



REGULAR COUNCIL MEETING AGENDA

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

Page

1. **Call to Order**

2. **Adoption of Minutes**

4 - 14

2.1 Adoption of Minutes

Recommendation:

THAT the Special and Regular Council meeting minutes dated November 9, 2015, be adopted.

Recommendation:

THAT the minutes of the Public Hearing held November 9, 2015, be approved.

3. **Resolution to Adopt the Agenda**

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

3.1 Adoption of Agenda

Recommendation:

THAT the agenda be adopted/amended.

4. **Public and Statutory Hearings**

5. **Delegations**

(maximum 5 minutes per delegation)

15 - 27

5.1 Cameron Baughen, Solid Waste Management Coordinator, RDOS - Regional Organic Facility

Recommendation:

THAT the delegation from the Regional District of the Okanagan-Similkameen, be received for information, and that staff prepare a report regarding the feasibility of a regional organic facility at the Summerland Landfill.

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

9.1 Resolution(s) Brought Forward

10. Correspondence

10.1 **Informational Items**

Recommendation:

THAT the informational items included in the report dated for the November 23, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

10.2 **Committee/Commission Minutes**

Recommendation:

THAT the committee and commission minutes included in the report dated for the November 23, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

11. Development Services Reports

11.1 Development Variance Permit Application - 6105 Hespeler Road

Opportunity for public comment

Recommendation:

THAT the Development Variance Permit Application for Lot B, DL 675, ODYD, Plan KAP51105 to vary Section 5.5.2 of Zoning Bylaw 2000-450 to increase the maximum allowable height of a retaining wall from 1.2m to 3.0m, be approved.

11.2 **Discussion Paper and Proposed Minister's Bylaw Standards**

Recommendation:

THAT Council receive the "Discussion Paper and Proposed Minister's Bylaw Standards" document as marked up by the Agricultural Advisory Committee and forward to the Ministry of Agriculture for its information.

11.3 **Regulation of Docks**

Report to follow

12. Staff and Other Reports

- 73 - 74 12.1 Summerland Asset Development Initiative - Request for Letter of Support
Recommendation:
THAT a letter of support be provided to the Summerland Asset Development Initiative, in support of its Community Gaming Grant application.

- 75 - 79 12.2 Agur Lake Camp - Request for Letter of Support
Recommendation:
THAT a letter of support be provided to the Agur Lake Camp, in support of its Community Gaming Grant application.

13. New Business

14. Bylaws

- 80 - 82 14.1 Zoning Bylaw Amendment to rezone the property located at 5818 Nixon Road from RSD2 to RSD1 - Bylaw No. 2015-030
Recommendation:
THAT Bylaw No. 2015-030, "Amendment of Zoning Bylaw No. 2000-450 (5818 Nixon Road)", be adopted.

- 83 - 87 14.2 Local Sanitary Sewer Service Area Bylaw for 6003 Dale Avenue - Bylaw No. 2015-032
Recommendation:
THAT Bylaw No. 2015-032, "Local Sanitary Sewer Service Area (6003 Dale Avenue)", be adopted.

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
Recommendation:
THAT the meeting be adjourned.



MINUTES OF THE SPECIAL COUNCIL MEETING
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, NOVEMBER 9, 2015 AT 8:30 A.M.

Members Present:

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

Staff Present:

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

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

2.1 Adoption of Agenda

Moved and Seconded,

THAT the agenda be adopted.

R328-2015

CARRIED.

3. DELEGATIONS

3.1 Bryn White, SOSCP Manager, regarding the South Okanagan-Similkameen Conservation Program

B. White spoke to her PowerPoint presentation, including the following items: the District has been a formal partner with the South Okanagan-Similkameen Conservation Program (SOSCP) since 2008; a review of items the SOSCP has accomplished in the past, and summary of ideas for the future; Summerland is seen regionally as a leader of environmental protection areas; and an introduction of the proposed Conservation Fund, where nature conservation would become a service provided by the District.

Moved and Seconded,

THAT the delegation from the South Okanagan-Similkameen Conservation Program, be received.

R329-2015

CARRIED.

4. RESOLUTION TO CLOSE MEETING TO THE PUBLIC

4.1 Resolution to Close Meeting to the Public

Moved and Seconded,

THAT this meeting now be closed to the public pursuant to Sections 90(1) (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.

R330-2015

CARRIED.

The meeting was closed to the public at 9:14 a.m.

5. ADJOURNMENT

Moved and Seconded,

THAT the meeting be adjourned.

CARRIED.

The meeting was adjourned at 10:34 a.m.

Certified Correct:

Mayor

Corporate Officer



MINUTES OF THE REGULAR COUNCIL MEETING
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, NOVEMBER 9, 2015 AT 7:00 PM

Members Present:

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

Staff Present:

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

1. CALL TO ORDER

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

2. ADOPTION OF MINUTES

Moved and Seconded,

THAT the minutes of the Special and Regular Council meetings dated October 26, 2015, and Special Council meetings dated October 30, 2015, and November 3, 2015, be adopted.

R331-2015

CARRIED.

3. RESOLUTION TO ADOPT THE AGENDA

Moved and Seconded,

THAT the agenda be adopted, as amended, adding item 13.1 – School District/Proposed School Closures; and item 13.2 – Local Sanitary Sewer Service Area (6003 Dale Avenue) Bylaw.

R332-2015

CARRIED.

4. PUBLIC AND STATUTORY HEARINGS

4.1 Zoning Bylaw Amendment to rezone the property located at 5818 Nixon Road from RSD2 to RSD1 - Bylaw No. 2015-030

4.2 Zoning Bylaw Amendment to create a new Temporary Use Permit Area at the property located at 13415 Lakeshore Drive - Bylaw No. 2015-031

5. DELEGATIONS

5.1 Lindsay Bourque, Rural Projects Coordinator, RDOS – Regional Heritage Program

Mark Woods, Community Service Manager with the RDOS introduced Lindsay Bourque who spoke to her PowerPoint presentation, noting: a review of the goals of the Regional Heritage Program, which was established in 2007; an overview of the Municipal Heritage Program strategic plan; an overview of the online heritage story map application; and the annual cost for Summerland to participate in the regional service would be approximately \$2,600.

THAT the delegation from the Regional District of the Okanagan-Similkameen, be received; and further that staff prepare a report regarding the Regional Heritage Conservation Service Establishment Bylaw to present to Council at the November 23, 2015 Regular Council meeting.

R333-2015

CARRIED.

5.2 Christine Petkau, Executive Director

Chamber of Commerce – Update to Council and Results of the Chamber Business Walk

Christine Petkau spoke to her PowerPoint presentation, highlighting the following: the Go Media conference was a large undertaking for the Chamber in 2015, and has since provided publications and blogs posts regarding Summerland; a review of special projects the Chamber has undertaken in 2015; an overview of member services, including updates to the Chamber's website; and a summary of the Chamber Business Walk findings, which occurred on October 22, 2015.

Moved and Seconded,

THAT the delegation from the Chamber of Commerce, be received for information.

R334-2015

CARRIED.

6. PUBLIC COMMENT OPPORTUNITY

None.

7. MAYOR'S REPORT

The Mayor highlighted the irrigation committee's open house, noting water usage is high on the list of the community's concerns; Council has initiated its strategic planning process; and he attended breakfast at the Summerland Montessori School on November 4, 2015, as well as the annual Remembrance Day service at the Alliance Church on November 8, 2015.

8. CAO'S REPORT

The CAO reported that the District has successfully hired a new Director of Works and Utilities; the first workshop for the proposed skatepark has been scheduled for later in the month, and a number of stakeholder meetings will occur; the construction of the Fire Department's training building is nearing completion; and a new intake for the Bicycle BC granting program will take place in January 2016.

9. UNFINISHED BUSINESS

9.1 Zoning Bylaw Amendment to rezone the property located at 5818 Nixon Road from RSD2 to RSD1 - Bylaw No. 2015-030

Moved and Seconded,

THAT Bylaw No. 2015-030, "Amendment of Zoning Bylaw No. 2000-450 (5818 Nixon Road)", be read a third time.

335-2015

CARRIED.

9.2 Zoning Bylaw Amendment to Create a New Temporary Use Permit Area (13415 Lakeshore Drive) - Bylaw No. 2015-031

Moved and Seconded,

THAT Bylaw No. 2015-031, "Amendment of Zoning Bylaw No. 2000-450 (Temporary Use Permit Area – 13415 Lakeshore Drive)", be read a third time.

R336-2015

CARRIED.

Moved and Seconded,

THAT Bylaw No. 2015-031, "Amendment of Zoning Bylaw No. 2000-450 (Temporary Use Permit Area – 13415 Lakeshore Drive)", be adopted.

R337-2015

CARRIED.

Moved and Seconded,

THAT a Temporary Use Permit authorizing the temporary commercial use of "Wine Storage" on Lot 1, DL 455 and 5085, ODYD, Plan 5896, located at 13415 Lakeshore Drive, be approved for a term of two years.

R338-2015

CARRIED.

9.3 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 November 9, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

R339-2015

CARRIED.

10.2 Committee/Commission Minutes

Moved and Seconded,

THAT the October 6, 2015 Cultural Plan Task Force, and October 21, 2015 Water Advisory Committee meeting minutes, be received for information.

R340-2015

CARRIED.

11. DEVELOPMENT SERVICES REPORTS

Councillor Carlson declared a conflict of interest with regards to the following item, as her family owns property with a shared border to 14608 Washington Avenue, and left the meeting at 8:32 p.m.

11.1 Development Variance Permit – 14608 Washington Avenue

There were no comments from the public.

Moved and Seconded,

THAT the Development Variance Permit Application for Lot 1, DL 3640, ODYD, Plan 54101 to vary Section 8.1.6 b) of Zoning Bylaw No. 2000-450, to reduce the minimum interior south side yard set-back to 6.0m, minimum interior north side yard set-back to 16.0m and the minimum rear yard set-back to 0.0m, be approved.

R341-2015

CARRIED.

Councillor Carlson returned to the meeting at 8:36 p.m.

11.2 Environmental Assessment of Prairie Valley West Lands

Moved and Seconded,

THAT the "Environmental Assessment of Prairie Valley West Area of Summerland" report attached as Schedule "A" to the report dated November 9, 2015 from the Director of Development Services, be received for information.

R342-2015

CARRIED.

12. STAFF AND OTHER REPORTS

12.1 Headwater Lakes Crown Land Tenure

Moved and Seconded,

THAT the application by the District of Summerland for a Licence of Occupation from the Province for 4 hectares of Crown land in the vicinity of Headwater Lakes, be supported;
AND THAT the Mayor and Corporate Officer be authorized to execute all documents related to this matter.

R343-2015

CARRIED.

12.2 2016 Council Meeting Schedule

Moved and Seconded,

THAT the proposed 2016 Council Meeting Schedule, as referenced in Attachment "A" to the report dated November 2, 2015 from the Deputy Corporate Officer, be approved.

R344-2015

CARRIED.

12.3 Financial Results as at September 30, 2015

Moved and Seconded,

THAT the report from the Director of Finance, regarding the financial results as a September 30, 2015, be received for information.

R345-2015

CARRIED.

13. NEW BUSINESS

13.1 School District / Proposed School Closures

The Mayor spoke to the recent public discussions regarding the potential for school closures throughout School District No. 67. Giant's Head Elementary School has been addressed as a potential school to be closed, and the Mayor noted that the District of

Summerland has put effort into various upgrades in the school's proximity to address the safety of students and families in the area.

13.2 Local Sanitary Sewer Service Area (6003 Dale Avenue) Bylaw

Moved and Seconded,

THAT Local Sanitary Sewer Service Area (6003 Dale Avenue) Bylaw No. 2015-032, be introduced and read a first, second and third time.

R346-2015

CARRIED.

14. BYLAWS

14.1 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)", be adopted.

R347-2015

CARRIED.

15. COUNCILLOR REPORTS

16. PUBLIC/MEDIA QUESTION PERIOD

Graham Karner, 19800 Garnet Valley Road, inquired if public consultation would take place if fences were to be installed around environmentally sensitive areas in the Prairie Valley West area of Summerland, noting that there are a number of trails that go through the area and suggesting that signage rather than fencing might be more appropriate.

Chamber Christine Petkau, Summerland Chamber, reminded Council and the public that November 28, 2015 is the annual Summerland Festival of the Lights.

17. ADJOURNMENT

Moved and Seconded,

THAT the meeting be adjourned.

The meeting was adjourned at 9:47 p.m.

CARRIED.

Certified Correct:

Mayor

Corporate Officer



MINUTES OF THE PUBLIC HEARING
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, NOVEMBER 9, 2015 AT 7:00 P.M.

Members Present:

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

Staff Present:

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

1. CALL TO ORDER

Mayor Waterman called the Public Hearing to order at 7:02 p.m., and outlined the procedures to be followed.

2.1 Bylaw No. 2015-030, "Amendment of Zoning Bylaw No. 2000-450 (5818 Nixon Road)"

If Bylaw No. 2015-030 is adopted, it will allow for a two lot subdivision on the property.

There were no comments or questions.

Moved and Seconded,

THAT the Public Hearing for Bylaw No. 2015-030, be terminated.

CARRIED.

2.2 Bylaw No. 2015-031, "Amendment of Zoning Bylaw No. 2000-450 (Temporary Use Permit Area – 13415 Lakeshore Drive)"

If Bylaw No. 2015-031 is adopted, a text amendment will take place to Schedule "A" of Zoning Bylaw No. 2000-450 to designate 13415 Lakeshore Drive as a Temporary Use Permit Area.

Jackson Friesen, 17019 Lakeshore Drive, Applicant, read his submission as an owner of the Summerland cannery building. He has been a resident of Summerland for 10 years, and shares the vision that Summerland is a magical place to live and visit. The CT1 Tourist

Commercial Zone is the long term goal for the property; however, in the interim there is a wine-on-tap operation that would like to see if Summerland is the right Okanagan home for its business. It is proposed that a truck driver will deliver and pick up two to four times a week.

Correspondence received November 8, 2015, from D. Hudgeon, suggesting to Council that more research be carried out prior to issuing a Temporary Use Permit for this property.

No further comments or questions.

Moved and Seconded,

THAT the Public Hearing for Bylaw No. 2015-031, be terminated.

CARRIED.

The Public Hearing session was adjourned at 7:08 p.m.

Certified Correct:

Mayor

Corporate Officer



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
DELEGATION

DATE: November 16, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Katie Karn, Deputy Corporate Officer
SUBJECT: RDOS presentation regarding the feasibility of siting of a regional organic facility at the Summerland Landfill

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT the delegation from the Regional District of the Okanagan-Similkameen, be received for information, and that staff prepare a report regarding the feasibility of a regional organic facility at the Summerland Landfill.

BACKGROUND and DISCUSSION:

Cameron Baughen, Solid Waste Management Coordinator, will be in attendance to present to Council regarding the proposal for the development of a regional organic facility.

In February 2013, council passed a resolution to provide approval to the RDOS to include the Summerland Landfill site in the RDOS feasibility study that would look at potential sites for the development of a regional composting facility.

As the proposition of possibly situating the organic facility at the Summerland Landfill would have implications to the District of Summerland, District staff recommend that a further report be brought forward to Council for discussion at a later date.

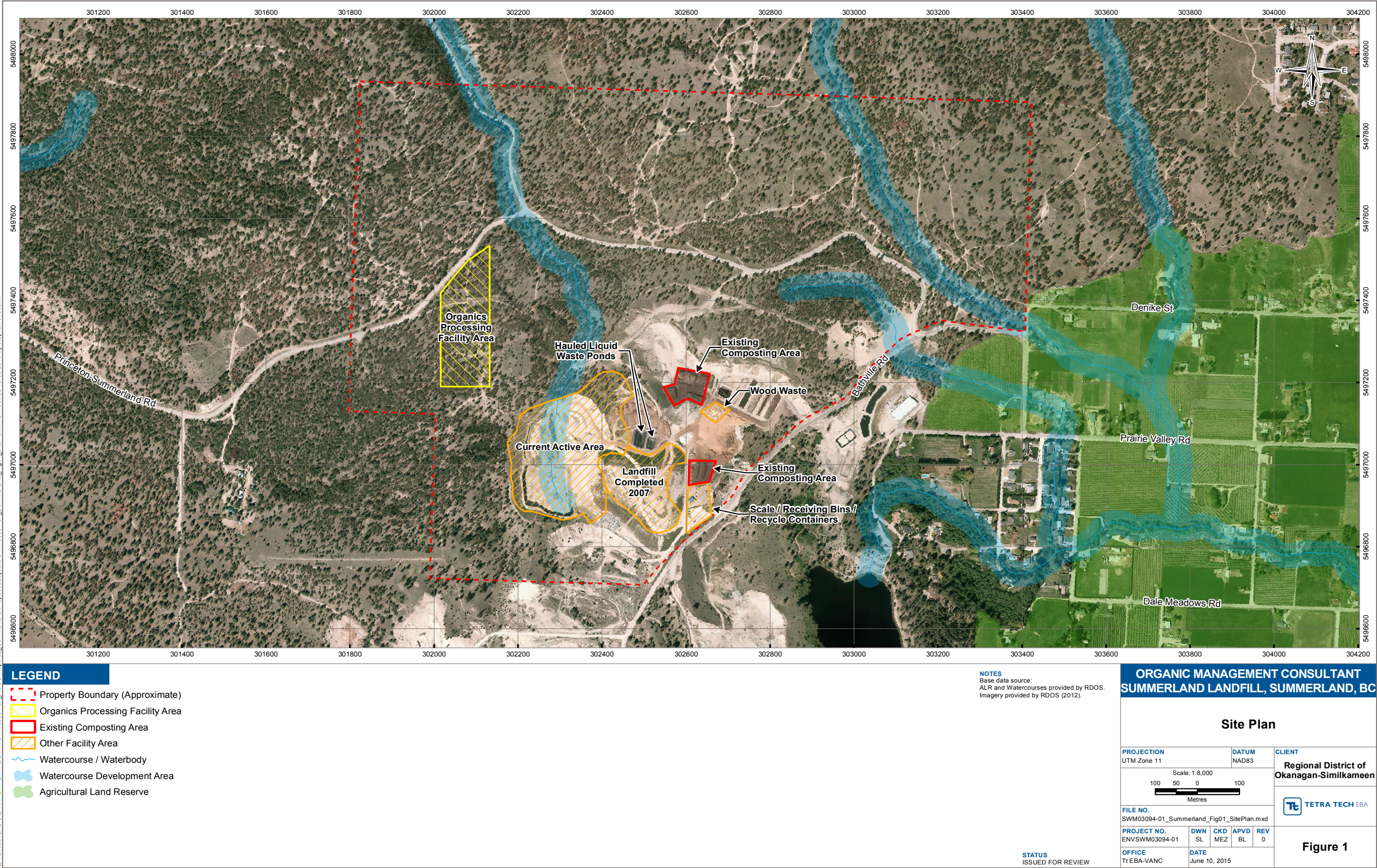
Respectfully Submitted

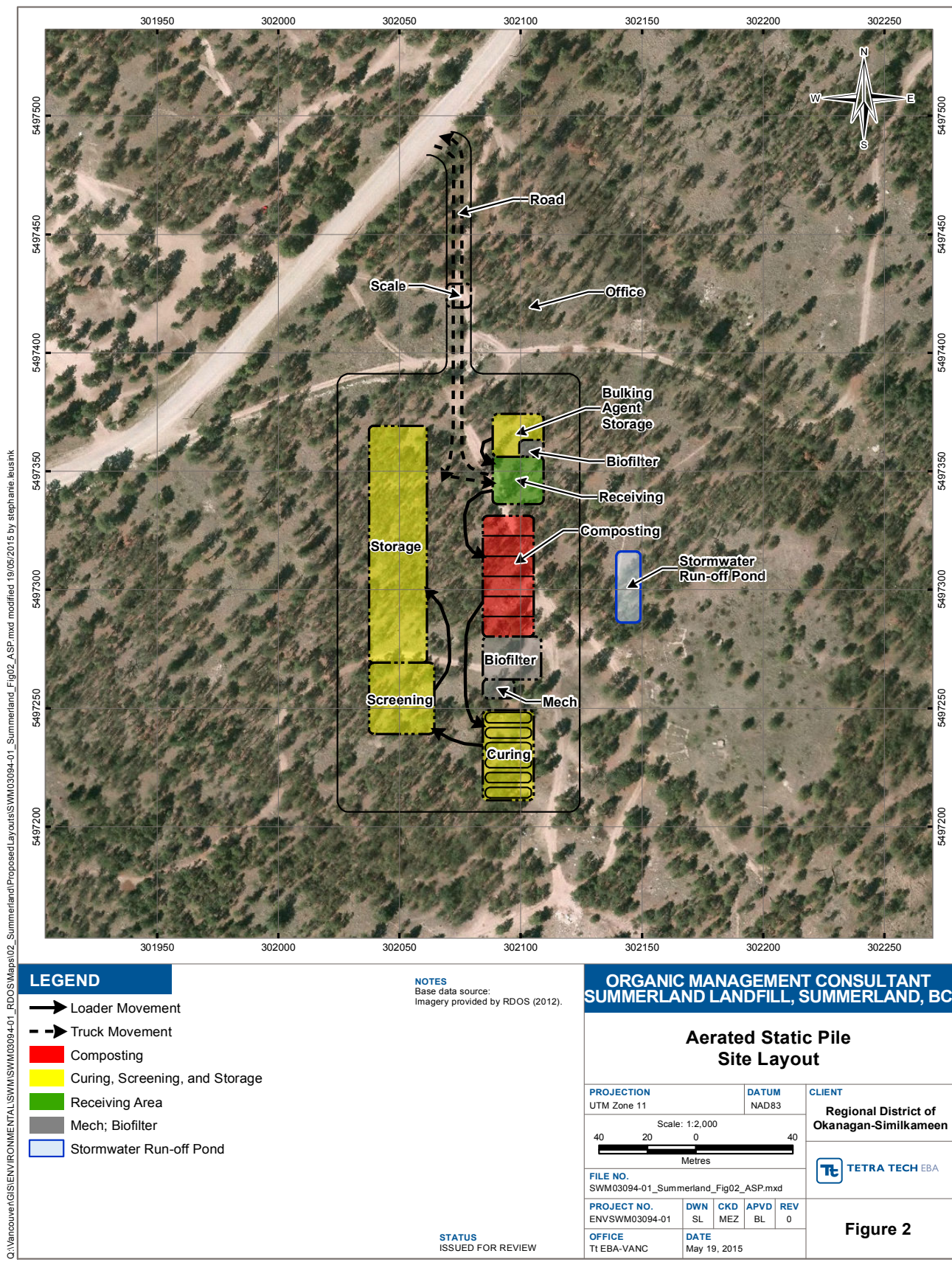
Katie Karn

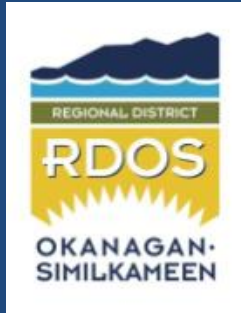
Katie Karn
Deputy Corporate Officer

Approved for Agenda

Linda Tynan, CAO Nov. 18, 2015







Organic Management Feasibility Study

District of Summerland Council November 23rd, 2015

Presented by:
Cameron Baughen, Solid Waste Management Coordinator
Regional District of Okanagan-Similkameen

www.rdos.bc.ca

Headlines You Do Not Want

Neighbours raise stink over compost

New plan for Chemainus composting stench

Chemainus Community Stinking Mad

*Food scraps composting leaves bad
odour in noses of Richmond residents*

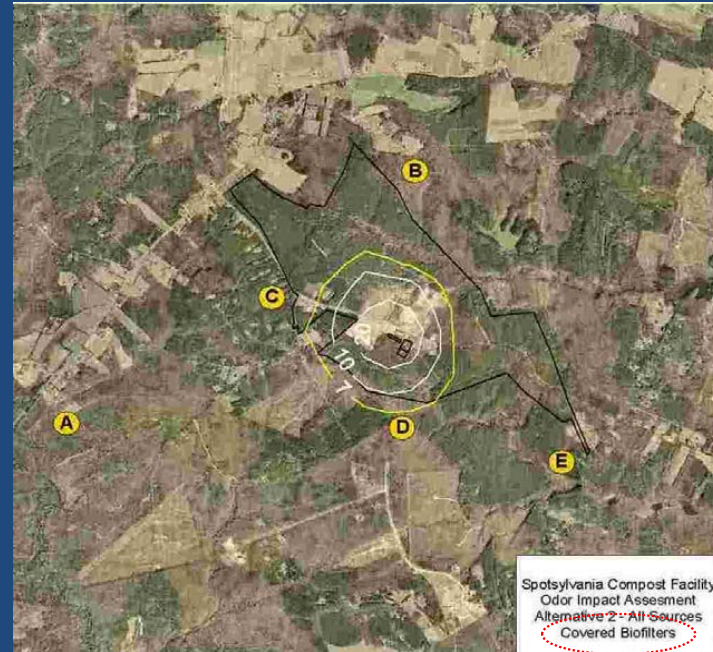
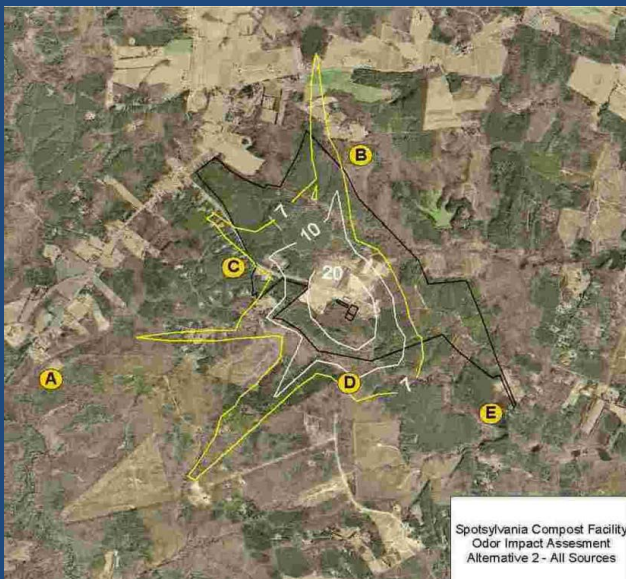
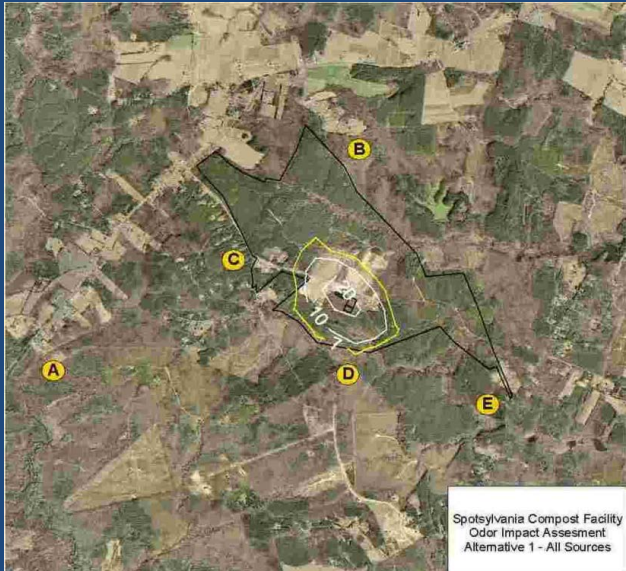
Stinky situation in Vernon

Apples to Apples

- Compare public and private options
- Variables include collection, transportation, technologies, odour control, cost
- Strategy to be developed this Spring 2016
- Summerland Staff on Steering Committee
- Decision will not be final but will lead to support of facility siting for land use planning process



Spend to Save



You can safely compost anywhere but gets more expensive and harder closer to 'receptors'

Land Use Planning

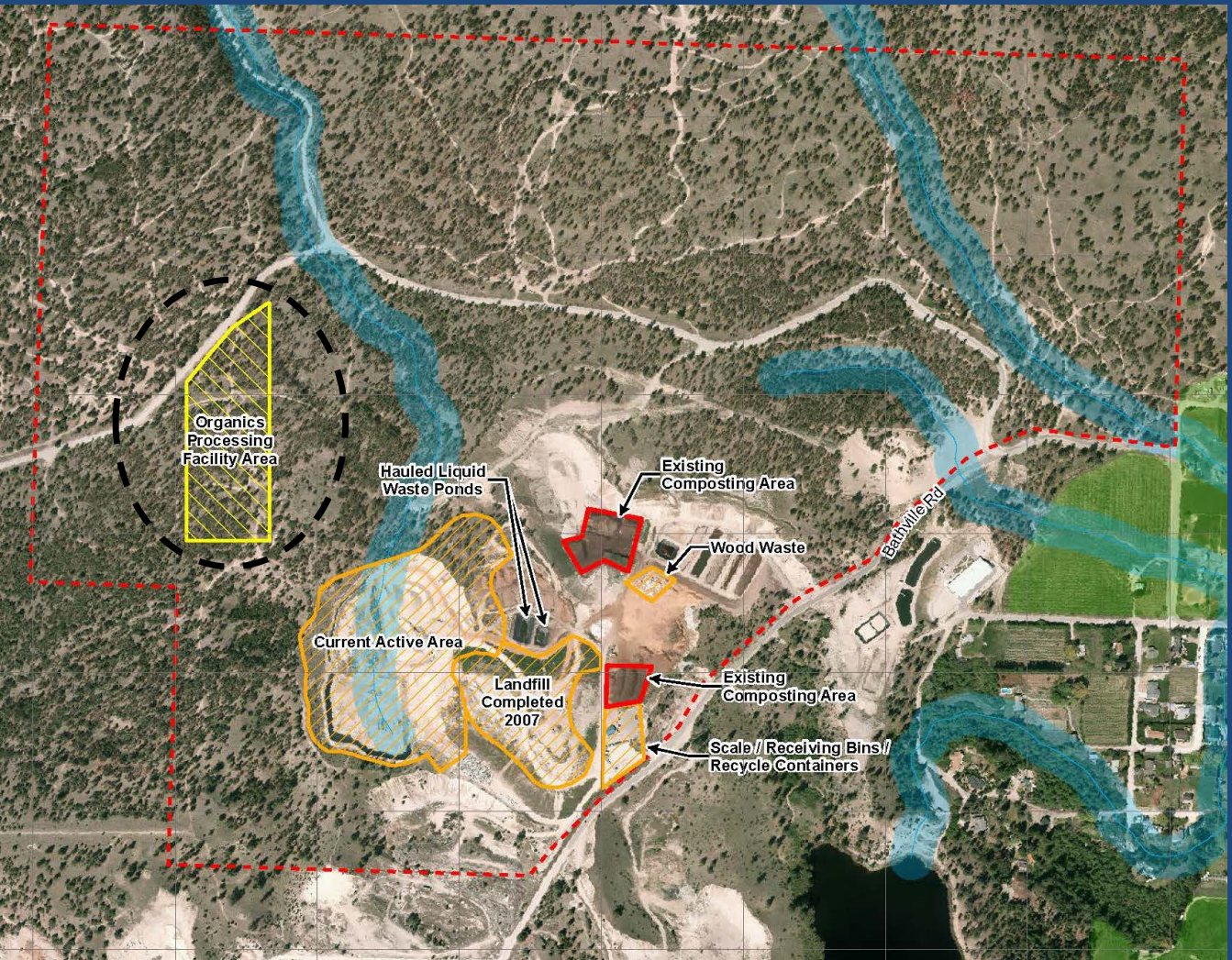


Benefits of existing land use processes
Consider spot zoning after public consultation
Public consultation essential

Public Sector Feasibility

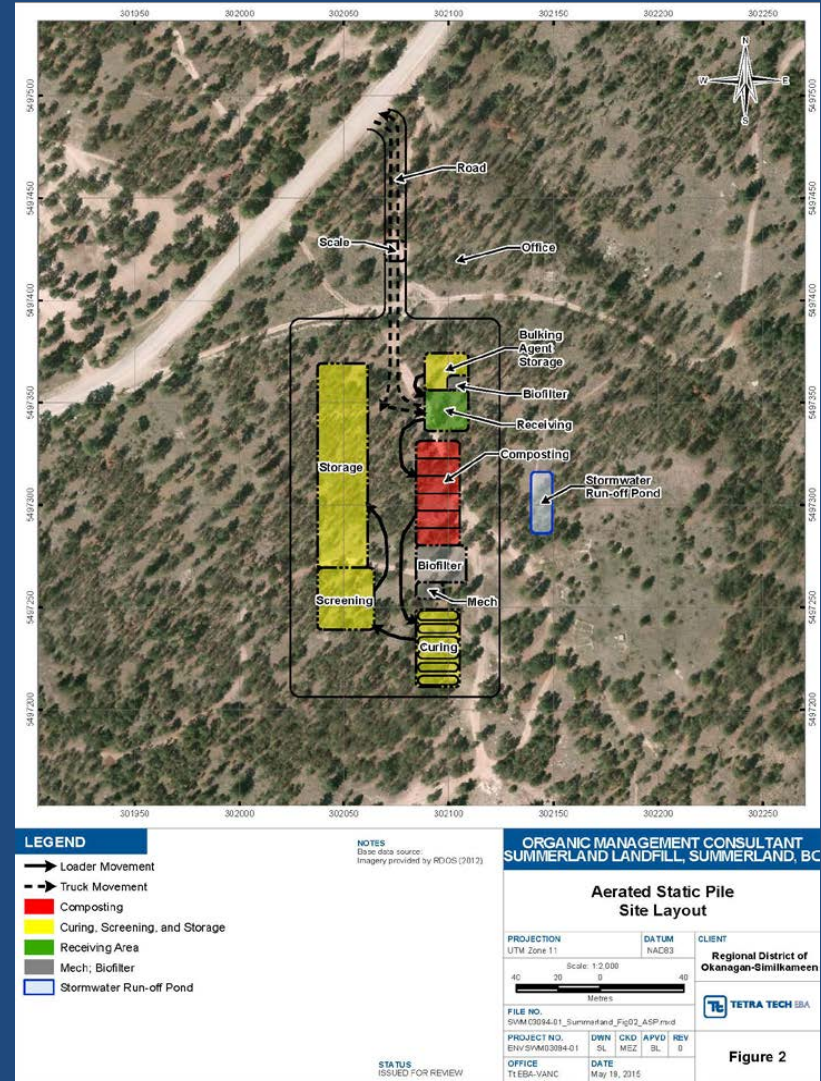


RDOS to coordinating assessment of 8 sites
Federation of Canadian Municipalities grant covering 50% of cost
Summerland Landfill site has high potential for siting



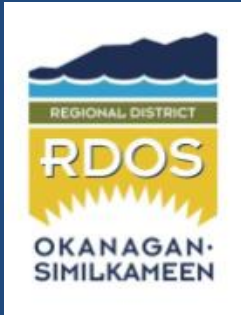
Regional Investment

- Twelve different feasibility studies conducted
- Costing and odour modelling
- Four different technologies
 - Aerated Static Pile
 - Membrane Cover
 - In-Vessel
 - High Solid Anaerobic Digestion (Bio-Gas)
- Three scenarios:
 - Only Summerland waste
 - Region wide
 - Super Regional site



Benefits to Working Together

- Larger sites cost less per tonne of waste (economies of scale save money for residents)
- More funding sources (more local governments to pitch in, grants)
- Larger scale can lead to potential innovation (bio-gas, heat, CO2 for greenhouses?)
- Less hauling distance for Summerland residents and local source of compost
- Regional scope can find the best solution for everyone
- Strategy presented Spring of 2016



Cameron Baughen
Regional District of Okanagan-Similkameen
250-492-0237
cbaughen@rdos.bc.ca

www.rdos.bc.ca

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

ITEM 10.1 - CORRESPONDENCE – INFORMATIONAL ITEMS

DATE November 23, 2015 – Regular Council Meeting

RECOMMENDATION:

THAT the informational items included in the report dated for the November 23, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received 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.	Auditor General for Local Government	Introduction of new Auditor General for Local Government	Receive for information
2.	Auditor General for Local Government	City of Merritt Performance Audit Report	Receive for information
3.	Okanagan Basin Water Board	10 years of water funding in the Okanagan	Receive for information
4.	Summerland Health-Care Auxiliary	Request for relief from tipping and dumping fees	Receive for information – provided organization with Grant-in-Aid application
5.	Mayors for Peace	Statement for Paris Terrorist Attacks	Receive for information
6.	South Okanagan Boundary Labour Board	Minimum wage in BC	Receive for information
7.	A. Foster	Skateboard Park	Receive for information
8.	T. Martin	Giant's Head Elementary	Receive for information
9.	L. Rockwell	Blue Dot	Receive for information

PROCLAMATIONS REQUESTS *As per Policy 100.5, Council does not issue official proclamations.*

10.	Information Systems Audit and Control Association (ISACA) - Vancouver Chapter	BC Aware 2016 (January 25-February 5, 2016)	Receive for information
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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:

REVIEWED BY:

Katie Karn
KATIE KARN, DEPUTY CORPORATE OFFICER

Linda Tynan
LINDA TYNAN, CHIEF ADMINISTRATIVE OFFICER



**AUDITOR GENERAL FOR
LOCAL GOVERNMENT**

ACCESSIBILITY • INDEPENDENCE • TRANSPARENCY • PERFORMANCE



November 5, 2015

Ref 164949

To: Mayors and Councillors
Chairs and Directors of Regional District Boards
Chairs and Directors of Greater Boards

I am pleased to introduce myself as British Columbia's new Auditor General for Local Government (AGLG). I am excited by the opportunity to lead this office, to work with local governments and to assist you in your operations through performance audits and other reports that provide advice and recommendations. I believe we share a common goal - to deliver the best possible services to taxpayers in the most cost efficient way.

By way of background, I am a professional accountant, a FCPA, FCGA with more than 25 years of experience that includes an extensive background working in local government at the regional level here in British Columbia. I strongly believe in this office's potential to add value for local governments and while I know there were challenges during the first two years of AGLG operations, there have been significant changes over recent months and we are now well positioned to deliver on that potential.

This is a year of transition for our office. We have made changes in response to a review carried out for the Audit Council (Trumpy Report) and to the recommendations in a report published by the Union of British Columbia Municipalities. These changes included re-balancing the use of internal staff resources with that of external consultants and releasing an updated 2015/16 Annual Service Plan that set reasonable expectations for the office and is consistent with our capacity and budget. I intend to work hard, with the office's capable staff, to achieve these goals.

As you know, performance audits are quite different from financial audits. They can be valuable tools for local governments by pointing out areas that could be improved while – equally importantly – also providing assurance in areas where a local government already has good practices. We can play a constructive role by highlighting such practices and recommending them to other local governments.

I believe that the best way to meet our objectives is to work together. While the office is independent, success almost always depends on collaboration. Over coming weeks and months, I intend to become better acquainted with local governments and begin actively working in collaboration with you.

I very much look forward to working with you and welcome any questions or feedback that you may have.

Sincerely,

Gordon Ruth, FCPA, FCGA
Auditor General for Local Government

cc: Chief Administrative Officers

201 – 10470 152nd Street
Surrey, BC V3R 0Y3

Phone: 604-930-7100
Fax: 604-930-7128

www.aglg.ca



AUDITOR GENERAL FOR
LOCAL GOVERNMENT

ACCESSIBILITY • INDEPENDENCE • TRANSPARENCY • PERFORMANCE



November 16, 2015

Ref: 165113

To: Mayors and Councillors
Chairs and Directors of Regional District Boards
Chairs and Directors of Greater Boards

I am pleased to inform you that the Office of the Auditor General for Local Government will be releasing a performance audit report on the City of Merritt under the topic "Local Government Performance in Managing Policing Agreements and Police Budget Oversight."

The audit report will be published on our website www.aglg.ca on Tuesday, November 17 at 11:00 am.

I welcome feedback from local governments on all aspects of the work of our office, so I look forward to your comments on the report to be issued tomorrow.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon Ruth".

Gordon Ruth, FCPA, FCGA
Auditor General for Local Government

pc: Chief Administrative Officers

201 – 10470 152nd Street
Surrey, BC V3R 0Y3

Phone: 604-930-7100
Fax: 604-930-7128

www.aglg.ca

November 4, 2015

NEWS RELEASE**CELEBRATING COLLECTIVE IMPACT –
10 YEARS OF WATER FUNDING IN THE OKANAGAN**

Kelowna, B.C. – Big plans are underway as the Okanagan Basin Water Board and partners prepare to celebrate 10 years of funding through the board's Water Conservation and Quality Improvement Grant Program. The Water Board, in partnership with the Okanagan Collaborative Conservation Program (OCCP) and the South Okanagan Similkameen Conservation Program (SOSCP), are hosting a one day event "Celebrating Collective Impact" on Nov. 26, 10 a.m. to 4 p.m. at Westbank Lions Community Centre, 2466 Main St., West Kelowna.

Since the grant program began in 2006, more than \$3.2 million has been awarded to 197 projects in the Okanagan, from drought planning to water metering, from wetland restoration to foreshore mapping, xeriscape demonstration gardens and much more. The event will showcase these projects and others, which have helped protect and conserve the waters of the Okanagan, and recognize the achievements of collaborative projects by OCCP and SOSCP partners.

"While individual projects have been recognized over the years, the collective impact of these efforts has had even greater results," noted James Littlely, OBWB's Operations and Grants Manager. "After 10 years, it's time to step back, look at the accomplishments, celebrate them and begin to look forward."

SOSCP's Program Manager Bryn White agrees, adding "The Water Board's WCQI Program has been a valuable resource for communities and organizations to move the needle on water sustainability in this region." A region that is known to have less water available than anywhere in Canada but where water use is one of the highest in the country, and where there are the greatest number of endangered, threatened and rare species in the province.

"Now is a great time to reflect on the collective impact of this funding and map the steps we need to take for the future," added White.

Past grant recipients are encouraged to attend, and organizers are also hoping to see some new faces. The event is open to the public, and will be of interest to educators, non-profits, local governments, First Nations, irrigation districts, and other grassroots organizations focussed on water-related projects and protecting the natural environment in the region.

"We're hoping to attract groups that haven't applied in the past, but who have a project idea that benefits water in the Okanagan and who may be eligible to apply for funding," said Littlely.

Another key element of the event is to bring in additional water and environmental funders into the Okanagan. "We see this as a great opportunity for funders to see the work that has been done and explore possible new partnerships," he added.

For Carol Luttmmer, OCCP Coordinator, she also sees this as an opportunity to inspire and continue to build on the important work that has been done. “There are so many people working on significant projects in their own back yards or jurisdictions. In showing that these individual efforts are part of something even bigger, we hope it’s a motivation to continue pushing forward to protect our water and ecosystems here in the Okanagan,” she said.

In addition to hearing about past and ongoing projects, and from potential new funders, the OBWB will announce the call for applications to its 2016 WCQI grant program, and of course, there will be a 10th anniversary cake-cutting.

For more information on this FREE event and to register, please visit <http://CelebratingCollectiveImpact.eventbrite.ca>.

-30-

MEDIA CONTACT: Corinne Jackson, OBWB – Communications Director
Office: 250-469-6271 Mobile: 250-718-7249
E-mail: corinne.jackson@obwb.ca

The Summerland Health-Care Auxiliary

Box 1377, Summerland, B.C. V0H 1Z0

Telephone: 250-494-9102

RECEIVED
NOV 09 2015
District of Summerland

October 7, 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, would like to minimize disposal and tipping fees which have become problematic for the Thrift shop. We are having to take larger items such as mattresses, furniture and other like items to the landfill thus incurring additional expense over and above regular garbage disposal costs.

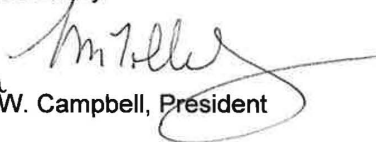
The reason for contacting the Summerland Council is to request relief from the expense of tipping and dumping fees at the Summerland Landfill.

This proposal has benefits for both the municipality and the auxiliary. The auxiliary will be channeling these saved funds towards its local 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

per 
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>



Mayors for Peace

Secretariat

C/O Hiroshima Peace Culture Foundation, 1-5 Nakajima-cho Naka-ku Hiroshima 730-0811 Japan
Phone:81-82-242-7821 Fax:81-82-242-7452 E-mail:mayorcon@pcf.city.hiroshima.jp

Letter of Statement

We would like to express our deep condolences to all the victims of the coordinated multiple terrorist attacks in Paris, France on November 13.

As mayors who have a strong sense of responsibility to protect the safety and welfare of our citizens, we cannot under any circumstances accept such atrocities.

These inhumane and indiscriminate terrorist attacks have reminded us how vulnerable city dwellers are. If terrorist organizations acquire nuclear weapons that can cause ultimately inhumane consequences, cities around the world would be plunged into unacceptably grave risks. We must abolish these weapons as soon as possible to liberate citizens from their threat.

We, the Mayors for Peace, in solidarity with around 6,900 member cities in the world, call on the governments as well as the civil society all over the world, to work with us to establish a safe and truly peaceful world.

November 16, 2015

Mayors for Peace

President	Mayor of Hiroshima, Japan
Vice president	Mayor of Nagasaki, Japan
Vice president	Lord Mayor of Hannover, Germany
Vice president	Mayor of Volgograd, Russia
Vice president	Mayor of Malakoff, France
Vice president	Mayor of Muntinlupa, Philippines
Vice president	Lord Mayor of Manchester, U.K.
Vice president	Mayor of Akron, U.S.
Vice president	Mayor of Ypres, Belgium
Vice president	Mayor of Biograd na Moru, Croatia
Vice president	Mayor of Granollers, Spain
Vice president	Mayor of Halabja, Iraq
Vice president	Mayor of Brussels, Belgium
Vice president	Mayor of Fongo-Tongo, Cameroon
Vice president	Mayor of Mexico City, Mexico
Vice president	Mayor of Frogn, Norway
Executive	Mayor of Fremantle, Australia
Executive	Mayor of Semey, Kazakhstan
Executive	Governor of Bangkok, Thailand
Executive	Mayor of Wellington, New Zealand
Executive	Mayor of Sarajevo, Bosnia and Herzegovina
Executive	Mayor of Montreal, Canada
Executive	Mayor of Cochin, India
Executive	Mayor of Santos, Brazil
Executive	Mayor of Cartago, Costa Rica
Executive	Mayor of Bogota, Colombia

Katie Karn

Subject: \$15 Minimum Wage Campaign - BC Federation of Labour

From: President SOBLC [<mailto:president@soblc.ca>]

Sent: October 31, 2015 1:13 PM

To: Mayor <mayor@summerland.ca>; Denise Moffatt <dmoffatt@bcfed.ca>; Brigid Kemp; rstipp@clc-ctc.ca

Subject: \$15 Minimum Wage Campaign - BC Federation of Labour

Dear Mayor Peter Waterman
District of Summerland
Summerland, BC

October 31st, 2015

RE: \$15 Minimum Wage in BC

It is Halloween and living below the poverty line is scary! Having to work 2 or 3 jobs to pay the rent means that you can't even take your kids out to trick or treat. It is time to end poverty wages in BC. Let's raise the minimum wage to \$15/hr. Together we can build an economy that works for everyone.

Mayor Waterman, you will recall that the South Okanagan Boundary Labour Council (SOBLC) had to put on hold our \$15 an hour minimum wage campaign in August due to a perceived conflict with a similar campaign for a \$15 an hour minimum wage which was put forward by the New Democratic Party in the federal election.

As the federal election is over, we at the South Okanagan Boundary Labour Council would like to once again ask that Summerland Municipal Council give consideration to supporting the \$15 minimum wage in British Columbia.

If you are in favor of representatives of the Labour Council attending a council meeting to discuss the possibility of advancing this initiative, I would suggest the 4th Monday in November. As a courtesy to the executive of the BC Federation of Labour, please let us know as soon as you can if you agree to put this on your agenda, so that we have the opportunity to invite a BC FED representative to the meeting.

Thank you for your attention, Mayor Waterman. Please call me if you wish to discuss this or other matters at 250 486 8295.

Yours truly,

Brent Voss, President
South Okanagan Boundary Labour Council

cc: Brigid Kemp, Secretary, South Okanagan Boundary Labour Council

Katie Karn

Subject: Skateboard Park

From: Anne E. Foster

Sent: November 6, 2015 3:01 PM

To: General Information Website <info@summerland.ca>

Subject: Skateboard Park

Dear Council,

Just finished reading the District of Summerland newsletter enclosed with my monthly statement.

Am appalled that you would consider (decide?) putting a skateboard park on the corner of Rosedale and Jubilee West!

This is an entrance to Summerland from the highway, and the flowers at the round- about have been a true showpiece

the last few summers. I am truly proud of the landscaping that was put in by the previous Council along this entrance.

Furthermore, this is the only "view" the residents of the "Rosedale" have. (incidentally, I do not live there.)

Why would you choose to spoil all this? -- The skateboard park would certainly do nothing to enhance the look of the area,

not to mention the noise late into summer evenings, while ruining the view!

Why could this not be built on the corner opposite the Middle School?? (corner of Jubilee W. and Kelly) I am not against a

skateboard park - but this is the wrong place. Please reconsider.

Anne Foster

Katie Karn

Subject: Community meeting

From: tina Martin

Sent: November 18, 2015 6:53 AM

To: Mayor and Council <council@summerland.ca>

Subject: Community meeting

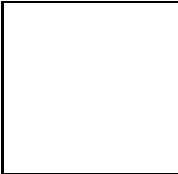
Hello, my name is Tina Martin I am a parent at Giant's Head Elementary. Myself and a few other parents are organizing a community meeting for Thursday November 26th 6:30 at Giants Head gym regarding the potential changes to our school district, specific to the changes here in Summerland. We feel it would be helpful to have various members from the community; teachers, parents, council and members at large to discuss the option proposed by the School District Board, explore other options, the implication of any changes to the middle school model VS K-7 and to help stream line questions for the board before the district meeting scheduled for Dec. 3rd at Giants Head.

We are hopeful representation from Council are present in order to ensure community planning, economic implications etc could be addressed both long and short term at community level.

The agenda/ outline for the evening will be forwarded no later than early next week. Please feel free to contact me for more information or suggestions. I look forward to hearing from you.

Regards,

Tina Martin



This email has been checked for viruses by Avast antivirus software.

www.avast.com

Katie Karn

Subject: Laurie here Peter

From: Laurie Rockwell

Sent: October 29, 2015 4:10 PM

To: Mayor <mayor@summerland.ca>

Subject: Laurie here Peter

Hi Peter,

This campaign, to have individuals, communities and provinces declare support for the right to a healthy environment, is one that we all need to get behind. I am one of 48 people in Summerland that support this initiative, but I want to see the District of Summerland declare its support; it already has a good reputation for being green and joining this initiative will further commit the DOS to this long term initiative. I ask that you discuss this with council. Click on the list of communities in Canada and you will find more details.

Cheers.....Laurie

On 10/27/2015 12:41 PM, David Suzuki Foundation wrote:

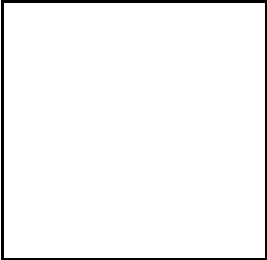


Blue Dot News

JOIN **86,182** CANADIANS AND **94** MUNICIPALITIES

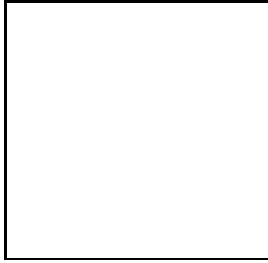


Manitoba makes history as first province to sign on to Blue Dot



It's been a wild ride for our friends on the Prairies! Manitoba Premier Greg Selinger made history by announcing his plans to introduce legislative protections for environmental rights.

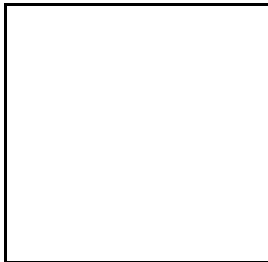
[Read more...](#)



Environmental Bill of Rights? Fear Not!

Lawyer, writer and environmentalist David R. Boyd speaks about how an environmental bill of rights offers a path to the right to a healthy environment for British Columbia and beyond.

[Read more...](#)



Ten key principles of government relations

Thinking about undertaking a municipal declaration in your community? We've got 10 tips for successful government relations.

[Read more...](#)

Katie Karn

Subject: Attention Mayor & Council - BC AWARE Days Campaign (Privacy & Security Awareness) Jan 25 - Feb 5 2016
Attachments: BC AWARE 2016 - Municipal Proclamation - Sample.docx

From: April Sather [<mailto:ASather@firstwestcu.ca>]

Sent: November 17, 2015 4:00 PM

To: April Sather <ASather@firstwestcu.ca>

Subject: Attention Mayor & Council - BC AWARE Days Campaign (Privacy & Security Awareness) Jan 25 - Feb 5 2016

[ISACA Vancouver](#) is spearheading a campaign to promote privacy and security awareness in the Province of British Columbia ('BC AWARE') from January 25th through February 5th, 2016. The campaign kicks off with a CIO panel on January 25th at Telus Garden followed by over a dozen events in Metro Vancouver hosted by like-minded professional associations and educational institutions. The campaign conclusion coincides with the Government of BC's 17th Annual Privacy & Security Conference to be held in Victoria from Feb 3rd-5th.

BC AWARE Campaign Mission

To increase awareness and provide professional development for IT and cyber security issues, concerns & best practices relating to privacy, governance, risk & assurance, for Industry, Government and Higher Education by providing a coordinated body of expert resources from various professional associations of related fields.

ISACA is therefore requesting the assistance of municipal governments in officially proclaiming the period from January 25th-February 5th 2016 as **BC AWARE 2016: Be Secure, Be Aware, days**.

ISACA Vancouver's intent is to take a leadership role in raising awareness of privacy, information security, and cybersecurity risks. The majority of these events are free, open to the public, and designed to be educational in nature with the goal of providing simple, practical advice on how to minimize exposure to these risks.

Should your municipality opt to endorse this campaign, there will also be an opportunity for a senior leader (e.g., Mayor, CIO, COO, CFO, etc.) of your organization to attend the kick-off event at Telus Garden the evening of January 25th.

I have attached a document which provides an example of possible wording for the proclamation; feel free to make any changes you feel are necessary. Please contact me if you have any questions and/or to arrange collection of the proclamation.

Many thanks for your consideration.

Regards,

Director, Marketing
[ISACA Vancouver Chapter](#)

APRIL SATHER MBA, PMP, CGEIT, Lean Blackbelt Certified

Office of the Mayor
CITY OF BURNABY
BRITISH COLUMBIA

Proclamation

“BC AWARE 2016: Be Secure, Be Aware, days.”

WHEREAS	Cybercrime threatens the privacy and security of all citizens and organizations in British Columbia;
AND WHEREAS	Cybercriminal activity amounts to a tremendous erosion of economic wealth;
AND WHEREAS	Privacy & security issues result from the massive amounts of personally identifiable information processed each day;
AND WHEREAS	Awareness of the risks to society must be highlighted to engage citizens and organizations and to galvanize privacy and security professionals around this cause;
AND WHEREAS	ISACA Vancouver, a member of ISACA, the leading international association of information security governance professionals, wishes to instil privacy and security awareness amongst all citizens and organizations in British Columbia;
AND WHEREAS	The City of Burnaby supports the promotion of privacy and security awareness amongst its citizens and organizations, so they can protect themselves from privacy infringements, fraud and other financial crimes;
NOW, THEREFORE,	I, Derek Corrigan , Mayor of City of Burnaby , DO HEREBY PROCLAIM January 25 th -February 5 th 2016

“BC AWARE 2016. Be secure, Be aware, days. ”

in the City of **Burnaby**.

(Signed)
Derek Corrigan
MAYOR

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. Not available at UBCM; mtg to be scheduled in Summerland	meeting date to be determined
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	authorized at Oct 13 council meeting
R261-2015	Sept 14, 2015	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: (1) land use planning measures; (2) survey monitoring program; (3) intrusive field investigation; (4) flood mitigation; (5) collection of water use information; and (6) bylaw measures.	Referred to staff	2016 budget considerations
R274-2015	Oct 13, 2015	THAT the CAO be authorized to negotiate with representatives from the Ministry of Finance to settle the HST residential energy credit and rebate matter; and further that the negotiations include the authority to settle the matter on behalf of the District of Summerland.	In process. Waiting on Province.	Ongoing
R285-2015	Oct 13, 2015	THAT staff be directed to grant a Statutory Right of Way (SRW) to the Provincial Rental Housing Corporation (PHRC) on District owned property located at 9511 Wharton Street (Lot 3 Plan 42123 DL 3640) for a proposed sanitary sewer line, on the condition that the PHRC grant a SRW to the District of Summerland on its property located at 9700 Brown Street (Lot 1 Plan KAP45144 DL 3640) for all existing District utilities, and that the Parkdale Place Housing Society reimburse the District of Summerland for all direct costs related to the creation and registration of the SRWs.	Documents prepared and sent to Provincial Rental Housing Corporation. Waiting for agreement.	November
R316-2015	Oct 26, 2015	THAT the contract for the Raw Water Screening Works and Slide Gate Project not be awarded; THAT staff be authorized to retain a diver to inspect the gates and to circulate a Request for Quotes for the purchase of two slide gates and two actuators; AND THAT staff bring forward for Council consideration a 2016 budget request of \$50,000 for the installation of this equipment.	Referred to staff	2016 budget considerations

R327-2015	Nov 3, 2015	THAT the Local Sanitary Sewer Service Area (Juniper, Miltimore, Willow and Tait), be expanded to include 2308 and 2516 Tait Street subject to the following conditions: the cost to do so is acceptable to the property owner, and the construction schedule for the original sewer project, specifically the paving schedule, not be delayed.	Referred to staff	
R333-2015	Nov 9, 2015	THAT the delegation from the Regional District of the Okanagan-Similkameen, be received; and further that staff prepare a report regarding the Regional Heritage Conservation Service Establishment Bylaw to present to Council at the November 23, 2015 Regular Council meeting.	Referred to staff - report anticipated for December 14, 2015 agenda	
R343-2015	Nov 9, 2015	THAT the application by the District of Summerland for a Licence of Occupation from the Province for 4 hectares of Crown land in the vicinity of Headwater Lakes, be supported; AND THAT the Mayor and Corporate Officer be authorized to execute all documents related to this matter.	Referred to staff for execution	

OUTSTANDING TASKS - STAFF

	Project/Issue	Person Responsible	Next Steps	Anticipated Timing
1	Old RCMP lands	IM	Negotiating purchase and sale agreement	In Progress
2	Skateboard Park	LT/BI	Proposed lease with SD67. Council resolution (Oct 13) to award design contract to New Line Skateparks Inc. Steering committee being established by staff.	Ongoing
3	Lakeside Trail Project	DD/JD	Negotiating maintenance agreement with Province.	November
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	Garnet Valley Water Separation Project	DD/DV	Detailed report overiewing the project is being prepared for presentation to Council	Nov 9 meeting
7	DCC Bylaw Amendment	IM	Draft bylaw amendment received first three readings and with provincial inspector	Nov 2015
8	Building Bylaw review project	JD/IM	Negotiate terms of reference with MIA and Lidstone	2015-2016
9	Online registration system - Recreation	JD/BI	Report to council after avaluation of vendors completed.	Fall 2015
10	Leases of municipal properties	JD	Will bring forward leases to upcoming council meetings as prepared.	Ongoing
11	Willow, Juniper, Tait, Miltimore Sanitary Sewer	LC/DD	Installationn of sewer infrastructure complete. Preparing for asphalt	November
12	Protocol Agreement - PIB	LT	Referral Committee struck and intending on meeting bi-monthly (land use matters-staff).	Ongoing
13	MTI and BNEB Bylaws	JD/KK	Updated BNEB adopted. MTI being reviewed further.	
14	Citizen Survey	LT	Preliminary	1st quarter 2016?
15	Community Engagement Policy	LT		December
16	Parks and Recreation Masterplan	BI/LT	Reviewing RFP templates; issue RFP	Aug 15
17	Debt, surplus, reserve policies	LC	Update research and draft policies	
18	Gravel Sales & Pit Development	DD/JD	Cantex is mobilizing on-site. Extraction anticipated to begin mid to late November.	
19	Fleet Renewal Policy	JD/LC/DD	Corporate Services coordinating with Works and Utilities/Finance	November
20	Sidewalk Master Plan	IM	In progress.	2016
21	Cemetery Upgrades	DD/MS	Design near completion. Tender in November	Spring 2016
22	Scale Replacement at Landfill	DD/MS	Cantex has requested to meet to revisit this option	November
23	Flume and Water Intake	DD/DV	Design 90% complete. Funding application was submitted and will need followup	Design completion Sept
24	Raw Water Slidegate Upgrade	DD/DV	Report to Council to update project status on October 26	Oct 26 update
25	Wastewater Filtration and Grit Removal Upgrade	DD/DV	Design is complete. Funding application was submitted and will need followup.	
26	Cultural Plan	IM	Public Engagement continuing. Council updated on October 26	Ongoing
27	Perpetual Slide	DD/MS	Follow up from UBCM required. Monitoring budget to be brought forward during 2016 budget deliberations.	November
28	Fire Training Facility	GN	Building assembly was completed on Nov. 4, additional site works and training prop construction required. Antisipate complete completion late spring 2016.	June 30, 2016
29	Rodeo Grounds footings	BI/DD	Waiting for response from the Rodeo Group.	community contribution received
30	Sister City (gift received)	BI	Waiting for information from Leanne.	
31	Foreshore Tenure(s) with Crown	JD	In progress. Update re Head Lease to come to Council in future meeting.	December
32	Asset Management	LC	Waiting on results of grant application before determining next steps.	
33	Joint Use Agreement	JD	Jeremy and Brenda negotiated terms of Joint Use Agreement with SD67 on August 17. SD67 to provide a draft agreement by end of November.	November
34	Cell Tower Policy	JD	Will bring a draft policy to Council.	
35	Trail Signage	LT/BI	Gather examples and develop a trail signage plan / policy. Intend to engage contractor to assist with trail signage plan;	
36	Policy: Air BnB; vacation rentals		For council discussion	Fall 2015
37	Business License Bylaw	JD/LC/DD	Review draft (written), finalize and take to council	Spring 2016
38	Dog Regulation Bylaw	JD	Review draft bylaw to replace existing bylaw. Bring to Council.	Fall 2015

OUTSTANDING TASKS - STAFF

	Project/Issue	Person Responsible	Next Steps	Anticipated Timing
39	HST Residential Energy Credit	LC	Working with the Ministry to resolve the rebate application process	Resolution expected late October
40	Infrastructure Planning Grant	BI/LC/DD	Not successful	
41	No smoking bylaw	BI	Adopted Oct 13. Signage to be implemented.	
42	Irrigator Water Metering	LC/et al	Staff developing information boards for Open House scheduled for October 28.	Oct 28 Open House

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

November 23, 2015 – Regular Council Meeting

RECOMMENDATION:

THAT the committee and commission minutes included in the report dated for the November 23, 2015 Regular Council meeting, from the Deputy Corporate Officer, be received for information.

COMMITTEE MINUTES

Agricultural Advisory Committee – July 31, 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, CHIEF ADMINISTRATIVE OFFICER



DISTRICT OF SUMMERLAND

MINUTES OF THE Agricultural Advisory Committee
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON Friday July 31, 2015

MEMBERS PRESENT: Cher Watkins, B Kammjit Sing Sandhu, Denise MacDonald, Julie Sardinha, Markus Hunziker, Gary Strachan

Absent: Frank Kappel

Staff Present: Ian McIntosh, Director of Development Services
Alex Kondor, Development Planner

1. **CALL THE MEETING TO ORDER:**

The meeting was called to order at 9:05 a.m.

2. **BUSINESS**

- Alex Kondor led this inaugural meeting
- Discussion of the meeting format and options
- Introductions were made all around the room
- Meeting times need to be established. 1:00pm as a preferred time on a Friday or possibly a Tuesday.
- Terms of Reference were discussed with no apparent concerns at this time.
- The TOR to expand by awareness
- Talked about membership within the Chamber of Commerce for farmers
- Discussion about reviewing the Agricultural Plan
- The need for a Chair & Vice Chair arose. Denise MacDonald was selected / volunteered as Committee Chair, with Gary Strachan as Vice Chair.
- An introduction of the ALC regulation changes and issues
 - Introduced by the Development Planner
 - Talked about different types of uses that are permitted on ALR land but can be regulated only and uses permitted in ALR but can be prohibited by local government
 - Discussion over 2nd dwelling regulations
- Discussions surrounding breweries and meaderies
 - If on sewer then a big issue (pre treatment)
 - Regulate waste?
 - Consensus was in same as wineries and cideries

5. **ADJOURN**
The meeting adjourned at 10:40 a.m.

Certified Correct:


Chair


Recording Secretary



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: November 23rd 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Development Variance Permit for Lot B, DL 675, ODYD, Plan KAP51105 (6105 Hespeler Road)

STAFF RECOMMENDATION:

That Council pass the following resolution:

*That the Development Variance Permit Application for Lot B, DL 675, ODYD, Plan KAP51105 to vary Section 5.5.2 of Zoning Bylaw 2000-450 to increase the maximum allowable height of a retaining wall from 1.2m to 3.0m **be approved.***

PURPOSE:

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

BACKGROUND:

Current Use: Residential
Parcel Size: 1618 sq. m (0.4 acres)
Zoning: CR1 – Country Residential 1
OCP: Rural Residential
M.o.T Approval: Not Required

The subject property is located on Hespeler Road. A site map is attached as Schedule “A”. The property owners are proposing to build a retaining wall that exceeds the maximum allowable height permitted by the Zoning Bylaw to facilitate drive-way access for a future single detached house. The application forms including a detailed letter from the applicant are attached as Schedule “B”.

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. In this situation the lot is characterized by steep topography and achieving access to the building site may be difficult without the use of retaining walls.

DISCUSSION:

The Zoning Bylaw limits retaining walls to 1.2m in height in front, rear and side yards to ensure neighbourhood character is not adversely affected by large retaining walls. All retaining walls over 1.2m in height must be engineered. The proposed retaining wall is 3.0m in height at its maximum and then tapers off to approximately 1.2m. The proposed retaining wall is set-back approximately 5.0m from the street. A detailed sketch showing the retaining wall is attached as Schedule "C".

The applicants have provided a letter meant to address anticipated concerns relating to the wall. The letter notes that the applicants understand the intent of the bylaw and have considered solutions such creating a two tiered retaining wall but is not feasible given the characteristics of the lot. Specific reasons provided for the requested variance include:

- the retaining wall is required to create a sloping driveway to the buildable area of the lot,
- the area required for septic disposal impacts on the area available for a two-tiered wall,
- the applicants wish to have a level front garden area to enjoy their property.

The letter also notes that wall will be fully engineered to achieve an even and smooth architectural appearance. In this particular case, the proposed wall is located a significant distance from the front property line and is sloped from 1.2m to 3.0m in height so any neighbourhood impact is minimized.

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 requested variance is significant however the particulars suggest the request is reasonable. A retaining wall is required to create a driveway and level front yard of the property. No major impacts on the adjacent properties are anticipated. Provided there are no concerns raised by adjacent neighbours, issuance of the development variance permit is recommended by staff.

OPTIONS:

1. Approve the application.
2. Approve the application with conditions.
3. Deny the application.
4. Send the application back to staff for further review.

Respectfully submitted,



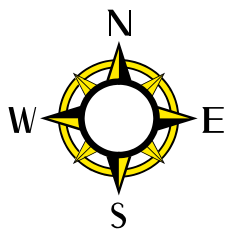
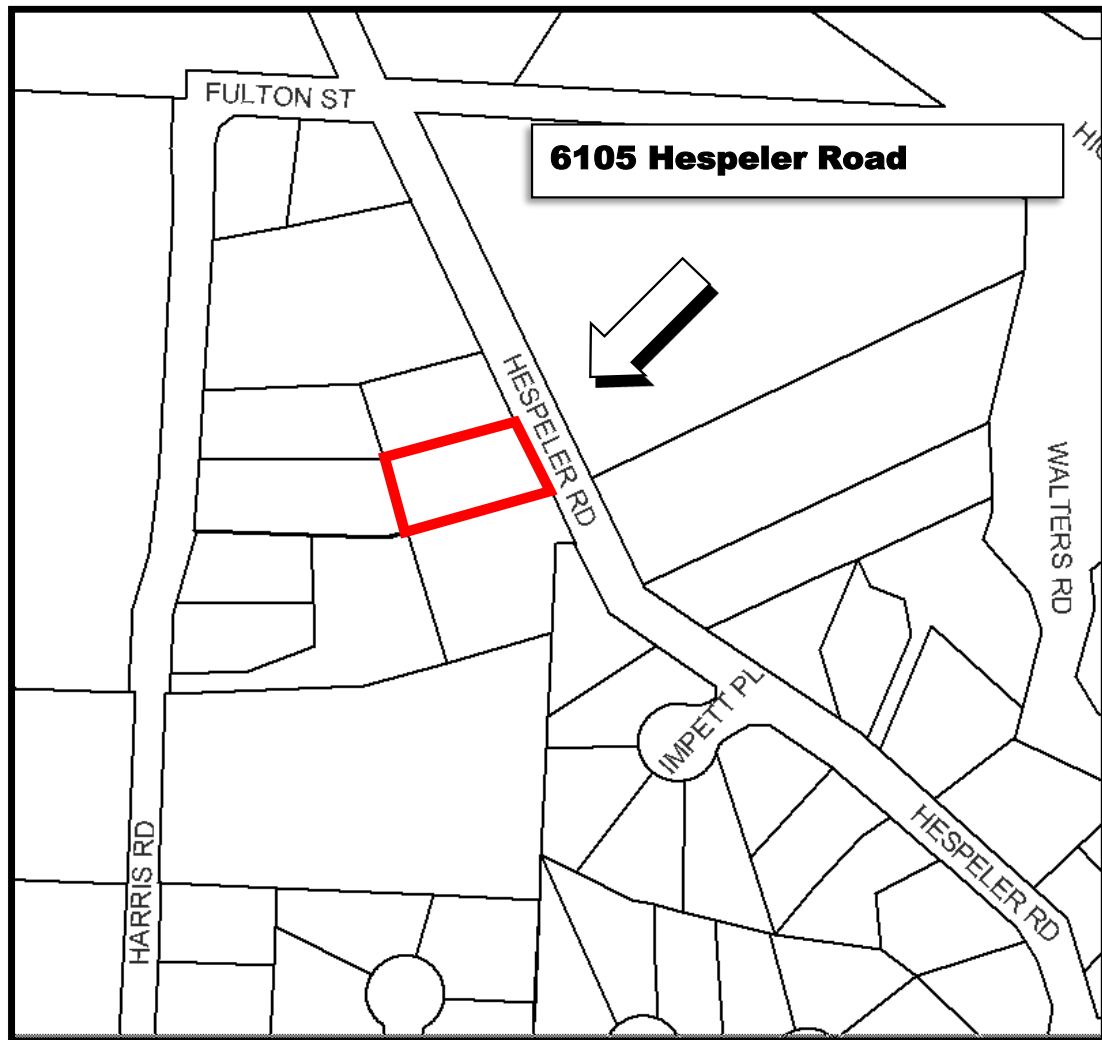
Ian McIntosh
Director of Development Services

Approved for Agenda



CAO – Linda Tyrn

Schedule "A" – Site Map



Schedule "B" – Development Variance Permit request

SUMMERLAND

13211 Henry Avenue
Box 159
Summerland, BC
Canada V0H 1Z0
Phone: (250) 494-6451
Fax: (250) 494-1415

**Development Variance Permit
Application**

#1652

PROPERTY ADDRESS:	6105 Hespeler Road, Summerland, BC		
LEGAL DESCRIPTION:	Lot <u>8</u>	DL <u>675</u>	Plan <u>KAP51105</u>
CURRENT ZONING:	<u>CR1</u>		Roll # <u>325 01867 040</u>

PROPERTY OWNER		APPLICANT	
Name:	Thomas & Rebecca Marquardt	Name:	Thomas & Rebecca Marquardt
Address:		Address:	
City:		City:	
Postal Code:		Postal Code:	
Phone:		Phone:	
Fax:		Fax:	
Email:		Email:	

APPLICATION MUST INCLUDE (2 paper copies and an electronic copy):

- ☒ Current Title Search (must include copies of all relevant easements, covenants, etc.)
- ☒ Site plan showing all existing buildings and geographical features
- ☒ Site plan showing development concept
- ☒ Bylaw and Section to be varied Schedule A to Bylaw Number 2000-450 / Section 5.5.2 Retaining Walls
(see reverse for additional information)
- ☒ Application Fee of \$750.00 or ☐ Sign only Variance Fee \$100.00

Please note that applications and drawings may be submitted electronically in Adobe pdf format but must accurate, include all dimensions and be to scale.

Professionally drafted plans are preferred.

The personal information on this form is collected under the authority of the Local Government Act/Community Charter for the purposes of processing this application, and is subject to the Freedom of Information and Protection of Privacy Act. Any questions regarding this collection should be directed to the Corporate Officer, District of Summerland, Box 159, Summerland BC (250) 404-4044.

SIGNATURE OF REGISTERED OWNERS
Jh. Marquardt
R Marquardt
DATE: OCT. 9, 2015

OFFICE USE ONLY	
Date received:	
Fee Paid:	
Received by:	
Receipt No:	
Comments:	THE CORPORATION OF

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

We, the owners of 6105 Hespeler Road are seeking a Variance Permit to relax the zoning restriction that limits retaining walls to 1.2 m in height within the 7 m front yard setback.

We understand the intent of this bylaw as not to create uncontrolled and unsightly retaining walls that could be detrimental to the general appearance of the neighborhood. We have considered solutions to create a two stepped retaining wall, but established that due to several characteristics of the lot, this is not feasible or would create an unreasonable financial hardship for us. We are planning to move and retire in Summerland in 2017 and in order to move forward with our home design, it is important for us to have this variance granted first. We have also spoken to our neighbours each side and further across and they all welcomed the new development as a whole and had no objections to the wall. We have no direct neighbours across the street, only orchards and vineyards. We have not met our neighbours behind us yet, but they are set far back and are so high above us that they can't see the wall at all.

The reasons for our request to relax this Zoning bylaw is as follows:

- 1) Driveway access - since the lot is extremely steep, it makes only sense to enter the property from its highest point, which is the front south east corner.
This corner is also a shared easement plan KAP51107, which permits our south neighbour access to his property.
This easement already projects 5 meters into our front setback and consist of a paved steep driveway.
Our highest point of access is around the
center of the lot, which, at 12% grade for barrier free access, positions the building further into the ground.
At the back the lot rises steeply and digging further into it would further destabilize the already very
sensitive and loose natural gravelly soil base. This has been the case with our neighbor to the north
and we do not wish to make the same mistake. Our intent is to maintain the natural grade as much as possible in the rear.
- 2) We have approval from the Fraser Health Department to construct our septic field in the front yard.
Due to the steep grade as described above a septic field in the rear would be an unpredictable financial disaster for us.
It would require constant maintenance and repairs for pumps
and another financial strain for a retired couple like us. Due to the set back clearances of the septic field, the easment in front
and the steep slope in the rear, there is no space left to construct a two tiered retaining wall as required by the by-law.
- 3) Also, with our advancing age, we wish to have a little level garden area to enjoy a level green space for gardening and just enjoy
growing flowers and flowering bushes.
- 4) The retaining wall will only reach it's maximum height of 10' for a short length in the center and then taper off to around
4ft to 5ft at each end. The wall will be fully engineered and to achieve an even and smooth architectural appearance,
we will use smooth formwork and add a plasticizer in the concrete that will give it a uniform and smooth architectural finish
as can be seen in museums, churches and many notable buildings.

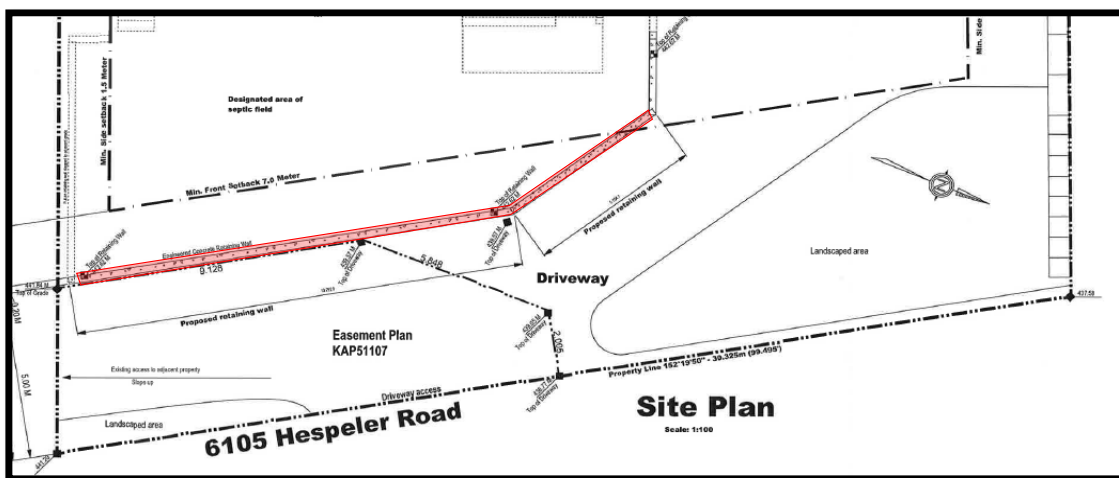
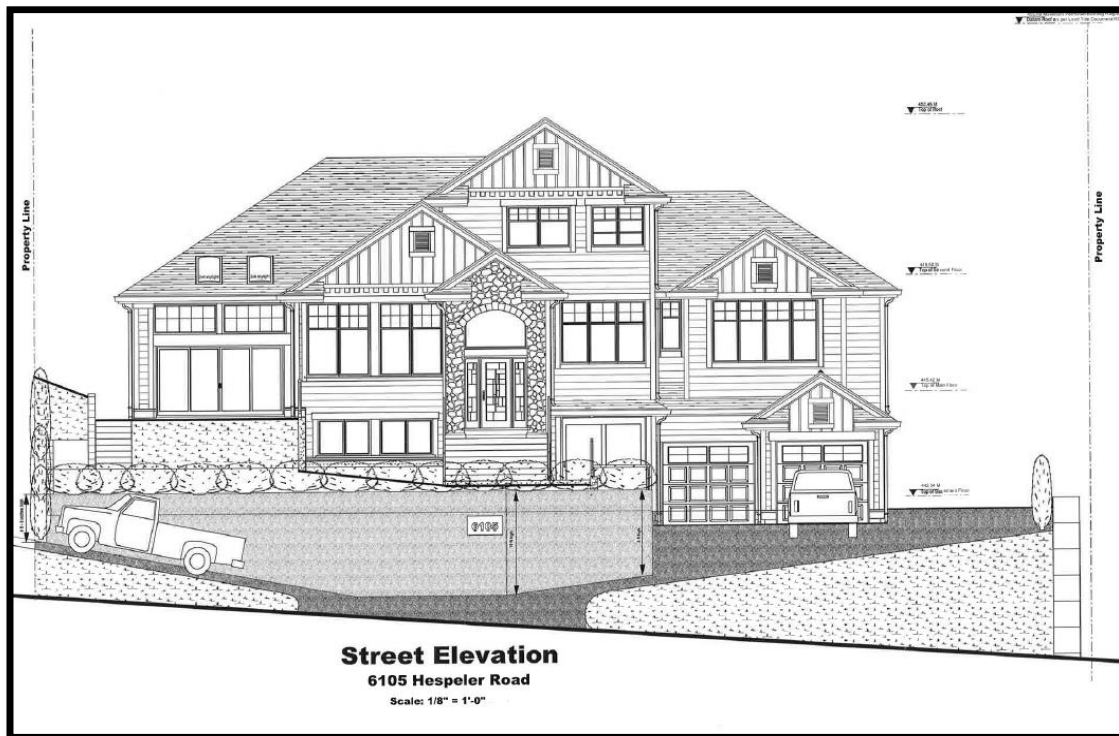
This will be the entrance to our future home and naturally we don't wish to drag down the appearance of our own property.
Given consideration that we have relatively distant neighbors, agricultural property across the street and really no other options,
we trust that council will be able to grant us this variance so that we can continue to develop our plans for our home.

Without this variance, we really would not know how to proceed in a financially affordable and constructively reasonable way.

Thank you for your consideration!

Sincerely, Thomas and Rebecca Marquardt

Schedule "C" – Proposed Retaining Wall





THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: November 18, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Discussion Paper and Proposed Minister's Bylaw Standards

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Council receive the "Discussion Paper and Proposed Minister's Bylaw Standards" document as marked up by the Agricultural Advisory Committee and forward to the Ministry of Agriculture for its information.

PURPOSE:

To provide District input to the Minister of Agriculture with respect to proposed bylaw standards for regulating Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve.

BACKGROUND:

The District received the discussion paper attached as Schedule A. Comments can be made up until November 30, 2015. The discussion paper was presented at the Agricultural Advisory Committee (AAC) meeting held November 12th.

DISCUSSION:

The committee discussed the document at length and their comments have been noted on the copy attached as Schedule A.

The AAC's comments are noted below:

- Section 3.2 Accessory Farm Activity
 - Farm income is not a reasonable measure of intensity of use (determination of accessory)
 - AAC doesn't support limiting income from approved agri-tourism operations.
- Section 3.5 Permitted and ALC approval required agri-tourism activities
 - AAC believes events that are infrequent or small that have limited numbers (small scale) should be permitted as an agri-tourism use.
 - Most wineries allow for weddings during the summer. This now will require a Non Farm Use application?

- AAC recommends that weddings be allowed as a agri-tourism farm use with proper oversight.
- AAC believes parking lots, where permitted should be permeable or non-permanent surfaces.
- Section 3.6 Agri-tourism Accommodation
 - AAC supports the current regulations in the act and recommends they stay.
 - AAC does not support prohibiting cooking facilities in agri-tourism accommodation unless ALC consent is received. Could have cooking facilities but should not be permanent structures. No foundation and can be moved or removed. Should be size limitation per unit.

Discussions with ministry staff indicate the purpose of the proposed bylaw standards is to harmonize local land use bylaws for non-ALR lands with the current "Agricultural Land Reserve Use, Subdivision and Procedure Regulation". The ministry has been receiving concerns from local governments for more clarity as to the ALR regulation.

One significant change proposed in the standards is that commercial weddings are not considered to be an agri-tourism use. Therefore any winery or other property within the ALR intending to hold weddings at their venue must first obtain a non-farm use permit from the Agricultural Land Commission.

The District's zoning bylaw is already compliant with current legislation so no further action is required.

FINANCIAL IMPLICATIONS:

None.

CONCLUSION:

The comments from the AAC are relevant and should be forwarded to the Ministry of Agriculture for their information. The District may want to suggest that the current regulation is supported and should remain in effect.

OPTIONS:

1. Forward the document with AAC comments to the Ministry for information.
2. Forward the document with additional or other comments.
3. Remain silent.

Respectfully Submitted



Ian McIntosh
Director of Development Services



Schedule A
AAC Comments on Proposed Minister's Bylaw Standards
(Click on yellow note boxes to view comments in applicable sections)



**Regulating
Agri-tourism and Farm Retail Sales
in the Agricultural Land Reserve**

**DISCUSSION PAPER AND PROPOSED MINISTER'S BYLAW
STANDARDS**

September 14, 2015

**Prepared by:
Strengthening Farming Program
Innovation and Adaptation Services Branch**

Executive Summary

This discussion paper ('white paper') has been prepared by the B.C. Ministry of Agriculture (AGRI) Strengthening Farming Program, Innovation and Adaptation Branch for input on the establishment of a Minister's Bylaw Standard to assist local government bylaw development regarding agri-tourism, agri-tourism accommodation and farm retail sales.

Its preparation follows the 2014 AGRI's consultation on the Agricultural Land Reserve (ALR) Use, Subdivision and Procedure Regulation (ALR USP Regulation) in which local governments expressed strong support for AGRI to provide greater clarity in guidance to local government bylaws on agri-tourism.

The proposed Minister's Bylaw Standard criteria, set out in Part 3.0, result from input contributed by the Agricultural Land Commission (ALC), local governments and the agricultural sector. While the proposed Minister's Bylaw Standard provisions apply to land in the Agricultural Land Reserve (ALR), local governments may also wish to adopt for all agriculturally zoned property.

AGRI invites local governments to review the proposed Minister's Bylaw Standard and provide feedback to the contact listed on page 13 by November 30, 2015. Feedback received will be analysed by AGRI staff, with updates and improvements made to the proposed Minister's Bylaw Standard in preparation for the Minister of Agriculture's (Minister) consideration.

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Introduction

This paper outlines draft criteria to assist local governments in regulating their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, aiming to encourage further discussion on the matter with local governments, the ALC and the farm sector. It is important that the bylaw standard criteria effectively guide local government land use regulations within the context, and intents, of the *Agricultural Land Commission, Farm Practices Protections (Right to Farm)*, and *Local Government and Community Charter Acts* and their regulations. The draft criteria reflect analysis undertaken by AGRI staff, previous consultations with local governments, the ALC, industry, and the Ministry of Community, Sport and Cultural Development (CSCD).

1.0 Part one – The Criteria Development Process

This paper explores and proposes land use regulation and policy guidance for local governments to address agri-tourism and farm retail sales issues in their communities, while recognizing these uses are permitted (with exceptions) within the ALR.

Following consultation with stakeholders and approval by the Minister, the bylaw criteria will become a Minister's Bylaw Standard and incorporated within the "Guide for Bylaw Development in Farming Areas" (Bylaw Guide).¹

1.1 Purpose and Goals

The purposes of establishing land use regulation criteria to address local government concerns regarding agri-tourism and farm retail sales are to:

1. Establish a Minister's Bylaw Standard that provides flexibility for local governments to shape agri-tourism activity in their community while ensuring that agriculture in the ALR continues as a priority use;
2. Address the needs of the agriculture sector/industry to supplement farming income;
3. Minimize the impact of agri-tourism and retail sales on farm practices and farming potential in farming areas;
4. Minimize loss and/or fragmentation of farmland due to agri-tourism and retail sales uses;
5. Reduce the financial imbalance that results from large scale commercial operations locating inexpensively in the ALR and outcompeting those that have located in appropriate commercial zones; and
6. Minimize the risk of agri-tourism and farm retail sales buildings and structures being used for non-farm purposes.

1.2 Stakeholders

Stakeholders involved in developing these Bylaw Standard criteria include:

¹ Under the *Local Government Act* (Part 26, Division 8, Section 916), the Minister responsible for the *Farm Practices Protection (Right to Farm) Act* can develop bylaw standards to guide the development of zoning and farm bylaws. Development of provincial standards is intended to promote consistency in the regulation of, and planning for, farming. However, provision has been made under Section 916(3) to allow the standards to differ, if necessary, to respond to BC's diverse farming industry and land base.

- a) Local governments and their Agricultural Advisory Committees (AAC);
- b) Agriculture industry;
- c) ALC;
- d) Strengthening Farming Directors Committee,
- e) CSCD; and
- f) Ministry of Jobs, Tourism and Skills Training.

1.3 Objectives of the Process

The objectives of the process are to:

1. Create a set of Bylaw Standard criteria for stakeholder review;
2. Consult with stakeholders; and
3. Develop a Minister's Bylaw Standard that local governments can apply as regulation or policy.

1.4 Key Steps

The key steps in creating the Minister's Bylaw Standard are:

1. Review relevant literature including AGRI and ALC policies;
2. Review and compare local government regulations and policies;
3. Develop draft criteria;
4. Consult with internal and external stakeholders on the draft criteria;
5. Revise criteria for consideration by the Minister;
6. Seek Minister's approval; and
7. Encourage local governments to adopt and apply criteria.

1.5 Current Status (August 2015)

AGRI staff have:

- Reviewed previous agri-tourism and farm retail sales consultations with local governments, industry, the ALC and CSCD;
- Reviewed existing ALC policies on agri-tourism, agri-tourism accommodation and farm retail sales; and,
- Prepared this draft discussion 'white paper' on agri-tourism and farm retail sales land use bylaw guidance for further local government consultations over the 2015/2016 fall and winter.

1.6 Context for Bylaw Standard Establishment

AGRI has initiated Minister's Bylaw Standards in the past for three significant agricultural issues which have been approved by the Minister. AGRI staff use the Minister's Bylaw Standards to encourage local governments to adopt them into their land use bylaws. They are:

- Regulating Medical Marihuana Production Facilities in the ALR (2014);
- Combined Heat and Power Generation at Greenhouses in the ALR (2013); and

- Siting and Size of Residential Uses in the ALR (2011).

These Minister's Bylaw Standards can be found in AGRI's "Guide for Bylaw Development in Farming Areas" with additional information at:

<http://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards-and-farm-bylaws>.

2.0 Part two - Background

2.1 Context

Farmers throughout B.C. are looking for options to increase their economic viability, including agri-tourism and farm retail sales. These two particular issues have become more prominent in recent years and local governments are amending their agri-tourism, agri-tourism accommodation and farm retail sales bylaws, sometimes causing frustration with farmers and the public. Sometimes there may be conflicting community views on what actually constitutes agri-tourism activities, and what 'accessory', 'seasonal', and 'temporary' within this context really mean.

While the ALC provides direction regarding agri-tourism and farm retail sales in the ALR, one of the questions asked during the Ministry's 2014 ALR USP Regulation consultation process included agri-tourism, with local governments indicating strong support for AGRI to develop greater clarity in bylaw guidance for agri-tourism. Incorporating analysis from previous consultation, AGRI staff anticipate strong response from stakeholders on the subject.

Ideally, developing this new Minister's Bylaw Standard will assist in balancing stakeholder concerns, minimize community frustration, and provide greater certainty while maintaining the flexibility required for local government community decision making and variation. The proposed Minister's Bylaw Standard applies to property in the ALR. Given, however, that agricultural activity in B.C. takes place both on ALR and non-ALR property, local governments with agriculturally zoned land may also consider adopting it.

2.2 Current Policy, Legislation and Regulation

Agri-tourism and farm retail sales are defined as farm uses by the ALR USP Regulation² of the *Agriculture Land Commission Act* where a farm use means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*:

- Agri-tourism is a tourist activity, service or facility accessory to ALR land classified as a farm under the *Assessment Act*, if the use is **temporary and seasonal**, and promotes or markets farm products grown, raised or processed on the farm.
- Farm retail sales if all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place

² B.C. Reg. 171/2002 Agriculture Land Reserve Use, Subdivision and Procedure Regulation. Last retrieved August 24, 2015 from <http://www.alc.gov.bc.ca/alc/content.page?id=A631A2319799460A98F62978A2FE60E3>

and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m².

Local governments cannot prohibit agri-tourism activities, other than agri-tourism accommodation, or farm retail sales regulated by the ALR USP Regulation unless by a Farm Bylaw designated by the Minister by Section 917 of the *Local Government Act*.

The ALC also publishes several policy documents on agri-tourism, agri-tourism accommodation and farm retail sales with respect to land in the ALR.

“The policies of the Commission provide interpretation and clarification of the regulations; outline guidelines, strategies, rules or positions on various issues and provides clarification and courses of action consistently taken or adopted, formally or informally.”³ - ALC

These ALC policies include their terms of ‘seasonal’ and ‘temporary’:

- **Temporary** – means a use or activity in a facility or area that is established and used on a limited time basis for agri-tourism activities. If a building or structure is required for this use, temporary use of the building or structure means a use for agri-tourism for less than 12 months of the year. The building or structure may be used for other permitted uses during the course of, or for the remainder of the year.
- **Seasonal** - means a use or activity in a facility or area for less than 12 months of the year.⁴

A recent 2015 B.C. Supreme Court ruling *Heather Hills Farm Society v. Agricultural Land Commission*, addresses the subject of agri-tourism, and in this case whether a particular golf course and sheep pasture is a permitted agri-tourism use. Interestingly, within the reasons for judgement that ultimately dismisses the petition; the judge also references what cannot be described as reasonably temporary, with respect to what is written in the ALR USP Regulation:

[51] The Regulation also requires that an agri-tourism use be temporary and seasonal. A golf course requires alteration of the land in the form of particular landscaping, sand traps, water hazards etc. Photographs that were put into evidence show changes of precisely that kind to the petitioners' property. Those changes must remain in place as long as operation of the golf course continues and cannot reasonably be described as temporary.⁵

The intent of this proposed Bylaw Standard is to provide greater clarity on what constitutes agri-tourism, agri-tourism accommodation, farm retail sales, and the definitions of temporary and seasonal.

³ ALC. *Legislation and Regulation*. Last retrieved August 24, 2015 from

<http://www.alc.gov.bc.ca/alc/content.page?id=4179AB0F33494261A5B6CEF2A4F8F296>

⁴ ALC. *Policy #4 Activities designated as Farm Use: Agri-tourism Activities in the ALR*, 2003. Last retrieved August 24, 2015 from

http://www.alc.gov.bc.ca/alc/DownloadAsset?assetId=9A907E9B31224D808675BE2E5D78ADBB&filename=policy_4_agri-tourism_activities.pdf

⁵ *Heather Hills Farm Society v. Agricultural Land Commission*, 2015 BCSC 1108

For farm retail sales, the processing/marketing of off-farm products may not be protected under the *Farm Practices Protection Act* unless there are limits prescribed by the Minister under the *Farm Practices Protection Act*.⁶ This has implications for farms considering those options.

3.0 Part three – Proposed Set of Criteria

Part three introduces a set of criteria in which local governments would be encouraged to consider when developing or amending their own bylaws on agri-tourism, agri-tourism accommodation and farm retail sales. A rationale is provided for why certain criteria provisions should be introduced and a proposed list is summarized of criteria and definitions.

3.1 Proposed Definitions

Accessory (agri-tourism)	means that the <i>agri-tourism</i> is subordinate to the active <i>farm operation</i> on the same lot. <i>Agri-tourism</i> uses and activities only augment a farmer's regular farm income, not exceed or replace it.
Agri-tourism	is travel that combines agricultural or rural settings with products of agricultural operations – all within a tourism experience that is paid for by visitors. It is a tourist activity, service or facility which is <i>accessory</i> to a <i>farm operation</i> , as defined in the <i>Farm Practices Protection (Right to Farm) Act</i> , where the land is classified as a farm under the <i>Assessment Act</i> ; and, where the farm is in active operation each year.
Off-farm and non-farm products	means products that are not from the <i>farm unit</i> of which the subject property is part.
Regular Seasonal (agri-tourism)	means the occurrence over the same <i>season(s)</i> , or at the same time, each year.
Season (agri-tourism)	means: one of the four periods of the year: spring, summer, autumn or winter; the period of the year when something that regularly occurs every year happens; e.g. pumpkin festival before Halloween; and/or the period(s) when most people take their holidays, go to visit places, or take part in an activity outside of work.
Seasonal (agri-tourism)	means: relating to, dependant on, determined by, or characteristic of a particular <i>season</i> of the year; fluctuating according to the <i>season</i> ; and/or

⁶ For more information, readers may wish to review the September 7, 2011 BC Farm Industry Review Board decision *Maddalozzo v. Pacific Coast Fruit Products Ltd* last retrieved September 8, 2015 from http://www2.gov.bc.ca/assets/gov/business/natural-resource-industries/agriculture/agriculture-documents/bc-farm-industry-review-board-docs/maddalozzo_v_pcfp_dec_sep7_11.pdf

available, or used, during one or more *seasons*, or at specific times of the year - for less than twelve months of the year.

Small-scale (agri-tourism)

means to be minor or limited in size, scope, or extent. [Local governments could specify amounts.]

Temporary (agri-tourism)

means having a limited duration, lasting or designed to last for only a limited time each week, month, or year. E.g. an activity occurs each year at the same time at a nearby festival, or other event, or only a maximum duration of three days at a time.

3.2 Accessory Farm Activity

Local governments should identify *agri-tourism* as a permitted *accessory* use in all zones where agriculture or farming is a permitted use. *Accessory agri-tourism* use in the ALR is subordinate and customarily incidental to the active *farm operation* on the same lot. **Agri-tourism uses and activities only augment a farmer's regular farm income, rather than exceed or replace it.**

Table 1. Examples of Agri-Tourism and Farm Incomes

Column A	Column B
Agri-tourism Income	Farm Income
Entry or participation fees, tour fees	Primary agricultural production income
Fees for tours, services and workshops related to the farm operation	Value-added operations: processing of <i>own farm products</i>
Retail sales of <i>off-farm</i> or <i>non-farm products</i>	Retail sales of <i>own farm products</i>
Agri-tourism accommodation charges	

To be considered *accessory*, the annual income from *agri-tourism* [Column A] must be no more than the annual regular farm income [Column B]. The ALC may allow a larger proportion of *agri-tourism* activity on a farm, if the farmer applies for a non-farm use approval.

Examples include a farmer intending to regularly host special events such as commercial weddings, conferences or an annual music festival. A local government could decide whether to support those commercial activities in its zoning if it is authorized by the ALC.

3.3 Farm Class

Income from *accessory agri-tourism* activities is not used to define *farm class* under the *Assessment Act* (Sec 23 and Farm Class Reg. 411/95). Income for the purposes of *farm class* is calculated based on the farm gate amounts for qualifying agricultural products and must be generated in one of two relevant reporting periods (i.e., once every two years).

3.4 Agri-tourism Temporary and Seasonal Use in the ALR

Local governments should regard *agri-tourism* uses as a *temporary* and *seasonal* use. See the definitions for guidance on defining these terms.

3.5 Permitted and ALC approval required agri-tourism activities

Table 2. Tiers of Agri-tourism Activities


Activities	Tier 1 Permitted Agri-tourism activities	Tier 2 Activities/events that require ALC approval
On-farm	<ul style="list-style-type: none"> educational tours – general public, school children on-farm marketing, including U-pick and pumpkin patches temporary corn maze or Christmas tree maze agricultural heritage events ranch or farm tours livestock shows harvest festivals on-farm classes and/or workshops related to the farm operation farm stays or B&B on-farm processing facility tours 	<ul style="list-style-type: none"> Non-farm-uses and commercial entertainment activities which do not have an agricultural component: e.g., paint ball course, dirt bike trails, all-terrain vehicles trails, mini-train parks, remote control runways, helicopter tours, etc. event and facility rentals concerts, theatre or music festivals commercial weddings, banquets, celebrations and any other commercial assembly activity
Parking	<ul style="list-style-type: none"> self-contained, off-road parking some overflow could be on neighbouring farm(s) provided it's for infrequent events, no permanent alterations to the agricultural land and no resurfacing such as with gravel or asphalt paving allow for school and tour buses on-road parking at the discretion of the local government or Ministry of Transportation in Regional Districts 	<ul style="list-style-type: none"> Off-site overflow parking that is used on a frequent basis or that requires resurfacing
ALC non-farm use application approval or local government	<ul style="list-style-type: none"> No local government temporary use or rezoning permits required,; outright use is permitted 	<ul style="list-style-type: none"> ALC non-farm use application approval Local government non-agriculture related activities or

permit requirements	<ul style="list-style-type: none"> No ALC non-farm use application approval 	events may also require a separate zone or temporary use permit <ul style="list-style-type: none"> Special local government permits - per event or per day, or both
---------------------	--	--

3.6 Agri-tourism Accommodation

Section 3 of the ALR USP Regulation permits *accessory* accommodation for agri-tourism on a farm in the ALR, but allows a local government to regulate and/or prohibit the use.

Where accommodation for agri-tourism is allowed by a local government the following standards are recommended:

- Total developed area for buildings, landscaping and access to the accommodation must be no more than 5% of the parcel area;
- Could include a maximum of 10 sleeping units composed of:
 - Seasonal* campsites, *seasonal* cabins, or bed-and-breakfast (B+B) bedrooms (**maximum of four**) B+B bedrooms per legal parcel is recommended);
 - Unless ALC consent is received, accommodation must not include cooking facilities because ping so may result in long term rental housing on farm land;
 - The local government could specify the number of persons per unit;
 - Should an operator wish to have more than 10 sleeping units, he/she could apply to the local government and the ALC;
 - On smaller lots, a local government may wish to set a lower number of allowed sleeping units;
 - The BC Building Code should be the minimum standard applied for sleeping units such as cabins.
- Should be located close to the front of the lot, or an adjacent side road, and clustered with the *home plate(s)* of the farm residence(s). A farmer may wish to vary this location to minimise impact on his/her farm.
- Depending on the location of the farm, the *agri-tourism* accommodation may need to be available during more than one *season*, or its availability may vary with the *seasons*; e.g., horseback riding on trails in spring, summer, and fall, and cross-country skiing in the winter.
- Occupation of a lot *by agri-tourism* accommodation are only permitted to be *temporary*, *seasonal*, and/or *regular seasonal*, to a maximum stay per person or per family of 30 consecutive days in any 12 calendar-month period. The ALC may allow longer occupation if the farmer applies for a non-farm use; local zoning would also have to allow it.
- Each local government which permits *agri-tourism* accommodation could develop a monitoring methodology to ensure the occupation meets the above criteria.

3.7 Other Agri-tourism Criteria

3.7.1 Off-street Loading Areas and Parking

Off-street loading areas may be needed to transfer field products to a market stand/shop, and to the customer's vehicle. For criteria, see Part 2 of the "Guide for Bylaw Development in Farming Areas".

All vehicles visiting the *agri-tourism* activities must be parked on site, or as otherwise permitted by the local government. The parking capacity could be based on the average daily vehicle numbers (recommended); local parking bylaws may have a different measure and short term events with large numbers of people may require different parking standards. Overflow parking occurs on public roads should adhere to local bylaws including clearances for emergency vehicles and farm machinery.

For farm site parking overflow situations, *agri-tourism* operators should provide alternate means of transportation, such as shuttles, bicycle parking, or horse corrals and off-site horse trailer parking areas.

To minimise impacting farm land, parking should be along field edges, adjacent to farm roads, farm yard areas near farm structures.

- The parking and loading area surfaces should maximize infiltration of precipitation to limit impacting a farm's ground and surface water; pavement may not be appropriate.
- The depth and type of fill for *agri-tourism* parking and loading areas should facilitate possible future removal e.g., if the *agri-tourism* activity ceases.

3.7.2 Site Layout for Agri-tourism Activities

Site coverage and setbacks for *agri-tourism* structures must follow the standards for farm structures provided in Part 2 of the "Guide for Bylaw Development in Farming Areas".

Agri-tourism facilities should be located to minimize coverage of farm land and minimise disturbance of the present and potential future operation of the farm, neighbouring farms or nearby urban uses; e.g., close to the road, and/or clustered with other farm structures.

3.7.3 Lights

Floodlights and spotlights for *agri-tourism* activities should be directed away and/or screened from adjacent farms and other land uses.

3.7.4 Signage

Each *agri-tourism* and farm retail operation, and the farm itself, should be allowed at least one sign of at least 1.0 square metre. Normally, signs are located at the farm entrance, but variation should be allowed for different building and site layouts and to ensure traffic safety. Third-party signs and lighting of signs should follow local bylaws.

3.7.5 Noise

Loudspeakers and other noise sources associated with the *agri-tourism* activity could be regulated with local government noise bylaws.

3.8 Farm Retail Sales and Marketing

For on-farm retail marketing, farmers sell their own *farm products*, and may sell some *off-farm or non-farm products* directly from the *farm unit* and may require a retail indoor and/or outdoor sales and display area.

Areas necessary for on-farm retail sales but not calculated as part of the on-farm retail sales area are:

- storage space for products awaiting display and/or bulk sales; larger storage areas may be available in a barn;
- an office area for doing sales and farm-related paperwork;
- washrooms;
- driveways, parking and loading areas; and
- some preparation space where products are put in packages for display or shipping.

Local governments should not limit retail sales area of a farmer's own *farm products* i.e. the *direct farm marketing area*. The ALR USP Regulation does not state an upper limit.

Local government regulations must allow for the possibility of a retail sales area for complementary *off-farm or non-farm products*. The ALR USP Regulation requires at least 50% of the total retail sales area be devoted to that farm's products, and where both *farm products* and *off-farm or non-farm products* being sold, the allowed upper limit of the total of the indoor and outdoor sales area is 300 square metres. This should be adopted by local governments and not reduced.

To develop a larger retail sales area, or to sell less than 50% of that farm's *farm products*, a farmer must have both local government and ALC non-farm use application approval.

3.9 Local Government Permits and Fees

Other than the usual permits and fees required for construction, local governments should only require permits and fees for operations that require a non-farm application to the ALC and should not require the use of temporary (commercial) use permits.

Local governments should only request reimbursement of extra local government costs generated by the event or operation; e.g., policing, fire service, road clean-up, and/or traffic management.

3.10 Commercial Weddings

The use of the ALR for commercial weddings is considered a non-farm use which requires approval of the ALC. Where a farm has received non-farm use approval from the ALC, the local

government may require a rezoning or temporary use permit. Temporary use permits are the preferred method of dealing with this use as the local government can place additional controls on the use that are not possible through zoning. These requirements could include hours of operation.

3.11 Bistros and Restaurants

Bistros, cafes and restaurants are considered in most cases non-farm uses which require non-farm use approval of the ALC. Under specific criteria in the ALR USP Regulation, however, winery, brewery, cidery, distillery, and meadery lounges are permitted which do not require non-farm use approval.

4.0 Ministry Contact Information

Stakeholders are welcome to provide feedback on the content of this discussion by email or letter.

Email: AgriServiceBC@gov.bc.ca
Mailing Address: Ministry of Agriculture, Strengthening Farming Program
1767 Angus Campbell Road
Abbotsford, B.C. Canada V3G 2M3



Item No. 11.3
Regulation of Docks

Report to be distributed



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
STAFF REPORT

DATE: November 17, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Katie Karn, Deputy Corporate Officer
SUBJECT: Summerland Asset Development Initiative – Request for Letter of Support

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT a letter of support be provided to the Summerland Asset Development Initiative, in support of its Community Gaming Grant application.

PURPOSE:

For Council to consider providing a letter of support to the Summerland Asset Development Initiative, for submission with the organization's Community Gaming Grant application.

BACKGROUND and DISCUSSION:

Council has received a request from the Summerland Asset Development Initiative for a letter of support for the organization to include with its annual Community Gaming Grant application.

FINANCIAL IMPLICATIONS:

There are no financial implications in providing the Summerland Asset Development Initiative with a letter of support, to be submitted with its annual Community Gaming Grant application.

OPTIONS:

1. Council approve providing a letter of support to the Summerland Asset Development Initiative.
2. Council receive for information the request from the Summerland Asset Development Initiative for a letter of support.

Respectfully Submitted

Katie Karn

Katie Karn
Deputy Corporate Officer

Approved for Agenda

Linda Tynan, CAO Nov. 18, 2015

Katie Karn

Subject: FW: Letter of Support for Summerland Asset Development Initiative

From: Alyson Lindsay [<mailto:sadi.program.manager@gmail.com>]
Sent: November 13, 2015 10:19 AM
To: Mayor <mayor@summerland.ca>
Subject: Letter of Support for Summerland Asset Development Initiative

Good morning Mayor Waterman!

I wondered if it would be possible for you to write a letter of support for SADI Youth? I am in the process of writing our 2016 grant applications for Gaming and other grantors and would love to include a letter of support from you.

Sincerely,

--

Alyson Lindsay, BSW, ECE
Program Manager
Summerland Asset Development Initiative
(250) 494-9722, (250) 488-6253 cell
www.sadiyouth.ca, Sadi Youth-Club on Facebook



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
STAFF REPORT

DATE: November 17, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Katie Karn, Deputy Corporate Officer
SUBJECT: Agur Lake Camp – Request for Letter of Support

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT a letter of support be provided to the Agur Lake Camp, in support of its Community Gaming Grant application.

PURPOSE:

For Council to consider providing a letter of support to the Agur Lake Camp, for submission with the organization's Community Gaming Grant application.

BACKGROUND and DISCUSSION:

Council has received a request from the Agur Lake Camp for a letter of support for the organization to include with its annual Community Gaming Grant application.

FINANCIAL IMPLICATIONS:

There are no financial implications in providing the Agur Lake Camp with a letter of support, to be submitted with its annual Community Gaming Grant application.

OPTIONS:

1. Council approve providing a letter of support to the Agur Lake Camp.
2. Council receive for information the request from the Agur Lake Camp for a letter of support.

Respectfully Submitted

Katie Karn

Katie Karn
Deputy Corporate Officer

Approved for Agenda

Linda Tynan, CAO Nov. 18, 2015

Katie Karn

Subject: Agur Lake Camp Society

From: info.agurlakecamp@gmail.com [mailto:info.agurlakecamp@gmail.com] **On Behalf Of** Agur Lake Camp
Sent: November 17, 2015 10:22 AM
To: Katie Karn <kkarn@summerland.ca>
Subject: Agur Lake Camp Society

Good Morning,

Thank you for your phone call this morning.

Agur Lake Camp is specially designed camp. We serve those with special needs from across the province. Our mandate is "To operate and enhance a wilderness camp for children and adults with special needs and their families/caregivers.

The camp is located twenty minutes west of Summerland. We also have an administration site on Main Street Summerland.

For many years dedicated volunteers, businesses, service clubs in this community and area understand the significance and need a camp like this and the impact it makes on families and individuals. We feel grateful to all that have supported the forging of this special camp. Not only do the families, individuals, and groups benefit from "a place like no other" those that have come together in our community to "make it happen" benefit from knowing they have helped create lasting memories for those with special needs and that they helped eliminate barriers and create a stronger healthier community.

Agur Lake Camp Society has been accepting campers since July 2013. We are looking toward a bright future ahead. Every year Agur Lake Camp Society struggles with operating costs and maintenance. As you can imagine, running a wilderness a camp as special as Agur Lake Camp can be costly. The need for funding is ongoing. BC Gaming Community Gaming Grant is our most vital grant to pay for operational costs.

To help make our application successful, we request a letter of Support from the District of Summerland in our bid for a successful BC Community Gaming Grant.
The application is due November 20, 2015.

Thank you for your time and consideration.

I have attached a brochure and rack card for further information. You may also visit our website at www.agurlakecamp.ca.

Mirjana Komljenovic
Office Administrator
Agur Lake Camp Society
9913 Main Street Summerland BC
MAILING ADDRESS Box 1723 Summerland, BC V0H 1Z0
(250) 809-7130

THE DREAM IS REAL...

Choose Your Membership

Yearly \$10 for individual; \$100 for corporate
Life \$100 for individual; \$250 for family (includes children to age 19)

Become a Sponsor

Agur Lake Sponsorship Program is to assist limited income families and individuals who wish to enjoy the camp facilities. The program enables a sponsor to cover the cost of accommodations.

Building a Trail – “Foot Buy Foot”

We are improving our barrier free pathways to the lake and into the woods and are looking for support to meet this goal. The improved pathways will allow for all persons at the camp to enjoy the beauty of the area with minimal assistance. Purchase “Foot Buy Foot” of the pathway for \$25.00 for each foot of trail.

250-809-7130
Email: info@agurlakecamp.ca

Cheque to “Agur Lake Camp Society”
Website: www.agurlakecamp.ca

To Make a Donation, Become a Sponsor or Be a Member

Name: _____

Address: _____

Email: _____

Phone: _____

I wish to donate \$ _____

I want to become a member \$ _____

I want to sponsor someone’s stay \$ _____

I want to help improve or build a trail \$ _____

All information is confidential.
A tax receipt will be issued for
amounts \$25.00 and over and
by request below \$25.00

Registered
Charity Number:
85937-3474-RR0001

Mail to: Agur Lake Camp, Box 1723, Summerland, BC V0H 1Z0



Our Mandate

“To operate and enhance our barrier free wilderness camp for children and adults with special needs and their families/caregivers.”



Come camp with us!

A PLACE LIKE NO OTHER

Camp Profile & History

The story of Agur Lake Camp started over 30 years ago when Bonnar Dowler vowed to establish a camp for children with special needs and their families. At the time Bonnar was visiting his terminally ill infant son at BC Children’s Hospital and saw the many children who would never know the joy of gliding across a lake in a canoe or the wonder of a starry night in the forest.

Agur Lake Camp Society was formed in 2004 and incorporated in 2007 as a registered non-profit society. Since then, a camp was forged out of wilderness with in-kind equipment and even by hand. July 2013 Agur Lake Camp welcomed our first campers. Today, the Board of Directors is continuing to develop the camp for future generations. None of this would be possible without the many supporters, volunteers, members, resources, and past directors who’ve all had a hand in making it happen.

The camp is located 20 kilometers west of Summerland and is available to children and adults with special needs along with their families and caregivers throughout BC. The camp offers fully furnished cabins, dry RV sites, dock, trails, communal firepit, picnic pavilion and outdoor accessible washroom. The entire facility is mostly barrier free so that every camper, regardless of their special need, can enjoy nature and the outdoor experience.

Structure

Agur Lake Camp is managed by a “hands-on” volunteer Board of Directors that meets monthly. As of 2015 we have an office currently located at 9913 Main Street, Summerland, BC. We maintain a database of approximately 300 volunteers. Fundraising is an on-going challenge.

Amanda Lewis Testimonial

This camp is more than land and buildings. To quote Amanda Lewis, “Agur Lake Camp is a place that will cater to the whole family as opposed to just the individual. That makes us unique. I think that is valuable because families are much stronger and happier when they are kept together.”

Amanda Lewis is both a guest and previous Board of Directors member. She also sits in a wheelchair, experiencing what the camp has to offer its guests.



Future Goals

- Power
- Additional cabins
- Lodge
- Amphitheater
- Voluntary camp programs
- Accessible playground

Agur Lake Camp Society will continue to operate and enhance our barrier free wilderness camp for children and adults with special needs, along with their families and caregivers. There are plenty of ways you can get involved.

It’s the first of its kind in BC, and is available for use not only for those with special needs but by associations, schools and seniors as well. Enjoy relaxing on the shores of a quaint lake surrounded by 54 acres of pine forest.

Donor Opportunities

Build and name a Cabin	\$200,000
Accessible Playground	\$150,000
Develop RV Area	\$125,000
Entrance gateway	\$80,000
Trail for day use to dock	\$15,000
Furnish a Cabin	\$40,000
Bear-Proof Refuse Cans - each	\$1,000
Medical Bed - each	\$15,000
Pump House Building	\$10,000
Pump House Equipment	\$10,000
Upgrade Communication	\$10,000
Dig Two Wells	\$20,000
Accessible Picnic Table - each	\$3,000
Resting Bench - each	\$2,000





For all ages with special needs to rest and relax with their family/caregivers

- Furnished Cabins
- Trails
- Dry RV Sites
- Wheelchair Boardwalk
- Dock
- Communal Fire Pit
- Picnic Pavilion
- Accessible Outdoor Washroom



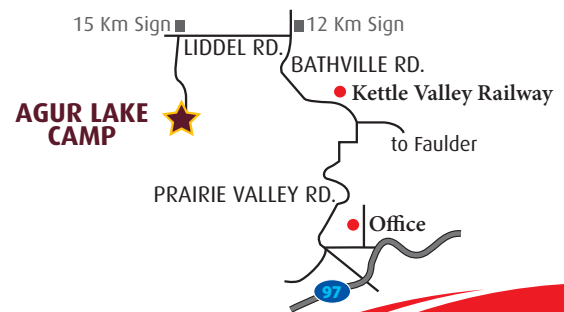
Associations, Schools & Seniors Are All Welcome

**Register for our camp at:
www.agurlakecamp.ca**

Phone: 250-809-7130
Email: info@agurlakecamp.ca
Mail: Box 1723, Summerland, BC V0H 1Z0
Office: 9913 Main St. Summerland, BC



A place like no other, located in the heart of the Okanagan Valley, 20km west of Summerland BC



COME CAMP WITH US

Registered
Charity Number:
85937-3474-RR0001



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
STAFF REPORT

DATE: November 10, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Katie Karn, Deputy Corporate Officer
SUBJECT: Zoning Bylaw Amendment for the property located at 5818 Nixon Road –
Bylaw No. 2015-030 - Adoption

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Bylaw No. 2015-030, "Amendment of Zoning Bylaw No. 2000-450 (5818 Nixon Road)", be adopted.

PURPOSE:

To consider a Zoning Bylaw amendment to rezone the property located at 5818 Nixon Road from RSD2 – Residential Large Lot Zone, to RSD1 – Residential Medium Lot Zone.

If Bylaw No. 2015-030 is adopted, it will allow for a two lot subdivision on the site.

BACKGROUND and DISCUSSION:

Bylaw No. 2015-030 received third reading, following the Public Hearing held November 9, 2015, and has also now received approval from the Ministry of Transportation to proceed for adoption.

OPTIONS:

1. Adopt the bylaw.
2. Move a motion not to proceed with the bylaw, should Council not wish to proceed.

Respectfully Submitted

Katie Karn

Katie Karn
Deputy Corporate Officer

Approved for Agenda

Linda Tynan, CAO Nov. 18, 2015

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-030

**A BYLAW TO AMEND 'ZONING BYLAW NO. 2000-450' TO REZONE
FROM RSD2 – RESIDENTIAL LARGE LOT ZONE TO
RSD1 – RESIDENTIAL MEDIUM LOT ZONE
(5818 NIXON ROAD)**

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


1. THAT Schedule 'B' of District of Summerland Zoning Bylaw No. 2000-450, as amended, be further amended by changing the zoning classification of Lot A, DL 488, Plan 17009, located at 5818 Nixon Road, from RSD2 – Residential Large Lot Zone to RSD1 – Residential Medium Lot Zone, as outlined on attached map Schedule A.
2. Bylaw No. 2015-030 may be cited as "Amendment of Zoning Bylaw No. 2000-450 (5818 Nixon Road)".

Read a first and second time this 26th day of October, 2015.

Considered at a Public Hearing this 9th day of November, 2015.

Read a third time this 9th day of November, 2015.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this 16th day of November, 2015.

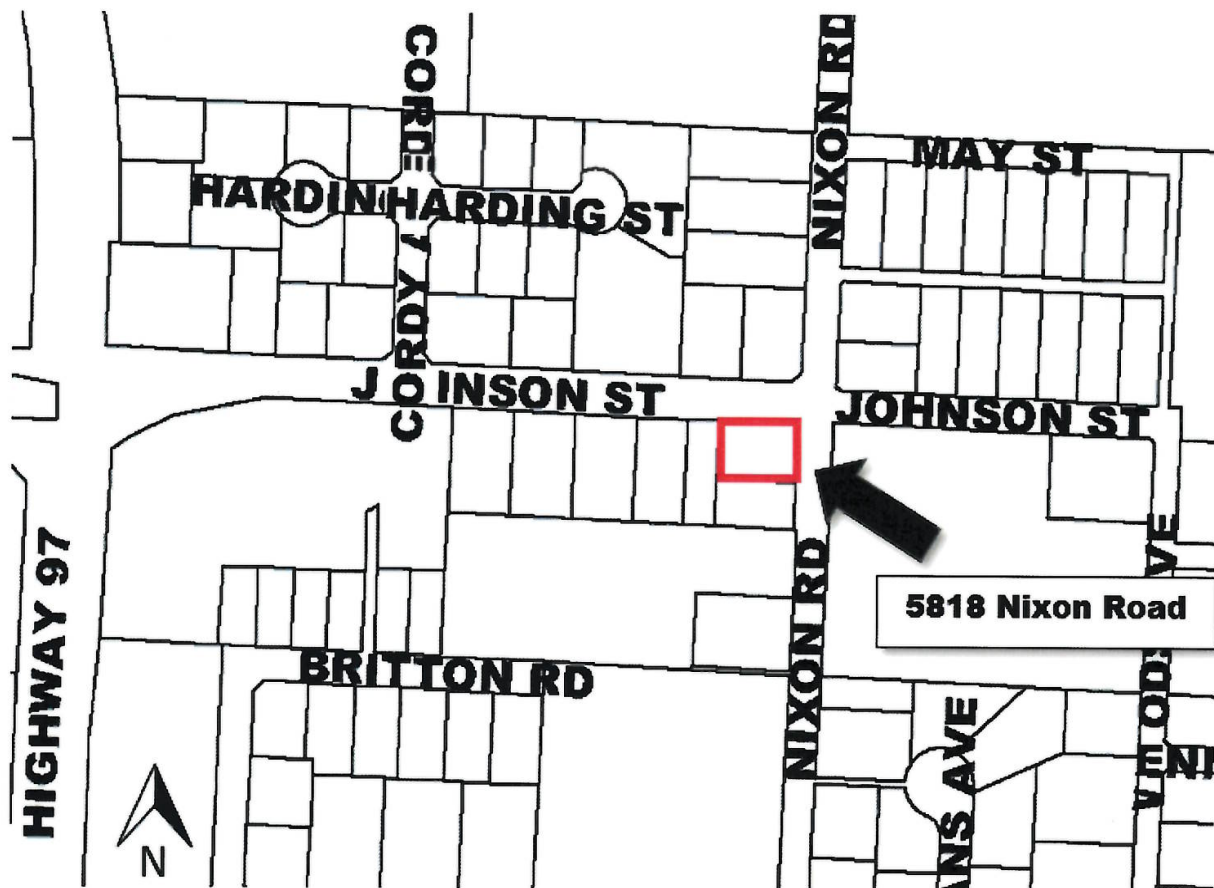

For Minister of Transportation and Infrastructure

Adopted by the Municipal Council this day of , 2015.

Mayor

Corporate Officer

SCHEDULE A





THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
STAFF REPORT

DATE: November 17, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Katie Karn, Deputy Corporate Officer
SUBJECT: Local Sanitary Sewer Service Area – 6003 Dale Avenue
Bylaw No. 2015-032

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT Bylaw No. 2015-032, "Local Sanitary Sewer Service Area (6003 Dale Avenue", be adopted.

PURPOSE:

To adopt a bylaw to establish a local service area for the extension of the sanitary sewer system as petitioned by the property owner.

BACKGROUND and DISCUSSION:

Bylaw No. 2015-032, "Local Sanitary Sewer Service Area (6003 Dale Avenue)", received three readings by Council on November 9, 2015. Staff now recommend the bylaw be adopted so that it may come into force.

OPTIONS:

1. Adopt the bylaw as recommended by staff; or
2. Move a motion not to proceed with the bylaw, should Council not wish to proceed.

Respectfully Submitted

Katie Karn

Katie Karn
Deputy Corporate Officer

Approved for Agenda

Linda Tynan, CAO Nov. 18, 2015

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-032

A Bylaw to Add a Local Sanitary Sewer Service Area (6003 Dale Avenue)

WHEREAS pursuant to the provisions of the *Community Charter*, the Council of the District of Summerland is empowered by bylaw to add a local sanitary sewer service area.

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

1. The following specified area listed below forms the new local sanitary sewer service area for Dale Avenue, shown outlined on the map attached hereto as Schedule "A" and forming part of this bylaw, as follows:

PID: 010-846-654 LEGAL: Lot 1 Plan 3533 District Lot 488

2. The service and cost recovery methods have been proposed by petition in accordance with Section 212 of the *Community Charter*.
3. The Corporate Officer has provided a Certificate of Sufficiency certifying that the petition has been signed by the owners of the parcel that would be subject to the local sanitary sewer service area, attached as Schedule "B" and forming part of this bylaw.
4. The service is the use of existing capacity in the sewer mains, lift stations and the wastewater treatment plant associated with the extension of sewer to the service area.
5. The value of the existing capacity in the sewer mains, lift stations and that wastewater treatment plant is \$46,400.
6. All of the costs of the service are to be recovered by local service tax in the form of a parcel tax levied on the basis of a single amount for each parcel. The parcel tax per parcel is \$5,800 annually beginning in 2016 and ending in 2023 (8 years total) or a single lump sum payment of \$46,400 in 2016.
7. None of the costs of the service will be recovered by a general municipal tax.
8. This bylaw may be cited as "Local Sanitary Sewer Service Area (6003 Dale Avenue) Bylaw No. 2015-032".
9. This bylaw shall take effect immediately upon adoption.

Read a first, second and third time this 9th day of November, 2015.

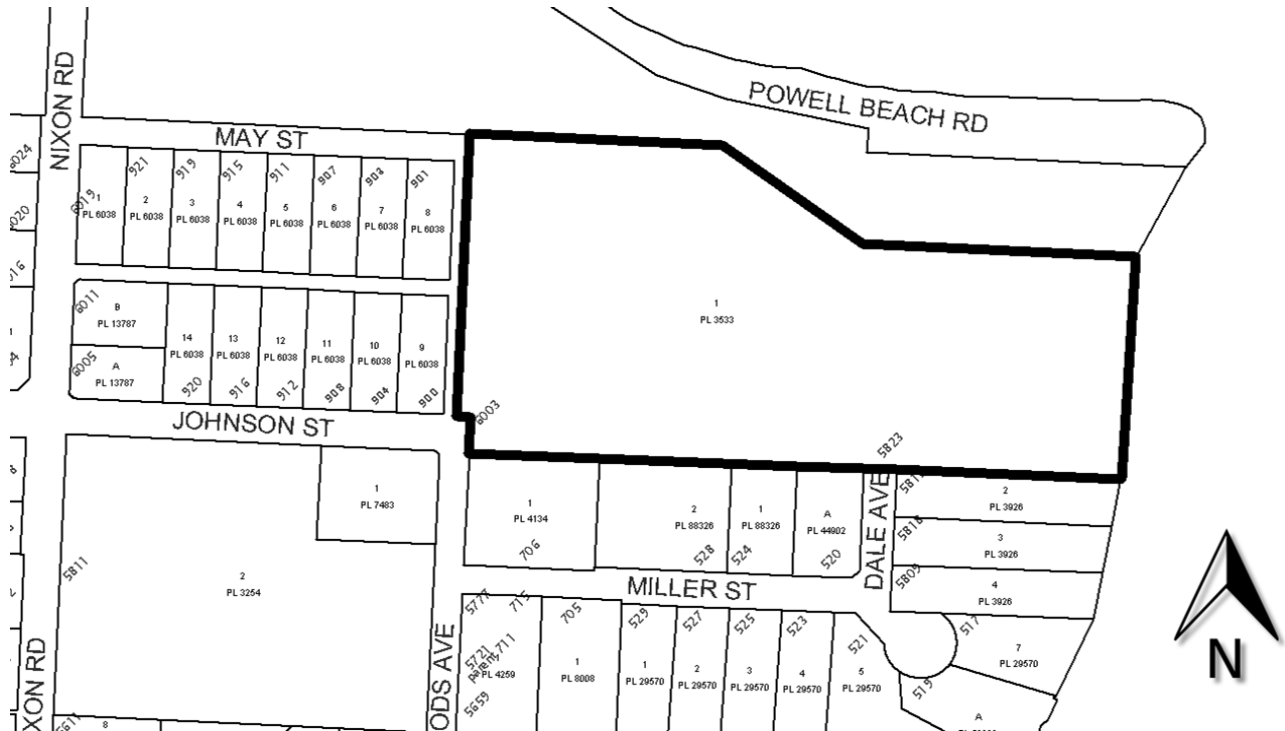
Adopted by the Municipal Council this __ day of ____, 2015.

Mayor

Corporate Officer

SCHEDULE "A"

Subject property outlined in heavy black line on map.





Schedule "B"
Bylaw No. 2015-032

13211 Henry Ave, Box 159
Summerland BC V0H 1Z0
Phone: 250-494-6451 Fax: 250-494-1415
www.summerland.ca

CERTIFICATE OF SUFFICIENCY

I HEREBY CERTIFY that the petition received pursuant to Section 212 of the Community Charter to establish the 6003 Dale Avenue Sewer Local Service Area to be sufficient and valid for a Bylaw to add a Local Sanitary Sewer Service Area (6003 Dale Avenue).

A certified determination is final and conclusive.

Dated this 11th day of May, 2015.



Jeremy Denegar
Director of Corporate Services
District of Summerland