



MINUTES OF THE REGULAR COUNCIL
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
MONDAY, SEPTEMBER 14, 2015 AT 7:00 P.M.

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
Don Darling, Director of Works and Utilities
Ian McIntosh, Director of Development Services
Glenn Noble, Fire Chief
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 minutes of the Special and Regular Council meetings held August 24, 2015, and the Special Council meeting held August 27, 2015, be adopted.

R251-2015

CARRIED.

3. RESOLUTION TO ADOPT THE AGENDA

Moved and Seconded,

THAT the agenda be adopted.

R252-2015

CARRIED.

4. PUBLIC AND STATUTORY HEARINGS

None.

5. DELEGATIONS

None.

6. PUBLIC COMMENT OPPORTUNITY

No comments from the public.

7. MAYOR'S REPORT

The Mayor reported that he has attended a number of community events in recent weeks, including a meeting regarding maintaining the Presbyterian Church as a heritage building; the grand opening of the new lakeshore trail; the showing of the Amazing Race Canada episode that featured Summerland; the RCMP Riders for Cops for Kids; and the Endless Summer Show and Shine car show.

8. CAO'S REPORT

The CAO provided an update regarding the electrical billing issue, noting some customers are experiencing frustrations with the HST rebate issued by the District, stemming from a Provincial audit; the Juniper Miltimore Willow Street sewer project is currently on hold while engineer drawings are being reviewed; and that all meeting requests with Provincial cabinet ministers have been granted while Council is attending the annual Union of British Columbia Municipalities convention in Vancouver next week.

9. UNFINISHED BUSINESS

None.

10. CORRESPONDENCE10.1 Informational Items

Moved and Seconded,

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.

R253-2015

CARRIED.

10.2 Committee/Commission Minutes

Moved and Seconded,

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.

R254-2015

CARRIED.

11. DEVELOPMENT SERVICES REPORTS

11.1 Development Variance Permit – 14612 Biagioni Avenue

The property owners were present and advised Council they purchased the property in 2013. They have not made any changes to the building, and completely replaced the septic system this past spring. Approval of the Development Variance Permit would permit them to connect the stove in the suite, which is currently disconnect.

Moved and Seconded,

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 approved, subject to registration of a restrictive covenant limiting development on the property to a maximum of 3 bedrooms.

R255-2015

CARRIED.

11.2 Development Variance Permit – 15416 Victoria Road

The property owner was present and advised Council that he would like to construct a workshop, and due to the location of septic fields and the hillside, there are limited locations where the workshop can be placed. The property owner also noted that the adjoining orchard belongs to his parents.

Moved and Seconded,

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.

R256-2015

CARRIED.

- 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

Moved and Seconded,

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.

R257-2015

CARRIED.

- 11.4 Zoning Bylaw Amendment to allow breweries, distilleries and meaderies in the A1 and A2 Zones – Bylaw No. 2015-024

Moved and Seconded,

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.

R258-2015

CARRIED.

- 11.5 Zoning Bylaw Amendment for the Hunters Hill Cluster Development (18654 Garnet Valley Road and 19013 Bentley Road) – Bylaw No. 2015-027

Moved and Seconded,

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.

R259-2015

CARRIED.

11.6 Development Cost Charges Bylaw Amendment (Small Residential Buildings) – Bylaw No. 2015-023

Moved and Seconded,

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.

R260-2015

CARRIED.

12. STAFF AND OTHER REPORTS

12.1 Perpetual Slide – Canyon View Road

Jacqueline Foley of Golder Associates Ltd. provided a PowerPoint presentation which included the following: a review of historical information of the slide area; site reconnaissance; the scope of the project; a review of water use numbers; the results of the project, and a summary of the recommendations contained within the Perpetual Slide Geotechnical and Hydrogeological Study prepared by Golder Associates Ltd.

Moved and Seconded,

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.

R261-2015

CARRIED.

12.2 2016 Permissive Tax Exemption Bylaw

Moved and Seconded,

THAT a special Committee of the Whole meeting be scheduled for September 28, 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.

R262-2015

CARRIED.

12.3 Appointment of Deputy Corporate Officer

Moved and Seconded,

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.

R263-2015

CARRIED.

12.4 The Summerland Health-Care Auxiliary

Moved and Seconded,

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.

R264-2015

CARRIED.

12.5 Crown Land Tenure – Summerland Yacht Club

Moved and Seconded,

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.

R265-2015

CARRIED.

12.6 Skateboard Park Committee

Moved and Seconded,

THAT the Skateboard Park Committee report, be deferred.

R266-2015

CARRIED.

13. NEW BUSINESS

None.

14. BYLAWS14.1 Outdoor Smoking Regulation Bylaw No. 2015-020

Moved and Seconded,

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

R267-2015

CARRIED.

15. COUNCILLOR REPORTS16. PUBLIC/MEDIA QUESTION PERIOD

Carol MacKenzie, Resident

- Attended a meeting regarding preserving the Presbyterian Church as a heritage building.
- Noted the acoustics are great in the building, and suggested it be recommended jazz singer Diana Krall take an interest in the building.
- Questioned if Council could impose a cultural tax or apply for grants to maintain the building.

Dave Thomas, Resident

- Suggested to someone he knows who just sold their music studio that they place their studio equipment in the Presbyterian Church.

Gloria Flaman, Summerland Health Care Auxiliary Secretary

- Thanked Council for supporting the Auxiliary's request to allow for a trailer to be stored on District property, in relation to item 12.4.

17. ADJOURNMENT

Moved and Seconded,

THAT the meeting be adjourned.

CARRIED.

Certified Correct:

Mayor

Corporate Officer