



REGULAR COUNCIL MEETING AGENDA

Monday, April 27, 2015 - 7:00 PM
Council Chambers
Municipal Hall, 13211 Henry Ave.
Summerland, BC

Page

1. **Call to Order**

2. **Adoption of Minutes**

6 - 17

2.1 Adoption of Minutes

Recommendation:

THAT the Special and Regular Council meeting minutes dated April 13th, 2015, be adopted.

3. **Resolution to Adopt the Agenda**

4. **Delegations**

(maximum 5 minutes per delegation)

18 - 20

4.1 **Delegation: Summerland Rotary Club (Sunday Market)**

Members: Paul Barber and Roch Fortin

5. **PUBLIC HEARING - MAYOR WATERMAN TO READ THE PUBLIC HEARING STATEMENT**

6. **Public Hearing for 4816 Nixon Road - Bylaws 2015-007; 2015-010 and 2015-011**

21 - 33

6.1 **Zoning/OCP Amendment Application for Lot 22, DL 488, Plan 310 (4816 Nixon Rd) - Bylaws 2015-007; 2015-010 and 2015-011**

Official Community Plan Bylaw must receive an affirmative vote of a majority of all Council members (4).

Mayor Waterman to ask for comments from the public.

Following Motion(s) for consideration by Council:

1) THAT Bylaw 2015-007 to amend Official Community Plan Bylaw 2000-310 to:

•change the designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential, be read a second and

third time;

AND THAT Bylaw 2015-010 to amend Zoning Bylaw 2000-450 to:
•rezone Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from A1-Agricultural Small Acreage Zone to RSD2-Residential Large Lot, be read a second and third time;

AND FURTHER THAT adoption of the bylaw amendments be considered in conjunction with a Section 219 Covenant registered on the title of the property prohibiting subdivision unless it is in substantial conformance with the plan attached as Schedule 'C' to the Director of Development Services staff report dated April 13th, 2015, including dedication of parkland as shown on the plan.

2) THAT Bylaw 2015-011 to amend Official Community Plan Bylaw 2014-002 (currently at third reading) to:
•change the designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential be read a second and third time.

34 - 38

- 7. **Public Hearing for 2705 Johnson St - Bylaw 2015-008**
 - 7.1 **Bylaw 2015-008 - Zoning Amendment Lot B, DL 488, Plan 26797 (2705 Johnson Street)**

Mayor Waterman to ask for comments from the public.

Following Motion for consideration by Council:

THAT Bylaw 2015-008 Zoning Amendment (CR1-Country Residential 1 - 2705 Johnson St), be read a second and third time.

39 - 50

- 8. **Public Hearing for Minor Text Amendments Bylaw 2015-009**
 - 8.1 **Bylaw 2015-009 - Minor Text Amendments to Zoning Bylaw 2000-450**

Mayor Waterman to ask for comments from the public.

Following Motion for consideration by Council:

THAT Zoning Bylaw Amendment (Minor Text Amendments) Bylaw 2015-009 be read a second and third time.

- 9. **Public Comment Opportunity - 15 minutes maximum**
(2 minutes per speaker)

Comments/Questions must pertain to Agenda items

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

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

10. Mayor's Report

11. CAO's Report

12. Unfinished Business

13. Correspondence

14. Development Services Department Reports

51 - 56

14.1 Official Community Plan (OCP) Amendment re Urban Growth Strategy OCP Amendment requires a majority vote of full Council (4). Public Hearing to be held Monday, May 11th, 2015.

Recommendation:

THAT 2nd and 3rd readings of Bylaw No. 2014-002, be rescinded;

AND THAT Bylaw No. 2014-002 as amended, be given 2nd reading;

AND FURTHER THAT a public hearing be scheduled for Monday, May 11th, 2015.

57 - 63

14.2 Development Variance Permit Application for Lot 10, DL 454, ODYD, Plan 26226 - 7706 Higgin Avenue
Mayor Waterman to ask for comments from the public.

Recommendation:

THAT the request for a Development Variance Permit to vary Section 7.4.1 (c) of the Zoning Bylaw to increase the maximum gross floor area of a carriage house from 60.0m² (646ft²) to 77m² (826ft²), be denied.

64 - 69

14.3 Development Variance Permit Application for Lot B, DL 455, ODYD, Plan KAP51373 - 5492 Solly Road
Mayor Waterman to ask for comments from the public.

Recommendation:

THAT a Development Variance Permit to vary Section 4.5.4 of the Zoning Bylaw to allow an accessory building in the front yard of the property, be approved;

AND THAT the variance only apply for a carriage house developed in substantial conformance with the plans attached to the Director of Development Services report dated April 27th, 2015, as Schedule 'B'.

70 - 74

14.4 **Development Permit for 17818 Matsu Drive**

Recommendation:

THAT a Development Permit for Lot 25, DL 454, ODYD, Plan 160, located at 17818 Matsu Drive to allow the property to be subdivided in substantial conformance with the plan attached as Schedule C, provided that a restrictive covenant is registered on the title of the property to ensure the site is developed in accordance with the environmental assessment provided in support of this application, be approved.

75 - 80

14.5 **Proposed Street Name for Dale Avenue Subdivision**

Recommendation:

THAT 'Lighthouse Landing' be added to the approved list of names in accordance with the terms of Street Naming Policy 300.1.

15. Staff and Other Reports

15.1 **Recommendations from the Committee of the Whole:**

1. 2014 Financial Statements
2. Terms of Reference - Committees

81 - 82

15.2 **Domestic Second Water Service**

Recommendation:

THAT the Fees and Charges Bylaw 98-001 (Schedule 'B') Water Rates and Fees, be amended to include the following charge:

Domestic Second Water Service

'WHERE a property is under 2.0 acres (.81 ha) and there is an existing second water service in place as of April 15, 2015 and the purpose of the second water service is Domestic Seasonal Water Use, the annual charge shall be \$44.00 for properties that are .5 acres or less; \$112.00 for properties that are between .51 and 1.0 acres; \$184.00 for properties that are between 1.01 and 1.5 acres; and \$254.00 for properties that are between 1.51 and 1.99 acres;

AND THAT any property owner with a Domestic Second Water Service with a meter shall not be charged for that metered consumption;

AND FURTHER THAT the revenue from this annual charge be reserved to fund costs associated with water metering and the review of water rates.'

83 - 93

15.3 **No-Post Barriers - Prairie Valley Road**

Recommendation:

THAT the no-post barriers installed along the north side of Prairie Valley

Road from Saunders Crescent West to Cartwright Avenue remain in place, with minor adjustments to some driveway accesses.

94 - 95

15.4 **Trans Canada Trail - Safety Improvements**

Recommendation:

THAT staff be authorized to proceed with design and construction of safety improvements to the Fenwick Road entrance of the Trans Canada Trail at an estimated cost of \$30,000 and further, that staff be directed to include a transfer of \$30,000 from General Revenue Reserve to Capital Projects on the final Five Year Financial Plan to be used for this purpose.

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15.5 **BC Transit - GradPASS Transit Program**

Recommendation:

THAT Council support the GradPASS Transit Program, to promote public transit as a lifestyle choice to Grade 12 students;

AND THAT Council approve the graduating Grade 12 students to ride the bus free of charge for any two consecutive days in June, 2015.

16. New Business

17. Councillor's Report

18. Public/Media Question Period

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

19. Adjourn



MINUTES OF THE SPECIAL MEETING
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, APRIL 13, 2015

MEMBERS PRESENT:

Mayor Peter Waterman

Councillor Toni Boot
Councillor Doug Holmes
Councillor Janet Peake
Councillor Erin Trainer

Members Absent:

Councillor Richard Barkwill
Councillor Erin Carlson

Staff Present:

Linda Tynan, Chief Administrative Officer

Lorrie Coates, Director of Finance
Jeremy Denegar, Director of Corporate Services
Maureen Fugeta, Corporate Officer
Ian McIntosh, Director of Development Services

1. CALL TO ORDER

Mayor Peter Waterman called the meeting to order at 8:30 a.m.

2. RESOLUTION TO CLOSE MEETING TO THE PUBLIC

2.1 Resolution to Close Meeting to the Public

Moved and Seconded,

THAT this meeting now be closed to the public pursuant to Sections 90(1)(a) and (e) of the *Community Charter* for Council to discuss appointments to council committees and the disposition of municipal owned property.

Carried.

Special Council
April 13th, 2015

The Special Council meeting went into a closed session at 8:32 a.m. and subsequently adjourned at 9:35 a.m.

Certified Correct:

Mayor

Corporate Officer

/mf



MINUTES OF THE REGULAR MEETING
HELD AT DISTRICT OF SUMMERLAND
COUNCIL CHAMBERS
13211 HENRY AVENUE, SUMMERLAND, BC
ON MONDAY, APRIL 13, 2015

MEMBERS PRESENT:

Mayor Peter Waterman

Councillor Toni Boot
Councillor Doug Holmes
Councillor Janet Peake
Councillor Erin Trainer

Members Absent:

Councillor Richard Barkwill
Councillor Erin Carlson

Staff Present:

Linda Tynan, Chief Administrative Officer

Lorrie Coates, Director of Finance
Don Darling, Director of Works and Utilities
Jeremy Denegar, Director of Corporate Services
Maureen Fugeta, Corporate Officer
Ian McIntosh, Director of Development Services

1. CALL TO ORDER

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

2. ADOPTION OF MINUTES

2.1 Adoption of Minutes

Moved and Seconded,

THAT the Special Council meeting minutes dated March 16th, 2015 and the Regular Council meeting minutes dated March 23rd, 2015, be adopted.

Carried.

3. RESOLUTION TO ADOPT THE AGENDA

The Corporate Officer outlined the following amendments to tonight's meeting agenda:

1. Item 9.1 – FortisBC Agreement for the Supply of Electricity Wholesale and Item 9.2 – FortisBC Shared Use Agreement, be deferred.
2. Item 10.2 – Terms of Reference – Cultural Plan Task Force and Item 10.3 Summerland Secondary School PAC and French Immersion Classes Discussion, be added to tonight's meeting agenda.

Moved and Seconded,

THAT the Regular Council meeting Agenda be adopted, as amended.

Carried.

4. DELEGATIONS

4.1 Delegation: Good Will Shakespeare Festival
Megan Lindow, President

Megan Lindow, President of the Good Will Shakespeare Festival provided council members with a video clip of previous year 'festival activities'. She advised that she was in attendance tonight to ask for financial support in the amount of \$500.00 up to \$1,000.00, to provide financial assistance for this year's festival.

Members discussed some of the planned activities, membership and fund raising by the Good Will Shakespeare Society.

Moved and Seconded,

THAT Council provide a grant-in-aid in the amount of \$1,000.00 in support of the Good Will Shakespeare Festival for 2015.

Carried.

4.2 Delegation: Earth Week Events - April 19th to 26th, 2015
Margaret Holler and Barbara Thorburn, Earth Week Committee

Margaret Holler and Barbara Thorburn, Earth Week Committee members provided council members with an overview of Summerland's 6th Annual Earth Week Celebration, taking place from April 19th to 26th, 2015. Some of the planned activities include:

- *Trout Creek Community Clean Up*
- *Square Foot Gardening Workshop*
- *Earth Day by the Water*
- *Movie Night*
- *Earth Day Celebration – Dale Meadows Park*

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Council members thanked the organizers of Earth Week Committee, and congratulated them on their organizational skills and community efforts.

5. PUBLIC COMMENT OPPORTUNITY - 15 MINUTES MAXIMUM

(2 minutes per speaker)

Comments/Questions must pertain to Agenda items

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

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

Mayor Waterman invited members of the public to speak to any of the highlighted items on tonight's meeting agenda. There were none.

6. MAYOR'S REPORT

- Introduction and welcome to Linda Tynan, District of Summerland's new Chief Administrative Officer
- Mayor and Council recently attended 'team building session' by facilitator Dan Dinsmore
- Two select committees have been active; OCP Review committee and Committees review
- Cultural task force members have been appointed; Terms of Reference to be adopted tonight
- Council met with School District Board members; first of many meetings to come
- April is Daffodil month and is the Canadian Cancer Society's

7. CAO'S REPORT

- Spent the first week meeting with Directors; tour of Summerland area with Mayor Waterman
- Exposed to a number of initiatives/issues going on in Summerland; looking forward to working with council, staff and the community

8. DEVELOPMENT SERVICES DEPARTMENT REPORTS

8.1 Zoning/OCP Amendment Application for Lot 22, DL 488, Plan 310 (4816 Nixon Road)

OCP Amendment requires a majority vote of full Council (4).

Public Hearing to be held on Monday, April 27th, 2015.

Moved and Seconded,

- a. THAT Bylaw 2015-007 to amend Official Community Plan Bylaw 2000-310 to:
 - change the OCP designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential, be introduced and given first reading;

AND THAT Bylaw 2015-010 to amend Zoning Bylaw 2000-450 to:

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- rezone Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from A1-Agricultural Small Acreage Zone to RSD2 - Residential Large Lot, be introduced and given first reading;

AND FURTHER THAT adoption of the bylaw amendments be considered in conjunction with a Section 219 Covenant registered on the title of the property prohibiting subdivision unless it is in substantial conformance with the plan attached as Schedule "C" to the Director of Development Services staff report dated April 13th, 2015, including dedication of parkland as shown on the plan.

Carried.

Moved and Seconded,

b. THAT Bylaw 2015-011 to amend Official Community Plan Bylaw 2014-002 (currently at third reading) to:

- change the designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential be introduced and given first reading.

Carried.

Moved and Seconded,

c. A public hearing be scheduled for Bylaws 2015-007, 2015-010 and 2015-011 to take place on Monday, April 27th, 2015.

Carried.

8.2 Zoning Amendment for Lot B, District Lot 488, Plan 26797 (2705 Johnson Street) - Bylaw No. 2015-008
Public Hearing to be held on Monday, April 27th, 2015.

Moved and Seconded,

'THAT the zoning amendment (CR1-Country Residential 1 - 2705 Johnson St) Bylaw No. 2015-008 be introduced and given first reading;

AND FURTHER THAT a public hearing be scheduled for Monday, April 27th, 2015.'

Carried.

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- 8.3 Minor Text Amendments to Zoning Bylaw No. 2000-450 - Bylaw No. 2015-009
Public Hearing to be held on Monday, April 27th, 2015.

Moved and Seconded,

'THAT Zoning Bylaw amendment (Minor Text amendments) Bylaw 2015-009 be introduced and given first reading;

AND FURTHER THAT a public hearing be scheduled for Monday, April 27th, 2015.'

Carried.

- 8.4 Development Variance Permit Application for 4917 Gartrell Road
Mayor Waterman to ask public for comments.

Mayor Peter Waterman invited the public to speak on the application.

Roy Manoff, 4917 Gartrell Rd (owner)

- currently property vineyard business
- significant time spent year around cultivating plants; processing wine
- winery attracts tourists; business to Summerland
- continued maintenance of vineyard requires full time workers
- provided 'chart' outlining cumulated hours of farm worker

Moved and Seconded,

'THAT the application for a Development Variance Permit to vary Section 8.1.7(a) of Zoning Bylaw 2000-450 to allow for a dwelling for farm help to be constructed outside of the farm home plate, be approved.'

Carried.

- 8.5 Development Permit Application for 4917 Gartrell Road

Moved and Seconded,

'THAT the application for a Development Permit to authorize the construction of a dwelling for farm help within the High Hazard Development Permit Area, be approved.'

Carried.

8.6 Development Permit for Lot 1, DL 508, ODYD, Plan KAP64877 (10001 Walters Road)

Moved and Seconded,

'THAT the application for a Development Permit for Lot 1, DL 508, ODYD, Plan KAP64877, located at 10001 Walters Road, be approved;

SUBJECT to a restrictive covenant being registered on the title of the property to ensure the site is developed in accordance with the geotechnical report provided in support of this application.'

Carried.

9. STAFF AND OTHER REPORTS

9.1 FortisBC Agreement for the Supply of Electricity Wholesale Service

Moved and Seconded,

'THAT Item 9.1 FortisBC Agreement for the Supply of Electricity Wholesale Service, be deferred.

Carried.

9.2 FortisBC Shared Use Agreement

Moved and Seconded,

'THAT Item 9.2 FortisBC Agreement for the Shared Use of FortisBC Structures, be deferred.'

Carried.

9.3 Thirsk Dam and Reservoir Crown Land Tenure

Moved and Seconded,

'THAT Council authorize staff to acquire a Provincial license of tenure over those parts of District Lots 207, 2072, 2073, 2068, excluding Plan A105 together with all of the unsurveyed Crown Land situated in the vicinity of Trout Creek, all of Kamloops Division Yale District and containing approximately 3.1 hectares for access to and the operation and maintenance of Thirsk Dam and Reservoir;

AND THAT Council authorize staff to request the Province to extend the term of the license from the standard term of ten years to a thirty year term.'

Carried.

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9.4 Summerland Reservoir Chlorinator Shutdown

Members and staff discussed IHA regulations, farm workers drinking from taps or outlets, maintenance and chlorinated water sheds.

Members received the Director of Works and Utilities Council report for informational purposes.

9.5 Hayman Classic - Provincial Youth Road Cycling Championship - Time Trial

Moved and Seconded,

'THAT the application for a temporary road closure requested by COG Events Society to hold the "Hayman Classic - Provincial Youth Road Cycling Championship" time trial on Saturday, May 23rd, 2015 from 6:00am to 11:00am on the Princeton-Summerland Road, be approved.'

Carried.

9.6 Parcel Tax Roll Review Panel

Moved and Seconded,

'THAT Councillors Richard Barkwill, Toni Boot and Janet Peake be appointed to the 2015 Parcel Tax Roll Review Panel.'

Carried.

9.7 Giants Head Mountain Park - Filming Request (Bear Trucks)

Moved and Seconded,

'THAT Council approve in principal a filming by 'Bear Trucks', a skateboard company to take place on Giants Head Mountain Park from May 11th to 13th, 2015 (noon to 4:00pm), to introduce a new product;

SUBJECT to the execution of a conditional agreement between the District and Bear Trucks Company, which will include provisions to ensure adequate liability insurance, hours of closure and that any costs to the District be borne by Bear Trucks.'

Carried.

10. NEW BUSINESS

10.1 Attendance at Federation of Canadian Municipalities (FCM) Conference

Moved and Seconded,

'THAT Council choose not to send any delegates to the Federation of Canadian Municipalities (FCM) conference for 2015.'

Carried.

10.2 Terms of Reference – Cultural Plan Task Force

Moved and Seconded,

'THAT the Terms of Reference for the 'Cultural Plan Task Force', be adopted.'

Carried.

Mayor Peter Waterman announced that the Cultural Plan Task Force members have been appointed, and that the planning process is well underway, which will result in a comprehensive long-term plan. He added that the plan will shape Summerland's approach to cultural development.

10.3 Summerland Secondary School PAC – French Immersion Classes

Moved and Seconded,

'THAT Council shares the concerns of the Summerland Secondary School Parent Advisory Committee and others in the community that the placement of a final grade 6 late French Immersion class outside of Summerland would adversely affect long-term enrollments and class compositions in all Summerland schools;

AND THAT Council believes children should not have to leave their community, siblings and friends to pursue their educational goals;

AND FURTHER THAT Council requests School District 67 to heavily weigh local, social and economic impacts when making decisions that will result in the removal of a large number of students from a small community.'

Carried.

11. COUNCILLOR'S REPORT

Councillor Trainer:

- Summerland Bike to Work week May 25th to 29th ; register at biketowork.ca/summerland
- Earth Week celebrations start this week; clean up neighbourhood challenge; Summerland's 6th Annual Earth Week Celebration – April 19th to 26th

Councillor Boot:

- Busy week - attended a number of meetings (Chamber; Committees)
- Planning a 'neighbourhood' cleanup during Earth Week
- Thanks to everyone who put their names forward for the Cultural Plan Task Force committee

Councillor Holmes:

- Attended School District #67 Board meeting; Ministry of Education K-12 innovation forum – good discussions
- Attended 'committee' review structure meetings
- Attended BC Transit presentation at the RDOS

Councillor Peake:

- Advised that the Sister City (Toyokoro) committee gifted \$3,000 for use in Summerland's Japanese Garden; will bring a motion forward to April 27th meeting for options in the garden area
- Attended a 'swearing in' ceremony for new Canadians
- Attended Rotary pioneer tea discussing trails of the Okanagan; spoke to Dan Albas, MP re funding to re-enforce our grant applications

12. PUBLIC/MEDIA QUESTION PERIOD

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

Michael Mott, Highway 40

- Concerned with road closure during the 'Hayman Classic' Provincial Youth Road Cycling Championship
- Requested clarification on the landfill 'compost' and the composition and analysis of what it contains

Graham Carter

- Commented on proposed Summerland Reservoir Chlorinator Shutdown; concerned with agricultural growers and use of irrigation

Margaret Holler

- Commented on the funding from the Sister City re Japanese Garden; provided update on the ecological changes that have been made to remove channelization of the creek; planting and encourage habitat development; would not want any adverse ecological impact on the park

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Barbara Thorburn

- Requested clarification on voting requirements for the Cultural Plan Task Force

13. ADJOURN

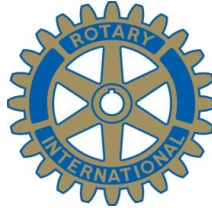
The Regular Council meeting adjourned at 9:02 p.m.

Certified Correct:

Mayor

Corporate Officer

/mf



April 21, 2015

RE: A Sunday Market, a proven way to boost Summerland's Downtown economy

Dear Mayor Waterman and District Councillors,

When investigating ideas that have helped to create vibrant downtowns in small rural communities, articles on the topic suggest that establishing regular public events that showcase downtown merchants, music, and food is a winning strategy. With that in mind, the Summerland Rotary Club wishes to start a Sunday market highlighting a variety of local farmers, artisans, restaurants, wineries, crafters, local businesses, youth entrepreneurship, not-for-profit fundraisers, local entertainment, and groups promoting Summerland's lifestyle, tourist opportunities, and special events.

We feel that this type of venture will attract new business activity, additional tourist visits and add to the quality of life experiences of Summerland residents. The favourable impression may also attract new development to Summerland.

The market will be advertised as a 10 am - 2 pm event running from June 21st until September 20th, 2015.

Our request is that we be able to use the two most westerly blocks of Main Street, a portion of Henry Ave. north of Main Street equal to the length of the CIBC building and the short Henry Ave block south of Main Street. We request street closures for these areas from 8 am until 3 pm. In addition, we request:

- * access to 4 road barricades.
- * access to electrical outlets at the corner of Main and Henry Avenues primarily for the use of electronic equipment needed for special events.
- * the assistance of a District summer student for 8 hours each Sunday.
- * advertising space in the District's monthly newsletter.
- * signage space at the Rosedale roundabouts directing people to the market area.
- * the opportunity to have District signage on Highway #97 highlight the event and direct interested visitors to downtown.

A petition demonstrating overwhelming support by business owners in the two Main Street blocks in question is available and will be presented to the Mayor and Council on April 27th. The Market will not be charging fees for 1) merchants on Main Street, 2) not-for-profit groups, 3) groups advertising Summerland events, and 4) groups promoting Summerland. Attached is a fee schedule for other market vendors.

There is a small profit anticipated for the Summerland Rotary Club. As you may be aware, all our profits flow through our club in support of worthy projects such as SADI, various scholarships, bursaries and student leadership programs, Rotary Goodwill Shakespeare Festival, breakfast programs, and recent projects like the Summerland Development Centre. Rotary has also supported various park and waterfront projects as well.

In summary, the Rotary Club wishes to enhance the vibrancy of our downtown as well as showcase our whole community. We ask for your assistance and partnership in making the Summerland Sunday Market a reality.

Yours truly,

Paul Barber, Roch Fortin, Michael Weis, & John Bubb
on behalf of the Summerland Rotary Club

FEE STRUCTURE

SUNDAY MARKET IN SUMMERLAND

June 21st – September 20th, 2015

14 week pass	\$200.00
Drop In	\$25.00/mkt.
Annual Membership fee	\$20.00/ year

No fees for:

- * Summerland Main Street businesses
- *Summerland based not-for-profit organizations
- *groups promoting Summerland

Vendor sign up:

Memorial Park, Summerland, Sunday, May 3rd & 10th, 11 am – 1 pm.

All payments by cash or cheque (Summerland Rotary Club).

Market opening is from 10 am to 2 pm.

Vendor set-up will be available starting at 8 am. Streets must re-open to vehicle traffic by 3 pm.

Each vendor site will measure 10' X 10' unless other arrangements are negotiated in advance of Sunday.

Market Manager:

Laurel Burnham laburnham@shaw.ca

250-460-0177

Local contacts: Roch Fortin 778-462-0570 or Paul Barber 250-494-1173

STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: April 13th 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
(Report Prepared by Alex Kondor – Development Planner)
SUBJECT: Zoning/OCP Amendment Application Lot 22, DL 488, Plan 310
4816 Nixon Rd

STAFF RECOMMENDATION

THAT Council pass the following resolution:

1. **THAT** Bylaw **2015-007** to amend Official Community Plan Bylaw 2000-310 to:
 - change the OCP designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential, be introduced and given first reading;

AND THAT Bylaw **2015-010** to amend Zoning Bylaw 2000-450 to:

 - rezone Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from A1-Agricultural Small Acreage Zone to RSD2 – Residential Large Lot, be introduced and given first reading;

AND FURTHER THAT adoption of the bylaw amendments be considered in conjunction with a 219 covenant registered on the title of the property prohibiting subdivision unless it is in substantial conformance with the plan attached as Schedule "C" to this report, including dedication of parkland as shown on the plan;
2. **THAT** Bylaw **2015-011** to amend Official Community Plan Bylaw 2014-002 (currently at third reading) to:
 - change the designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential be introduced and given first reading;
3. **A** public hearing be scheduled for Bylaws 2015-007, 2015-010 and 2015-011 to take place on Monday, April 27th, 2015.

PURPOSE:

To present a comprehensive review regarding the applicant's request to amend the Official Community Plan and rezone the property for residential development.

BACKGROUND:

Current Use:	Agricultural
Parcel Size:	2.3ha (5.77ac)
Zoning:	A1 - Agricultural Small Acreage Zone

STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING

OCP: Agricultural
M.o.T. Approval: Required

The site is adjacent to Trout Creek and is bounded by Nixon Road, Stonor Street, and Williams Avenue. The adjacent land uses are primarily residential with the exception of an orchard operated by the Pacific Agri-foods Research Centre on the south side of Trout Creek. The surrounding properties are zoned RSD2 – Residential Large Lot and RSD3 – Residential Estate Lot. This site is designated Agricultural in the Official Community Plan (OCP) but is not located in the Agricultural Land Reserve. Historically a portion of this property has been farmed and is currently planted to pears. A significant portion of the property has been left in its natural state. The property contains an existing single family dwelling and several accessory structures which are accessed from Stonor Street. The property also contains a mobile home for farm help accessed from Williams Avenue. The proposal is to re-designate the land from Agriculture to Low Density Residential and rezone from A1-Agriculture to RSD2-Residential Large Lot. A map of the property is shown on Schedule “A”.

DISCUSSION:

OCP

The property is designated Agriculture in the OCP but it is located within both the current and proposed urban growth area. Objectives of the urban growth area include promoting infill development and selective intensification of land uses within existing urban areas being respectful of ecological values, as well as, ensuring that new development does not negatively impact pre-existing neighbouring uses and recognizes natural area values. The proposed development includes dedicating approximately 1/3 of the property as park to protect environmental values on the property.

Development Permit Areas

The applicant is required to obtain an Environmentally Sensitive Development Permit which must be issued by Council prior to subdivision. As part of the zoning review, the site has been evaluated by a Registered Professional Biologist. Mapping has shown a large portion of the property is ESA1 which is deemed to be a highly sensitive area and is not intended to be disturbed by future development. This is mainly due to presence of habitat that is identified as critical for the Lewis's Woodpecker which is a federally 'threatened' and provincially 'red-listed' bird species. The remaining portions of the property that contain the existing pear tree orchard and two single family dwellings are deemed ESA2, ESA3 and ESA4 which range from moderate to non-sensitive. As part of the rezoning process District staff and the property owner are recommending that the highly-environmentally sensitive areas designated as ESA1 should be dedicated to the District as parkland. This is a significant parkland dedication of private property to protect environmental values and the property owner should be commended for supporting this approach. A map showing the environmentally sensitive areas is attached as Schedule B.

The applicant is required to obtain a Watercourse Development Permit prior to subdivision as the property is adjacent to Trout Creek. This permit can be issued by the Director of Development Services. As part of the zoning review, a draft Riparian Area Regulations (RAR) assessment report has been provided. The Streamside Protection and Enhancement Area (SPEA) set-back has been determined to be 30 metres from the creek. A restrictive covenant to ensure the terms of the final RAR report are followed will be a condition of the Development Permit and/or subdivision approval.

Zoning Bylaw

STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING

The RSD2 zone allows for lots with a minimum lot size of 650 square metres with a minimum width of 18m and depth of 30m. The surrounding area is a mix of RSD2 and RSD3 zoned lots. The proposed OCP amendment and subsequent rezoning would allow for infill development and build out of the property. The District's Development Services department is working with the applicant to create a subdivision plan that incorporates the protection of the environmentally sensitive areas, provides trails and connectivity to Trout Creek, and allows for the most efficient use of the land based on the proposed minimum lot size of 650 sq. metres. A neighbourhood concept map is attached as Schedule C.

CIRCULATION COMMENTS:

This application was circulated to the Works and Utilities Departments as well as the Fire Department. No concerns related to the OCP/Rezoning of the property were raised. If the rezoning application is approved there will be substantial servicing work required as part of the subdivision process.

This application was presented to the Advisory Planning Commission meeting held on March 13th 2015. After reviewing the application the Commission passed the following recommendation.

THAT the Advisory Planning Commission support the application as presented.

Should the application receive third reading, it will be forwarded to the Ministry of Transportation and Infrastructure for approval. District staff are recommending that this bylaw does not require consultation with the RDOS, adjacent municipalities, first nations, other Provincial agencies or Federal Government agencies. Staff are therefore satisfied that all appropriate consultation has taken place. The requirements of Section 879 - Consultation during OCP development of the Local Government Act have therefore been fulfilled.

The proposed bylaw amendment has been forwarded to the Okanagan Skaha School District 67 for consultation. The requirements of Section 881 – Planning of School Facilities have therefore been fulfilled.

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

FINANCIAL IMPLICATIONS:

There are no immediate cost implications to the District associated with this Development. There would be an increase in property tax revenue if the property is rezoned and subdivided.

CONCLUSION:

The proposed low density residential OCP designation and RSD2 zone are compatible with the surrounding land uses. If the OCP/Rezoning application is approved this will result in an infill development with a density similar to the surrounding neighbourhood. A relatively large portion of the property is proposed to remain in its natural state and will be preserved as parkland. It is intended that the area to be dedicated as park will be also be designated and rezoned to park in the future.

STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could deny the application or send it back for further review.

Respectfully Submitted,



Ian McIntosh
Director of Development Services

Approved for Agenda



CAO: Linda Tynan April 7th, 2015

STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING

Schedule A – Site Map



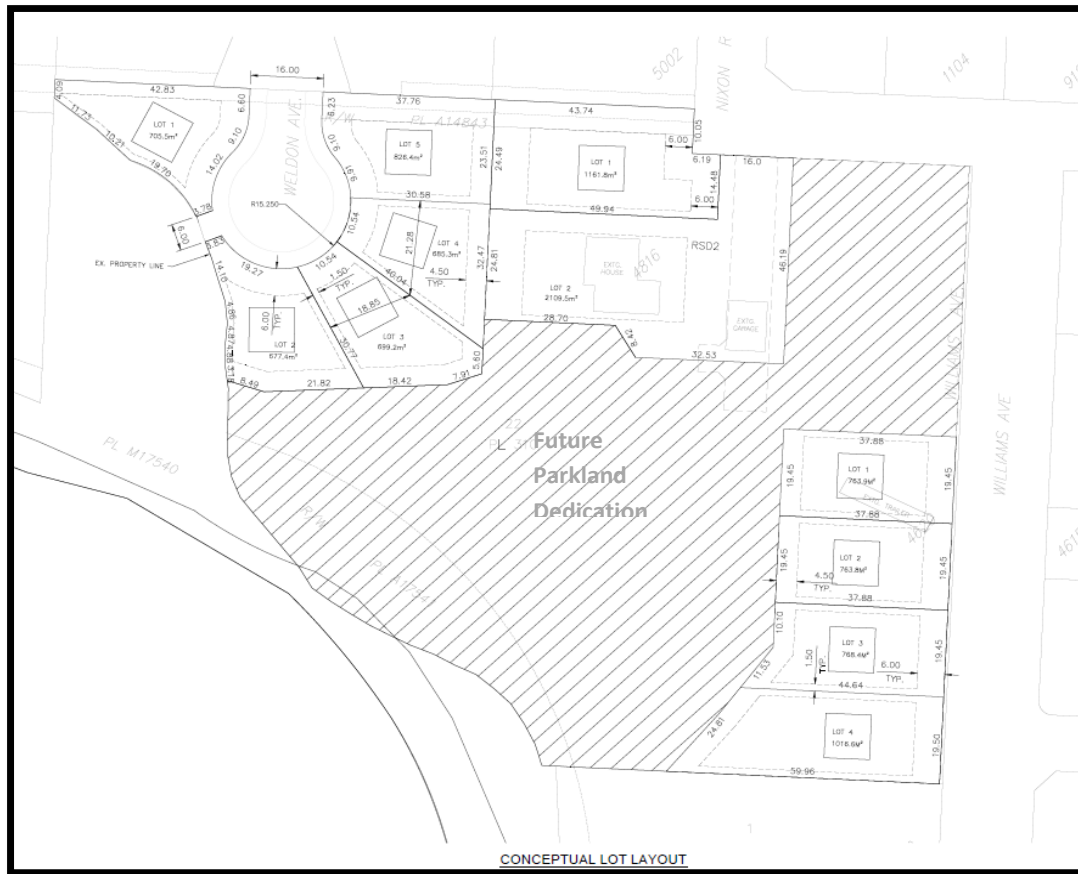
STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING

Schedule B – Environmentally Sensitive Areas



STAFF REPORT FROM APRIL 13TH, 2015 REGULAR MEETING

Schedule C – Neighbourhood Concept



THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-007

**A BYLAW TO AMEND 'SUMMERLAND OFFICIAL COMMUNITY PLAN BYLAW
(2008) NO. 2000-310' (4816 NIXON RD)**

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

1. THAT Official Community Plan Bylaw (2008) No. 2000-310 be amended to change the land use designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential, as outlined on attached map Schedule A.
2. THAT each reading of this bylaw has received a majority vote of the full Municipal Council pursuant to Section 882(2) of the *Local Government Act*.
3. This Bylaw may be cited as "Bylaw No. 2015-007, Amendment of Official Community Plan Bylaw (2008) No. 2000-310 (4816 Nixon Road).

Read a first time this 13th day of April, 2015.

Considered at a Public Hearing this day of 2015.

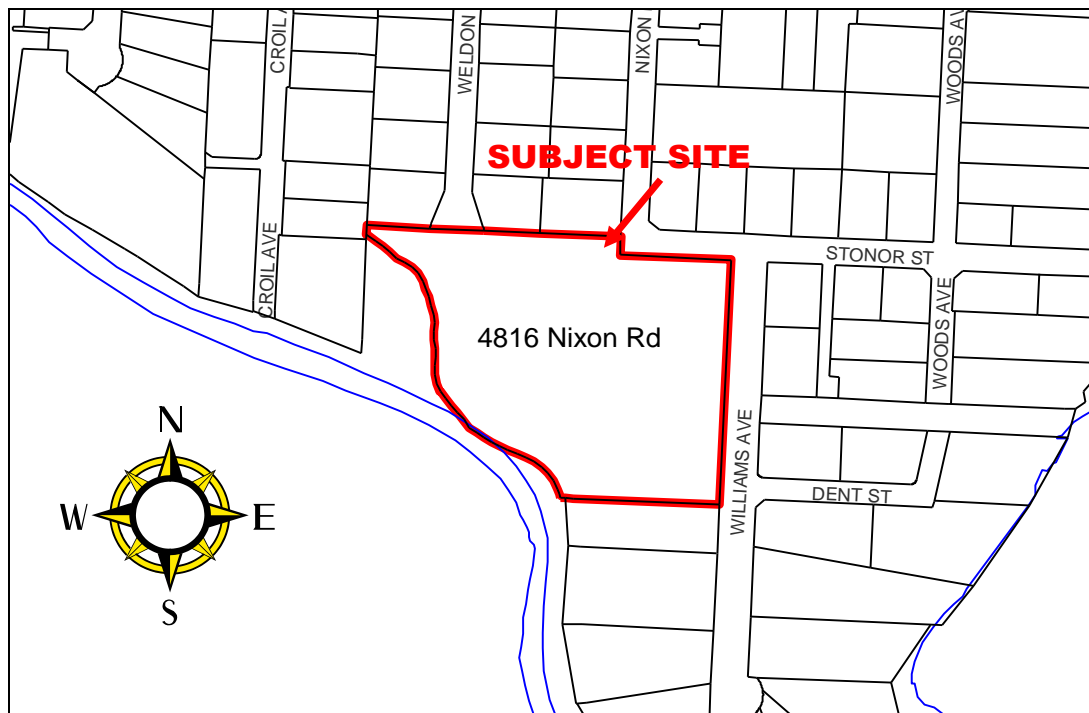
Read a second and third time by the Municipal Council this day of , 2015.

Adopted by the Municipal Council of the District of Summerland this day of 2015.

Mayor

Corporate Officer

SCHEDULE 'A' TO BYLAW NO. 2015-007



THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-010

**A BYLAW TO AMEND 'ZONING BYLAW NUMBER 2000-450' TO REZONE FROM
A1 TO RSD2 – 4816 NIXON RD**

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 Number 2000-450 be amended by changing the zoning classification of Lot 22, DL 488, Plan 310 located at 4816 Nixon Road, from A1 – Agricultural Small Acreage Zone to RSD2 – Residential Large Lot, as outlined on attached map Schedule A.
2. This bylaw may be cited as "Bylaw No. 2015-010, Amendment of Zoning Bylaw Number 2000-450 (4816 Nixon Road)".

Read a first time this 13th day of April, 2015. .

Considered at a Public Hearing this day of , 2015.

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

for Minister of Transportation and Infrastructure

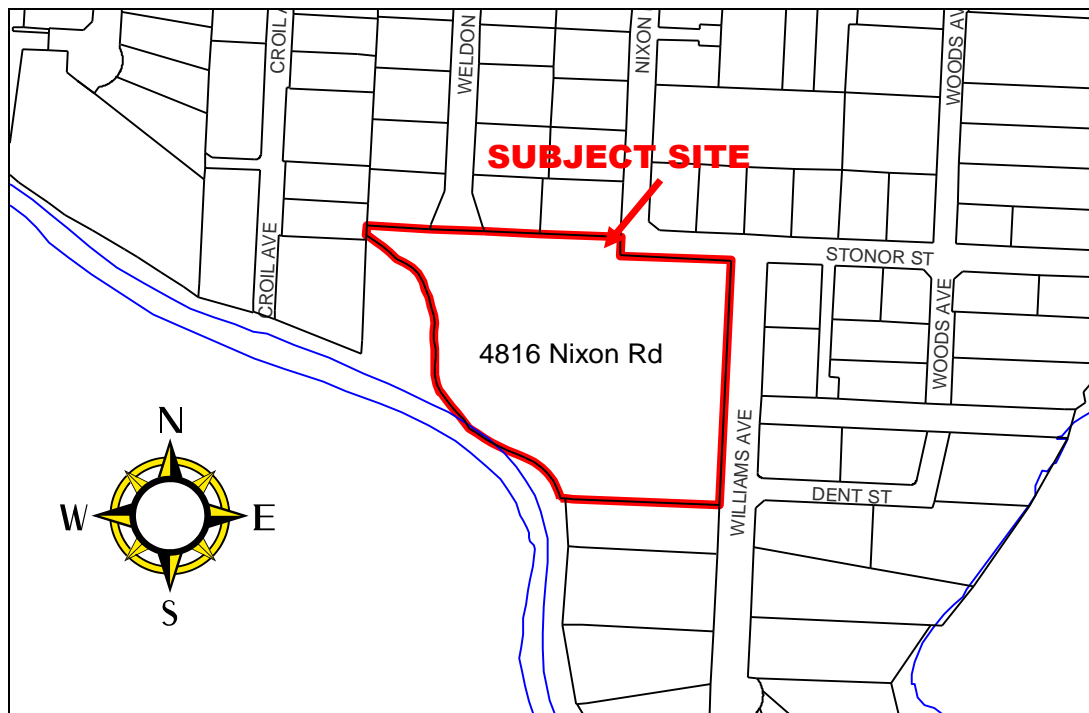
Read a second and third time this day of 2015.

Adopted by the Municipal Council of the District of Summerland this day of , 2015.

Mayor

Corporate Officer

SCHEDULE 'A' to Bylaw 2015-010



THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-011

**A BYLAW TO AMEND 'SUMMERLAND OFFICIAL COMMUNITY
PLAN BYLAW NO. 2014-002'
(4816 NIXON RD)**

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

1. THAT Official Community Plan Bylaw No. 2014-002 be amended to change the land use designation of Lot 22, DL 488, Plan 310, located at 4816 Nixon Road from Agricultural to Low Density Residential, as outlined on attached map Schedule A.
2. THAT each reading of this bylaw has received a majority vote of the full Municipal Council pursuant to Section 882(2) of the *Local Government Act*.
3. This bylaw may be cited as "Bylaw No. 2015-011, Amendment of Official Community Plan Bylaw No. 2014-002 (4816 Nixon Road)."

Read a first time this 13th day of April, 2015.

Considered at a Public Hearing this day of , 2015.

Read a second and third time by the Municipal Council this day of 2015.

Adopted by the Municipal Council of the District of Summerland this day of 2015.

Mayor

Corporate Officer

SCHEDULE 'A' TO BYLAW 2015-011



STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: April 13th 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
(Report Prepared by Alex Kondor – Development Planner)
SUBJECT: Zoning Amendment Lot B, District Lot 488, Plan 26797
2705 Johnson Street

STAFF RECOMMENDATION

THAT Council pass the following resolution:

‘THAT the zoning amendment (CR1 – Country Residential 1 – 2705 Johnson St) Bylaw No. 2015-008 be introduced and given first reading;

AND FURTHER THAT a public hearing be scheduled for Monday, April 27th, 2015.’

PURPOSE:

To present a comprehensive review regarding a request for a site specific amendment to the Zoning Bylaw to operate a home occupation that involves canine boarding on the property.

BACKGROUND:

Current Use:	Residential
Parcel Size:	2,589m ² (0.64ac)
Zoning:	CR1 – Country Residential 1
OCP:	Rural Residential
M.o.T. Approval:	Required

The subject property is located on Johnson Street approximately 300m west of the intersection of Johnson Street and Highway #97. There is an existing single detached house on the property. The property owners have applied to operate a ‘Holistic Dog Care’ business at this location. A critical component of this building includes the boarding of up to 5 dogs at a time overnight at the premises. There is one residence directly adjacent to the east of the subject property. There is the ‘Okanagan Hindu Temple and Cultural Society’ to the north of the property and an agricultural operation to the south and west of the site. A site map is attached as Schedule ‘A’.

The property owners used to run ‘Heidi’s Doggy Daycare’ at 4510 Gartrell Road which was zoned Agricultural and allowed for animal shelters. The property owners have relocated to 2705 Johnson Street which is zoned Country Residential and animal shelters are not permitted in this zone. The property owner is therefore applying to operate a home occupation that would allow for the boarding of up to 5 canines on the property including personal pets.

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

DISCUSSION:

OCP

The property is designated Rural Residential in the Official Community Plan (OCP). This designation supports the current CR1 zoning and there is no policy in the OCP to support or discourage the proposed zoning amendment to allow an expanded home occupation.

ALR

The property is located in the Agricultural Land Reserve (ALR). Home occupations are considered 'permitted uses' for land in the ALR. In accordance with Section 3(1) of the ALC Agricultural Land Reserve Use, Subdivision and Procedure regulation any home occupation must be accessory to a dwelling and must comply with municipal bylaws.

Zoning Bylaw

The property is zoned CR1 – Country Residential 1. Type 1, 2, and 3 Home Occupations as defined by the Zoning Bylaw are permitted in the CR1 zone. Home Occupations as defined by the Zoning Bylaw below specifically exclude uses that involve the boarding of animals mainly to prevent potential disturbances to the surrounding neighbourhood:

*An occupation, Business, or professional practice conducted for remuneration and contained entirely within a Dwelling or its Accessory Buildings which is clearly subordinate to the Principal Use as a Dwelling and where the proprietor is also a resident of the Dwelling where the Home Occupation occurs. This does **not** include Uses such as Automotive & Equipment Repair Shops, Autobody Repair Shops, Eating & Drinking Establishments, Commercial Kennels, Veterinary Clinics, Animal Shelters, Group Homes, Child Care Centres or Health Services.*

There are also specific regulations for Home Occupations in Section 7.6 of the Zoning Bylaw. The applicant has stated she can comply with all of the regulations of the Zoning Bylaw except for the boarding of animals. The applicant would like to board up to 5 dogs on her property and, as this does not comply with the current zoning, a text amendment to the Zoning Bylaw must be approved by Council to allow this use to take place on the subject site.

CIRCULATION COMMENTS:

This application was circulated to the Works and Utilities Departments as well as the Fire Department and no concerns were raised.

This application was presented to the Advisory Planning Commission meeting held on March 13th 2015. After reviewing the application the Commission passed the following recommendation.

THAT the Advisory Planning Commission support the application as presented.

Should the application receive third reading, it will be forwarded to the Ministry of Transportation and Infrastructure for approval.

FINANCIAL IMPLICATIONS:

There are no anticipated cost implications to the District associated with this application.

CONCLUSION:

The proposed amendment is a site specific text amendment to the Zoning Bylaw to allow a maximum of 5 canines to be boarded on the property as part of a 'holistic dog care' home

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

occupation business. Home occupations that involve the boarding of animals are prohibited by the Zoning Bylaw to minimize potential disturbances on the surrounding neighbourhood. In this specific case the applicant has operated a similar business at another location in which dog boarding was permitted and no complaints were received. The applicants have stated their intentions to monitor the dogs to ensure that any noise from barking is minimized. The subject site is located in a rural area and no significant impacts to the surrounding neighbourhood are anticipated.

OPTIONS:

Council could deny the application or send it back for further review.

Respectfully Submitted,



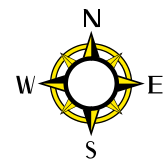
Ian McIntosh
Director of Development Services

Approved for Agenda



CAO: Linda Tynan April 7, 2015

Schedule A – Site Map



THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-008

**A BYLAW TO AMEND 'ZONING BYLAW NUMBER 2000-450'
TO ADD 'HOME OCCUPATION – TYPE 1, 2 OR 3 – TO BOARD UP TO 5
CANINES' IN THE CR1 – COUNTRY RESIDENTIAL 1 ZONE LOCATED
AT 2705 JOHNSON STREET, ONLY'**

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

1. THAT Subsection 9.1.3 Accessory Uses of CR1 – Country Residential Zone of Schedule 'A' of District of Summerland Zoning Bylaw Number 2000-450 be amended as follows:

By adding the following Accessory Use:

'h) *Home Occupation – Type 1, 2 or 3 – to board up to 5 canines*, as a site specific accessory use on Lot B, District Lot 488, Plan 26797, located at 2705 Johnson Street.

2. This bylaw may be cited as "Bylaw No. 2015-008, Amendment of Zoning Bylaw Number 2000-450 (CR1 – Country Residential 1 – 2705 Johnson Street).

Read a first time this 13th day of April, 2015.

Considered at a Public Hearing this day of 2015.

Read a second and third time this day of 2015.

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

for Minister of Transportation and Infrastructure

Adopted by the Municipal Council of the Corporation of the District of Summerland this day of 2015.

Mayor

Corporate Officer

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: April 13th 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
(Report Prepared by Alex Kondor – Development Planner)
SUBJECT: Minor Text Amendments to Zoning Bylaw 2000-450

STAFF RECOMMENDATION

THAT Council pass the following resolution:

‘THAT Zoning Bylaw amendment (Minor Text amendments) Bylaw 2015-009 be introduced and given first reading;

AND FURTHER THAT a public hearing be scheduled for Monday, April 27th, 2015.’

PURPOSE:

To present a comprehensive review of several minor text amendments to District Zoning Bylaw No. 2000-450.

BACKGROUND:

Approximately once a year District staff bring forward small text amendments termed ‘minor’ amendments meant to improve existing bylaws or address inconsistencies and redundancies detected during the application of the bylaws.

Five (5) amendments are proposed:

1. Zoning Bylaw amendment to allow patios to project into required yard set-backs.
2. Zoning Bylaw amendment to add lot coverage maximums for buildings in the A1 and A2 Zones
3. Zoning Bylaw amendment to fix a conflict relating to building height of dwellings for farm help.
4. Zoning Bylaw amendment to require that a garage door have a minimum 6.0m set-back as measured from any facing public street or driveway access easement.
5. Zoning bylaw amendment to increase the lot coverage in RSD1(i) zone from 30% to 40%

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

DISCUSSION:

1. Zoning Bylaw amendment to allow patios to project into required yard set-backs.

One proposed amendment to the Zoning Bylaw is to allow patios to project into a required yard set-back. Currently Zoning Bylaw Section 4.2 – Projections into Setbacks allows for similar structures such as unenclosed decks, balconies, and porches to project into a required yard set-back but does not include patios. Patios are defined in the Zoning Bylaw as “a surfaced open space meant for support of people or materials, located at or less than 0.6m above Finished Grade.” The proposed amendment is to add ‘above grade patios’ into Section 4.2 and to clarify that these ‘projections’ do not apply to the setbacks from Highway #97:

4.2.1 - No Building or Structure other than the following shall be located in the Setbacks required in this Bylaw. **This Section is not applicable to the setbacks stated in Section 4.7.1 – Setbacks from Highways and Major Streets.:**

- (c) unenclosed Decks, **above grade patios**, Balconies, Porches or steps, eaves, Canopies and Awnings may project into a required Setback provided such projections do not exceed 1.5m in the case of a Front Yard or an Exterior Side Yard (b and c in the figure below); 0.6m in the case of an Interior Side Yard (c in the figure below); or 2.0m in the case of a Rear Yard (d in the figure below);

2. Zoning Bylaw amendment to add lot coverage regulations for buildings in the A1 and A2 Zones

The second proposed amendment to the Zoning Bylaw is to add lot coverage regulations for buildings and structures in the A1 and A2 agricultural zones. Currently the maximum Lot Coverage for all building and structures where the principal use is greenhouses or plant nurseries is 65%. The previous zoning bylaw limited other buildings and structure that were not considered greenhouses or plant nurseries to 10%. This regulation appears to have been missed when the new zoning bylaw was adopted. The proposed amendment is to restore the following to the A1 and A2 zones:

Maximum lot coverage for all Buildings and Structures outside the Farm Home Plate is 10%

3. Zoning Bylaw amendment to fix a conflict relating to building height of dwellings for farm help

The third proposed amendment to the Zoning Bylaw is to fix a conflict in the regulations that states that the maximum height for farm dwellings “may not exceed 4.5m or one Storey in Height”. The intent is for the height to be one storey that cannot exceed 4.5m. The proposed amendment is to add the words ‘...the lesser of...’ in Section 8.1.7 (b)(iv)(c)(d) and Section 8.2.7 (b)(iv)(c) as shown below:

Additional dwelling for Farm Help shall conform to the following:
may not exceed the lesser of 4.5m or 1 storey

4. Zoning Bylaw amendment to require that a garage door have a minimum 6.0m set-back as measured from any facing public street or access/driveway easement.

The fourth proposed amendment to the Zoning Bylaw is to add a new set-back requirement for garage doors as measured perpendicular to any property line abutting a public street or driveway access easement. Currently there is no set-back requirement for garage doors from public roads or driveway easements which has resulted in insufficient room to park in front of a garage door.

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

The proposed amendment is to add the following to Zoning Bylaw Section 6.5 Vehicle Parking Space Design Standards:

A garage door shall have a minimum setback of 6.0m as measured from the edge of any facing public road right-of-way or driveway access easement that provides access to the lot.

Zoning bylaw amendment to increase the lot coverage in RSD1(i) zone from 30% to 40%

The fifth amendment to the Zoning Bylaw is to increase the lot coverage in the RSD1(i) zone to 40%. The existing regulation limits lot coverage to 30% of lot size. Increasing lot coverage would be consistent with the existing RSD1 zone which currently has a maximum site coverage regulation of 40%. The proposed amendment is to amend section 10.2.5 (a) of the Zoning Bylaw as follows:

Maximum Lot Coverage in the RSD1(i) zone is ~~30%~~ 40%

CIRCULATION COMMENTS:

This application was circulated to the Works and Utilities Departments as well as the Fire Department, no concerns were raised.

This application was presented to the Advisory Planning Commission meeting held on March 13th 2015. After reviewing the amendments and discussing the changes with staff the Commission supported bringing forward the proposed amendments for consideration.

FINANCIAL IMPLICATIONS:

There are no major financial implications associated with any of the proposed amendments.

CONCLUSION:

District staff are recommending adoption of these text amendments termed 'minor text' amendments to improve administration of the zoning bylaw.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could choose to only allow a few specific amendments to proceed or none at all.

Respectfully submitted,



Ian McIntosh
Director of Development Services

Approved for Agenda



CAO: Linda Tynan April 7, 2015

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

Schedule 1 - Zoning Bylaw amendment to allow patios to project into required yard setbacks.

4.2 Projections into Setbacks

4.2.1 No *Building* or *Structure* other than the following shall be located in the *Setbacks* required in this Bylaw. This Section is not applicable to the setbacks stated in Section 4.7.1 – Setbacks from Highways and Major Streets.

- (a) chimneys, cornices, leaders, eaves, gutters, pilasters, belt courses, sills, bay windows and similar features may project into a required *Setback* provided such projections do not exceed 0.6m measured horizontally (*a, b, c, and d* in the figure below);
 - (b) fencing and retaining walls subject to the regulations of this Bylaw;
 - (c) unenclosed *Decks*, above grade patios, *Balconies*, *Porches* or steps, eaves, *Canopies* and *Awnings* may project into a required *Setback* provided such projections do not exceed 1.5m in the case of a *Front Yard* or an *Exterior Side Yard* (*b* and *c* in the figure below); 0.6m in the case of an *Interior Side Yard* (*c* in the figure below); or 2.0m in the case of a *Rear Yard* (*d* in the figure below);
-

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

Schedule 2 - Zoning Bylaw amendment to add lot coverage regulations for buildings in the A1 and A2 Zones

8.1.5 Development Regulations

Bylaw 2000-464 amended the following definition (g) - (December 12, 2011):

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

(a)	Maximum Farm Home Plate	905m ²
(b)	Maximum Farm Home Plate with a Temporary and/or Additional Dwelling for Farm Help	1,500m ²
(c)	Maximum coverage for all Buildings and Structures within the Farm Home Plate	35 percent of the Farm Home Plate
(d)	<u>Maximum coverage for all Buildings and Structures outside the Farm Home Plate</u>	<u>10 percent of the lot</u>
(d) (e)	<u>Notwithstanding Section 8.1.5 (d)</u> Maximum coverage for all Buildings and Structures where a Lot is 2.0ha or greater in size on which the Principal Use is greenhouses or plant nurseries	65 percent of the Lot

8.2.5 Development Regulations

Bylaw 2000-464 amended the following definition (f) - (December 12, 2011):

Bylaw 2012-017 added the following definition as (e) - (July 23rd, 2012):

(a)	Maximum Farm Home Plate	1,200m ²
(b)	Maximum Farm Home Plate with a Temporary Farm Workers Accommodation and/or Additional Dwelling for Farm Help	2,000m ²
(c)	Maximum Lot Coverage for all Buildings and Structures within the Farm Home Plate	35 percent of the Farm Home Plate
(d)	<u>Maximum coverage for all Building and Structures outside the Farm Home Plate</u>	<u>10 percent of the Lot</u>
(d) (e)	<u>Notwithstanding Section 8.2.5 (d)</u> Maximum Lot Coverage for all Buildings and Structures where the Principal Use is greenhouses or plant nurseries	65 percent of the Lot

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

Schedule 3 - Zoning Bylaw amendment to fix a 'typo' relating to building height of dwellings for farm help

8.1.7 Additional Dwelling for Farm Help regulations:

- (a) Where the *Lot Area* equals or exceeds 2.0ha of arable land, and the intensity of farming requires permanent farm help, one *Additional Dwelling for Farm Help* per *Lot* may be constructed, sited within the *Farm Home Plate*.
 - (b) *Additional Dwelling for Farm Help* shall:
 - (i) be limited to a *Lot* classified as farmland under the Assessment Act;
 - (ii) be limited to one *Dwelling* per *Lot*;
 - (iii) not be permitted unless there is registered in the Land Title Office a restrictive covenant in respect of any *Additional Dwelling for Farm Help* restricting such *Dwelling* to *Use* as an *Additional Dwelling for Farm Help*;
 - (iv) conform to the following:
 - a. may not contain more than three *Bedrooms*;
 - b. may not exceed 110m² in *Gross Floor Area*;
 - c. may not exceed the lesser of 4.5m or one *Storey* in *Height*; and
 - d. may not have a *Basement*.
-

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

8.2.7 Additional Dwelling for Farm Help regulations

- (a) Where the *Lot Area* equals or exceeds 2.0ha of arable land, and the intensity of farming requires permanent farm help, one *Additional Dwelling for Farm Help* per Lot may be constructed, sited within the *Farm Home Plate*.
- (b) *Additional Dwelling for Farm Help* shall:
 - (i) be limited to a *Lot* classified as farmland under the Assessment Act;
 - (ii) be limited to one *Dwelling* per *Lot*;
 - (iii) not be permitted unless there is registered in the Land Title Office a restrictive covenant in respect of any *Additional Dwelling for Farm Help* restricting such *Dwelling* to *Use* as an *Additional Dwelling for Farm Help*;
 - (iv) conform to the following:
 - a. may not contain more than three *Bedrooms*;
 - b. may not exceed 110m² in *Gross Floor Area*;
 - c. may not exceed the lesser of 4.5m or one *Storey* in *Height*;
 - d. may not have a *Basement*.

Schedule 4 - Zoning Bylaw amendment to require that a garage door have a minimum 6.0m set-back as measured from any public street, private road, or access/driveway easement.

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

6.5 Vehicle Parking Space Design Standards

6.5.1 A garage door shall have a minimum setback of 6.0m as measured from edge of any public road right-of-way (excluding a lane) or driveway easement that provides access to the lot.

6.5.16.5.2 Unless otherwise permitted in Section 6 of this Bylaw, each vehicle *Parking Space* shall have a minimum width of 2.6m and a minimum clear length of 5.5m exclusive of access driveways or aisles, ramps and columns. For parallel parking, the length of the *Parking Space* shall be increased to 7.0m, except that an unobstructed end *Parking Space* shall be a minimum length of 5.5m.

6.5.26.5.3 All access driveways and aisles shall be a minimum of 7.2m wide for 90 degree parking, 5.5m wide for 60 degree parking, 4.0m wide for 45 degree parking and 4.0m wide for 30 degree parking. Where the parking angle is less than 90 degrees, the access driveways or aisles shall be demarcated as one-way.

6.5.36.5.4 Parking areas containing four or more vehicle *Parking Spaces* may designate up to 25 percent of the total vehicle *Parking Spaces* as small car parking. The small car *Parking Spaces* shall have a minimum width of 2.5m and a minimum clear length of 4.9m and be clearly designated as "Small Car Parking".

STAFF REPORT FROM APRIL 13th, 2015 REGULAR MEETING

Schedule 5 - Zoning bylaw amendment to increase the lot coverage in RSD1(i) zone from 30% to 40%

10.2.5 Development Regulations

- | | | |
|-----|--------------------------|---------------------------------|
| (a) | Maximum Lot Coverage | 30 <u>40</u> percent |
| (b) | Minimum Floor Area Ratio | 0.5 |

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2015-009

A BYLAW TO AMEND 'ZONING BYLAW NUMBER 2000-450' (Minor Text Amendments)

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

1. THAT the following minor text amendments be amended to improve existing bylaws or address inconsistencies and redundancies detected during the application of the bylaws:
 - a. Add '**above grade patios**' to **Section 4.2 Projections into Setbacks, as Section 4.2.1(c)**:
 - 4.2.1 No *Building* or *Structure* other than the following shall be located in the *Setbacks* required in this Bylaw. This Section is not applicable to the setbacks stated in Section 4.7.1 – Setbacks from Highways and Major Streets:
 - (c) unenclosed *Decks*, **above grade patios**, *Balconies*, *Porches* or steps, eaves, *Canopies* and *Awnings* may project into a required *Setback* provided such projections do not exceed 1.5m in the case of a *Front Yard* or an *Exterior Side Yard* (*b* and *c* in the figure below); 0.6m in the case of an *Interior Side Yard* (*c* in the figure below); or 2.0m in the case of a *Rear Yard* (*d* in the figure below);
 - b. Add '**lot coverage regulations**' for buildings in the A1 and A2 zones, by amending Section 8.1.5 and Section 8.2.5 *Development Regulations*:
 - 8.1.5 *Development Regulations* (A1)
 - (d) Maximum coverage for all *Buildings* and *Structures* outside the *Farm Home Plate* 10 percent of the Lot
 - (e) Notwithstanding Section 8.1.5(d) Maximum coverage for all *Buildings* and *Structures* where a *Lot* is 2.0ha or greater in size on which the *Principal Use* is greenhouses or plant nurseries 65 percent of the Lot

8.2.5 *Development Regulations (A2)*

- (d) Maximum coverage for all *Buildings and Structures* outside the Farm Home Plate 10 percent of the Lot
- (e) Notwithstanding Section 8.2.5(d) Maximum *Lot Coverage* for all *Buildings and Structures* where the *Principal Use* is greenhouses or plant nurseries 65 percent of the Lot

c. Amend **Sections 8.1.7(b)(iv) and 8.2.7(b)(iv) Additional Dwelling for Farm Help regulations:**

8.1.7 Additional Dwelling for *Farm Help* regulations (A1):

(b) *Additional dwelling for Farm Help* shall:

(iv) conform to the following:

- c. may not exceed the lesser of 4.5m or one *Storey in Height*;

8.2.7 Additional Dwelling for *Farm Help* regulations (A2):

(b) *Additional Dwelling for Farm Help* shall:

(iv) conform to the following:

- c. may not exceed the lesser of 4.5m or one *Storey in Height*;

d. Amend **Section 6.5 Vehicle Parking Space Design Standards re Garage Door setback by adding 6.5.1 and renumber as required:**

6.5 Vehicle Parking Space Design Standards

- 6.5.1 A garage door shall have a minimum setback of 6.0m as measured from edge of any public road right-of-way, private (strata) road, or driveway easement that provides access to the lot.

e. Amend **Section 10.2 RSD1(i) Residential Single Detached Intensive Zone to increase the lot coverage:**

10.2.5 Development Regulations

- (a) Maximum Lot Coverage 40 percent
- (b) Minimum Floor Area Ratio 0.5

- 2. This bylaw may be cited as "Bylaw No. 2015-009, Amendment of Zoning Bylaw Number 2000-450 (Minor Text Amendments)".

Read a first time this 13th day of April, 2015.

Considered at a Public Hearing this day of 2015.

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

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

For Minister of Transportation and Infrastructure

Adopted by the Municipal Council of the Corporation of the District of Summerland this day
of , 2015.

Mayor

Corporate Officer



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: April 27th 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Official Community Plan (OCP) Amendment re: Urban Growth Strategy

RECOMMENDATION:

THAT Council pass the following resolutions:

THAT 2nd and 3rd readings of Bylaw 2014-002 be rescinded;

AND THAT that Bylaw 2014-002 as amended be given 2nd reading;

AND FURTHER THAT a public hearing be scheduled for Monday, May 11th 2015.

PURPOSE:

To provide a comprehensive overview of the updated version of the proposed amendment to the OCP relating to the Urban Growth Strategy.

BACKGROUND:

The former Council directed staff to undertake a comprehensive public review of the current Urban Growth Strategy in 2013. This process was initiated in February of 2013 with the final report presented to Council and the public on December 9, 2013. Staff were directed to prepare an amendment to our Official Community Plan based on the final report. An OCP amendment was prepared that proposed an ALR land exchange. The bylaw eventually received third reading and applications were forwarded to the Agricultural Land Commission (ALC). A new Council was elected in November and directed staff to preserve the existing ALR boundary. The applications to the ALC to both include and exclude land from the ALR were withdrawn. Subsequently, an OCP review steering committee was created to review all OCP amendments since 2008. The committee has provided recommendations outlined below to revise the proposed urban growth amendment. This proposed revision to bylaw 2014-002 is strictly in response to the comments received during the consultation process.

DISCUSSION:

Sufficient public process has been undertaken to make some informed revisions to the proposed growth strategy. The community was heard with respect to the preservation of farmland. The urban growth boundary in the OCP amendment has been revised to reflect the wishes of the electorate. The document still includes the demographic updates and the supported infill component of the growth strategy. Specific changes that have been made to the Urban Growth Area (UGA) as a result of the OCP steering committee and public consultation include mapping changes and revised text that:

- Remove ALR areas from the proposed UGA
- Remove a smaller portion of Victoria Rd South from the proposed UGA

The proposed Urban Growth Area changes are shown on the attached Schedule "A". The complete revised version of the OCP amendment is included as Schedule "B".

This OCP amendment was circulated to the Works and Utilities department, Finance department Development Services department and Administration. A review by these departments did not identify any concerns with the proposed amendments.

Council has consulted with the RDOS, First Nations, School District 67, the Agricultural Land Commission and various provincial ministries. Staff are recommending that consultation with federal government agencies is not required. District staff are satisfied that all appropriate consultation has taken place. The requirements of Section 879 - Consultation during OCP development of the Local Government Act have therefore been fulfilled.

The bylaw 2014-002 was forwarded to the Okanagan Skaha School District 67 for consultation. The requirements of Section 881 – Planning of School Facilities have therefore been fulfilled.

The proposed bylaw amendment has been considered in conjunction with the District of Summerland's financial plan and waste management plan. Financial comments are noted below and the proposed amendments to bylaw 2014-002 do not impact the waste management plan. The requirements of Section 882 – Adoption procedures have therefore been fulfilled.

This application was also presented to the Advisory Planning Commission meeting held on April 2, 2015. After reviewing the application and hearing from the public in attendance and support staff, the Commission passed the following recommendation:

THAT the Advisory Planning Commission support the proposed removal of the ALR lands from the UGA but do not support the inclusion of Hunter's Hill or Victoria Road South areas unless additional public consultation is undertaken to confirm public support for these proposed changes.

FINANCIAL IMPLICATIONS:

There are no implications on the District's Financial Plan with respect to the proposed amendments provided the District continues with the policy that developers pay for any utility servicing that their developments require.

CONCLUSION:

There has been considerable public consultation over this issue including a civic election. Bylaw 2014-002 has received significant scrutiny. The select committee of council originally proposed leaving the Hunters Hill area in the UGA however revised their position following input from the APC. The proposed amendments are in response to this consultation and the recommendations of the select committee of council. These amendments essentially remove the ALR lands from the urban growth area and reduce the land proposed for removal in the Victoria Road South area. It is recommended that bylaw 2014-002 be adopted as amended.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could reject the amendments, reject bylaw 2014-002 in its entirety, or send the bylaw back for further review.

Respectfully Submitted



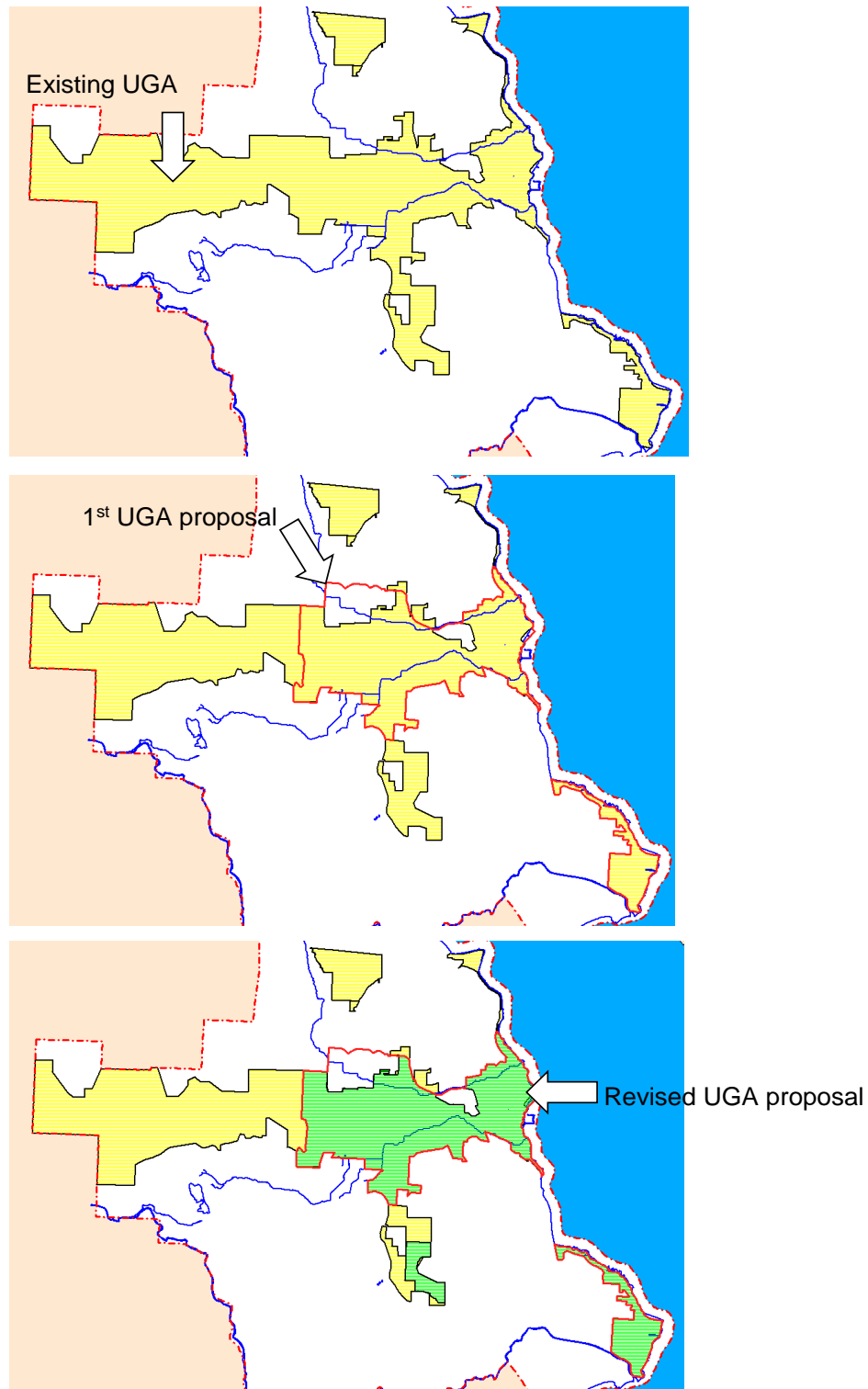
Ian McIntosh, Director of Development Services

Approved for Agenda



CAO: Linda Tynan April 22nd, 2015

Schedule “A” – Existing, Proposed, and Revised Urban Growth Areas



Schedule “B” – Revised OCP Document with Schedules

OCP document

<file:///\\SUMMERPOST\\Development%20Services\\OCP\\OCP%20Review%20Committee%202015\\FINAL%20DRAFT%202015%20OCP%20Amendment%20for%20new%20Growth%20Strategy.docx>

Schedules

<..\2014 Amendment\Schedules\00 All Schedules 1.pdf>

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2014-002 A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE DISTRICT OF SUMMERLAND

WHEREAS the Council of the District of Summerland wishes to adopt an official community plan pursuant to Part 26 of the *Local Government Act*;

AND WHEREAS Council may adopt an official community plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of Council;

AND WHEREAS after first reading of the bylaw the local government must, in sequence, consider the plan in conjunction with its financial plan, and any waste management plan that is applicable in the municipality or regional district;

AND WHEREAS if the plan applies to land in an agricultural land reserve established under the *Agricultural Land Commission Act*, refer the plan to the Provincial Agricultural Land Commission for comment;

AND WHEREAS during development of the official community plan, Council provided opportunities for consultation with persons, organizations and authorities it considered will be affected by the proposal plan including the Board of the Regional District of Okanagan-Similkameen; the Penticton Indian Band and the Board of School District No. 67 (Okanagan-Skaha) and the Provincial Ministry of Transportation, the Ministry of Environment and the Agricultural Land Commission;

AND WHEREAS pursuant to section 879 of the *Local Government Act* Council provided several opportunities for consultation with the public including open houses and consideration by the Summerland Advisory Planning Commission;

AND WHEREAS before Council gives third reading to the bylaw, Council shall hold a public hearing on the proposed official community plan in accordance with section 890 through 892 of the *Local Government Act*;

AND WHEREAS after the bylaw adopting the official community plan has received final reading, the plan is an official community plan of the municipality;

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

1. 'Summerland Official Community Plan (2014)' attached hereto as Schedule 'A' and forming part of this bylaw is adopted as the official community plan of the District of Summerland.
2. If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the official community plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not

affect the validity of the remaining portions of the bylaw and official community plan.

3. Summerland Official Community Plan Bylaw Number 2000-310, together with all amendments, is hereby repealed.
4. This bylaw may be cited for all purposes as the 'Summerland Official Community Plan (2014) Bylaw No. 2014-002'.

Read a first time by the Municipal Council this 11th day of February, 2014.

Considered at Public Hearings on the 3rd day of March, 2014 and the 22nd day of April, 2014.

Read a second and third time this 28th day of April, 2014.

Finally adopted by the Municipal Council this day of , 2014.

Mayor

Corporate Officer



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: April 21st, 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
Report Prepared by Alex Kondor – Development Planner
SUBJECT: Development Variance Permit Lot 10, DL 454, ODYD, Plan 26226
7706 Higgin Avenue

STAFF RECOMMENDATION:

THAT Council pass the following resolution:

'THAT the request for a Development Variance Permit to vary Section 7.4.1 (c) of the zoning bylaw to increase the maximum gross floor area of a carriage house from 60.0 m² (646ft²) to 77 m² (826ft²), be denied.'

PURPOSE:

To present a comprehensive review of the applicant's request for a Development Variance Permit.

BACKGROUND:

Current Use:	Residential
Parcel Size:	0.53 Acres (2144 sq. m)
Zoning:	RSD1 – Residential Medium Lot Zone
OCP:	Residential
M.o.T. Approval:	Not required

The subject property is a large residential lot located in the Crescent Beach neighbourhood on Higgin Avenue. A site map of the property is attached as Schedule A. The property owner wishes to demolish the existing home, construct a new home, and has applied for a carriage home that is larger than the maximum 60m² (645ft²) allowed in the Zoning Bylaw. The proposed floor area of the carriage home is 77m² (828ft²). The applicant has provided preliminary carriage house plans attached as Schedule B.

Examples of the type of carriage homes that can comply with Summerland's zoning bylaw regulations are included for information on Schedule D.

In accordance with the Local Government Act Development Variances 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.

DISCUSSION:

The requested variance would result in a carriage house that is 17m² or 28% larger than what is

currently allowed by the Zoning Bylaw. The existing 60m² limit on floor area was created to ensure that new carriage homes are small sized dwellings that do not offer the same floor area as single detached homes. A typical double car garage is around 60m² and the intention of the existing carriage home regulations is to limit carriage homes to the floor area above a typical double car garage.

The proposed variance is mainly due to the applicant's desire to have a larger dwelling. The applicant has noted that the property is well screened from the adjacent neighbours with existing trees and a cedar hedge which would remain on-site. The applicant has provided a detailed letter of support for this application which is attached to this report as Schedule C.

CIRCULATION COMMENTS:

This application was circulated to the Works and Utilities Departments as well as the Fire Department. No concerns have been raised.

The application has also been circulated to neighbouring properties as required. No comments were received as of the writing of this report.

FINANCIAL IMPLICATIONS:

There are no immediate cost implications to the District associated with the variance application.

CONCLUSION:

The goal of allowing carriage homes is to provide a small secondary dwelling on a lot essentially to allow for a family member (child or parent) to reside on the property. These dwellings are not intended to house typical families or significantly impact neighbourhood character or available parking. Carriage homes have only recently been permitted and are small in size with a maximum floor area comparable to that of a two car garage. The proposed variance would result in a carriage house 28% greater than the current regulation. Staff are not recommending that the variance request be granted as there are no site specific characteristics or other unique circumstances that prevent compliance with the existing bylaw. It should also be noted that the applicant would still have the ability to build a carriage home if the floor area was reduced by 17m² (182 sq. ft).

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could issue the variance or refer back to staff for further investigation.

Respectfully Submitted



Ian McIntosh
Director of Development Services

Approved for Agenda

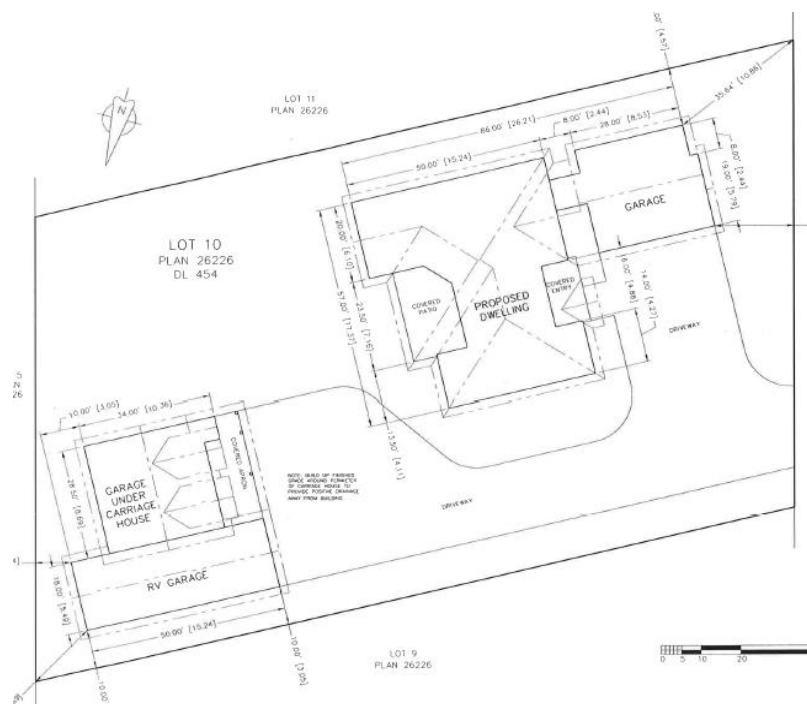
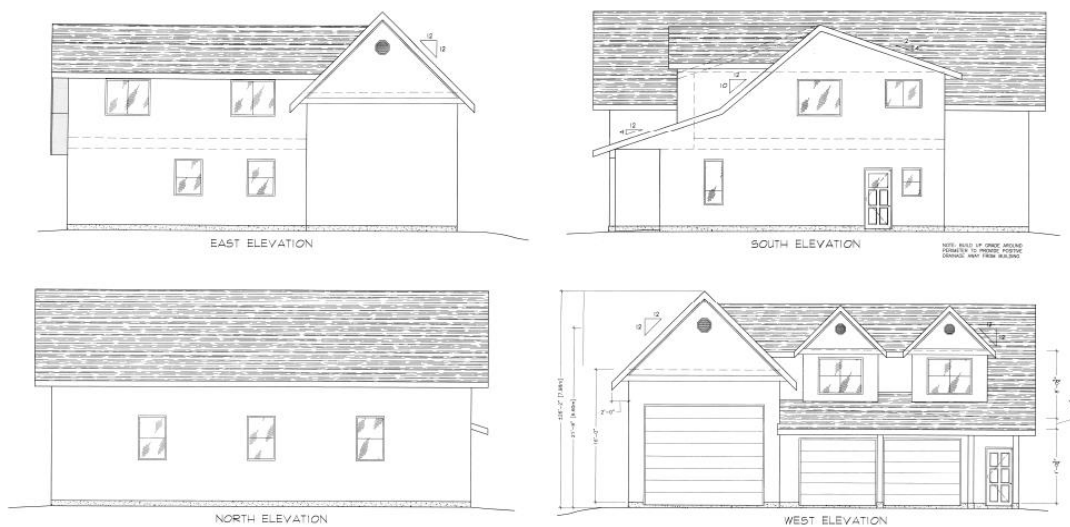


CAO: Linda Tynan April 22nd, 2015

Schedule "A" – Site Sketch



Schedule "B" – Carriage House Plans



Schedule "C" – Letter from Applicant:

Glen & Karen Hiebert
Box 96 Rose Prairie, BC,
V0C 2H0

Variance for Size of Carriage House Bylaw 7.4

To

Honorable Mayor, City Council Members,

My Name is Glen Hiebert, my wife and I have lived in north eastern BC, for our whole lives. For summer holidays we spent 2-3 weeks every year for about 15 years, while our 2 boys were growing up, in the Summerland and Penticton areas. Since then we have always wanted a place in the Okanagan.

Now we have 4 grandchildren and I am close to retiring within two years. Last summer we spent about a month and a half looking for property, until we found the right place. We now have purchased property in the Crescent Beach area, address 7706 Higgins Ave. The old house situated on the property would need too much work to be fixed up or updated, so we have decided to demolish it and build new.

The property is very secluded - it is surrounded with large cedars and evergreens, between 25 and 50 feet, virtually on all sides.

I talked with different people from Summerland and obtained the names of some Architects and builders. We found an architect that was available in the Penticton area (Aztech Design- Marshall Wetzel) and a builder from the Summerland area (Tom Boerboom). So we started working on plans for the house and a carriage house in the back. With the demo that will have to be done on the existing house, we decided to start with the carriage house plans first and then work on the main house plans. The building contractor that I have lined up will start as soon as permits are approved. With his work schedule he has an opening for the early summer to construct the carriage house however he has another commitment for another client in late summer and through the new year. The next opening he would have to start our main house would be late the following fall (2016). Our thoughts were to submit both the plans for the house and the carriage house at the same time, but plan to build the carriage house first because we would have to do the demo on the old house and do the land prep where the old house is to get ready to build the new house.

Marshall Wetzel the Architect and I talked about the carriage house over the garage and he designed the carriage house using the available square footage over the garage and staying under the 90 sq. meters (968.8sq. ft.) as he has designed others in the past. I stopped in at city hall to pick up a permit application to fill out and in discussion with Alex, he mentioned that the carriage house has to be under the allowable 60 sq. Meters (645.8 sq. ft.). My plans use over the 60 sq. m. by 260.2 sq. ft. This can be reduced by the stairs and unusable space over the stairs by approximately 80 sq. ft. from what our plans show that Marshall did not subtract. Our plans would then show 906 sq. ft. minus 645.8 = 260.2 then subtract the approximate 80sq. ft. for the stairs, which leaves us with a total of 180.2 sq. ft. over the

allowable. Marshall has done designs for carriage houses before so he stayed under what he thought was the square footage allowable in the Penticton area Carriage House Bylaws, not realizing that Summerland Bylaws are different. When I called Marshall to discuss the overage with him he was very surprised as he didn't realize there was a difference between the two communities.

I checked out a few other municipalities close by Summerland and the others are at 90sq. meters and some have a 100 sq. meters and some have over these sizes dependent on the size of the lot.

My lot size is 23,640 sq. ft. (2196.2 sq. m.) so with the house and the carriage house combined we are only at 22.2% of lot coverage well below the allowable of 45%.

We have budgeted approximately \$500,000.00 to complete the two houses, most of which would be put into Summerland's economy in the next two years. I have talked with the builder and he tries to use local stores for his building supplies and all other local trades required to complete the build.

So I would ask the City of Summerland to please accept my submission for a Variance and grant me the Variance on the size bylaw at this time. I understand that things do take time to get through the proper channels to come to a resolution and we await your decision.

I am sure you understand that time is of the essence for myself as well.

Thank you all for considering my application and I would welcome the chance to attend before Council to explain my thoughts on the build.



Glen Hiebert

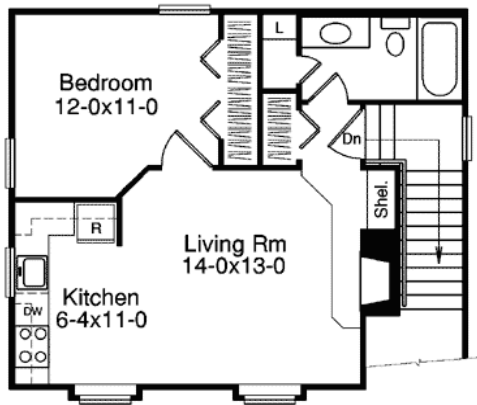
Cell (250) 262-7876

Email glenretired55@gmail.com

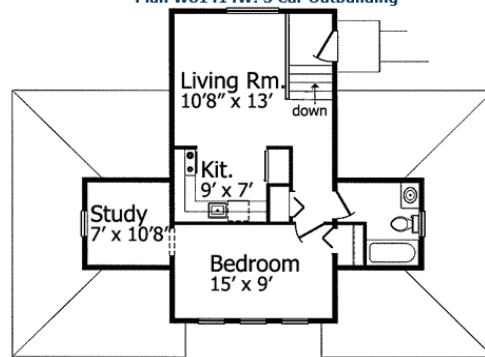
Schedule D – Sample Carriage Houses under 640ft²



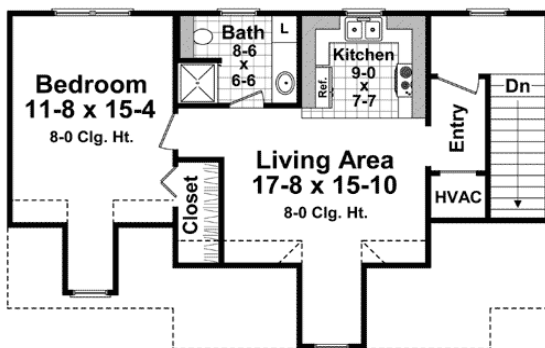
Plan W57128HA: Apartment Garage With Lots Of Space



Plan W81414W: 3 Car Outbuilding



Plan W51137MM: Roomy Garage Apartment





THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: April 21st, 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh – Director of Development Services
Report Prepared by Alex Kondor – Development Planner
SUBJECT: Development Variance Permit Lot B, DL 455, ODYD, Plan KAP51373
5492 Solly Road

STAFF RECOMMENDATION:

THAT Council pass the following resolution:

'THAT a Development Variance Permit to vary Section 4.5.4 of the zoning bylaw to allow an accessory building in the front yard of the property, be approved;

AND THAT the variance only apply for a carriage house developed in substantial conformance with the plans attached to this report as Schedule B.'

PURPOSE:

To present a comprehensive review of the applicant's request for a Development Variance Permit.

BACKGROUND:

Current Use:	Residential
Parcel Size:	0.492 Acres (1991 sq. m)
Zoning:	RSD1 – Residential Medium Lot Zone
OCP:	Residential
M.o.T. Approval:	Not required

The subject property is a residential lot located on the east side of Solly Road in the Lower Town neighbourhood. A site map of the property is attached as Schedule A. The property owner is applying to construct a new carriage house in the front yard of the property. The Zoning Bylaw restricts carriage houses to the rear yard of any property. The applicant has provided preliminary carriage house plans attached as Schedule B. The property owners intend to use the dwelling to house family members. The property owners are applying for a development variance permit as they are unable to construct a carriage house at the rear of the property; this is due to the fact that the existing house is located relatively close to the rear property line and the lot has an irregular shape that restricts the buildable area at the rear of the property.

In accordance with the Local Government Act Development Variances 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.

DISCUSSION:

The property is zoned RSD1 – Residential Medium Lot Zone. Carriage houses are permitted in the RSD1 zone. Carriage houses are deemed to be ‘Accessory Buildings or Structures’ in the Zoning Bylaw. The Zoning Bylaw controls the siting of Accessory Structures in Section 4.5.4 which states “*Accessory Buildings and Structures shall not be located in a Front or Exterior Side Yard*” this is mainly for cosmetic reasons as typical accessory buildings can be garages or sheds. In this case the carriage house has an aesthetic pleasing design and exterior finish. Staff are recommending that any variance be subject to a carriage house that substantially complies with the plans submitted with the application. The RSD1 zone also includes a 6.0m front set-back for any accessory building or structure which the applicants have demonstrated they can comply with as shown on attached Schedule “B”. The proposed carriage house complies with all the other zoning regulations including size, height and parking.

CIRCULATION COMMENTS:

This application was circulated to the Works and Utilities Departments as well as the Fire Department. No concerns have been raised.

The application has also been circulated to neighbouring properties as required. One comment has been received from an adjacent neighbor, and is attached to this report.

FINANCIAL IMPLICATIONS:

There are no immediate cost implications to the District associated with the variance application.

CONCLUSION:

The proposed development would create one additional dwelling that takes advantage of existing services and amenities in the area. The main reason for the development variance permit application is that the existing house and irregular lot shape restricts the ability of the property owner to place a new carriage house at the rear of the property as required by the Zoning Bylaw. Provided there are no concerns raised by the neighbourhood the application is supported.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could refuse to issue the variance or refer the application back to staff for further investigation.

Respectfully submitted,



Ian McIntosh
Director of Development Services

Approved for Agenda

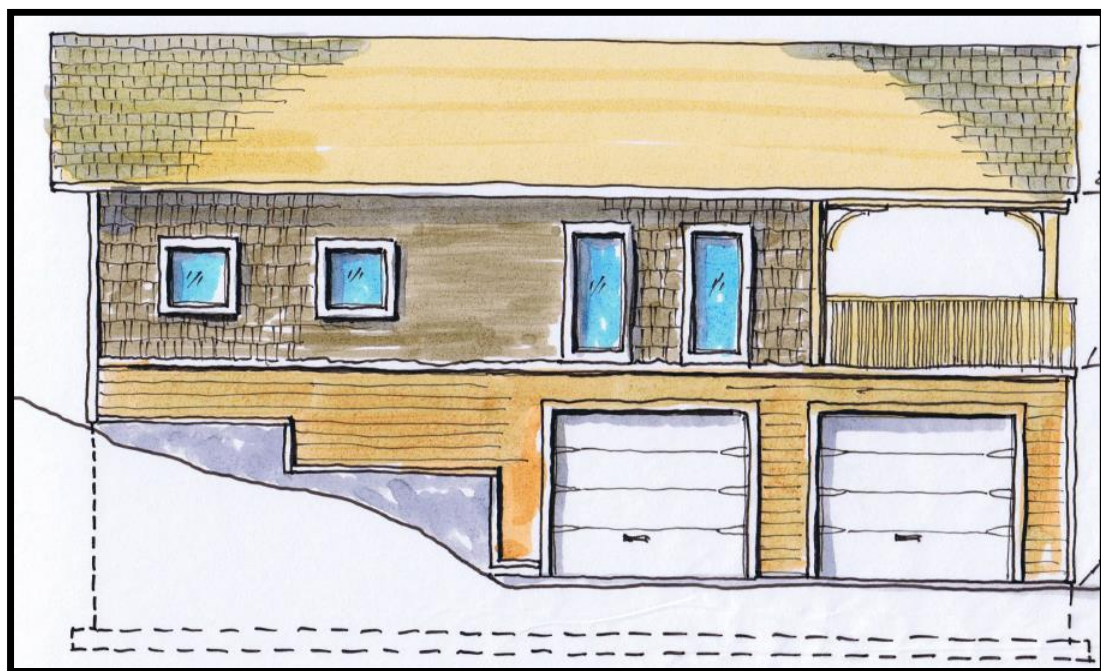
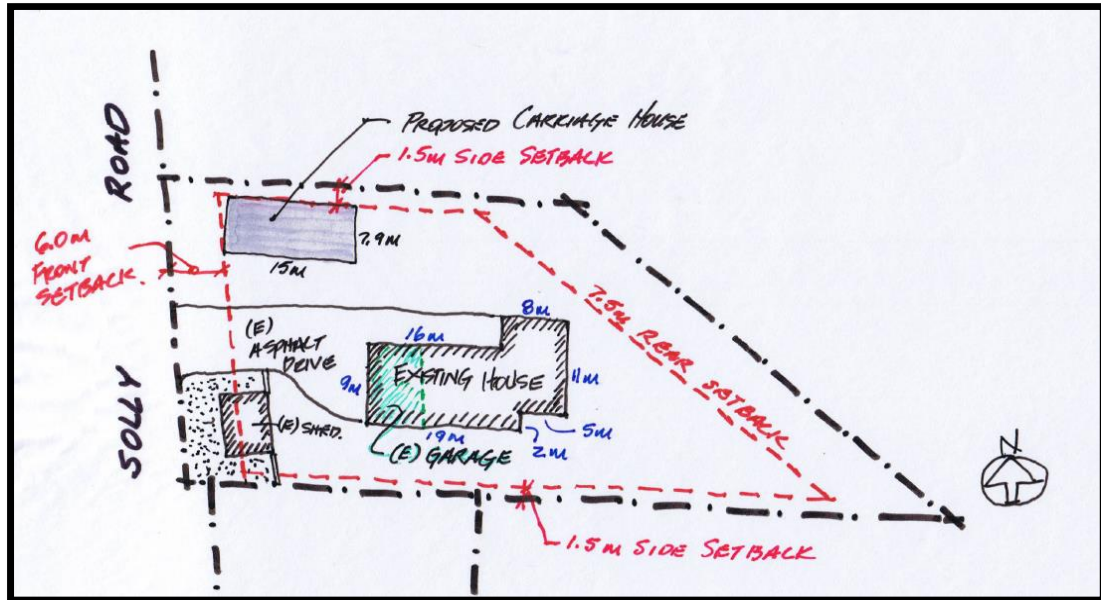


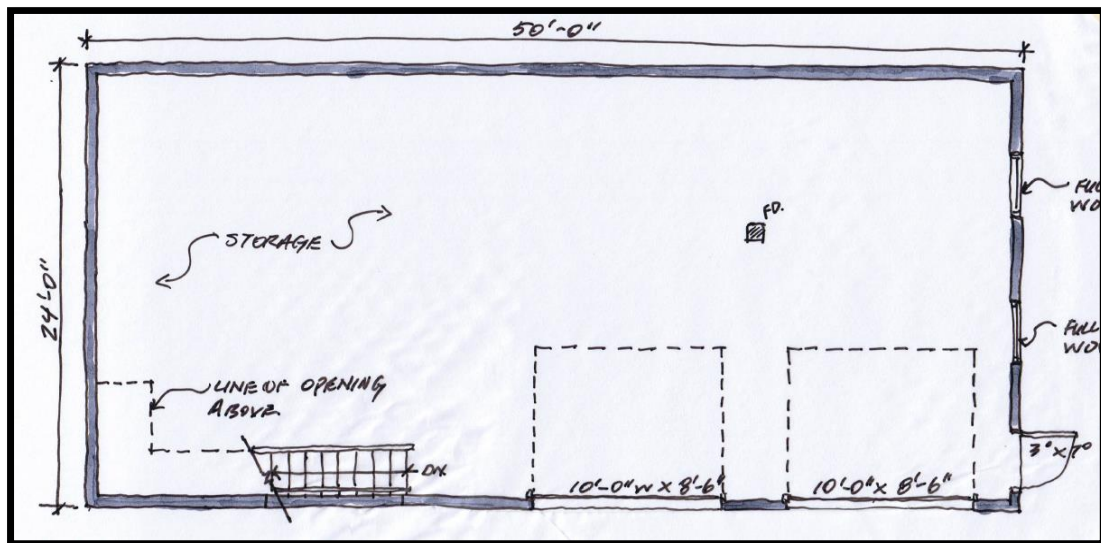
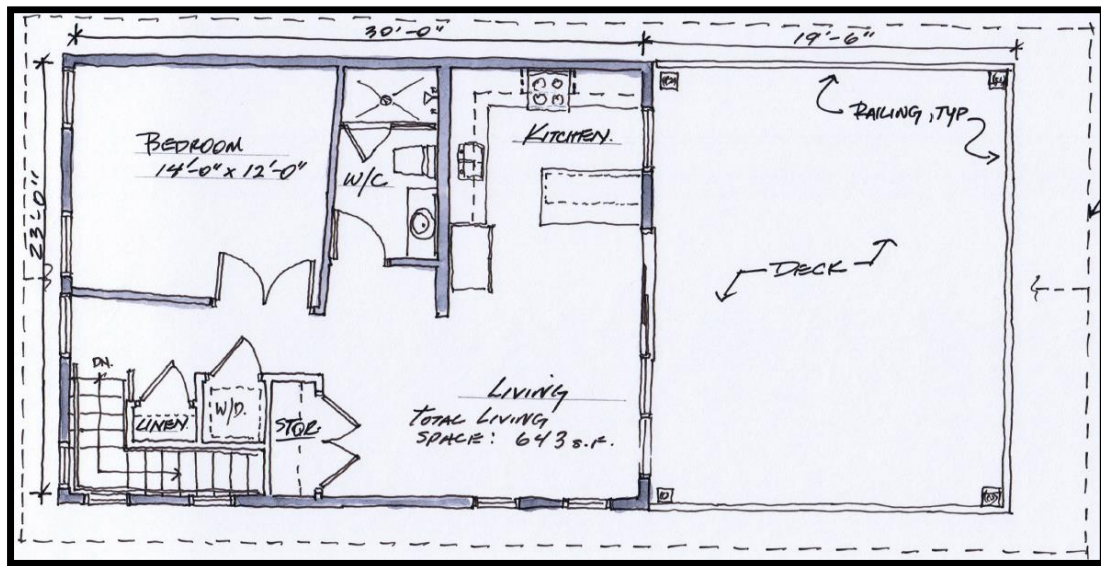
CAO: Linda Tynan April 22nd, 2015

Schedule "A" – Site Sketch



Schedule "B" – Carriage House Plans





From: Garry Ortynsky [<mailto:gortynsky@shaw.ca>]
Sent: April 20, 2015 10:07 AM
To: Alex Kondor
Subject: 5492 Solly Road

Hi Mr Kondor,

I am writing this in regard to the application for the development variance permit at 5492 Solly Road. I own the house directly above on Solly Road at 5509 Solly Road.

I am against the proposal to construct a 2 story house directly in front of our house which would block our view of the lake. The picture of the proposed house does not accurately depict the land as it is relatively flat and not on a slope. I would not be opposed to a one storey bungalow. The elevated house they wish to build is basically another house not a small carriage house which by definition is a small dwelling. My opposition is related to the height of the building they wish to build. There is a small building in front of the existing house already. I would not want another building that is any higher than this building. I am not able to be at the meeting on April 27 because of other commitments. Can you relay my concerns at the council meeting for me.

Thank you

Garry and Kathryn Ortynsky
5509 Solly Road.



THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: April 27th 2015
TO: Linda Tynan – Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
(Prepared by Alex Kondor, Development Planner)
SUBJECT: Development Permit for Lot 25, DL 454, ODYD, Plan 160
17818 Matsu Drive

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT a Development Permit for Lot 25, DL 454, ODYD, Plan 160, located at 17818 Matsu Drive to allow the property to be subdivided in substantial conformance with the plan attached as Schedule C, provided that a restrictive covenant is registered on the title of the property to ensure the site is developed in accordance with the environmental assessment provided in support of this application, be approved.

PURPOSE:

To present a comprehensive review of the applicant's request for a Development Permit.

BACKGROUND:

Current Use: Residential
Parcel Size: 4.05ha (10ac)
Zoning: CR1 – Country Residential
OCP: Rural Residential
M.o.T Approval: Not Required

The site is located on the west side of Matsu Drive. A site map is showing the site is attached as Schedule "A". The property currently contains one single detached house and garage. The remainder of the property is undisturbed and contains ponderosa pines trees, native grasslands, and rock outcrops. The property is adjacent to Sumac Ridge Golf Course and is surrounded agricultural land uses but is not located within the Agricultural Land Reserve (ALR). The property is designed for Rural Residential Development in the OCP and zoned as Country Residential in the Zoning Bylaw. The property owners have applied to subdivide the property into two (2) lots as shown on Schedule C. The property is located within an Environmentally Sensitive Development Permit area (ESDPA) as defined by the District's Official Community Plan (OCP). Prior to obtaining subdivision approval the property owners must obtain a Development Permit in accordance with the Development Permit guidelines stated in the District's OCP.

DISCUSSION:

In accordance with Section 7.6 of the OCP where a property is located in an Environmentally Sensitive Development Permit area a development permit is required to ensure new subdivisions are planned and constructed in order to avoid encroachment

on sensitive ecosystems. An Environmental Assessment (EA) must be prepared by a registered professional biologist (RPBio) to determine which areas are environmentally sensitive. An environmental assessment has been provided as part of the Development Permit application.

The assessment classifies the environmental sensitivity of the property ranging from high sensitivity (ESA1) to no sensitivity (ESA4) as shown on attached Schedule "B". Generally the report recommends that the ESA1 and ESA2 areas should be avoided and states that if development activities are proposed within or adjacent to these areas, then it is recommended that a site inventory take place over the appropriate season (generally late spring/early summer) by a qualified environmental professional to determine presence/absence of plant and wildlife species on the site. The site contains a large amount of ESA2 land which is deemed to include significant ecosystems, uncommon and important to rare wildlife species. ESA2 areas should be avoided, but if development is pursued, portions of the habitat must be retained and integrated to maintain the contiguous nature of the landscape. Some loss to the ESA2 area can be offset by habitat improvements to the remaining natural areas found on the property.

The report also provides detail on environmental effects and mitigation recommendations. It is recommended that a restrictive covenant is registered on the title of the property to ensure that future property owners are aware of the report and the recommendation contained in the report.

Circulation Comments:

This application was circulated to the District's Works and Utilities Department and Fire Department. No concerns have been raised.

FINANCIAL IMPLICATIONS:

There are no financial implications to the District if this Development Permit is issued.

CONCLUSION:

An environmental assessment has been provided in accordance with the Development Permit guidelines stated in the District's Official Community Plan. A Development Permit can be issued based on the results of the report. It is recommended that the Development Permit be issued in conjunction with a restrictive covenant being placed on the title of the property to ensure that the site is developed in accordance with the environmental assessment.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could determine the proposal does not satisfy the guidelines for development or send the application back for further review.

Respectfully Submitted



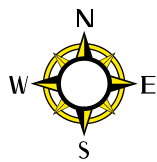
Ian McIntosh
Director of Development Services

Approved for Agenda

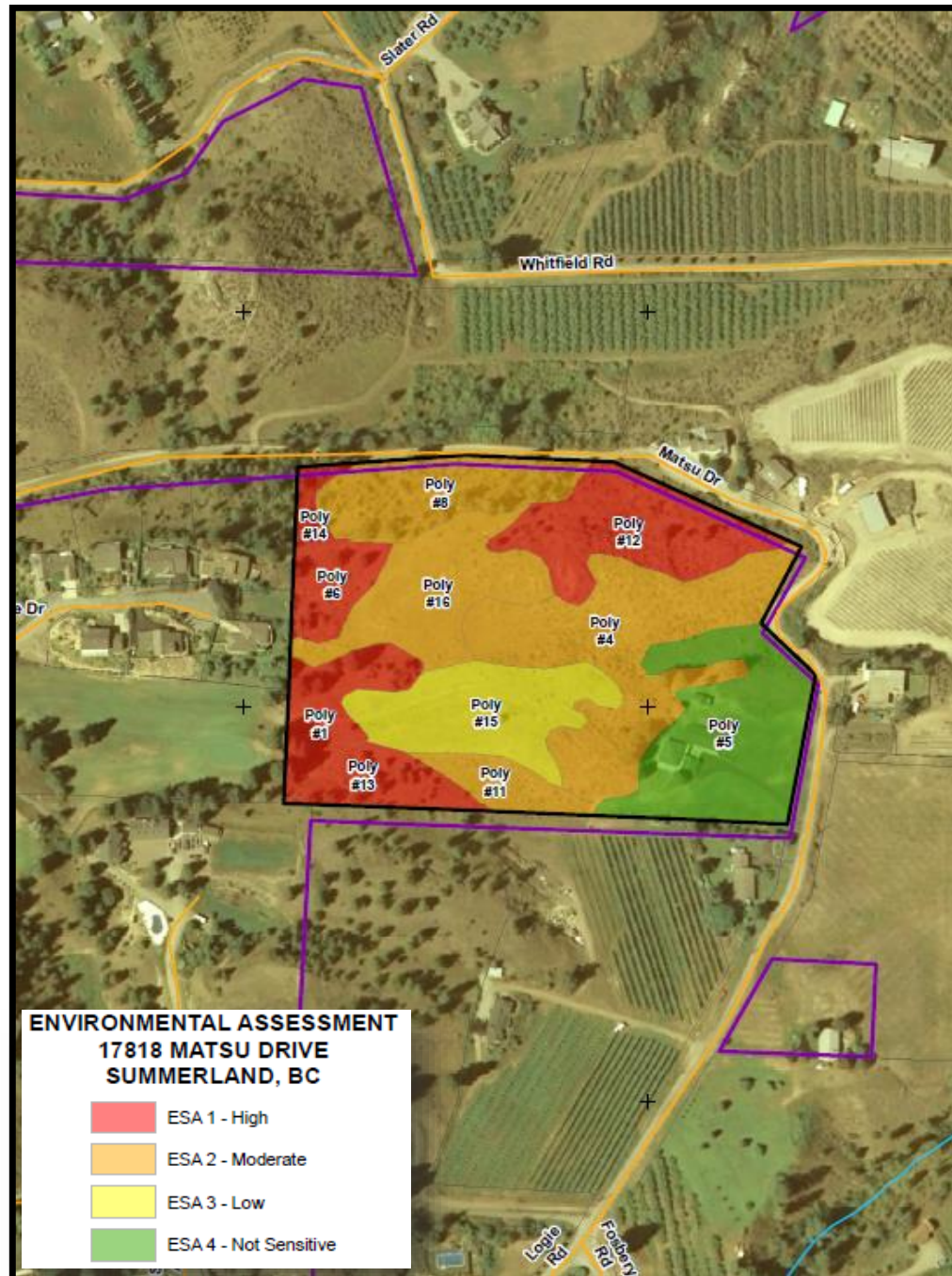


CAO: Linda Tynan April 22nd, 2015

Schedule A – Site Map



Schedule "B" – Environmentally Sensitive Areas





THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: April 27, 2015
TO: Lynda Tynan, Chief Administrative Officer
FROM: Ian McIntosh, Director of Development Services
SUBJECT: Proposed Street Name for Dale Avenue Subdivision

STAFF RECOMMENDATION:

That Council pass the following resolution:

THAT “Lighthouse Landing” be added to the approved list of names in accordance with the terms of Street Naming Policy 300.1.

PURPOSE:

To present an analysis of adding a street name to the approved list in accordance with the terms of Street Naming Policy 300.1.

BACKGROUND:

The District has a street naming policy attached as Schedule A. This policy was adopted in 2001 and was amended in 2002 and 2004, presumably to add names to the approved list.

Section 2. Naming Process of Street Naming Policy 300.1 directs that names for new streets are to be chosen by the “...*District’s Approving Officer in consultation with the developer*”. Section 1 of the policy states “...*the list of potential street names will be compiled by the Development Services Department with the aid of the Heritage Advisory Commission*”. The policy notes that names to be added to the list will be taken from prominent pioneers, local residents that have made major contribution to the community, or names reflecting a physical feature or setting within Summerland or the Okanagan Valley.

DISCUSSION:

In this case the developer wishes to market the development as “Lighthouse Landing” reflecting the existing lighthouse on Trout Creek Point that has been in existence for many years and is a physical landmark in the area. The request is attached as Schedule B and appears to comply with the criteria to add new street names to the approved list.

Section 1. Street Name List directs that “... *any requested changes to the list will be presented to Council for adoption*”. This naming request was forwarded to the Summerland’s Heritage Advisory Commission for comment as the policy notes the list of names should be compiled with the aid of the Heritage Advisory Commission.

The commission passed the following motions at their meeting of March 19, 2015:

- *The Commission has concerns that a street name is chosen to support a development. The selection of a street name should be made by the municipality, not by a developer. This would set a precedent for the selection of other street names.*
- *The Commission supports the street name "Treffry". This name meets two criteria, a soldier on the cenotaph and a Trout Creek resident.*

The motions passed by the Heritage Commission do not appear to be consistent with the current Street Naming Policy 300.1. The currently policy directs the Approving Officer to choose a name, from the approved list, in conjunction with the developer. The policy also requires additions to the list to be approved by council and further permits names reflecting a physical feature or setting within Summerland. Staff are bound by the direction in the current policy.

FINANCIAL IMPLICATIONS:

There are no financial implications with respect to this issue.

CONCLUSION:

The Approving Officer and developer are charged with choosing names of new streets for new subdivisions. The choices of names are in the Street Naming Policy. This policy requires that "...*requested changes to the list will be presented to Council for adoption*". The developer wishes to name the new street after a physical feature in the immediate area "Lighthouse Landing" which complies with the policy. There does not appear to be any reason why this name should not be used.

ALTERNATIVES TO STAFF RECOMMENDATION:

1. Council could deny the request.
This would require the Approving Officer and developer to choose a name from the existing list.
2. Council could revisit the Street Naming Policy.

Respectfully submitted,



Director of Development Services

Approved for Agenda



CAO: Linda Tynan April 22nd, 2015

Schedule "A" Street Naming Policy 300.1.

POLICY STATEMENT AND REGULATIONS

Number: 300.1

STREET NAMING

The District will assign street names for newly created or altered roadways in compliance with the following policy:

1. Street Name List:

A list and any subsequent changes to the list of potential street names will be compiled by the Development Services Department with the aid of the Heritage Advisory Commission. The list and any requested changes to the list will be presented to Council for adoption. Names to be added to the list will be taken from:

- Prominent pioneers and settlers.
- Local residents that have made a major contribution or sacrifice on behalf of the community.
- Names reflecting a physical feature or setting within Summerland or the Okanagan Valley.

2. Naming Process:

The District's Approving Officer in consultation with the developer shall apply the names for new or altered roadways from the adopted street name list using the following principles as a guide:

- An attempt will be made to use names of local pioneers or acclaimed residents that had resided or presently do reside in the general area where the new road(s) will be built.
- The use of physical features or setting names will be restricted to roadways that provide direct linkage to areas outside of the proposed development area or are the main access road to the new development (neighbourhood).

Any street name theme for a new proposed neighbourhood not in compliance with the above noted criteria will require special approval by Council prior to implementation by the Approving Officer.

3. Street Name Suffixes:

Street name suffixes will be determined using the following criteria:

- Avenue - a through roadway carrying north-south traffic.
- Crescent - a roadway circilinear in nature or shaped as a crescent.
- Court - a non-through roadway comprised mainly of a turning circle (cul-de-sac).
- Place - a non-through roadway ending with a turning circle (cul-de-sac)
- Road - a roadway linking together a number of urban and/or rural residential areas.
- Street - a through roadway carrying east-west traffic.

Adopted: November 10, 2014

Policy 300.1

Article I. REGULATIONS

"Street Name List"

With the addition of Towgood Street in 2001, Summerland now has 286 street names. The following list provides suitable names for streets and avenues for specific regions of the community.

The community has been divided into 8 regions. These regions reflect the location of the residence or business of the person/family being honoured by the naming of the roadway. An additional category, 'General' is intended for the person/family who had a more encompassing influence on the community. Included in the 'General' category are the names from the Cenotaph that have not been used as street names.

1. Trout Creek
2. Paradise Flats (includes the Trotter property)
3. Happy Valley
4. Lower Town
5. Prairie Valley (includes Deer Ridge and Conkle Mtn)
6. Garnett Valley (includes Jones Flat and north)
7. Sumac Ridge (includes Minty property)
8. Downtown (includes east face of Cartwright Mtn.)
9. General (also includes Cenotaph names)

REGIONS

1. Trout Creek

- a. Aoki, Yoshi, Nobukatsu,: 1920 orchardist, Municipal electrical
- b. Britton, 1928, fruit tree research
- c. Sharp, Sidney Fell,: postmaster, Gartrell Post Office 1910-13
- d. Treffry, 1913, Research Station
- e. Landry, Jacques,: 1924 prize Jersey cows

2. Paradise Flats

- a. Bartholomew, Sam.: 1906, house painter, DL 441,455
- b. Estabrook, Rev Horace, George,: 1907, DL 2196,473,Baptist minister
- c. Imayoshi, Kichinojo,: 1910, CPR, orchardist
- d. Strachan, Donald & Dr. C.C., 1926, Research St..Peach Valley
- e. Steed, George,:KVR & orchardist, DL 439
- f. Baldwin, William, Henry: 1924 Sld Box Factory
- g. Cope, George, W.:Sld Operatic Society in 1920's. conductor
- h. Daniels, Frank & Bridget: Research St.,Box Factory, store lower town
- i. Eckersley, Reginald,: 1919, near West Sld St, worked Sld Supply Co.
- j. Koch, Theodore: 1920, 1926 killed KVR accident on speeder

3. Happy Valley

- a. Rowley, Joseph,: 1910 jeweler, had street name, now the Ryga Centre
- b. Snider, Sanford,Bryon,: 1913 orchardist, DL 455 & Giant's Head Rd.
- c. Uzawa, Sam,: 1907,orchardist, Giant's Head Rd.
- d. O'Malhoney, Jack,: administrator hospital, Front Bench Rd.

4. Lower Town

- a. Derrick, Albert, Almeron,: 1907 DL455 dairy, st name, Switchback Rd
- b. Inaba, Bunmei,: 1919, Front Bench, orchardist
- c. Rossi,: orchardist, Front Bench Road
- d. Shields, William, Robert,: 1908, blacksmith, DL 455, Sid Boat Works
- e. Ross,David,: 1906 hospital auxillary, had street name, Anglican church
- f. Aitcheson, Maisie, 1914 first matron of hospital
- g. Hogg, Kenneth, Stewart: 1903 teacher, Sld Drug store, DL674
- h. Collas, Henry, L.J.:Bank of Mtl
- i. McAlpine, Thomas James,:1909,provincial road/bridge builder

Schedule "B" – Letter from Applicant

Developer's Street Name Request

Waterfront Group Holding Corp

1-1101 Main St, Penticton, BC
V2A 5E6

March 10, 2015

District of Summerland
Municipal Hall
13211 Henry Avenue
Summerland, B.C., V0H 1Z0

Attention: Mr. Ian McIntosh, Director of Development Services

Re: Dale Ave Subdivision: Road Naming

Dear Sir;

We are writing to respectfully request that the District of Summerland allow us to name the new road in our subdivision the following:

First Choice: Lighthouse Landing

Second choice: Lighthouse Place


The reasons we prefer these names versus the ones you have said were already approved, is that our names reflect the nature of our subdivision. There is an existing lighthouse at Gartrell point that has been in existence for many years. This lighthouse was used by steam boats for navigation assistance up and down the lake. Our new road is approximately 200 meters away and our subdivision name is Lighthouse Landing.

We have canvassed 75% of our lot purchasers and all are unanimously in agreement for Lighthouse in the name. In addition, we would like to point out that our project is contributing in excess of \$ 500,000 to the district of Summerland. We feel that this should help us make a few decisions on our community project.

Lastly, we also ask that we start the name of the new road, where we hook up to Dale Ave.

Thank you in advance for reviewing our request. We sincerely hope that you agree with our request. Should you have any questions, please do not hesitate in contacting me.

Yours truly,


Jim Morrison, P.Eng.
President



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: April 15, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Lorrie Coates, Director of Finance
SUBJECT: Domestic Second Water Service

STAFF RECOMMENDATION:

That Council pass the following resolution:

'THAT the Fees and Charges Bylaw No. 98-001 (Schedule 'B') Water Rates and Fees, be amended to include the following charge:

'Domestic Second Water Service

Where a property is under 2.0 acres (.81 ha) and there is an existing second water service in place as of April 15, 2015 and the purpose of the second water service is Domestic Seasonal Water Use, the annual charge shall be \$ 44.00 for properties that are .5 acres or less; \$ 112.00 for properties that are between .51 and 1.0 acres; \$184.00 for properties that are between 1.01 and 1.5 acres; and \$ 254.00 for properties that are between 1.51 and 1.99 acres;

AND THAT any property owner with a Domestic Second Water Service with a meter shall not be charged for that metered consumption;

AND FURTHER THAT the revenue from this annual charge be reserved to fund costs associated with water metering and the review of water rates.'

PURPOSE:

To implement a water rate for the properties with a domestic second water service.

BACKGROUND and DISCUSSION:

Council has considered the issue of the domestic second water service several times in the past year. In response to the community feedback, Council rescinded the monthly charge for 2015 as many property owners with a domestic second water service requested. Subsequently, a notice of motion requesting a staff report on the fee was introduced by Councillor Barkwill.

Staff have compiled an annual charge for those properties under 2.0 acres with a domestic second water service. The charge has been calculated as the average for the properties in each of the four groups. The groups have been determined by the arable acreage of

the properties. The rate is based on the current irrigator water rate of \$144.89 per arable acre.

Several property owners have installed a meter on the domestic second service based on direction from the District. To be equitable in charging for water in 2015, staff recommend that these meters not be used for billing so that all domestic second service connections are charged in the same manner. Irrigator water use and rates is scheduled to be reviewed in 2015 by the Water Committee. This review will include the domestic second water service use.

The following chart summarizes the number of properties and the potential fees:

Group	# properties	Annual Charge	Total Revenue
.5 acres or less	62	\$ 44.00	\$ 2,728.00
.51 to 1.0 acres	60	\$ 112.00	\$ 6,720.00
1.01 to 1.5 acres	30	\$ 184.00	\$ 5,520.00
1.51 to 1.99 acres	25	\$ 254.00	\$ 6,350.00
	177		\$ 21,318.00

There are properties with a domestic second water service where the property owner has advised the District that the service is not needed. In 2015, the water will not be turned on to these services and Works staff will be decommissioning the services. Once decommissioned, it will not be possible to obtain water from the service.

CONCLUSION:

To be fair to all, water users must participate in funding the water system and everyone must pay their fair share. Implementing an annual charge for the domestic second water service will mean that all categories of water use are generating revenue for the utility fund.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council may decide not to implement the annual charge for Domestic Second Water Service or may direct staff to compile a charge based on other criteria

Respectfully Submitted,

Lorrie Coates

Director of Finance

Approved for Agenda



CAO: Linda Tynan April 22nd, 2015



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

DATE: April 20, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Don Darling, Director of Works and Utilities
SUBJECT: No-post barriers Prairie Valley Rd

STAFF RECOMMENDATION:

THAT Council pass the following resolution:

'THAT the no-post barriers installed along the north side of Prairie Valley Rd from Saunders Crescent West to Cartwright Avenue remain in place, with minor adjustments to some driveway accesses.'

PURPOSE:

To identify options for improving pedestrian safety along Prairie Valley Road.

BACKGROUND:

For years, residents, in particular parents of school children, have been requesting that safety improvements be made to Prairie Valley Road from Victoria Road South to Cartwright Avenue. The District was successful in obtaining a Provincial grant for the first phase of improvements. This Phase included the installation of curb, gutter, and sidewalks from Victoria Road to Saunders Crescent West and included the frontages of Giant's Head and Montessori Schools. Although these improvements enhanced safety on this section of Prairie Valley Road, the District continued to receive requests to continue improvements up to Cartwright Avenue.

During 2014 budget deliberations funding was approved for the design of safety improvements on the north side of Prairie Valley Road from Saunders Crescent West to Cartwright Avenue. Initially it had been hoped that the work would include curb, gutter, and sidewalk. It quickly became apparent that this option was not a reasonable solution due to the existing road's undulating vertical alignment which created drainage design issues. It was also determined that a significant portion of this work would be discarded should Prairie Valley Road be upgraded to full urban standards at some future time.

A report was submitted to Council advising them of the cost and difficulties associated with the installation of concrete sidewalks. An alternative solution was presented which included asphalt road widening and the installation of no-post barriers. This option was approved and construction was completed late in 2014.

DISCUSSION:

Not long after the no-post barriers were installed, the District received a petition, see attached, from residents whose properties were located adjacent to the no-post barriers. The petition indicated their

displeasure with the appearance of the barriers, small driveway accesses, no on-street parking, snow ploughing issues, and a safety hazard for children playing on top of the barriers.

Before taking any action, staff felt it was necessary to investigate alternative safety options and contact the schools for their input. The purpose of the safety options is as follows:

1. To separate pedestrian and vehicular traffic, and
2. To eliminate on-street parking which was causing pedestrians to walk into the travel lane in order to get around the parked vehicles.

Staff has identified five options as follows:

Option	Description	Required Work to Complete	Cost
1. No-post barriers (special order required)	Physical separation Highest Level of safety Vehicle deflection ability Restricts on-street parking	Driveway adjustments	\$5,000
2. Decorative bollards (\$800 / unit x 100 units)	Physical separation Moderate level of safety Some vehicle deflection ability May restrict on-street parking	Removal of no-posts Installation of bollards	\$84,000
3. City post barriers (\$240 / unit x 100 units)	Visual separation Limited level of safety Very limited vehicle deflection ability No restriction to on-street parking	Removal of no-posts Installation of City Post	\$28,000
4. Painted asphalt curb (\$15 / lm x 600 lm)	Limited visual separation Very limited level of safety Very limited vehicle deflection ability No restriction to on-street parking	Removal of no-posts Installation of asphalt curb Painting of curb	\$19,000
5. Painted line	No separation Very limited level of safety No vehicle deflection ability No restriction to on-street parking	Removal of no post Line painting contract	\$4,000

Staff also discussed the various options with representatives from ICBC and the Montessori and Giant's Head schools. We have attached correspondence from the two schools that indicates their preference that the no-post barriers remain. In discussions with ICBC they indicated that their preference is the no-post barriers as they provide vehicle deflection ability. Their alternative option would be the City Posts as they are highly visible, bright orange, but again their concern is they do not provide any vehicle deflection ability.

FINANCIAL IMPLICATIONS:

Leaving the no-post barriers in place would require adjustments to some driveway accesses at an estimated cost of \$5,000. Financial implications of the other options are outlined above.

CONCLUSION:

Removal of the no-post barriers could have a detrimental impact on pedestrian safety. Although these barriers may not be visually attractive they are considered the most effective safety solution out of the five options being considered. If the decision is made to leave the no-post barriers in place, staff will commence ordering the specially sized barriers to address the access issues and to complete this project.

If the decision is made to remove the no-post barriers they would be placed into inventory and charged out when used for other projects. The value of these barriers is \$31,000 and the \$4000 cost of removal is included in the above estimated prices.

ALTERNATIVES TO STAFF RECOMMENDATION:

Council could direct staff to implement one of the other options.

Respectfully Submitted



Don Darling

Approved for Agenda



CAO – Linda Tynan April 21, 2015



**Summerland Montessori School
Prairie Valley Preschool
10317 Prairie Valley Road
Box 603 ♦ Summerland ♦ BC
Phone: 250-494-7266 ♦ Fax: 250-494-7286**



RECEIVED

JAN 23 2015

ENGINEERING AND
PUBLIC WORKS

Re: Prairie Valley Road Walkway

Attention: Don Darling

To Whom It May Concern:

The purpose of this letter is to offer our opinion on the walkways and concrete barriers that have been installed along Prairie Valley Road. It has come to our attention that there has been a request to remove them and we feel that would not be in the best interests of the safety of the people, in particular the children, walking along Prairie Valley Road.

The lack of sidewalks along a major road with two schools on it has long been a concern of ours and we were very relieved to see the installation of more sidewalks, walkways and concrete barriers. It is good for students, traffic, and the environment to have more students walking to and from school; these improvements have made that a safe choice for families now. Before the concrete barriers and walkway were there, people frequently parked vehicles along the road. Pedestrians were forced to walk around and into the road, making it difficult to see vehicles coming at intersections. The families that have children walking or biking to school have all indicated that they are relieved the concrete barriers make their children safer.

While actual sidewalks would be more visually appealing than the concrete barriers, this is the next best thing, and far preferable to having nothing there. We would like to see the concrete barriers and walkways stay where they are.

Sincerely,

A handwritten signature in blue ink that reads 'Sheena Fowlie'.

Sheena Fowlie
Head of School
Summerland Montessori School
250-494-7266



GIANT'S HEAD ELEMENTARY SCHOOL

10503 Prairie Valley Rd

PO Box 3000

SUMMERLAND, BC

V0H 1Z0

Phone: 770-7671

Fax: 770-7672

Working together to create a respectful, safe place to learn

April 20, 2015

Attention:

Don Darling
Director of Works and Utilities
District of Summerland

Dear Sir,

I am writing on behalf of Giant's Head Elementary school. I would like to thank the Corporation for thinking of student safety when completing the Prairie Valley Road construction last year. The walkway and barriers have made passage to and from school much safer for our students.

Prairie Valley sees a lot of traffic (including a significant amount of truck traffic) and prior to the work there was no shoulder or walkway for our students. Prior to the enhancements many parents did not allow their children to walk, but now that barriers are in place we see a significant increase in the number of students walking and riding bikes to school.

It is my understanding that some in the community are not in favour of the barriers, but in my opinion student safety should trump all.

Thank you for your attention on this matter.

Sincerely,

Darcy Mullin
Principal
Giant's Head Elementary

Giant's Head Parent Advisory Council
PO Box 3000
Summerland, BC V0H 1Z0

February 18, 2015

The District of Summerland
Administration Office, Municipal Hall
Attention: Mayor and Council
13211 Henry Avenue
Box 159
Summerland, BC V0H 1Z0

Re: Prairie Valley Road Sidewalk Barriers

Dear Mayor Waterman and Councillors:

I am writing this letter on behalf of the Giant's Head Elementary School Parent Advisory Council in response to a meeting that I attended with Don Darling on January 19, 2015 at Giant's Head Elementary School. The meeting was regarding a petition that was received by the residents on Prairie Valley Road affected by the recent creation of a sidewalk with barricades. The concern of the residents was that the barricades that were placed were unsightly, prevented parking on the road and impeded access to their drive-ways. Don Darling arranged the meeting with the school to receive input from the Principal of the school, Darcy Mullin, and members of the Parent Advisory Council regarding the Prairie Valley Road sidewalk barricades.

Giant's Head Elementary School is a Kindergarten to Grade 5 school. The 353 students who attend the school range in ages from 5 years old to 11 years old. Giant's Head School is situated on a main corridor from the Town Centre to Prairie Valley, it is the main corridor to highway 97 for communities between Princeton and Summerland as well as the main truck route to Secondary Highway 40. Cars, trucks, dump trucks, logging trailers are just a few of the types of vehicles that use this road on a daily basis.

The document created by the District of Summerland detailing the Prairie Valley Road upgrade that occurred in 2013 stated the need for following Improved Pedestrian Safety Issues:

- No continuous safe pedestrian corridor
- Handicapped access limited
- Narrow shoulders
- Limited sidewalks
- High pedestrian volumes (Giant's Head and Montessori Schools)

RECEIVED
FEB 20 2015
DISTRICT OF SUMMERLAND

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- Pedestrian conflicts with commercial vehicles

And provided the following photograph to demonstrate the need for improved pedestrian safety:



Once the work started, it became evident that the funds were not going to be sufficient to have the road and sidewalk improvements extend west beyond Saunders Crescent. The above photo demonstrated the need for pedestrian safety west beyond Saunders Crescent (part of the road improvements that the funding did not extend to).

The District of Summerland recognized the need for pedestrian safety and after consulting with the residents on Prairie Valley Road, widened and paved the road and stationed barriers on the north side of Prairie Valley Road creating a sidewalk for pedestrian safety. We understand that this method was chosen as it was the least expensive while still providing protection to pedestrians using this very busy road.

Prior to the placement of the barriers, many residents of Prairie Valley Road would use the shoulder of the road as parking for their additional vehicles. Each time a vehicle was parked on the shoulder, pedestrians were forced to move out onto the road to navigate around the parked vehicle. Many times the pedestrians walking on the road around the vehicles were children walking to and from school. Having to move onto the road placed the pedestrians at risk.

We have had discussions with Sgt. Lacroix of the Summerland RCMP detachment regarding the Prairie Valley Road barricades. Sgt. Lacroix has indicated that in the absence of a proper

sidewalk he supports the use of barricades as a method to protect children and other pedestrians from vehicle traffic.

Since the sidewalk was created with the current barriers, the pedestrian traffic appears to have increased on Prairie Valley Road as it is now a safe option for pedestrians to use. In the absence of a proper sidewalk on Prairie Valley Road from Saunders Crescent to Cartwright Avenue, the Parent Advisory Council at Giant's Head Elementary School is in favour of a barrier to ensure the continued safety of not only the children that walk on this road on a daily basis, but all pedestrians using Prairie Valley Road.

If you have any questions or require additional information, please email me at tiessenpac@shaw.ca or contact me at 250-488-7360.

Sincerely,


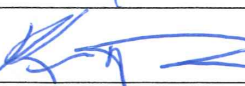

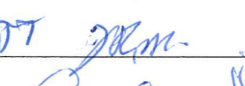
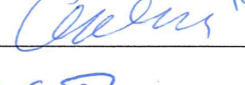

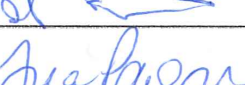
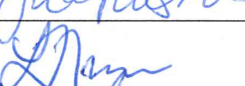

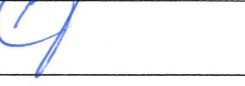
Christy Tiessen
Giant's Head Elementary School
Parent Advisory Council

We, the residents and/or homeowners of Prairie Valley Road are unhappy with the concrete barriers put up in front of our properties and would like to see them removed.

V0H128

NAME	SIGNATURE	CONCERN	DATE	
Kierstin DeRosier	KDeRosier	-looks terrible -driveway opening too small -blocked off backyard	Sept. 29/14	10720 Prairie Valley Rd
ROB KRUSE	ARKSE	LOOKS TERRIBLE	Sept. 29/14	10918 Prairie Valley Rd
Craig Lyons	CL	Ugly	Sept 29/14	10906 Prairie Valley
Shae Williams	Shae Williams	difficult to see how this is an improvement	10920 Prairie Valley Rd	
PAUL WEDLAGE	Paul Wm	UGLY - DANGEROUS	SEPT 29/14	11106 PRAIRIE V.
Steve Karnish	STEVE KARNISH	- LOOKS TERRIBLE - THIS IS NOT WHERE MY TAXES SHOULD BE SPENT ON	Sept 29/14	11110 PRAIRIE VALLEY ROAD
VK	Dallas Karnish	- Discusting to look at	Sept 29/14	11110 Prairie Valley Rd
Parker Karnish	Parker Karnish	looks awful	SEPT 29/14	
Holly Karnish	Holly Karnish	disgusted in how looks feel insulted	Sept 29/14	11110 Prairie Valley Rd
JENNIFER PARK	JP	ugly, no lights. insulted, looks terrible	Sept 29/14	11114 Prairie Valley
Debra Bunn	DB	1137 Prairie Valley	Sept. 29/14	
Tara White	Tara White	Safety Hazard pulling into driveway. Bus stop street, need to back up. no longer able to access backyard w/ utility trailer	Sept 29/14	11316 Prairie Valley
Russell Olson	RO	Harder to get in & out of drive safely	14/09/29	11518 Prairie Valley Rd
Matt French	Matt French	Terrible look	Sept 29/14	11714 Prairie Rd
Brianna Miller	Breene Miller	Cent park trailer ugly	Sept 29/14	11717 Prairie Valley Rd

494-1244

NAME	SIGNATURE	CONCERN	DATE	
Alecia Hollar		• driveway opening WAY TOO SMALL • Eyesore	Sept. 29/14	11310 Prairie Valley Rd
Kevin MacRae		Really?	Sept 29/14	
Sophia WATERMAN			Sept 29/14	11317 Prairie Valley Rd
KEN SOUTHWELL		UGLY	SEP 29/14 10915 PRAIRIE VALLEY RD	
J.R. MARRIOTT JR.		inconvenient	SEPT. 29/14	Prairie Valley
Amber Esen		only doesn't make sense if the road is completely inconvenient	Sept. 29/14	Prairie Valley
ROBIN DOLKALE		only can't see what's coming	SEPT 29/14	Prairie Valley
MICHAEL FROTHER		NW BEAR BASIN	SEPT 29/14	10713 Prairie Valley
Tara Parson		concrete barriers	Sept. 29/14	10705 Prairie Valley Rd
Laura Neumann		concrete barrier comes over the edge of our driveway	Sept 29/14	10714 Prairie Valley Rd
the ranger		appears to be a hazard as people's vehicles cannot fit through barriers over		

- ~~My~~fraser → while trying to maneuver into their own driveway, traffic is blocked or "Speeders" slam on their brakes "rushing" down P.V. Road & appears to "intimidate the owners that are driving through the barriers (which are too small for some driveways) & the drivers either hit their barriers or stop traffic - They are ugly, too big & dangerous.

why can't you use trees? =
or just paint ~~and~~ lines - ?

* What happens now when you plow the roads? & who shovels the walkway?

Really concerned about the children using these barriers as a balance beam - very dangerous to speeders going by? "Accident waiting to happen."

29 Sept
2014

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THE CORPORATION OF THE DISTRICT OF SUMMERLAND COUNCIL REPORT

DATE: April 21, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Don Darling, Director of Works and Utilities
SUBJECT: Trans Canada Trail – Safety Improvements

STAFF RECOMMENDATION:

THAT Council pass the following resolution:

‘THAT staff be authorized to proceed with design and construction of safety improvements to the Fenwick Road entrance of the Trans Canada Trail at an estimated cost of \$30,000 and further, that staff be directed to include a transfer of \$30,000 from General Revenue Reserve to Capital Projects on the final Five Year Financial Plan to be used for this purpose.’

PURPOSE:

To improve a section of the Trans Canada Trail that is dangerous for users.

BACKGROUND:

The Trans Canada Trail Society (the ‘Society’) requested Council to consider improvements to the Trans Canada Trail near the entrance / exit at Fenwick Road. The Society estimated the cost to be \$30,000 but had not had the opportunity to meet with District staff to discuss what work was required prior to meeting with council. Council directed staff to meet with the Society and provide Council with a recommendation as to what improvements could be considered and to confirm the estimated cost.

DISCUSSION:

The entrance / exit of the Trans Canada Trail (the ‘Trail’) at Fenwick Road consists of a very steep slope with a sharp hairpin corner on slippery exposed bedrock. The remainder of the Trail within the Summerland boundary has little, if any, grade and is very safe for users of the Trail. Over the years, several cyclists heading east toward Fenwick Road have fallen when they unexpectedly came around the hairpin and encountered a 28% downhill slope with loose gravel on bedrock.

In discussions with the Society, it was determined that the most appropriate solution would be to rock hammer or blast two high sections of bedrock and to fill the existing gully with the excess material. This work will reduce the grade of the slope and change the angle of the hairpin corner to create a safer entrance / exit. The filling of the gully will also require the extension of an existing culvert to ensure drainage is not impacted. Final grade work would include crusher chip, or some other type of gravel that will provide a hard packed surface.

The attached photo is looking south at the Trail from Fyffe Road and was taken from this angle to show the existing vertical alignment. The dashed red line indicates the area of concern and the solid red line

on the right hand side of the picture indicates the point where the Trail flattens out. The improvements will include the removal of the high points and the filling in of the low point in the gully.

FINANCIAL IMPLICATIONS:

In review of the proposed work staff has confirmed that the improvements can be completed within the budgeted estimate of \$30,000. To fund the project, a transfer could be made from General Revenue Reserves.

CONCLUSION:

The Trans Canada Trail is frequently used by locals and visitors and is a great area to walk, ride, and enjoy the beautiful views. An improved entrance / exit to the trail would add to this experience by eliminating safety concerns.

Respectfully Submitted



Don Darling

Approved for Agenda



CAO: Linda Tynan April 22nd, 2015





THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: April 21, 2015
TO: Linda Tynan, Chief Administrative Officer
FROM: Maureen Fugeta, Corporate Officer
SUBJECT: BC Transit – GradPASS Transit Program

RECOMMENDATION:

THAT Council pass the following resolution:

'THAT Council support the GradPASS Transit Program, to promote public transit as a lifestyle choice to Grade 12 students;

AND THAT Council approve the graduating Grade 12 students to ride the bus free of charge for any two consecutive days in June, 2015.'

PURPOSE:

To provide Grade 12 graduating students the opportunity to ride the bus free of charge during the month of June, as a safe means of transportation and to help them understand the transportation options when planning a safe ride home.

BACKGROUND:

The GradPASS program allows graduating Grade 12 students to ride the bus free of charge for any two consecutive days of their choice in June 2015.

The GradPASS program was developed in Vancouver in 1988 through Counterattack, BC Transit and the School Boards and has been available in Victoria since 1990. In recent years, a number of municipalities have joined the program. The District of Summerland was an active participant in 2014.

GradPASSES and information flyers are distributed to grade twelve students in the latter part of May each year. The program receives positive media coverage within the community. Due to late mailing of request, BC Transit has extended the deadline date to April 28th, 2015.

Respectfully Submitted,

Maureen Fugeta

Maureen Fugeta
Corporate Officer

Approved for Agenda

CAO: Linda Tynan April 22nd, 2015