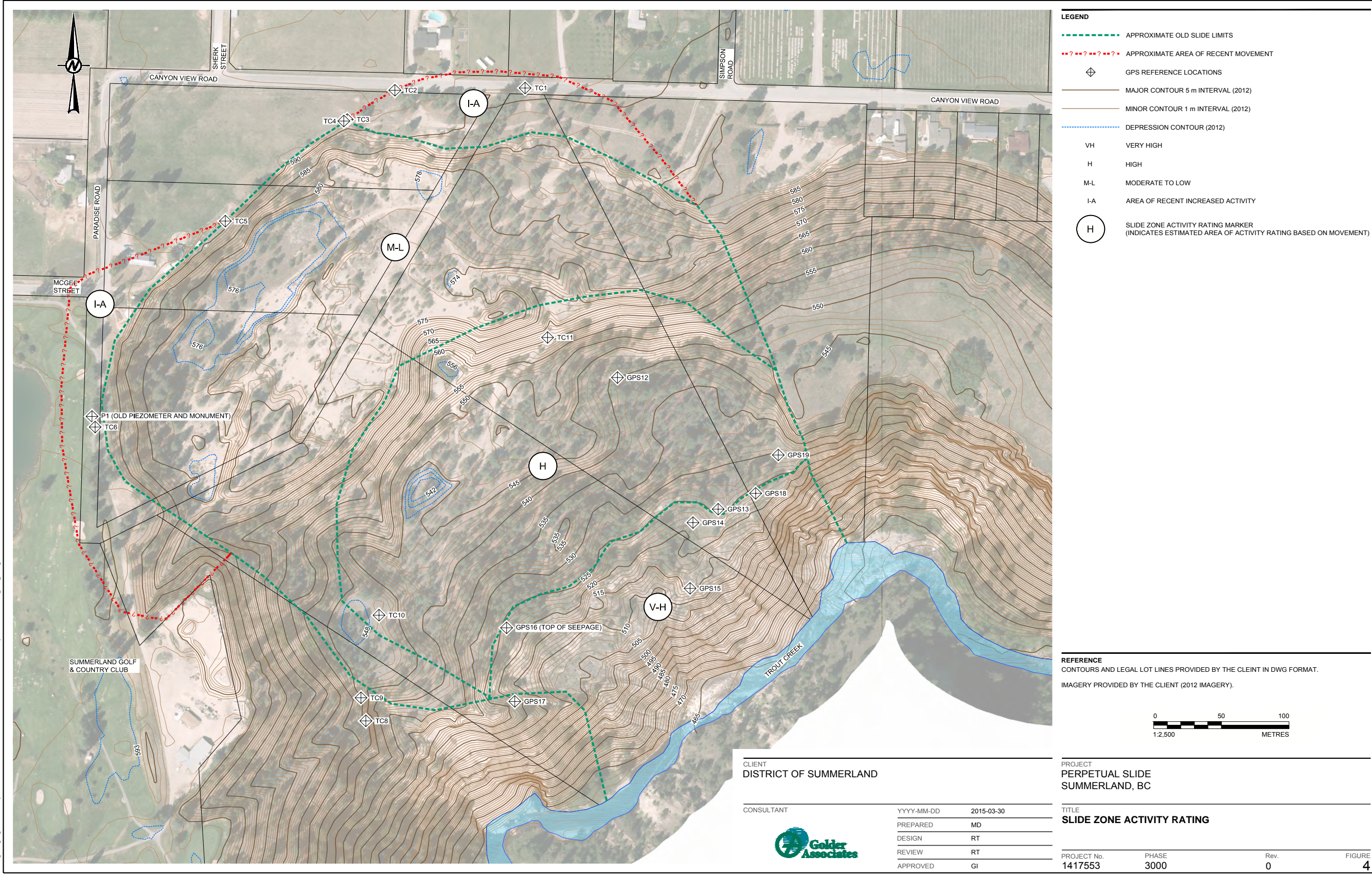
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PREPARED	MD
DESIGN	RT
REVIEW	RT
APPROVED	GI

PROJECT
PERPETUAL SLIDE
SUMMERLAND, BC

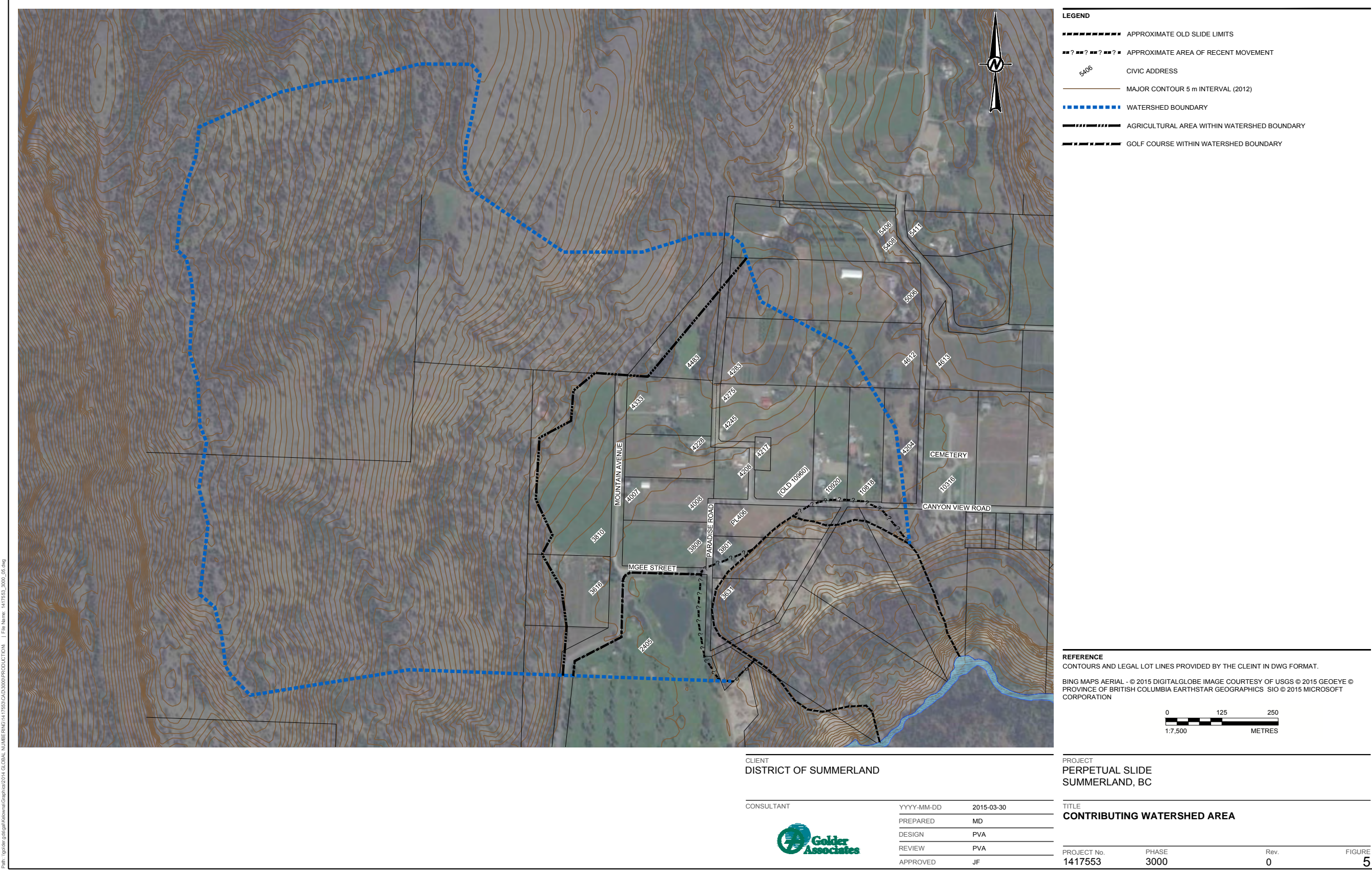
TITLE
**CHANGE IN SLIDE PROFILES
(COMPARISON 1938, 1970, 2005 & 2012)**

PROJECT No. 1417553	PHASE 3000	Rev. 0	FIGURE 3
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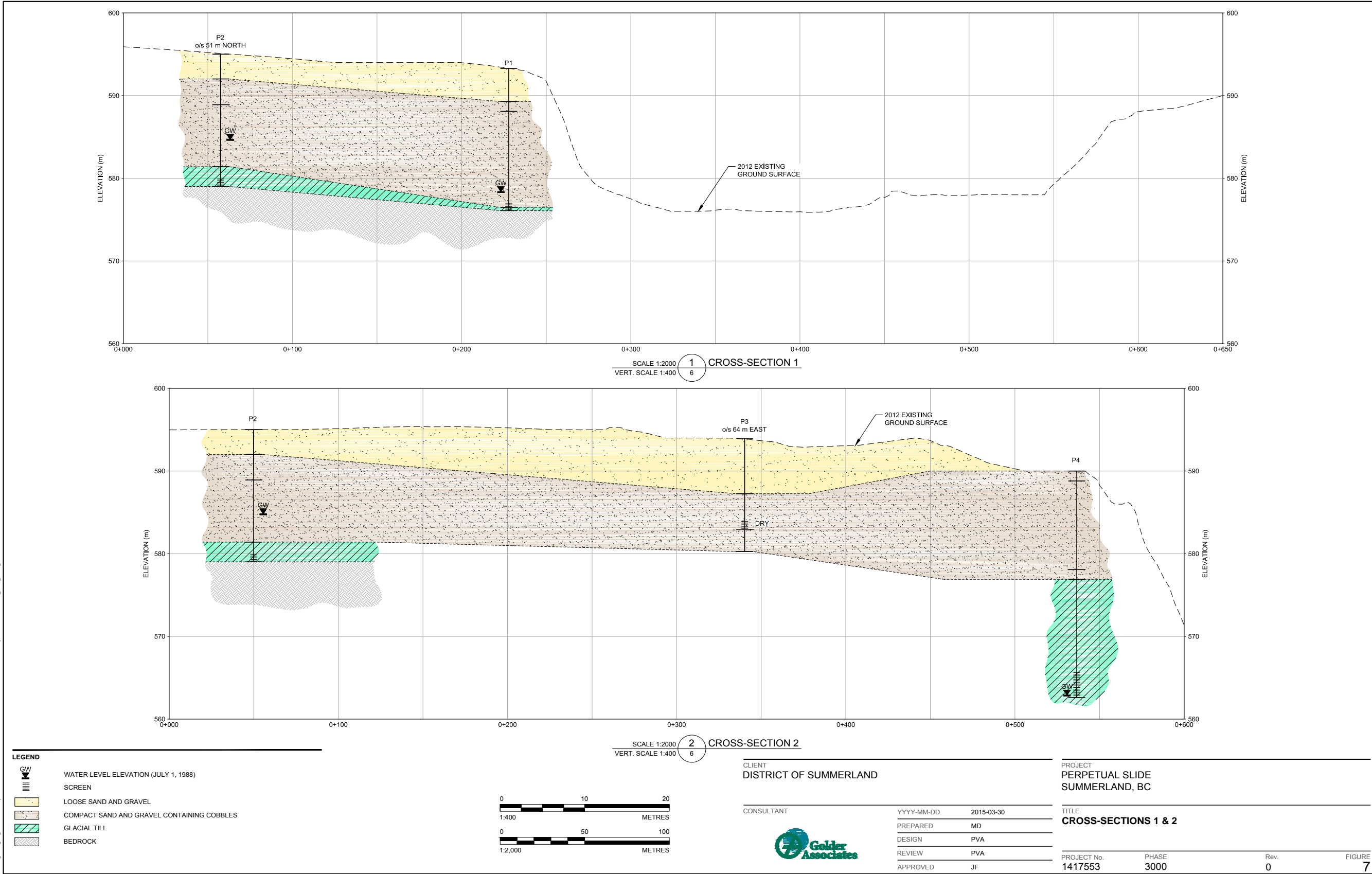
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IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM A4S/B
25 mm









APPENDIX A

Important Information and Limitations of This Report



IMPORTANT INFORMATION AND LIMITATIONS OF THIS REPORT

Standard of Care: Golder Associates Ltd. (Golder) has prepared this report in a manner consistent with that level of care and skill ordinarily exercised by members of the engineering and science professions currently practising under similar conditions in the jurisdiction in which the services are provided, subject to the time limits and physical constraints applicable to this report. No other warranty, expressed or implied is made.

Basis and Use of the Report: This report has been prepared for the specific site, design objective, development and purpose described to Golder by the Client. The factual data, interpretations and recommendations pertain to a specific project as described in this report and are not applicable to any other project or site location. Any change of site conditions, purpose, development plans or if the project is not initiated within eighteen months of the date of the report may alter the validity of the report. Golder can not be responsible for use of this report, or portions thereof, unless Golder is requested to review and, if necessary, revise the report.

The information, recommendations and opinions expressed in this report are for the sole benefit of the Client. No other party may use or rely on this report or any portion thereof without Golder's express written consent. If the report was prepared to be included for a specific permit application process, then upon the reasonable request of the client, Golder may authorize in writing the use of this report by the regulatory agency as an Approved User for the specific and identified purpose of the applicable permit review process. Any other use of this report by others is prohibited and is without responsibility to Golder. The report, all plans, data, drawings and other documents as well as all electronic media prepared by Golder are considered its professional work product and shall remain the copyright property of Golder, who authorizes only the Client and Approved Users to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. The Client and Approved Users may not give, lend, sell, or otherwise make available the report or any portion thereof to any other party without the express written permission of Golder. The Client acknowledges that electronic media is susceptible to unauthorized modification, deterioration and incompatibility and therefore the Client can not rely upon the electronic media versions of Golder's report or other work products.

The report is of a summary nature and is not intended to stand alone without reference to the instructions given to Golder by the Client, communications between Golder and the Client, and to any other reports prepared by Golder for the Client relative to the specific site described in the report. In order to properly understand the suggestions, recommendations and opinions expressed in this report, reference must be made to the whole of the report. Golder can not be responsible for use of portions of the report without reference to the entire report.

Unless otherwise stated, the suggestions, recommendations and opinions given in this report are intended only for the guidance of the Client in the design of the specific project. The extent and detail of investigations, including the number of test holes, necessary to determine all of the relevant conditions which may affect construction costs would normally be greater than has been carried out for design purposes. Contractors bidding on, or undertaking the work, should rely on their own investigations, as well as their own interpretations of the factual data presented in the report, as to how subsurface conditions may affect their work, including but not limited to proposed construction techniques, schedule, safety and equipment capabilities.

Soil, Rock and Groundwater Conditions: Classification and identification of soils, rocks, and geologic units have been based on commonly accepted methods employed in the practice of geotechnical engineering and related disciplines. Classification and identification of the type and condition of these materials or units involves judgment, and boundaries between different soil, rock or geologic types or units may be transitional rather than abrupt. Accordingly, Golder does not warrant or guarantee the exactness of the descriptions.



Appendix A Important Information and Limitations of This Report

(cont'd)

Special risks occur whenever engineering or related disciplines are applied to identify subsurface conditions and even a comprehensive investigation, sampling and testing program may fail to detect all or certain subsurface conditions. The environmental, geologic, geotechnical, geochemical and hydrogeologic conditions that Golder interprets to exist between and beyond sampling points may differ from those that actually exist. In addition to soil variability, fill of variable physical and chemical composition can be present over portions of the site or on adjacent properties. **The professional services retained for this project include only the geotechnical aspects of the subsurface conditions at the site, unless otherwise specifically stated and identified in the report.** The presence or implication(s) of possible surface and/or subsurface contamination resulting from previous activities or uses of the site and/or resulting from the introduction onto the site of materials from off-site sources are outside the terms of reference for this project and have not been investigated or addressed.

Soil and groundwater conditions shown in the factual data and described in the report are the observed conditions at the time of their determination or measurement. Unless otherwise noted, those conditions form the basis of the recommendations in the report. Groundwater conditions may vary between and beyond reported locations and can be affected by annual, seasonal and meteorological conditions. The condition of the soil, rock and groundwater may be significantly altered by construction activities (traffic, excavation, groundwater level lowering, pile driving, blasting, etc.) on the site or on adjacent sites. Excavation may expose the soils to changes due to wetting, drying or frost. Unless otherwise indicated the soil must be protected from these changes during construction.

Sample Disposal: Golder will dispose of all uncontaminated soil and/or rock samples 90 days following issue of this report or, upon written request of the Client, will store uncontaminated samples and materials at the Client's expense. In the event that actual contaminated soils, fills or groundwater are encountered or are inferred to be present, all contaminated samples shall remain the property and responsibility of the Client for proper disposal.

Follow-Up and Construction Services: All details of the design were not known at the time of submission of Golder's report. Golder should be retained to review the final design, project plans and documents prior to construction, to confirm that they are consistent with the intent of Golder's report.

During construction, Golder should be retained to perform sufficient and timely observations of encountered conditions to confirm and document that the subsurface conditions do not materially differ from those interpreted conditions considered in the preparation of Golder's report and to confirm and document that construction activities do not adversely affect the suggestions, recommendations and opinions contained in Golder's report. Adequate field review, observation and testing during construction are necessary for Golder to be able to provide letters of assurance, in accordance with the requirements of many regulatory authorities. In cases where this recommendation is not followed, Golder's responsibility is limited to interpreting accurately the information encountered at the borehole locations, at the time of their initial determination or measurement during the preparation of the Report.

Changed Conditions and Drainage: Where conditions encountered at the site differ significantly from those anticipated in this report, either due to natural variability of subsurface conditions or construction activities, it is a condition of this report that Golder be notified of any changes and be provided with an opportunity to review or revise the recommendations within this report. Recognition of changed soil and rock conditions requires experience and it is recommended that Golder be employed to visit the site with sufficient frequency to detect if conditions have changed significantly.

Drainage of subsurface water is commonly required either for temporary or permanent installations for the project. Improper design or construction of drainage or dewatering can have serious consequences. Golder takes no responsibility for the effects of drainage unless specifically involved in the detailed design and construction monitoring of the system.

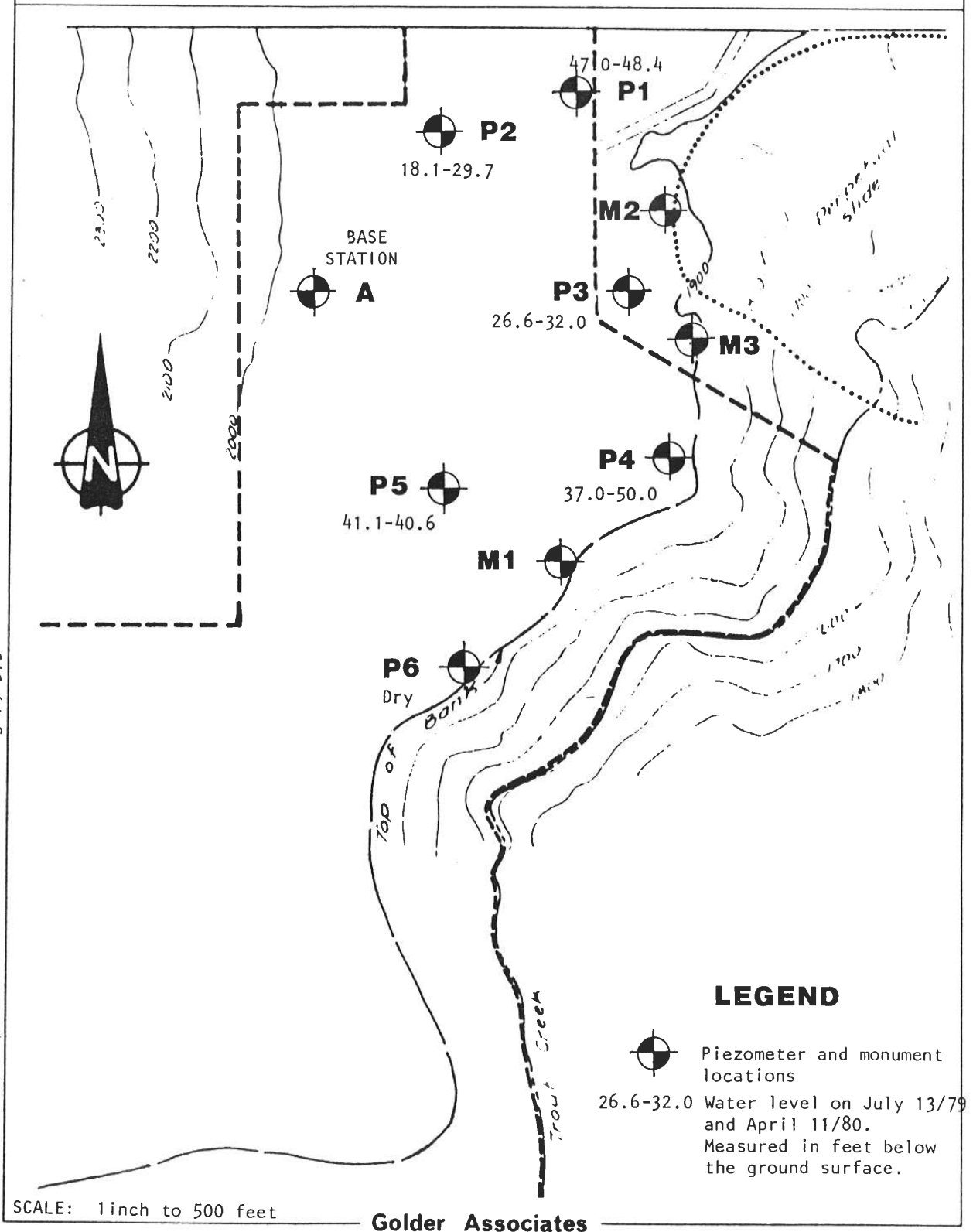


APPENDIX B

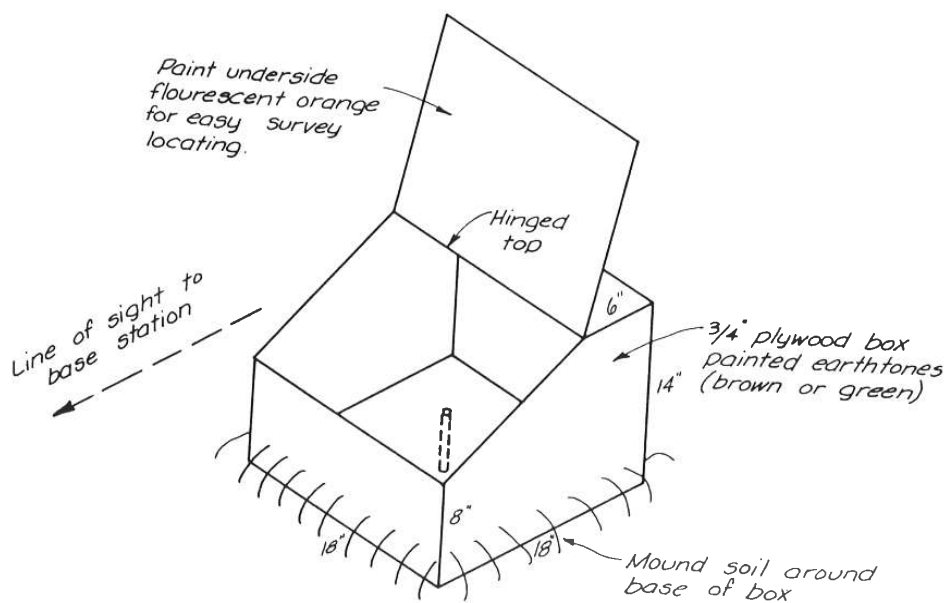
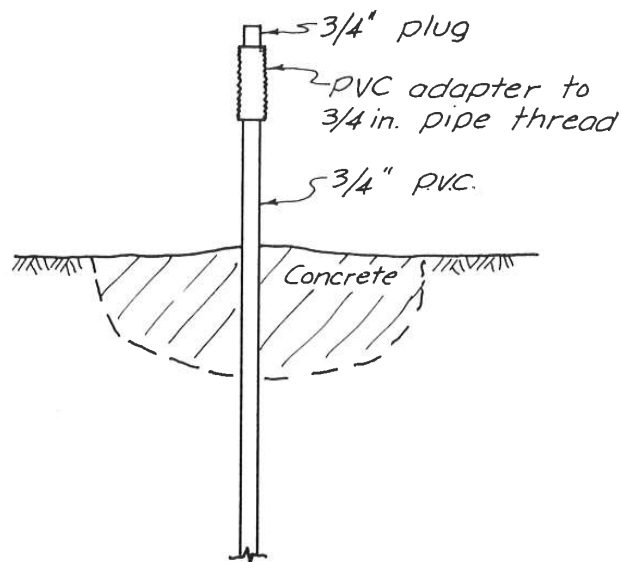
Historical Monitoring Data

PIEZOMETER AND MONUMENT LOCATIONS

Figure 1



PROTECTION FOR PIEZOMETERS & MONUMENTS **Figure 2**



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TABLE 1
RECORD OF BOREHOLES

<u>Hole Number</u> <u>Depth (ft.)</u>	<u>Strata Description</u>
<u>P1</u>	
0 - 13	Loose, brown SAND with occasional .5 to 1 ft. gravel layers
13 - 17	Compact brown coarse SAND and GRAVEL
17 - 55	Compact to dense brown medium SAND with some gravel and occasional cobbles
55 - 56.5	Dense grey gravelly SAND (Glacial Till)
56.5	Bedrock
Piezometer interval from 53.5 to 56.5 ft.	
<u>P2</u>	
0 - 10	Loose, brown SAND with a trace of gravel
10 - 20	Compact to dense brown SAND and GRAVEL with occasional cobbles.
20 - 44.5	Dense to very dense, brown medium SAND with a trace of gravel
44.5 - 52.5	Very dense grey gravelly SAND (Glacial Till)
52.5	Bedrock
Piezometer interval from 49.5 to 52.5 ft.	
<u>P3</u>	
0 - 22	Loose to compact brown gravelly SAND with some cobbles and occasional boulders
22 - 36	Dense, brown, medium to fine SAND with a trace of gravel
36 - 45	Dense, brown SAND with some gravel and occasional cobbles
Piezometer set in twin hole 30 - 40 ft. north, interval from 33 to 36 ft.	

Golder Associates

Hole Number
Depth (ft.)

Strata Description

P4

0 - 4	Compact brown gravelly SAND
4 - 39	Compact brown SAND and GRAVEL with occasional cobbles and boulders
39 - 43	Dense brown SAND with some GRAVEL
43 - 90	Very dense grey silty SAND with some GRAVEL (Glacial Till)

Piezometer interval from 80 to 90 ft.

P5

0 - 7	Loose, brown SAND with occasional cobbles
7 - 22	Loose to compact brown sandy GRAVEL with some cobbles
22 - 42	Compact, brown interlayered SAND and GRAVEL with occasional cobbles
42 - 45	Compact, brown sandy GRAVEL
45 - 61.5	Very dense, grey silty SAND with some gravel (Glacial Till)

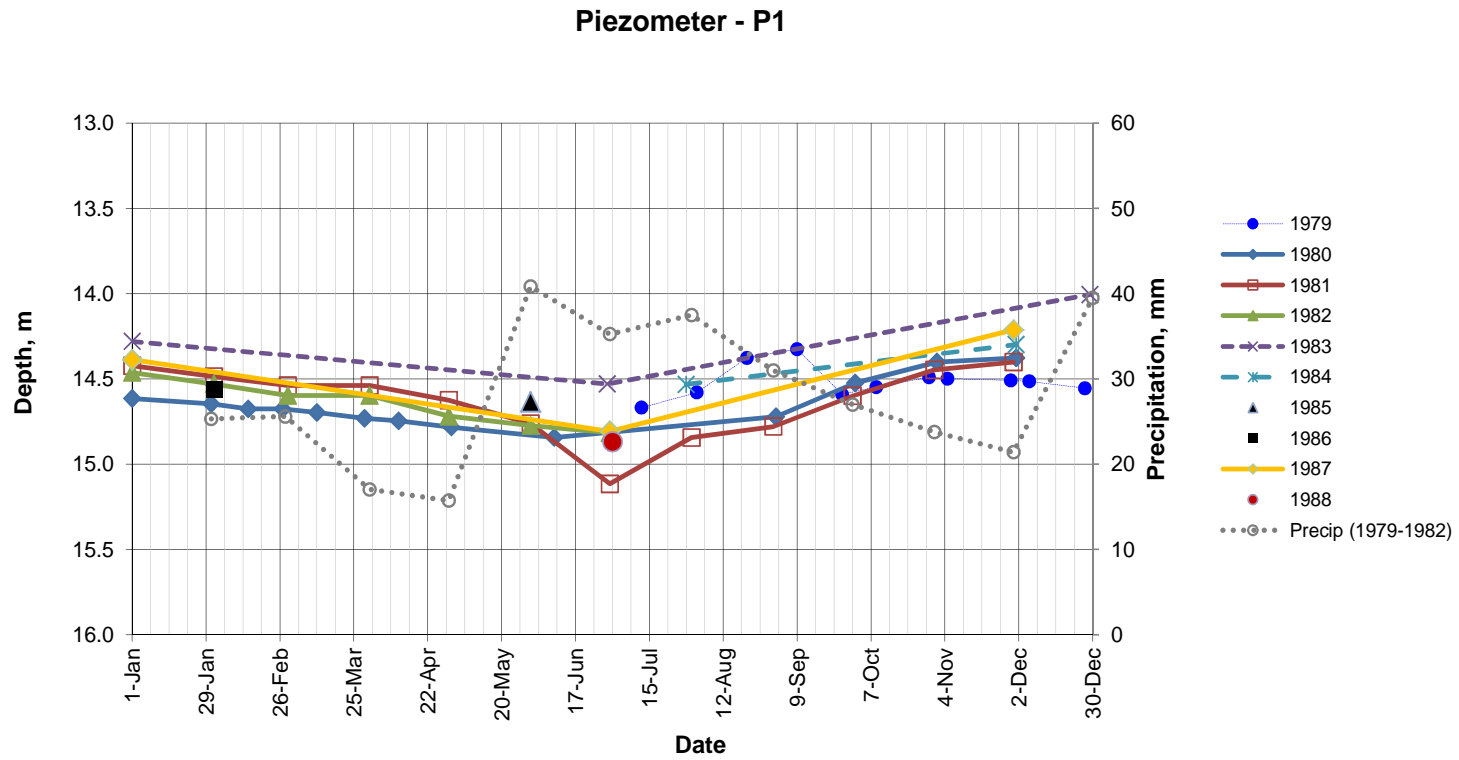
Piezometer interval from 42 to 45 ft.

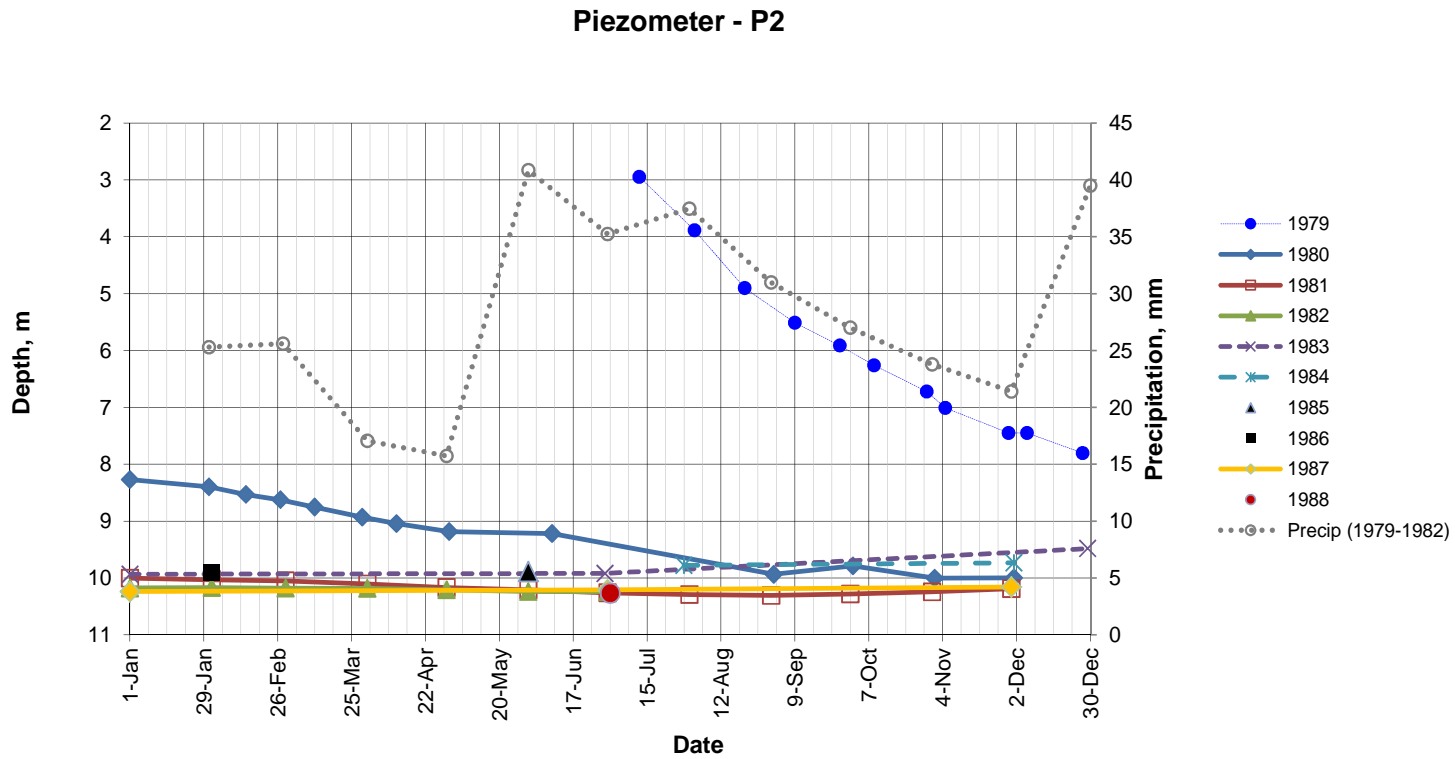
P6

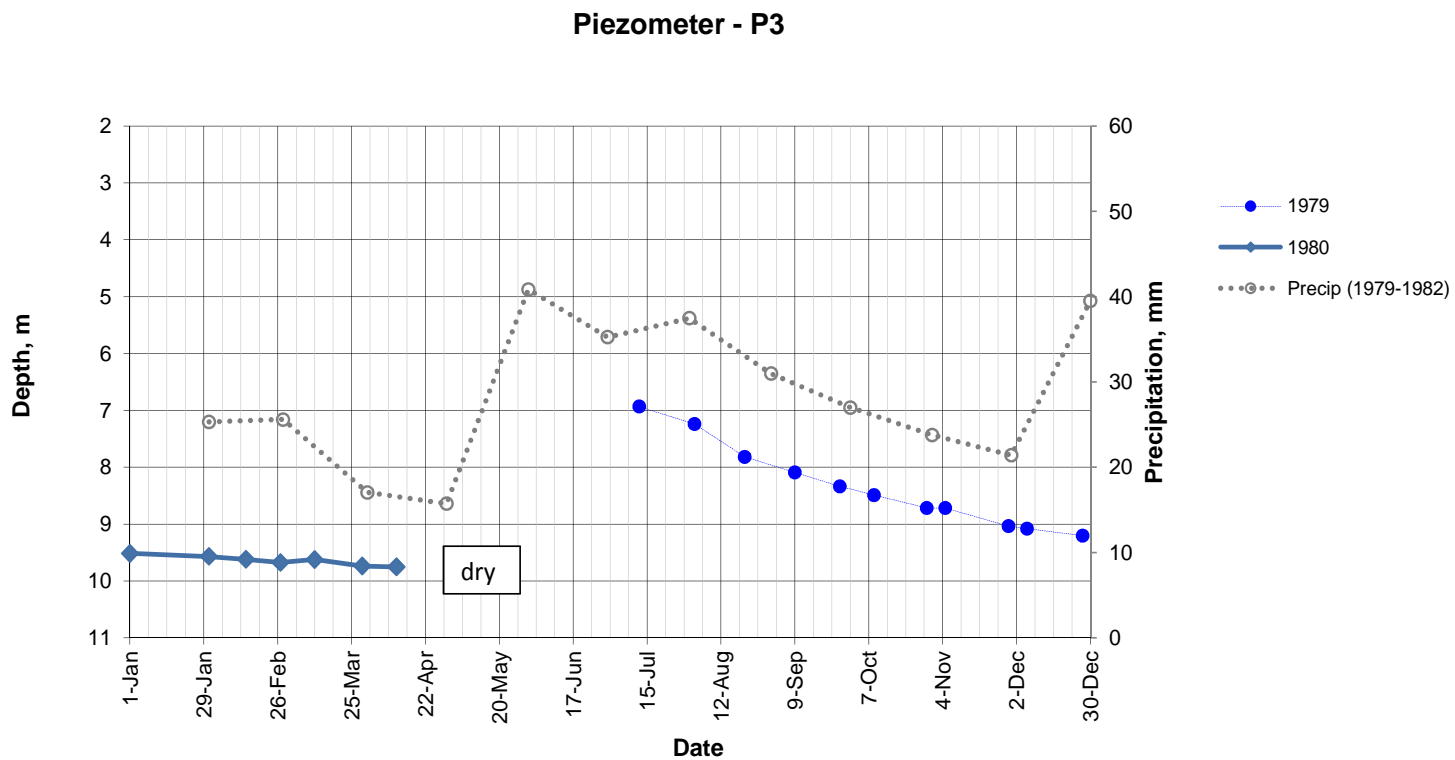
0 - 2	Loose, brown, fine sandy SILT
2 - 18	Loose, brown GRAVEL and SAND with some cobbles and occasional boulders
18 - 33	Compact, interlayered brown SAND and GRAVEL with occasional cobbles
33 - 35	Dense, brownish grey silty SAND (Glacial Till)
35 - 36	Weathered bedrock

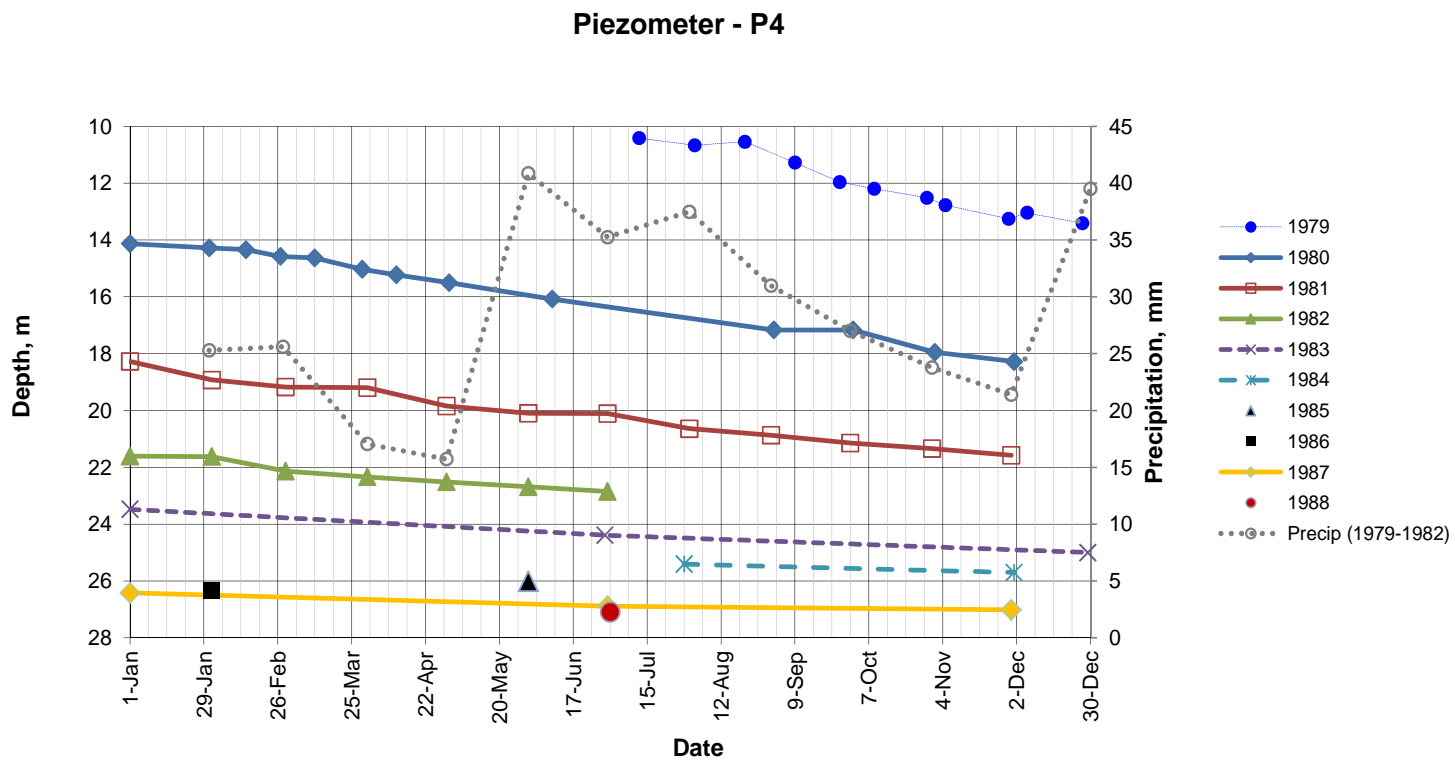
Piezometer interval from 33 to 36 ft.

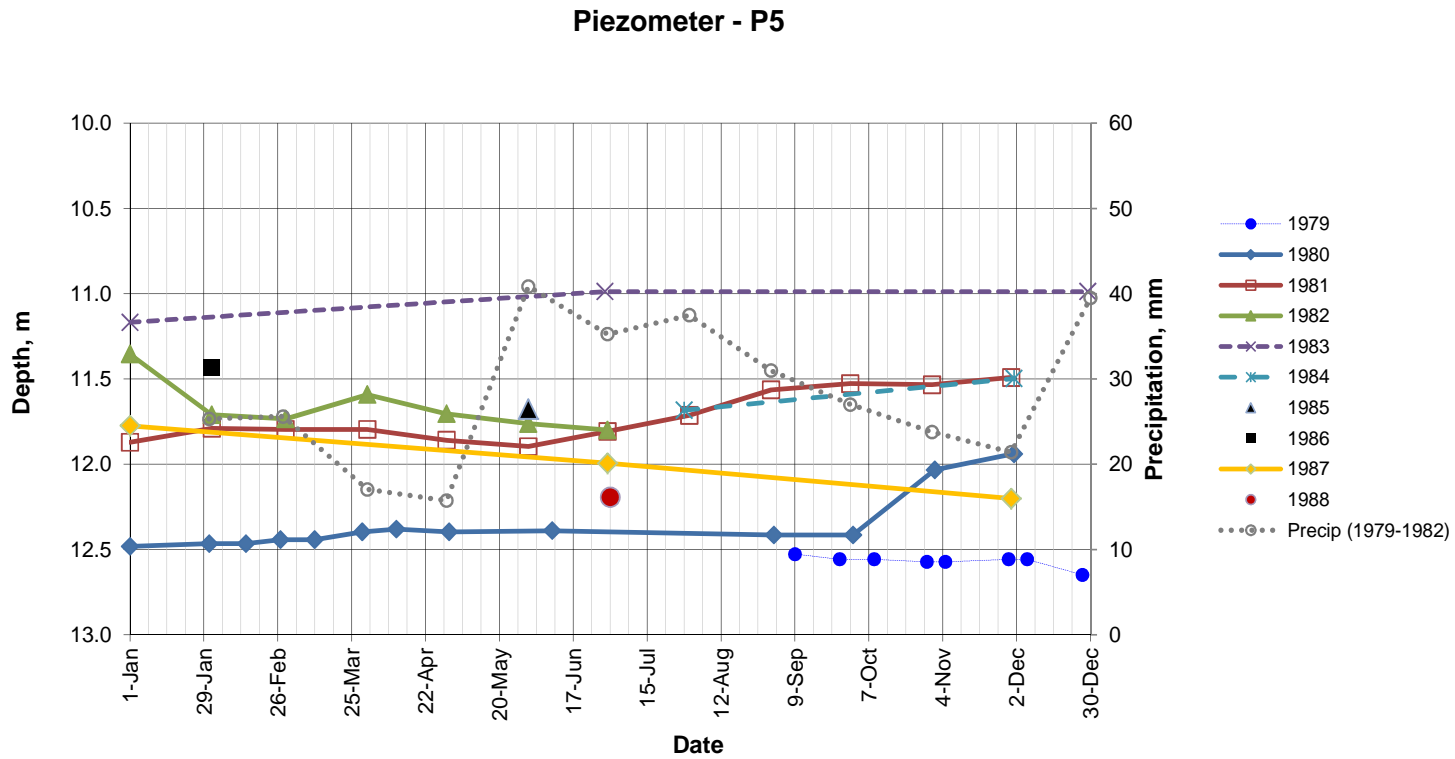
Golder Associates













APPENDIX C

Site Photographs



APPENDIX C

Site Photographs



Photograph 3801: Looking west along abrupt roadway depression (dip) that extends across both lanes and to about 5 m into the north property at 10920 Canyon View Road.



Photograph 3818: Looking west along south outside wheel path with numerous pavement cracks along section of embankment fill that occur in a repeating series having a diagonal pattern.



APPENDIX C

Site Photographs



Photograph 3809: Looking west along Canyon View Road at inside crescent shaped crack that extends to about the roadway centre line. This feature has developed within the past year or so. The crack feature is about 25 m in length and has an abrupt drop of about 50 mm.

Photograph 3837: Looking southwest at fresh tension crack along slide head scarp where horizontal and vertical displacements of 10 to 15 cm exist within natural sand deposits.





APPENDIX C

Site Photographs



Photograph 3863: Looking south at pavement crack that runs across the golf course pathway and faintly continues across into the ground surface (right hand side of field book) where a 1 to 2 mm wide cracks runs parallel to the slide head scarp that is located about 10 m to the left of the photograph).



Photograph 3864: Looking north at localized depression along section of access road to the golf course maintenance yard. Piezometer/monument P1 is located about 10 m north of the narrow golf pathway (hidden behind larger trees) that runs to the left on the photograph.



APPENDIX C

Site Photographs



Photograph 3882 (left): Looking southwest along mid slope at recent tension crack (partially obscured by ravelled material) across sand and gravel face overlooking lower slide bench. Lack of grass, shrubs or small tree cover is indicative of ongoing raveling from continuing creep movements.

Stitched photographs 3963-3965 (below): Looking east-northeast across lower slide bench showing backward lean and rotation of mature trees by about 25 to 35 degrees from vertical. Area of numerous fresh scarp sloughs with groundwater seepage.





APPENDIX C

Site Photographs



Photograph 3998: Looking west-northwest along crest of lower slide bench at rotational block failure where trees are leaning backwards into the slope, especially within graben areas. This area is located just upslope at the top left corner on the stitched photographs 3963-3965.



Photograph 3991: Looking southwest at large area of ponded groundwater seepage near middle of lower slide bench.

September 4, 2015
Reference No. 1417553-001-R-Rev0

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APPENDIX C

Site Photographs



Stitched photographs 3940, 3942: Looking west-northwest along lower slide bench where significant slide activity is occurring. This area extends for a width of about 120 m towards the west slide flank.



*Photograph 3994:
Looking south into
Trout Creek canyon from
GPS17 location at
channel flow
impingement caused by
accumulation of slide
debris resulting in the
backup of stream water
and pooling within the
channel.*

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September 4, 2015
Reference No. 1417553-001-R-Rev0

6/6





APPENDIX D

Resident Questionnaire

District of Summerland Canyon View Road Area Questionnaire – In support of ongoing Geotechnical and Hydrogeological Assessment at the Canyon View Slide

GENERAL

1. Name of Resident: _____
Civic Address: _____ Number of years at address: _____
Phone number (optional): _____
Approximate parcel size: _____ Number of bedrooms: _____
2. Is your water use metered? ☐ Yes ☐ No

WATER SUPPLY WELL

3. Do you have a water supply well on your property or know of one in the area? ☐ Yes ☐ No
If yes: What is the purpose of the Well? Check all that apply:
☐ Irrigation ☐ Potable Water Supply ☐ Not in Use
Where is the well located? (meters and direction from your house) _____
Do you have a driller's well log? If so can you please provide a copy or identify a Well Tag Number? _____
What is the frequency and volume of use from the well (i.e. pumping rate)? _____

SEPTIC SYSTEMS

4. Do you have a septic field on your property? ☐ Yes ☐ No
Where is it located? (meters and direction from your house) _____
What is the age of the septic field? ☐ less than 10 ☐ 10 to 20 yrs ☐ greater than 20 yrs
When was the last time your septic field was serviced (i.e. pumped out and/or inspected) _____

IRRIGATION

5. What percent of your property is irrigated for: (less than 25% / 25-50% / 50-75% / or greater than 75%)
Manicured Lawn: _____ Agriculture: _____
Other: _____ Crop Type: _____

February 23, 2015

Golder Project No. 1417553

6. Method of irrigation:

Do you hand water or use a hand sprinkler: _____

Frequency of irrigation:

Daily: _____ hrs Weekly: _____ hrs Monthly: _____ hrs

Do you have an Automatic Sprinkler System with Controller: _____

Frequency of irrigation:

Daily: _____ hrs Weekly: _____ hrs Monthly: _____ hrs

Do you adjust your irrigation schedule: _____ If yes, how often: _____

Have you had a break in your irrigation system? _____

How often do you notice breaks or leaks in your irrigation system? _____

If possible, please provide any copies of irrigation records.

ADDITIONAL COMMENTS

Please feel free to provide any other information regarding water use on-site or any unusual groundwater and/or seepage condition that may have recently developed:

February 23, 2015

Golder Project No. 1417553



APPENDIX E

Irrigation Best Management Practices Information



APPENDIX E

Irrigation Best Practices

1.0 IRRIGATION AND THE LANDSLIDE STUDY AREA

From a review of the geotechnical and hydrogeological observations, it is apparent that irrigation practices above the landslide area are a potential concern. The intent of the irrigation best practices below is to use current irrigation technology to allow adequate watering for crop and turf management to replace water lost by evapotranspiration, while minimizing excessive irrigation application or irrigation leaks that could increase the risk of landslide below the irrigation sites.

The study area includes golf course, agricultural, and domestic (landscape) irrigation systems.

2.0 RECOMMENDED BEST PRACTICES FOR CONSIDERATION

2.1 Types of Irrigation Best Practices

Irrigation Best Practices fall generally into three categories:

- 1) **HydroZoning:** determining what areas need irrigation, and to what intensity and duration. Generally this involves dividing a site into hydrozones – areas of no, low, moderate, or high irrigation need. Generally the irrigation need is heavily influenced by the surface vegetation desired, with turfgrass and golf greens being one of the highest demands for irrigation, and ‘xeriscape’ drought tolerant plants being the lowest. Unplanted area (e.g., stone mulch) or established native plants (Ponderosa Pine / Bunchgrass) may not require irrigation at all.
- 2) **Irrigation System Design and Installation:** including many variables such as precipitation rate based on type of system (spray, rotor or drip), proper or improper head spacing related to surface vegetation and wind, proper pipe sizing, pressure regulation to provide optimum pressure at the heads and avoid misting, proper pipe pressure class, bedding and jointing to avoid leaks and breaks.
- 3) **Irrigation Operations, Timeclock Scheduling and Maintenance:** adjusting the timeclock to deliver the optimum amount of irrigation to replace soil water lost to evapotranspiration of the surface soil and vegetation. The amount of water needed varies by season, with the needs in shoulder seasons (spring and fall) being approximately 30% less than water needs at peak season (early July). Water needs also vary day to day based on temperature, rainfall, wind, and solar exposure. Irrigation systems are also highly subject to leaks at heads, valves or pipes related to such variables as vandalism, wear and tear, winter damage or breaks from equipment impact or soil movement. Ongoing inspection and maintenance is required.

2.2 General Irrigation Best Practice Guidelines

General Guidelines

- 1) Group planting areas into ‘hydrozones’ of high, medium and low or unirrigated/unwatered areas.
- 2) Show appropriate use of plant material or crops with similar water demand within hydrozones.
- 3) Maximize the percentage of landscape area that is unirrigated/unwatered area, commensurate with landscape aesthetics and plant survival e.g., using pervious paving, unplanted stone or organic mulch, pervious deck.



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Irrigation Best Practices

- 4) Maximize retention or replanting of vegetation with low water-use requirements after the establishment period e.g., existing native vegetation to remain, wildflower meadow, rough grass, xeriscape plant species.
- 5) Minimize mown turf areas that are high water use areas – substitute with areas of lower water use treatments. Although golf courses will have large areas of turf, there is a trend to allowing verge and rough areas to be a lower standard of irrigation and turf management.
- 6) Provide mulch cover to shrub and groundcover areas, to reduce evaporation from soil.
- 7) Use recirculated water systems for any water features such as pools and fountains, and ensure that linings do not leak.
- 8) Ensure landscape installation standards including growing medium depth and quality meet the requirements of the BC Landscape Standard (Latest Edition) and/or the Master Municipal Construction Document (Year 2000 Gold Edition). Proper growing medium depth and quality including incorporation of organic matter can reduce watering requirements and promote healthy plant and turf growth.

Irrigation System Guidelines

If new irrigation is to be installed, it should be a condition of a Development Permit or other local government permit that the Applicant appoint a Qualified Professional to prepare an Irrigation Plan and supervise installation to produce an irrigation system that:

- 1) Groups irrigation circuits/ zones into 'hydrozones' of high, medium and low or unirrigated areas consistent with the landscape planting plan.
- 2) Uses reclaimed or recycled water or rainwater capture from roofs or rain barrels for outdoor water use when such is available, as a substitute for use of potable water (this results in the roof water not adding to the runoff or groundwater inputs to the landslide area, until it is applied as irrigation which is typically in a more dry period of the year).
- 3) Minimizes use of high-volume spray heads, and employs drip or low volume irrigation where practical to meet the watering needs of hydrozones.
- 4) Uses surface or subsurface drip irrigation or low volume irrigation technology to water long, narrow or irregularly shaped areas including turf areas less than 2.4 m in width.
- 5) Keeps drip, spray and rotor heads (different precipitation rates) on different irrigation circuits.
- 6) Designs with irrigation head-to-head coverage in accordance with manufacturer's specifications.
- 7) Ensures matched precipitation rates on each irrigation circuit.
- 8) Minimizes the elevation change in each irrigation circuit – and where required provides pressure compensating devices to minimize pressure variations or check valves to stop low head drainage.
- 9) Ensures irrigation mainlines are proved leak-free with hydrostatic tests, as a part of the construction quality assurance review. Re-test irrigation mainlines after major repair or nearby excavation work, or known ground movement related to landslides.



APPENDIX E

Irrigation Best Practices

- 10) Provides pressure regulating devices to ensure irrigation outlets are operating at the manufacturer's optimum pressure range.
- 11) Designs head placement and type, and adjusts head radius, arc and alignment to avoid overspray of paved surfaces or buildings that lead to concentrated runoff over the scarp head or into groundwater.
- 12) If irrigating slopes greater than 25%, designs an irrigation system with a precipitation rate not greater than 20 mm/hour.
- 13) Provides automatic shut off devices that shut off the system in cases of pipe leak or breakage, and that shut off the system when rain is present.
- 14) Installs and programs to minimize water use and match evapotranspiration of the surface vegetation in each irrigation zone -'Smart' automatic controllers with water-conserving functions (e.g., acceptable Smart Irrigation Controllers are identified in the City of Kelowna Water Regulation Bylaw 9784). The Irrigation Plan should include a written Irrigation Schedule or equivalent instructions for operation of the Smart Controller, with a copy stored with the controller cabinet, that adjusts the amount of applied water scheduled to be applied on a daily or a minimum of monthly basis and schedules different run-times as weather changes, either by using the weather-sensitive features of a Smart Controller or by creating adjustments to the run time for each circuit by adjusting the time clock or changing its 'water budget' feature at least once per month to recognize that highest water need is in July and lower water needs exist in other months of the growing season.
- 15) Ensures irrigation design and installation standards including adjustments and scheduling meet best practices (e.g., the requirements of the Supplementary Specifications in City of Kelowna Bylaw 7900 (Part 6, Schedule 5), or a custom or alternate irrigation specification at a similar level of detail provided by the Qualified Professional).

Irrigation Maintenance Scope Checklist:

Both existing and new irrigation systems require regular and thorough inspection and maintenance, both to optimize their water use, and to avoid leaks and deterioration that can put added stress on the landslide area. We recommend the following checklist of common irrigation maintenance practices be applied to existing and new systems:

- 1) Irrigation Inspection Frequency: inspect and operate the entire irrigation system at least three times per irrigation season: spring start-up (spring); mid-season (mid-June); and end of season winterization (fall). If a smart irrigation controller is not installed, additional monthly adjustments to the irrigation controller should be made to accommodate changing water needs.
- 2) Controller Adjustments: better timeclock management is one of the key initial steps to water conservation – ensure that the timeclock settings are appropriate to the current season as well as set within the times allowed in the lawn sprinkling regulations, and that there are written instructions submitted (ideally in the timeclock enclosure) on seasonal adjustments (monthly) to the timeclock program installed. Even if a weather-based ('Smart') irrigation controller is installed, check that the appropriate overall program is set and functioning at each irrigation inspection.



APPENDIX E

Irrigation Best Practices

- 3) Leak detection: at each irrigation inspection, run all zones and check for indication of leaks.
- 4) At irrigation system winterization: after blowing out all water in the irrigation system, check the irrigation submeter (or the main water meter if all other water use can be stopped for a period) to see that no water is running. At spring start-up review: after opening the water shut off valve to gradually charge the irrigation system, keep all zone valves closed, check the irrigation submeter (or the main water meter if all other water use can be stopped for a period) to see that no water is running. If the meter still flows in either spring or fall tests, check that the main water shutoff is not leaking and/or for leaks in pipe or valves.
- 5) At each Irrigation Inspection (minimum three times per season): run all valve zones, checking for lateral pipe leaks, and identify any damaged heads. Repair any leaking pipe, missing or damaged heads or nozzles to full function. Retest after repairs. Review and adjust nozzle and spray patterns to minimize overspray and water waste.

3.0 IMPLEMENTING AN IRRIGATION MANAGEMENT SYSTEM ACROSS SUMMERLAND

The above Irrigation Best Practices are a common aspect of current irrigation industry standards, and are also increasingly adopted as a part of local government public information and regulatory systems to encourage public understanding and compliance with the best practices.

These best practices are helpful to promote water conservation in general, but also would reduce excessive irrigation application or leaks that could add to risks of landslide in the study area.

Kelowna (and other BC and North American local governments) have implemented a combination of public awareness, regulation and incentive programs for outdoor water conservation focused on irrigation best practices. Elements have included:

- Comprehensive water metering.
- Educational brochures, videos, workshops and on-line information on irrigation best practices.
- Incorporation of irrigation design standards and specifications into local government engineering standards, so that there is a readily available set of standard details and requirements.
- Creation of MS Excel based 'water budgeting' tools that allow an applicant to quickly calculate whether their design exceeds a target amount of water use, and setting a water budget requirement by bylaw. In Kelowna's case this requirement is in the Water Use Bylaw, so that it applies to existing system retrofit as well as new development.
- Requiring irrigation permits for new systems or major retrofits, and design / installation supervision by a Qualified Professional, including for residential installation as these represent the great majority of land use area and water use. Installations must meet the City's Engineering standards for irrigation and landscape.
- For major developments, including irrigation plan and water budget requirements as part of Development Permit applications.



APPENDIX E

Irrigation Best Practices

- Providing staff information support and spot inspections to encourage compliance, as well as integrating financial security and inspections / certification during the development process for large projects.
- Providing financial incentive programs to promote use of weather-based 'Smart' Irrigation Controllers.

These administrative tools could be considered across Summerland. It is possible that a sub-set of the tools could be customized to the risks in the landslide neighbourhood, after detailed geotechnical and hydrogeology studies define the specific objectives for the study area.

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THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 9, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Lorrie Coates, Director of Finance
SUBJECT: 2016 Permissive Tax Exemption Bylaw

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT a special Committee of the Whole meeting be scheduled for September 29, 2015 at 7:00 pm in the Council Chambers, to review the applications for 2016 permissive tax exemptions and that the meeting be advertised in the Summerland Review.

PURPOSE:

To review all the applications for 2016 permissive tax exemptions and provide staff with direction to prepare the required bylaw for first three readings on October 13, 2015.

BACKGROUND and DISCUSSION:

Applications were due July 31, 2015 and the bylaw to grant 2016 permissive tax exemptions must be adopted by October 31, 2015. Staff have been reviewing the applications and where necessary, obtaining additional information. A matrix of the policy requirements will be provided at the committee meeting for review. Council will consider all applications. The District recognizes the value of the contributions provided to the community by volunteers. Council is committed to working with groups who provide beneficial programs and services to the community within the financial constraints of the District's budget while treating all organizations fairly and consistently.

RELEVANT POLICY:

District of Summerland Policy No. 200.2 (Permissive Tax Exemption). The policy is attached. As well, the Community Charter Section 224 applies. The section is also attached.

OPTIONS

Council may choose an alternate date for the Committee of the Whole meeting.

Respectfully Submitted

Lorrie Coates
Lorrie Coates, Director of Finance

Approved for Agenda

Linda Tynan
Linda Tynan, CAO

POLICY STATEMENT AND REGULATIONS

Number: 200.2

Permissive Tax Exemptions

POLICY

The Community Charter provides that on or before October 31 in any year, Council may, by bylaw, exempt from municipal property taxes land and/or improvements that meet specific requirements. In addition to the Community Charter requirements, those organizations applying for exemption must comply with the guidelines set out in this policy.

Places of Worship, Private Schools and Hospitals will receive a permissive tax exemption on property not receiving statutory tax exemption under Section 220(1) of the Community Charter providing the property is not used for residential purposes and the majority of the property meets the criteria for the statutory tax exemption under Section 220(1) of the Community Charter. These organizations are not subject to the eligibility criteria and conditions set out in this policy.

A permissive tax exemption application or renewal application must be submitted each year.

Council may consider an application for a Revitalization Tax Exemption under Section 226 of the Community Charter.

ELIGIBILITY CRITERIA

The onus is on each organization to clearly demonstrate how they meet the following criteria:

- a) Compliance with the requirements of Section 224 of the Community Charter
- b) Registration as a non-profit society or charitable organization in the Province of BC. or Canada.
- c) Benefit to the community by providing programs that contribute to the wellbeing of the citizens of the District of Summerland
- d) Provision of services that are an extension of or complementary to municipal services and programs.
- e) Principal use of the property is service delivery for the direct benefit of the community.
- f) Ongoing, active volunteer involvement.
- g) Membership in the organization and/or use of the property is open to all Summerland citizens who would be reasonably expected to benefit from the programs.
- h) Compliance with all municipal bylaws and policies.

CONDITIONS

- a) The support of the District will not be used for commercial ventures or private gain.
- b) There will be no exemption or reduction of utility fees and charges for tax exempt properties including but not limited to fees, charges and parcel taxes for water, sewer and electricity.
- c) A caretaker's residence, church manse or other dwellings on the property will not receive a tax exemption.
- d) Vacant land being held for future use will not receive a tax exemption.
- e) Partial exemptions will be considered.
- f) Exemptions are not based on the charitable service of an organization, but rather the organization's use of the particular property. An organization that provides liquor and/or meal services as their primary function or source of revenue will not be eligible for permissive tax exemption. For community halls and camps, the property must be made reasonably available to the District's Parks and Recreation Department for the scheduling of community recreation programs.
- g) Organizations and properties in receipt of property tax exemption are not to re-distribute funds to other charitable organizations.
- h) In the event of dissolution, insolvency or bankruptcy of the organization, written notice must be given to the District of Summerland.
- i) The District of Summerland must be notified prior to the sale of any of the property that has received a permissive property tax exemption.

APPLICATIONS

- a) To receive consideration in the next taxation year for a permissive tax exemption, new and renewal applications must be submitted before the end of July. The application must be made using the District's prescribed form and must include all required information.
- b) Unless all required information is supplied or a suitable explanation offered as to why this information cannot be supplied, the tax exemption application will not be considered.
- c) The District's Permissive Tax Exemptions Policy Statement and Regulations process and guidelines will be publicized by posting a notice advising the community of the tax exemption process.

ACKNOWLEDGEMENT OF TAX EXEMPTIONS

- a) All recipients of permissive tax exemptions are required to publicly acknowledge the support of the District of Summerland.
- b) This information is to be communicated to all beneficiaries, either in the local newspaper or through a letter, as well as, if applicable, in a prominent location in their publication.

Adopted: November 10, 2014

COMMUNITY CHARTER

[SBC 2003] CHAPTER 26

General authority for permissive exemptions

224 (1) A council may, by bylaw in accordance with this section, exempt land or improvements, or both, referred to in subsection (2) from taxation under section 197 (1) (a) [*municipal property taxes*], to the extent, for the period and subject to the conditions provided in the bylaw.

(2) Tax exemptions may be provided under this section for the following:

- (a) land or improvements that
 - (i) are owned or held by a charitable, philanthropic or other not for profit corporation, and
 - (ii) the council considers are used for a purpose that is directly related to the purposes of the corporation;
- (b) land or improvements that
 - (i) are owned or held by a municipality, regional district or other local authority, and
 - (ii) the council considers are used for a purpose of the local authority;
- (c) land or improvements that the council considers would otherwise qualify for exemption under section 220 [*general statutory exemptions*] were it not for a secondary use;
- (d) the interest of a public authority, local authority or any other corporation or organization in land or improvements that are used or occupied by the corporation or organization if
 - (i) the land or improvements are owned by a public authority or local authority, and
 - (ii) the land or improvements are used by the corporation or organization for a purpose in relation to which an exemption under this Division or Division 6 of this Part would apply or could be provided if the land or improvements were owned by that corporation or organization;
- (e) the interest of a public authority, local authority or any other corporation or organization in land or improvements that are used or occupied by the corporation or organization if
 - (i) the land or improvements are owned by a person who is providing a municipal service under a partnering agreement,
 - (ii) an exemption under section 225 [*partnering and other special tax exemption authority*] would be available for the land or improvements in relation to the partnering agreement if they were used in relation to the service,
 - (iii) the partnering agreement expressly contemplates that the council may provide an exemption under this provision, and
 - (iv) the land or improvements are used by the corporation or organization for a purpose in relation to which an exemption under this Division or Division 6 of this Part would apply or

could be provided if the land or improvements were owned by that corporation or organization;

- (f) in relation to property that is exempt under section 220 (1)
 - (h) [*buildings for public worship*],
 - (i) an area of land surrounding the exempt building,
 - (ii) a hall that the council considers is necessary to the exempt building and the land on which the hall stands, and
 - (iii) an area of land surrounding a hall that is exempt under subparagraph (ii);
 - (g) land or improvements used or occupied by a religious organization, as tenant or licensee, for the purpose of public worship or for the purposes of a hall that the council considers is necessary to land or improvements so used or occupied;
 - (h) in relation to property that is exempt under section 220 (1)
 - (i) [*seniors' homes*], (j) [*hospitals*] or (l) [*private schools*], any area of land surrounding the exempt building;
 - (i) land or improvements owned or held by an athletic or service club or association and used as a public park or recreation ground or for public athletic or recreational purposes;
 - (j) land or improvements owned or held by a person or organization and operated as a private hospital licensed under the *Hospital Act* or as a licensed community care facility, or registered assisted living residence, under the *Community Care and Assisted Living Act*;
 - (k) land or improvements for which a grant has been made, after March 31, 1974, under the *Housing Construction (Elderly Citizens) Act* before its repeal.
- (3) The authority under subsection (2) (e) and (g) to (j) is not subject to section 25 (1) [*prohibition against assistance to business*].
- (4) Subject to subsection (5), a bylaw under this section
- (a) must establish the term of the exemption, which may not be longer than 10 years,
 - (b) may only be adopted after notice of the proposed bylaw has been given in accordance with section 227 [*notice of permissive tax exemptions*], and
 - (c) does not apply to taxation in a calendar year unless it comes into force on or before October 31 in the preceding year.
- (5) Subsection (4) (a) and (b) does not apply in relation to exemptions under subsection (2) (f) and (h).
- (6) If only a portion of a parcel of land is exempt under this section, the bylaw under this section must include a description of the land that is satisfactory to the British Columbia Assessment Authority.
- (7) A bylaw under this section ceases to apply to property, the use or ownership of which no longer conforms to the conditions necessary to qualify for exemption and, after this, the property is liable to taxation.



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 2, 2015
TO: Mayor and Council
FROM: Linda Tynan, CAO
SUBJECT: Deputy Corporate Officer Appointment

STAFF RECOMMENDATION:

That Council pass the following resolution:

*THAT the appointment of the Chief Administrative Officer as Deputy Corporate Officer be rescinded;
AND THAT in the absence of the Corporate Officer, the Deputy Corporate Officer be appointed to act in the Corporate Officer's position, with all the same powers, duties and functions as established by Section 148 of the Community Charter.*

PURPOSE:

To formalize the appointment of the Deputy Corporate Officer position.

BACKGROUND and DISCUSSION:

At the July 13, 2015 Regular Council meeting, Council formally appointed the Director of Corporate Services as the Corporate Officer, and the Manager of Financial Services as the Deputy Chief Financial Officer for the District of Summerland. Additionally, Council appointed the Chief Administrative Officer as Deputy Corporate Officer, on an interim basis until the hiring process for said position was complete.

Deputy positions are established to ensure that information can be processed in the absence of the Corporate Officer and the Financial Officer.

Now that the hiring process is complete and the Deputy Corporate Officer has started her employment with the District of Summerland, staff recommend that Council move a motion to formalize that, in the case of the absence of the Corporate Officer, the Deputy Corporate Officer be appointed to act in the Corporate Officer's position, with all the same powers, duties and functions as established by Section 148 of the *Community Charter*.

FINANCIAL IMPLICATIONS:

n/a

OPTIONS:

1. Pass a resolution appointing the Deputy Corporate Officer.
2. Refer the matter back to staff for further review and report.

CONCLUSION:

This appointment will ensure that this position is formally established, and that District business can continue in the case where the Corporate Officer is away from work or unavailable.

Respectfully Submitted



Chief Administrative Officer



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 10, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Jeremy Denegar, Director of Corporate Services
SUBJECT: Summerland Health-Care Auxiliary Request

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT staff be directed to work with the Summerland Health-Care Auxiliary to find a suitable location for their trailer on District of Summerland property, and if successful, that the District of Summerland provide the use of this property to the Summerland Health-Care Auxiliary for this purpose at no cost for a renewable term of 5 years;

AND THAT the Mayor and Corporate Officer be authorized to execute all documents related to this matter.

PURPOSE:

To find a suitable location on District property for the Summerland Health-Care Auxiliary's trailer to allow them to collect unsaleable items for reuse elsewhere.

BACKGROUND and DISCUSSION:

As per the attached letter from the Summerland Health-Care Auxiliary, they are seeking a location to park a trailer to collect items that are not saleable through their Thrift Shop on Victoria Rd North.

Currently, these items are disposed of at the municipal landfill. Having a trailer would allow these items to be collected and regularly transported overseas for reuse. This would reduce the amount of solid waste entering the landfill, reduce costs to the Summerland Health-Care Auxiliary, and provide items to those in need.

As the use of this trailer would have a direct positive impact on the amount of waste material entering the landfill, will not negatively impact the operations of municipal facilities, supports a well-established humanitarian community organization, and benefits persons in need, staff support this particular request.

The trailer will be accessed only by Summerland Health-Care Auxiliary volunteers, so it does not need to be in a location that is highly visible or accessible to the public. If this request is supported and a location is determined, the Summerland Health-Care Auxiliary would enter into a License of Occupation agreement with the District to ensure legal obligations are clearly understood and binding on both parties.

All municipal departments have been queried regarding this request and the only concerns are of the security of the trailer against vandalism and theft. Staff have identified two potential locations; within the landfill, and next to the arena. These must be examined in greater detail and discussed with the Summerland Health-Care Auxiliary to ensure they are suitable, but they both appear to staff to be viable options. The landfill is likely the best location as it is a more secure environment that will mitigate the likelihood of vandalism and theft.

LEGISLATION and POLICY:

Section 24 of the *Community Charter* requires that notice must be published if the municipality intends to provide use of municipal property to an organization for less than market value. If a suitable location is found, District staff will publish this notice as required.

FINANCIAL IMPLICATIONS:

The District will lose nominal revenue from the disposal of the unsaleable items at the landfill, but this is balanced by increasing the longevity of the landfill.

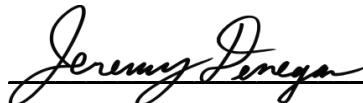
SUPPORTING DOCUMENTS:

Letter of request from Summerland Health-Care Auxiliary (attached as Schedule A).

OPTIONS:

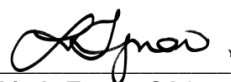
1. That staff be directed to work with the Summerland Health-Care Auxiliary to find a suitable location for their trailer on District of Summerland property, and if successful, that the District of Summerland provide the use of this property to the Summerland Health-Care Auxiliary for this purpose at no cost for a renewable term of 5 years, as recommended by staff.
2. Refer back to staff for other options.

Respectfully Submitted



Jeremy Denegar
Director of Corporate Services

Approved for Agenda



Linda Tynan, CAO Sept 10, 2015

Schedule A

Letter of request from Summerland Health-Care Auxiliary

RECEIVED

SEP 01 2015

District of Summerland

The Summerland Health-Care Auxiliary

Box 1377, Summerland, B.C. V0H 1Z0

Telephone: 250-494-9102

*Jeremy - for
report to council*

Rcvd:	
File:	
Circulated:	
	<i>Jeremy - for report</i>
Copy to:	
Action:	<i>✓</i>

September 1, 2015

Mayor P. Waterman & Council
District of Summerland

Mayor Waterman & Council Members:

The Summerland Health-Care Auxiliary, operator of the Thrift Shop at 13216 Victoria Road North, is attempting to organize a disposal process for discarded clothing, shoes, linens and other unsaleable donations that currently are taken to the municipal landfill.

We have identified a transport company willing to truck our discards to the Lower Mainland for sorting and trans-shipment to offshore users. Auxiliary members would fill this trailer over a period of time and once full, the trailer would be removed by the transport company and replaced with an empty trailer. This process would be ongoing. A similar process is used by health care auxiliaries in Armstrong, Merritt and the Lower Mainland. Our dilemma is that, in order to participate in this process, the Auxiliary requires space to park a 45 to 55 foot trailer.

The reason for contacting the Summerland Council is to request permission to park such a trailer free of charge and on a long term basis on the property of the municipal yards in the James Lake industrial area or at another similar secure location.

We believe there are several good reasons for considering this request:

- The Summerland Health-Care Auxiliary is a 100 per cent volunteer organization that has been providing service to the community since 1909;
- The Summerland Health-Care Auxiliary is a long-time supporter of health care services within the community, providing funding in excess of \$4M for projects of the Summerland Memorial Health Centre, the Dr. Andrew Extended Care Unit, the Penticton Regional Hospital, RECOPE, the Masonic Cancer Car Service, the Agur Lake Camp Society, Pathways Addiction Services and many more over the years;
- The Summerland Health-Care Auxiliary pays municipal business taxes on its Thrift Shop property and unlike many other charitable organizations, has not requested that these taxes be forgiven;
- The unsaleable items from the Thrift Shop would be reused rather than contribute to the dumping at our municipal landfill;
- The fees currently paid for garbage tipping by the Auxiliary would instead be available for use in support of community health care services.

This proposal has benefits for both the municipality and the auxiliary. By participating, the municipality will be demonstrating leadership in efforts to reduce landfill waste while encouraging reuse of goods. The auxiliary will be channeling additional funds towards its recipient organizations.

Should you have any questions regarding this proposal, please contact our Vice President, Gloria Flaman, at 250 494-0616. She is in charge of this project.

Thank you for your consideration of this request.

Sincerely



W. Campbell, President

Email: Summerland.Auxiliary@gmail.com

Web Page: www.summerlandhealthcareauxiliary.com

Like us on Facebook: <https://www.facebook.com/pages/Summerland-Health-Care-Auxiliary-Thrift-Shop/147595571941891>



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: September 10, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Jeremy Denegar, Director of Corporate Services
SUBJECT: Crown Land Tenure (Summerland Yacht Club)

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT the District of Summerland's application for a Crown Land Tenure with the Province of British Columbia for a lease of properties "DL 5226 PL 63084" and "DL 2208", located at 13209 Lakeshore Drive South, to allow for a sublease of this property to the Summerland Yacht Club, be endorsed.

PURPOSE:

To authorize a new lease between the Province of British Columbia (Lessor) and the District of Summerland (Lessee). This will create a more solid legal foundation for the sublease to the Summerland Yacht Club.

BACKGROUND and DISCUSSION:

The current "General Head Lease" between the District of Summerland and the Province, which is a single agreement covering the *entire* length of foreshore in Summerland, expired in 2008 and is now in holdover (month-to-month). It is in holdover because the Province continues to accept payment for it and has not provided notification of termination, but this is not an ideal situation.

The District is in an ongoing process to enter into new long-term lease agreements with the Province for all foreshore locations used by the public or sub-leased to organizations such as the Summerland Yacht Club. A new General Head Lease may be negotiated in the future, but to mitigate any uncertainty regarding the head lease currently in holdover, and the mismatch of the month-to-month basis of this head lease with the Province and the multi-year sublease with the Summerland Yacht Club, this is a measure that can be taken immediately.

There is an application currently in process with FrontCounter BC (a service portal for the Province's natural resource ministries and agencies) for a lease of the two contiguous parcels used by the Summerland Yacht Club. One of the final items needed by FrontCounter BC is a resolution from Council supporting the application. Once received, the new lease is expected to be approved shortly thereafter. The District has requested the maximum term of a 30-year lease.

If the District's lease application is supported by Council and the lease is then granted to the District, a report will be brought to Council at a future meeting with options for a new sublease with the Summerland Yacht Club.

FINANCIAL IMPLICATIONS:

The lease will not cost the District anything other than the \$525 application fee to FrontCounter BC.

The sublease with the Summerland Yacht Club has provided the District of Summerland an average net revenue of \$8334 per year for each of the past 5 years, and is expected to remain roughly the same in future years. This revenue is 50% of the total fee collected, and the other 50% is remitted to the Province as a requirement of leasing Crown property for a marina, and is based on lineal footage used for moorage at a rate set by the Province.

OPTIONS:

1. That Council endorse the District of Summerland's application for a Crown Land Tenure with the Province of British Columbia for a lease of properties "DL 5226 PL 63084" and "DL 2208" located at 13209 Lakeshore Drive South, to allow for a sublease of this property to the Summerland Yacht Club, as recommended by staff.
2. Refer back to staff for other options.

Respectfully Submitted



Jeremy Denegar
Director of Corporate Services

Approved for Agenda



Linda Tynan, CAO Sept 10, 2015

Schedule A

Summerland Yacht Club – Leased Property



THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-020

A Bylaw to Regulate Smoking Outdoors in the District of Summerland

WHEREAS a council may, by bylaw, regulate, prohibit and impose requirements in relation to public health and public places;

AND WHEREAS it is desirable for the health, safety, welfare and environment of the inhabitants of and visitors to the District of Summerland to prohibit or regulate smoking, or both, in the District of Summerland as in this Bylaw more particularly sets out;

NOW THEREFORE the Council of the District of Summerland, in open meeting assembled enacts as follows:

1. TITLE

This Bylaw will be cited as "Outdoor Smoking Regulation Bylaw No. 2015-020".

2. DEFINITIONS

In this Bylaw:

"Bylaw Enforcement Officer" means a Bylaw Enforcement Officer for the District;

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

"Designated Smoking Area" means an area that is set aside and with signage indicating that smoking is allowed in this area, provided that such area will be a minimum of nine (9) metres from any entrance, exit, building opening of any District facility including but not limited to parkland, playground, sports field, spectator seating area, ice surface whether or not a "No Smoking" sign is posted;

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

"Facility" means any building, structure or premise to which the District holds right of ownership.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right of way on private property, which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

"Municipal Sidewalk" means a sidewalk intended for pedestrians located between that portion of a Highway intended for the general passage of vehicles and the lateral property

line but does not include a sidewalk located within a District owned park or District owned and operated public space;

“Outdoors” means an open outdoor space located on District Property, including any temporary building, structure or part thereof, whether covered by a roof or not, but does not include a Highway intended for the passage of vehicles or the vehicles, whether open or closed upon such a Highway;

“Park” means any Property owned or occupied by the District for the purpose of pleasure, recreation or community use by the public, including but not limited to dedicated parks and trails, but does not include District Property leased to a third party;

“Person” includes an individual or corporation;

“Property” means that which belongs exclusively to the District, and to which legal rights apply;

“Smoke” or **“Smoking”** means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe, electronic cigarette, or other smoking equipment that burns or vaporizes tobacco, marijuana, or any other substance;

“Swimming Beach” means an area adjacent to the shore of the lake or other body of water that is used for swimming; and

“Walkway” means that area of land designated or designed specifically for the passage of pedestrians or active uses and shall include a pathway but will not include a Municipal Sidewalk.

3. SMOKING PROHIBITED

- 3.1 No Person may smoke outdoors on any Park, Swimming Beach, Walkway owned and occupied by the District, or on Property upon which is located a Facility operated by the District, whether or not a “No Smoking” sign is posted.

4. EXEMPTIONS

- 4.1 Notwithstanding Section 3.1, such prohibition will not apply to:

- a) a Highway or Municipal Sidewalk; and
- b) a Designated Smoking Area.

5. OBSTRUCTION

A Person must not interfere with, delay, obstruct or impede a Bylaw Enforcement Officer or designate, or another person lawfully authorized to enforce this Bylaw in the performance of duties under this Bylaw.

6. ENFORCEMENT BY TICKET

This Bylaw is designated pursuant to Section 264 (1) (a) of the *Community Charter* as a bylaw enforceable by means of a ticket in the form prescribed in the Community Charter Bylaw Enforcement Ticket Regulation, B.C. Reg. 425/2003.

7. BYLAW ENFORCEMENT OFFICERS

Bylaw Enforcement Officers are designated to enforce this Bylaw by means of a ticket pursuant to Section 264 (1) (b) of the *Community Charter*.

8. VIOLATIONS AND PENALTIES

- 8.1 The provisions of this Bylaw may be enforced by a Bylaw Enforcement Officer through the issue of a ticket under the "District of Summerland Ticket Information Utilization Bylaw No. 95-030".
- 8.2 Any person who violates any provision of this Bylaw or permits or allows any act or thing to be done in violation of any provision of this Bylaw or suffers or allows any other person to do any act or thing which violates any provision of this Bylaw is guilty of an offence against this Bylaw and punishable upon summary conviction by a fine of not less than \$1,000, and the cost of prosecution.

9. SEVERABILITY

If any section or lesser portion of this Bylaw is held to be invalid by a Court of competent jurisdiction, such invalidity shall not affect the remaining portions of the Bylaw.

10. REPEAL

"Clean Indoor Air and Smoking Regulation Bylaw, Number 91-001", and all amendments, are hereby repealed.

Read a first, second time this 24th day of August , 2015.

Read a third time this day of , 2015.

Deposited with the Minister of Health this day of , 2015.

Adopted by the Municipal Council this day of , 2015.

Mayor

Corporate Officer