



**DISTRICT OF PEACHLAND  
COMMITTEE OF THE WHOLE AGENDA  
Council Chambers – Community Centre  
4450-6th Street Peachland  
Tuesday, October 28, 2014 at 9:00 A.M.**

Page

1. **CALL TO ORDER**
2. **AMENDMENTS TO AGENDA**
3. **APPROVAL OF THE AGENDA**
4. **PRESENTATIONS AND DELEGATIONS**
  - A. Murray Tekano, Senior Project Director, Ministry of Transportation (15 mins)  
***Re: Second Okanagan Lake Crossing Planning Study Commencement***
  - B. Robert Fine, Director of the Central Okanagan Economic Development Committee (10 Min)  
***Re: Regional Economic Development Initiatives***
  - C. Barb Dionne, Chair of the Council Remuneration Committee (10 Min) 3 - 7  
***Re: Council Remuneration Report***
5. **ADOPTION OF MINUTES**
  - A. COTW Meeting held September 30, 2014 9 - 16
6. **REPORTS / DISCUSSION**
  - B. Rental Home - 4445 6th Street 17  
***For Information***
  - C. Compost Site Tenure Agreement 19 - 25  
***Request For Decision***
  - D. Spring Creek Pit Tenure 27 - 30  
***Request for Decision***
  - E. Street Naming - Ponderosa Pincushion Development 31 - 33  
***Request for Decision***
  - F. Zoning Bylaw No. 2100, 2014 35 - 38  
***First Reading Consideration***

7. **OTHER BUSINESS**

8. **ADJOURNMENT**

Polly Palmer  
Corporate Officer  
October 24, 2014

## COMMITTEE BRIEFING

Date: October 23, 2014

**TO:** COTW  
**FROM:** Elsie Lemke, Chief Administrative Officer  
**SUBJECT:** 2014 Council Remuneration Review

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### **Background:**

The Council Remuneration Policy PRO-070 was adopted by Council effective January 1, 2012 (see attached). The Remuneration Committee has met twice over the past few weeks, to review the remuneration paid to elected officials in similar sized municipalities across British Columbia, as well as municipalities in the Okanagan. The Committee also conducted a survey that was responded to by each of Peachland's elected officials, which provided additional information for consideration.

Members of the Council Remuneration Committee are:

Chair Barb Dionne	Chris Scowen
Councillor Jean Fraser	Darlene Hartford
Don Wigfield	

### **Committee Recommendations:**

Based on the reviews and survey feedback, two recommendations were made by the Remuneration Committee, as follows:

"THAT Councillors' remuneration be increased by 2% each January 1<sup>st</sup>, from 2015 – 2019 inclusive; and further  
THAT THE Mayor's remuneration be increased by \$4,000 each January 1<sup>st</sup> from 2015 – 2019 inclusive."

A further recommendation was made by the Committee for Council's consideration, as follows:

"THAT Council consider providing all elected officials with a cell phone for their use, or funding to cover those costs."

The Council Remuneration Review Committee's report is attached.



*The Corporation of the District of Peachland Policy*

**COUNCIL REMUNERATION**

Effective Date: January 1, 2012	Authorized By: Council – Regular Meeting	Replaces: New Policy
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**PURPOSE**

The Council Remuneration Policy establishes a process to review and make recommendations with respect to Council Remuneration on a regular basis.

**SCOPE**

The policy addresses the committee structure and frequency of Council remuneration review.

**POLICY**

During the expiring quarter of a Council's term (September – November), Council will establish a committee consisting of 3 – 7 members of the community, to review Council's remuneration, and make recommendations to the current Council for the new incoming Council's remuneration. Council may, if they wish, appoint a member of current Council to the committee, who is not planning to run in the upcoming election.

The committee shall report back to the current Council with their recommendations at a regular Council meeting, before Election Day.



**District of Peachland  
Mayor and Councillor Remuneration Committee**

**RE: Recommendation that for the following four years, Councillors' stipend rises by 2% per year and that the Mayor's stipend rises by \$4000 per year.**

The following table shows the resulting numbers.

<b>Date</b>	<b>Current</b>	<b>January 1 2015</b>	<b>January 1 2016</b>	<b>January 1 2017</b>	<b>January 1 2018</b>
<b>Councillor Stipend</b>	\$13,349	\$13,616	\$13,888	\$14,166	\$14,449
<b>Mayor Stipend</b>	\$24,911	\$28,911	\$32,911	\$36,911	\$40,911
<b>Ratio</b>	1.87	2.12	2.37	2.61	2.83

In reaching this recommendation, the Committee considered the following points:

- The current ratio of Mayor's stipend to that of Councillor is 1.87; this does not appear to properly reflect the difference in either workload or responsibility.
- Although many other small communities in BC also have a ratio of approximately 2.0, the ratio in the Central Okanagan is generally approximately 3.0. (The ratios are: Vernon, 3.1; Kelowna, 2.9; West Kelowna 3.0; Summerland 2.3; Penticton, 3.1)
- The ratio of 3.0 between the stipend for Mayor and Councillor appeared to the Committee to better reflect the difference in workload and responsibility.
- This was supported by a survey taken of current councillors and mayor in which the average number of hours spent on council work by councillors was estimated at between 50 and 60 hours per month, whereas that of the mayor was estimated at 120-160 hours.
- It was also recognized that the mayor has many functions not generally required of councillors, such as representing the municipality and the community externally, as well as setting the right tone for constructive decision-making within the municipality.
- Although comparisons of stipends have previously been made with other BC communities of comparable size, it was recognized that Peachland is currently far from typical in this regard. Two very large developments are looming and challenging decisions will be needed by the 2015-2019 Council. Furthermore, the resulting rise in population will take Peachland out of the "small" community category.
- An effort to adjust stipends accordingly needs to be initiated now.
- The stipends to be paid reflect the need for good and challenging decision-making.
- The increase in mayor's stipend is substantial and the committee is recommending that it be phased in gradually such that the ratio between mayor's stipend and that of councillor rises from 1.87 (currently) to 2.83 for the year starting January 1, 2018, as shown in the Table.
- The extra cost of the total Council compensation package is \$5602 per year. This is a 5% increase and corresponds to an average of \$1.96 per homeowner.





**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Committee of the Whole Meeting Minutes  
Held Tuesday, September 30, 2014 at 9 AM  
In the Banquet Room – Community Centre**

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**PRESENT:** Mayor Fielding, Councillors Condon, Fortin, Hall, Kerbes, Moberg and Schierbeck

CAO Elsie Lemke  
Corporate Officer Polly Palmer  
Director of Finance Doug Pryde  
Director of Operations Joe Mitchell  
Director of Planning Cory Gain  
Director of Community Services Cheryl Wiebe

Members of the Public  
Members of the Media

**ABSENT:**

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**CALL TO ORDER** Mayor Fielding called the meeting to order at 9:06 a.m.

**AMENDMENTS TO AGENDA** Nil

**APPROVAL OF THE AGENDA** MOVED by Councillor Schierbeck:  
COTW-30/09/14-001 THAT the agenda be approved as presented **CARRIED.**

**PRESENTATIONS AND DELEGATIONS**

**ADOPTION OF MINUTES**

**COTW MEETING MINUTES** MOVED by Councillor Fortin:  
COTW-30/09/14-002 THAT the COTW meeting minutes held Tuesday, September 9, 2014 be approved as presented **CARRIED.**

**REPORTS / DISCUSSION**

**VISITORS INFORMATION CENTRE FINANCE REVIEW COMMITTEE REPORT** Director of Finance, Doug Pryde presented a report regarding the Visitor Information Centre Finance Review by the Visitor Information Centre Finance Review Committee.  
It was noted that:

- the Review Committee met with members of the Chamber of Commerce and Visitors Information Centre (VIC) Staff to discuss;
  - service delivery, value for the money, range of services expected, priority areas in need of improvement, and more operating hours in the 'off season'
- an additional one time amount of \$8,000 is requested to help the VIC with operating costs, being open more hours in the off season and

**VISITORS  
INFORMATION  
CENTRE FINANCE  
REVIEW  
COMMITTEE  
REPORT**

- improvements to the VIC website
- VIC to submit 2015/ 2016 budget before March 31, 2015 in order to participate in budget process with Council, and submit a financial statement for the fiscal year ending Feb 28, 2014

Councillor Condon reported the following additional information:

- Moving the organization to the new location created an increase in operating costs, alarm system and janitorial services etc. Additional funds are needed to cover additional costs

Discussion ensued relative to:

- Chamber of Commerce Operating Agreement permits the Chamber to generate revenue
- Peachland Art's Council is contributing \$6,000 a year to the Chamber of Commerce for their gallery space
- increasing hours of operation at the VIC during shoulder and winter seasons requires additional funding
- updating of the VIC website for a cost of \$2,000
- cost of moving added an additional \$2,748.00 to the operating budget.
  - the District was asked to contribute half of the moving costs for a total of \$9,374.
- The Chamber will have been in the current location for a period of one year at the end of October. At that time, there will be a better idea of the operating costs for the year.

Dave Collins – Peachland Chamber of Commerce

- Council's expectations from the Chamber of Commerce should be clear
- aligning projected costs and actual costs has been the biggest challenge in this process

Further discussion:

- The \$8,000 funding will come from 2014 surplus that will require a bylaw amendment to the financial plan and is intended to be a one time payment

MOVED by Councillor Condon:

COTW-30/09/14-003 THAT COTW recommend that Council approve an additional fee- for- service amount of \$8,000 going to the Chamber of Commerce for the operation of the Visitor's Information Centre (VIC), as a temporary measure, in order to:

1. To assist with any additional occupancy costs associated with the new location and increased floor space;
2. Allow the VIC to operate during the fall, winter months, and early spring, with reduced off season hours;
3. To ensure that special and immediate attention be given to the VIC website in order to bring it up - to- date and allow for regular updates in a timely manner; and

FURTHER THAT the Chamber prepare and submit a 2015/ 2016 budget for the VIC, and participate in the budget process with Council by March 31, 2015, as well as a financial statement for the fiscal year ending February 28, 2015.

**CARRIED.**

**OUTDOOR  
PICKLEBALL  
COURTS**

Director of Community Services, Cheryl Wiebe presented a report regarding outdoor Pickleball courts.

It was noted that:

- There are 3 possible sites for outdoor Pickleball courts to be placed:
  - Turner Park
  - Community Policing parking lot
- Lambly Park
- the approximate cost for a double Pickleball court is \$115,000 and for one court \$80,000

Discussion ensued relative to:

- availability of space for indoor play
  - 4 pickleball courts in the gym
  - 1 Tennis court can be accommodated in the gym
- there is currently \$50,000 in a reserve fund for future tennis courts, and another \$50,000 to be hopefully, contributed to the reserve in 2015.
- portable Pickleball nets have been used without success at various outdoor locations.

Walter Baumer- Peachland

- Surface by the Community Policing would need to be redone and a fence would be required to make it a useable space

Further Discussion:

- Lambly Park location has a lack of safe parking
  - proximity to the highway and encroachment
  - proximity to the outdoor fitness equipment
- the amenity fund is currently at \$69,000
- the tennis court reserve is drawn from the recreations reserve fund
- resurfacing an area will only work if the base layer is not undulating

Jack Smith – West Kelowna

- the Anders Road outdoor Pickleball Courts in West Kelowna was resurfaced with asphalt and every time it rains mud accumulates
- Peachland has the potential to be the Pickleball capital of the Okanagan

MOVED by Councillor Fortin:

COTW-30/09/14-004 THAT COTW recommends that Council direct staff to prepare a budget briefing for outdoor Pickleball courts to consider in the 2015 or subsequent year's budget

**CARRIED.**

**DISTRICT RENTAL  
HOUSES**

Director of Community Services, Cheryl Wiebe presented a report regarding upkeep and maintenance of the District's rental properties

It was noted that:

- The District owns 5 residential homes on 5th and 6th Street (4440 5th St., 4444 5th St., 4450 5th St., 4445 6th St., and 4461 6th St.)
- the lots are currently earmarked for future Senior's housing
- inspection of the property located at 4445 6th St. was conducted by District staff at the request of the current tenant and it was found that as well as regular routine maintenance, there are several significant repairs that are required to maintain the health and safety of the property.

## DISTRICT RENTAL HOUSES

Councillor Condon left the meeting at 10:18 a.m.  
Councillor Condon returned to the meeting at 10:20 a.m.

Discussion ensued relative to:

- The District has an obligation as a landlord to maintain the rental houses.
  - The suggested repairs are not cosmetic, they are all to address safety concerns
  - Once the fascia and eaves are replaced the roof may be required for an additional \$5,000 to a maximum potential cost of \$15,000
  - Inspections of all of the rental houses are being conducted.
- the rent is low in comparison to market rates
- the property is slated for future senior housing since 2005
- BC Housing Society announcements will be made for senior's housing by the end of the year. CAO and Councillor Moberg had a meeting with Minister Coleman who acknowledged the need to move the Peachland Senior's Housing Project forward
- This rental house located at 4445- 6<sup>th</sup> St. is in the first phase of the Seniors Housing and will be among the first to be demolished. Not all of the rental houses fall into phase one of the Senior Housing project

MOVED by Councillor Moberg:

COTW-30/09/14-005 THAT COTW request that staff bring back a report identifying the necessary repairs and the complete costs for the rental property located at 4445 6<sup>th</sup> Street.

**CARRIED.**

## RECESS RECONVENED

Meeting recessed at 10:47 a.m.  
Meeting reconvened at 11:00 a.m.

## WAVE ATTENUATION AT SWIM BAY

Director of Community Services, Cheryl Wiebe presented a report regarding wave attenuation at Swim Bay  
It was noted that:

- in 2014, a significant amount of rock accumulated on the wheelchair ramp at Swim Bay despite the Lifeguard's best efforts to remove the rock
- further study is needed in order to best ascertain a solution

Discussion ensued relative to:

- a study will help identify how sediment travels along the shoreline as shoreline erosions are increasing all along Peachland's shorelines.
- extending the breakwater from the Yacht Club
- the rock accumulation collecting around the Yacht Club pilings
- restrictions to removing the rocks from the wheelchair ramp include:
  - restrictive time frames and distances that the rock can be moved within 100 metres away and only once a year before July 1<sup>st</sup>
  - the Ministry of Fisheries will not permit any work being done in the shoreline without an impact study
  - the cost of initially removing the debris is \$3,000 and then approximately 2 hours a day of shoveling by the lifeguards
- demand for use of the wheelchair ramp

**WAVE  
ATTENUATION AT  
SWIM BAY**

MOVED by Councillor Kerbes:

COTW-30/09/14-006 THAT COTW recommends that Council direct staff to prepare a budget briefing for a shoreline sediment transportation study to consider in the 2015 or subsequent year's budget;

AND FURTHER THAT until a study and solutions for the sediment transportation is finalized that council direct staff to include maintenance of the accumulation rocks at Swim Bay in the annual operating budget or shoreline capital works.

**CARRIED.**

**MEMORANDUM OF  
UNDERSTANDING  
RENEWAL FOR  
GEOGRAPHIC  
INFORMATION  
SYSTEMS (GIS) -  
2015 - 2019**

Director of Planning, Cory Gain presented a report regarding renewal of the Memorandum of Understanding (MOU) for the Regional Geographical Information Services (GIS)

It was noted that:

- MOU term is for an additional 5 years
- Peachland has a 22.2% share of system and pays according to that percentage or approximately \$21,947 per year
- GIS system provides accurate and up-to-date geographical information

MOVED by Councillor Condon:

COTW-30/09/14-007 THAT COTW recommends that Council approve the Regional Geographical Information Services (GIS) Memorandum of Understanding between the Regional District of Central Okanagan, the District of Peachland, The District of lake Country, Westbank First Nation for the years 2015 through 2019;

AND THAT COTW recommends that Council authorize the Mayor and Corporate Officer to execute the GIS Memorandum of Understanding

**CARRIED.**

**DOWNTOWN  
PARKING  
ANALYSIS**

Director of Planning and Development, Cory Gain presented a report regarding downtown parking analysis and Zoning Bylaw update

It was noted that:

- Downtown refers to the area between 1st Street and 6th Street south of Highway 97
- There is currently no provision in legislation for a Tax Exemption Bylaw to reduce or waive parking requirements
- As part of the Zoning Bylaw Review consultation project, Urban Systems has provided assistance addressing parking issues in the zoning bylaw:
  - The amount of parking in downtown;
  - The relationship between the amount of existing parking and the actual amount required by the existing uses in the downtown area;
  - The potential for shared parking between businesses;
  - The cash-in-lieu of off-street parking Policy DEV-170; and
  - Making more effective use of land available for parking downtown

Further discussion ensued relative to:

- Commercial parking spaces being measured on a per square metre ratio
- current business parking and how it would change
- Developing 2<sup>nd</sup> Street parking lot
- Downtown revitalization

**DOWNTOWN  
PARKING  
ANALYSIS**

Councillor Schierbeck left the meeting at 11:55 am  
Councillor Schierbeck returned to the meeting at 11:56 am

MOVED by Councillor Fortin:

COTW-30/09/14-008 THAT COTW receive for information the report entitled "District of Peachland Downtown Parking Analysis" prepared by Urban Systems dated September 16, 2014;

AND THAT COTW recommends that Council direct staff to incorporate the following recommendations from the "District of Peachland Downtown Parking Analysis" into a revised zoning bylaw:

- Parking requirements for commercial uses to be calculated on a per square meter ratio;
- Buffering and landscaping requirements for parking areas containing greater than three spaces to be provided in a non-residential zones;
- Allowance of pervious surfaces for parking areas and requirements for on-site absorption of storm water where imperious surfaces are applied;
- Shared parking standards for non-residential uses when specific conditions are satisfied; and
- Improved the graphics to achieve a more user-friendly presentation of information;

AND THAT COTW recommends that Council direct staff to research and report back to Council on detailed costs and requirements associated with the formalization of parking stalls within the 2nd Street Parking Lot with the intention of utilizing the funds held in the Parking Reserve Fund for capital improvements;

AND FURTHER THAT COTW recommends that Council direct staff to place the preparation of a Downtown Parking management Strategy that includes, but is not limited to, the identification of and support for bicycle and visitor parking infrastructure improvements beyond the 2nd Street Parking Lot, park and ride opportunities and a place for parking way-finding signage, on the 2015 work plan

**CARRIED.**

**2015 TAX  
EXEMPTION  
BYLAW NO. 2095,  
2014**

Director of Finance, Doug Pryde presented a report regarding the 2015 Tax Exemption Bylaw No. 2095, 2014

It was noted that:

- there are 11 organizations that are identified for statutory and permissive tax exemption

Councillor Hall left the meeting at 12:05 pm  
Councillor Hall returned to the meeting at 12:06 pm

MOVED by Councillor Schierbeck:

COTW-30/09/14-009 THAT COTW recommends that Council give first, second and third readings to 2015 Tax Exemption Bylaw No. 2095, 2014

**CARRIED.**

**PUBLIC WORKS  
FEES AND  
CHARGES BYLAW  
NO. 1655, 2002,  
AMENDMENT  
BYLAW NO. 2092,  
2014**

Director of Finance, Doug Pryde presented a report regarding the Public Works Fees and Charges Bylaw No. 1655, 2002, Amendment Bylaw No. 2092, 2014

It was noted that:

- the rates have increased to reflect inflation at a rate of 2%
- the call out rate is based upon the average cost of labour, benefits, equipment and 15% administration

Discussion ensued relative to:

- costing formula
- inflationary rates for last year were less than 2%
- internal rate and an external rate are designed to cover full costs of the equipment charged out

MOVED by Councillor Schierbeck:

COTW-30/09/14-010 THAT COTW recommends that Council give first, second and third readings to Public Works Fees and Charges Bylaw No. 1655, 2002, Amendment Bylaw No. 2092, 2014.

**CARRIED.**

**CONFLICT OF  
INTEREST POLICY**

CAO, Elsie Lemke presented a report regarding a new Conflict of Interest Policy

It was noted that:

- the policy defines what conflict of interest entails, and the repercussion of engaging in conflicts of interest.
- policy is intended to protect the employee and the District of Peachland's best interests
- employees will be trained and made aware of the new policy, new employees will be advised upon worker orientation

Further discussion ensued relative to:

- Policy applying to staff, management and the possibility of applying to Council

MOVED by Councillor Moberg:

COTW-30/09/14-011 THAT COTW recommends that Council adopt Conflict of Interest Policy dated for reference, September 30, 2014;

AND THAT Management and Exempt Staff Policy PER-130 be amended by removing Section 3.0- Conflict of Interest

**CARRIED.**

**COUNCIL  
PROCEDURES  
BYLAW NO. 2063,  
2013, AMENDMENT  
BYLAW NO. 2094,  
2014**

CAO, Elsie Lemke, presented a report regarding Council Procedures Bylaw

It was noted that:

- the amendment to the Bylaw allows Council members to participate in Council discussion and decision via audio electronic devices
- Council Chambers is equipped to accommodate electronic communications

Further discussion ensued relative to:

- limiting the number of meetings attended via electronic device

**COUNCIL  
PROCEDURES  
BYLAW NO. 2063,  
2013, AMENDMENT  
BYLAW NO. 2094,  
2014**

MOVED by Councillor Kerbes

COTW-30/09/14-012 THAT COTW recommends that Council approve Council Procedure Bylaw No, 2063, Amendment Bylaw No. 2094, 2014 to include that a Council member may not electronically participate in a COTW, Council, Special or In Camera meeting more than four times a year, unless otherwise approved by Council

**CARRIED.**  
**Councillor Schierbeck OPPOSED.**  
**Councillor Condon OPPOSED.**

MOVED by Councillor Kerbes:

COTW-30/09/14-013 THAT COTW recommends that Council give first, second and third reading to Procedure Bylaw No. 2063, Amendment Bylaw No. 2094 as amended

**CARRIED.**  
**Councillor Schierbeck OPPOSED.**  
**Councillor Condon OPPOSED.**

**OTHER BUSINESS**

**POTTERY GUILD  
LOCATION  
UPDATE**

Request for an update on the Pottery Guild:  
• Pottery Guild has their equipment in storage until they find an appropriate location

**ADJOURNMENT**

MOVED by Councillor Moberg

COTW-30/09/14-014 THAT the COTW meeting be adjourned at 12:28 p.m.

**CARRIED.**

Certified Correct.

\_\_\_\_\_  
**Mayor**

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

Dated at Peachland, B.C.

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.





## District of Peachland Information Report

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**To:** COTW  
**From:** Director of Community Services Cheryl Wiebe  
**Date:** October 22, 2014  
**Subject:** **Rental Home – 4445 6<sup>th</sup> Street**

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**General:**

At the September 30 Regular Council meeting, staff reported health and safety issues that needed to be addressed at the rental property located 4445 6<sup>th</sup> Street.

**Background:**

Upon inspection, there were a number of routine maintenance items identified that staff can address within the existing budget but there are also several other significant repairs that are required to maintain the health and safety of the property. Council directed staff to provide more accurate pricing on the project.

The roof has been inspected and has been found to be in good repair. The items proposed for repair in 2015 are:

- Carpet replacement on the stairs/hall (trip hazards) - \$1000
- Flaking bathtub (acrylic liner) - \$2000
- Wall replacement behind the washing machine - \$500
- Window replacement - \$1300
- Roof eaves and fascia - \$4500
- Remediate any rot that is found in the trusses – unknown (unable to determine until the roof is opened)

To allow some contingency for unknowns, staff suggests a budget of \$10,000.

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**Report/Document:**                      **Attached:**                      **Available:**                      **Nil: x**

Click to enter attachment name.





**District of Peachland  
Request for Decision**

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**To:** Committee of the Whole  
**From:** Director of Operations Joe Mitchell  
**Date:** October 21, 2014  
**Subject:** Compost Site Tenure Agreement

**Recommendation:** THAT COTW recommends that Council agree to acquire the Licence for the term of 30 years, commencing December 3, 2014, from the Province over “those parts of District Lots 3889 and 3890, Osoyoos Division Yale District together with all that unsurveyed Crown land adjacent to District Lots 3889 and 3890, Osoyoos Division Yale District, containing 21.19 hectares, more or less”, for the purposes of compost site and work activities related to extraction and utilization of landfill gas as well as maintenance and monitoring of site.

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**Implications of Recommendation:**

**General:** The current Licence for this Tenure expires on December 3, 2014. The District has applied for a new Licence for a term of 30 years.

**Organizational:** The District historically used this site as a landfill and currently uses the site for compost purposes

**Financial:** Licence Fee: \$1.00  
Application Fee: \$200.00  
GST: \$10.05  
**Total Fees Payable: \$211.05**

**Policy:** N/A

**Strategic Plan:** N/A

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**Background:**

The current District of Peachland Tenure over Crown Land Licence No. 343227 is due to expire on December 3, 2014. This Licence is for those parts of District Lots 3889 and 3890, Osoyoos Division Yale District together with all that unsurveyed Crown land adjacent to District Lots 3889 and 3890, Osoyoos Division Yale District, containing 21.19 hectares, more or less”, for the purposes of compost site and work activities related to extraction and utilization of landfill gas as well as maintenance and monitoring of site. This Licence is for what we currently use as the District of Peachland Compost Site.

## **AGENDA ITEM # 6.C.**

The District has completed an application to enter a new Agreement for 30 more years. This must now be accompanied by the following by December 31, 2014:

1. Signed Tenure Documents
2. Monies Payable
3. Council Resolution

1. The signed Tenure Documents will be executed upon completion of the Council Resolution.

2. The monies payable are as follows:

Licence Fee:	\$1.00
Application Fee:	\$200.00
GST:	\$10.05
<b>Total:</b>	<b>\$211.05</b>

3. The Council Resolution, as written in the recommendation of this report, was the recommended wording from the Province of British Columbia.

Attached is the Notice of Final Review received from the Province of British Columbia on October 15, 2014.

**Report/Document:**    **Attached:X**    **Available:**    **Nil:**

- Options:**
1.    **COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION**
  2.    **COTW MAY CHOOSE TO REFER BACK TO STAFF FOR ADDITIONAL INFORMATION**
  3.    **COTW CAN CHOOSE TO NOT SUPPORT THE RECOMMENDATION**



Your contact is: Baljit Sall

Our file: 3402701

**NOTICE OF FINAL REVIEW**

October 9, 2014

THE CORPORATION OF THE DISTRICT OF PEACHLAND  
5806 Beach Ave  
RR 7  
Peachland, BC V0H 1X7

Attention: Joe Mitchell, P.Eng Director of Operations

**Re: Your Application for a Tenure over Crown Land**

The review of your application for a licence for compost site and work activities related to extraction and utilization of landfill gas as well as maintenance and monitoring of site purposes over:

Those parts of District Lots 3889 and 3890, Osoyoos Division Yale District together with all that unsurveyed Crown land adjacent to District Lots 3889 and 3890, Osoyoos Division Yale District, containing 21.19 hectares, more or less

(the "Land") has reached the stage where we anticipate making our final decision once the various matters described in this letter have been completed.

This is to replace Licence No. 343227, due to expire December 3, 2014.

**1. Deadline for Completion of Requirements**

We ask that you complete the requirements described below by December 31, 2014.

Please complete the Response to Notice of Final Review page attached, indicating whether you will or will not proceed with the application and sign and return that page to us for our records.

RECEIVED

OCT 15 2014

District of Peachland

**2. Requirements**

Signing and Return of Tenure Documents

You must sign and deliver to us two copies of the licence document which are enclosed with this letter. You are responsible for ensuring that this is properly completed including, if applicable, obtaining any appropriate corporate authorizations and having any Land Title Act form C or D witnessed by a solicitor, notary or commissioner.

Monies Payable

You must deliver to us the following amounts:

Licence Fee, prepaid for the term	*\$	1.00
Application Fee	*\$	200.00
GST Total	\$	<u>10.05</u>
<b>Total Fees Payable</b>	\$	<u><b>211.05</b></u>

\* denotes GST payable

Your cheque or money order must be payable to the Minister of Finance and be delivered to 441 Columbia Street Kamloops, BC V2C 2T3. Please quote our file number when sending us your payment.

If we disallow your application and do not grant a Crown land tenure to you, the Licence Fee and associated GST payment made by you as set out in section 2 will be returned to you.

Insurance

We confirm evidence of self-insurance. Upon request, you must submit to our office proof of continuation of your self- insurance.

Council Resolution

Council resolution must be passed by the Council to acquire the Land.

The Council resolution must indicate that the Council will agree to acquire the Licence for the term of 30 years from the Province over “those parts of District Lots 3889 and 3890, Osoyoos Division Yale District together with all that unsurveyed Crown land adjacent to District Lots 3889 and 3890, Osoyoos Division Yale District, containing 21.19 hectares, more or less”, for the purposes of compost site and work activities related to extraction and utilization of landfill gas as well as maintenance and monitoring of site.

**3. Process following completion of Requirements**

If the requirements set out above are completed within the required time we expect to make our decision and advise you of that decision within 30 days.

Please note however that this letter does not constitute an offer by us and we reserve all our rights in connection with the decision making process, including, if appropriate, to disallow your application, to extend the decision making process and to establish additional requirements not set out in this letter.

Upon decision to issue the licence to you we will sign and return one copy of the licence to you.

**4. Acknowledgments of the Applicant**

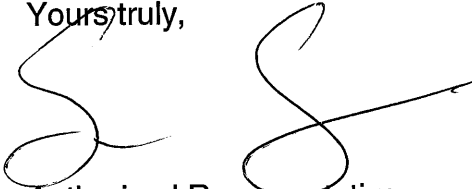
You represent, acknowledge and agree that:

- (a) Your application for a Crown land tenure cannot be transferred to another person.
- (b) This Letter does not obligate us to issue the licence to you and does not give you any right to use or occupy the Land for any purpose.
- (c) You are responsible for, and encouraged to seek, your own legal advice with respect to:
  - (i) any laws, bylaws, orders, directions, ordinances and regulations associated with your use of the Land,
  - (ii) the terms and conditions set out in this Letter, and
  - (iii) the terms and conditions of, and your rights and obligations that will arise under, the licence.
- (d) You are responsible for the costs and expenses incurred by you in pursuing your application, including any cost you incur in connection with satisfying the requirements set out in this letter.
- (e) If you sign and return the licence to us that will constitute your offer to us to enter into the licence.

**Freedom of Information**

Personal information is collected under the *Land Act* for the purpose of administering Crown land. Information on your application, and if issued, your tenure, will become part of the Crown Land Registry, from which information is routinely made available to the public under Freedom of Information and Protection of Privacy legislation.

Yours truly,



Authorized Representative



**Response to Notice of Final Review**

File No. 3402701

Ministry of Forests, Lands and Natural Resource Operations  
441 Columbia Street  
Kamloops, BC V2C 2T3

Dear Baljit Sall:

**Re: Application for licence**

- I/We wish to proceed to obtain a licence in accordance with the letter dated October 9, 2014 from the Ministry of Forests, Lands and Natural Resource Operations and enclose all copies of the licence which I/We have signed.
- I/We do not wish to proceed to obtain a licence in accordance with the letter dated October 9, 2014 from the Ministry of Forests, Lands and Natural Resource Operations.

DATED the \_\_\_\_ of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Applicant's signature/Applicant's  
representative's signature

\_\_\_\_\_  
Applicant's signature/Applicant's  
representative's signature

\_\_\_\_\_  
Print name of person signing

\_\_\_\_\_  
Print name of person signing





**District of Peachland  
Request for Decision**

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**To:** Committee of the Whole  
**From:** Director of Operations Joe Mitchell  
**Date:** October 21, 2014  
**Subject:** Spring Creek Pit Tenure Agreement  
**Recommendation:** **THAT COTW recommends that Council agree to acquire the Licence for the term of 30 years, commencing January 7, 2015, from the Province over “that part of Lot A of District Lot 1275, Osoyoos Division Yale District, Plan 37138 and containing 13.68 hectares, more or less,” for the purposes of public works and storage site.**

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**Implications of Recommendation:**

**General:** The current Licence for this Tenure expires on January 7, 2015. The District has applied for a new Licence for a term of 30 years.

**Organizational:** The District uses this site for granular material storage, pipe storage and a Fire Department Training Facility.

**Financial:** Application Fee: \$500.00  
GST: \$25.00  
**Total Fees Payable: \$525.00**

**Policy:** N/A

**Strategic Plan:** N/A

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**Background:**

The current District of Peachland Tenure over Crown Land Licence No. 3400920 is due to expire on January 7, 2015. This Licence is for “that part of Lot A of District Lot 1275, Osoyoos Division Yale District, Plan 37138 and containing 13.68 hectares, more or less,” for the purposes of public works and storage site .This Licence is for what the District refers to as Spring Creek Pit. This pit is used for granular material storage, pipe and infrastructure storage as well as a Fire Department Training Compound.

The District has completed an application to enter a new Agreement for 30 more years. This must now be accompanied by the following by January 2015:

1. Signed Tenure Documents
2. Monies Payable
3. Council Resolution

1. The signed Tenure Documents will be executed upon completion of the Council Resolution.

2. The monies payable are as follows:

Application Fee:	\$500.00
GST:	\$25.00
<b>Total:</b>	<b>\$525.00</b>

3. The Council Resolution, as written in the recommendation of this report, was the recommended wording from the Province of British Columbia.

The physical copy of the Tenure Agreement has not been received by the District of Peachland yet, however we have acquired the appropriate wording for this Resolution via email. We felt it was appropriate to complete this Tenure Agreement at the same meeting as the Compost Site Tenure Agreement.

<b>Report/Document:</b>	<b>Attached:</b>	<b>Available:</b>	<b>Nil:</b>
<b>Options:</b>	1.	<b>COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION</b>	
	2.	<b>COTW MAY CHOOSE TO REFER BACK TO STAFF FOR ADDITIONAL INFORMATION</b>	
	3.	<b>COTW CAN CHOOSE TO NOT SUPPORT THE RECOMMENDATION</b>	



**District of Peachland  
Request for Decision**

---

**To:** Committee of the Whole  
**From:** Director of Operations Joe Mitchell  
**Date:** October 21, 2014  
**Subject:** Spring Creek Pit Tenure Agreement  
**Recommendation:** **THAT COTW recommends that Council agree to acquire the Licence for the term of 30 years, commencing January 7, 2015, from the Province over “that part of Lot A of District Lot 1275, Osoyoos Division Yale District, Plan 37138 and containing 13.68 hectares, more or less,” for the purposes of public works and storage site.**

---

**Implications of Recommendation:**

**General:** The current Licence for this Tenure expires on January 7, 2015. The District has applied for a new Licence for a term of 30 years.

**Organizational:** The District uses this site for granular material storage, pipe storage and a Fire Department Training Facility.

**Financial:** Application Fee: \$500.00  
GST: \$25.00  
**Total Fees Payable: \$525.00**

**Policy:** N/A

**Strategic Plan:** N/A

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**Background:**

The current District of Peachland Tenure over Crown Land Licence No. 3400920 is due to expire on January 7, 2015. This Licence is for “that part of Lot A of District Lot 1275, Osoyoos Division Yale District, Plan 37138 and containing 13.68 hectares, more or less,” for the purposes of public works and storage site. This Licence is for what the District refers to as Spring Creek Pit. This pit is used for granular material storage, pipe and infrastructure storage as well as a Fire Department Training Compound.

The District has completed an application to enter a new Agreement for 30 more years. This must now be accompanied by the following by January 2015:

1. Signed Tenure Documents
2. Monies Payable
3. Council Resolution

## **AGENDA ITEM # 6.D.**

1. The signed Tenure Documents will be executed upon completion of the Council Resolution.

2. The monies payable are as follows:

Application Fee:	\$500.00
GST:	\$25.00
<b>Total:</b>	<b>\$525.00</b>

3. The Council Resolution, as written in the recommendation of this report, was the recommended wording from the Province of British Columbia.

The physical copy of the Tenure Agreement has not been received by the District of Peachland yet, however we have acquired the appropriate wording for this Resolution via email. We felt it was appropriate to complete this Tenure Agreement at the same meeting as the Compost Site Tenure Agreement.

<b>Report/Document:</b>	<b>Attached:</b>	<b>Available:</b>	<b>Nil:</b>
<b>Options:</b>	1.	<b>COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION</b>	
	2.	<b>COTW MAY CHOOSE TO REFER BACK TO STAFF FOR ADDITIONAL INFORMATION</b>	
	3.	<b>COTW CAN CHOOSE TO NOT SUPPORT THE RECOMMENDATION</b>	



# District of Peachland Request for Decision

**To:** Committee of the Whole

**From:** Corine (Cory) Gain, Director of Planning and Development Services

**Date:** October 28, 2014

**Subject:** Street Naming – Ponderosa Pincushion Development

**Recommendation:** **THAT COTW recommend that Council approve the submission of “Redstone Crescent” as the road name of Phase 3 and 4 of the Trails Subdivision in the Ponderosa Pincushion Golf Course Development project**

**Implications of Recommendation:**

**General:** At the time of subdivision, new street names reflect the history and heritage, and/or the geographical feature of Peachland.

**Organizational:** Developers are encouraged to meet with the Peachland Historical Society to discuss proposed street names and to select appropriate names from the Street Naming Master List. The Peachland Historical Society provides an endorsement of the selected name which is then submitted to Council for their approval.

**Financial:** N/A

**Policy:** Street Naming Policy DEV-190

**Strategic Plan:** N/A

**BACKGROUND:**

Street Naming Policy DEV-190 provides Developers with the municipal process to choose relevant Peachland Street Names, or have a name of their choice considered by the Peachland Historical Society before proceeding to Council for approval by Resolution.

The Ponderosa Pincushion Developer has submitted “Redstone Crescent” as a road name to the Peachland Historical Society for their consideration and approval, which they have provided via e-mail response. The rationale provided by the Developer is that the “geographical relevance to existing trail network and consistency with subdivision name.”

It should be noted that the naming of streets within a strata development does not require the official response or approval of the Peachland Historical Society or Council because strata developments are considered private property. However in a strata subdivision of 2000 plus residents not having street names could be disastrous for access of emergency vehicles. In recent years it has become common practice in our area and the District of Peachland along with a number of other communities has requested that Developers of strata subdivisions provide

# ***AGENDA ITEM # 6.E.***

street names and addresses for all streets within their development project in order to facilitate easy access to emergency services. As a result Staff will continue to ask for Council to provide their approval to street names including those in strata developments.

Referral Comments:

Peachland Historical Society – “Redstone” is an entirely acceptable road name.

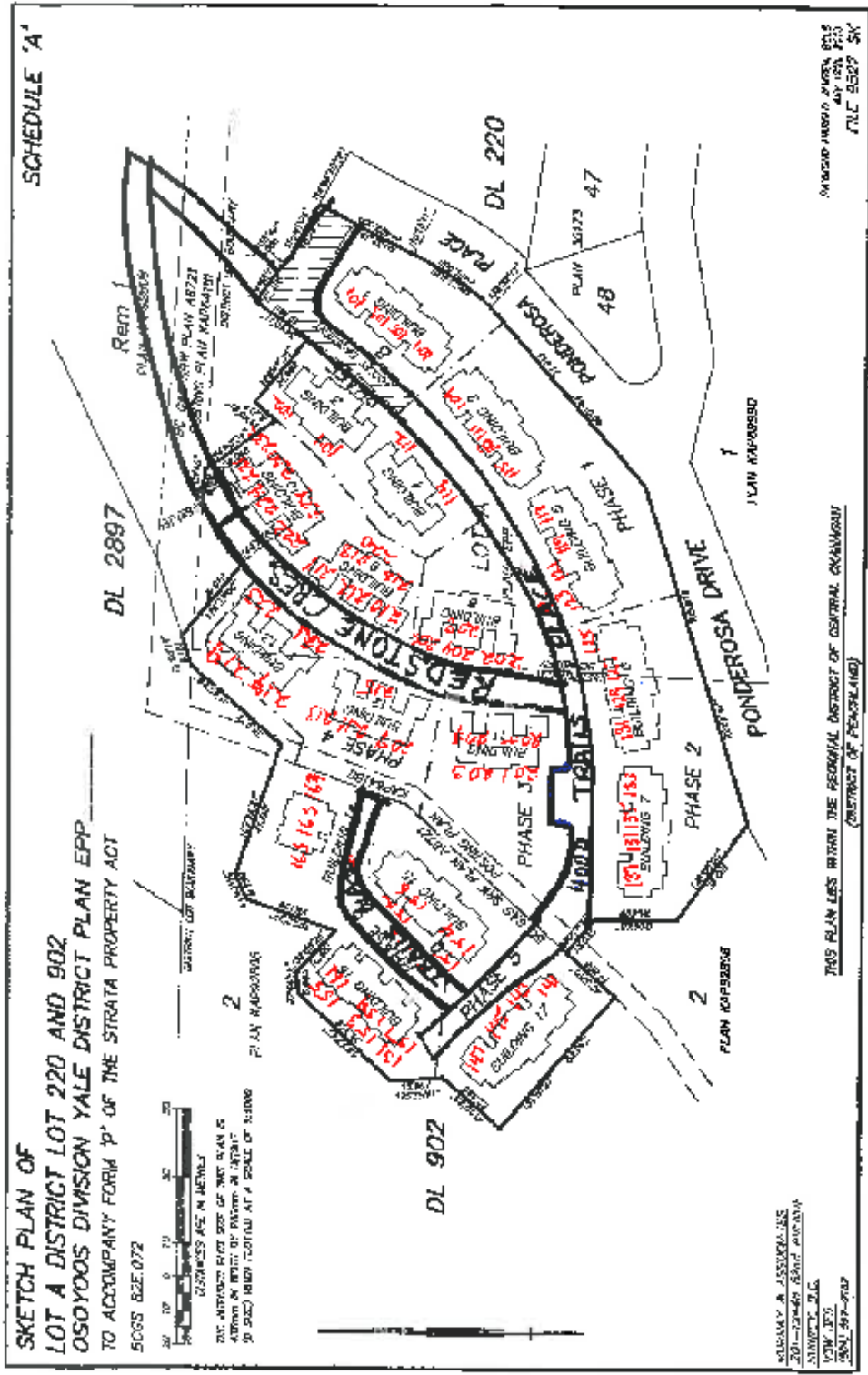
Lake Country – No conflict with District of Lake Country.

West Kelowna – No Conflict with District of West Kelowna.

RCMP – No Comment.

<b>REPORT/DOCUMENT:</b>	<b>Attached: X</b>	<b>Available:</b>	<b>Nil:</b>
<b>1. Site Plan of Subdivision</b>			
<b>OPTIONS:</b>	<b>1.COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION</b>		
	<b>2. COTW MAY CHOOSE TO REFER BACK TO STAFF FOR MORE INFORMATION</b>		
	<b>3. COTW MAY CHOOSE TO NOT SUPPORT THE RECOMMENDATION</b>		









## District of Peachland Request for Decision

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**To:** Committee of the Whole  
**From:** Director of Planning and Development Corine (Cory) Gain  
**Date:** October 28, 2014  
**Subject:** Zoning Bylaw Update  
**Recommendation:** **THAT COTW recommend that Council give First Reading to Zoning Bylaw No. 2100, 2014.**

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### **Implications of Recommendation:**

**General:** This report presents proposed Zoning Bylaw 2100, 2014 to Council for initial consideration. The report outlines the consultation process conducted to date and the intended and legislated next steps.

**Organizational:** Staff will continue to work with technical experts, provincial agencies and stakeholders to ensure that bylaw consideration process remains transparent and productive.

**Financial:** All costs are anticipated to be consistent with the original work plan.

**Policy:** District policies will be updated and/or developed to implement the zoning bylaw regulations, most particularly with respect to secondary and garden suites.

**Strategic Plan:** Growth Management, Infrastructure Development, Service Quality

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### **Background:**

The current District of Peachland Zoning Bylaw was adopted in 1996 and has been amended several times, but never reviewed in a comprehensive manner. In order to align the District's zoning regulations with the Official Community Plan (OCP) adopted in 2001 and amended in 2007, corporate strategic direction and long-range planning documents and to also account for development trends that have emerged over the past many years, a comprehensive review and update of the Zoning Bylaw was required.

Several issues were identified through the review and consultation process. The proposed new bylaw is intended to update the regulations to reflect current best practices, improve clarity to readers and enforceability for the municipality.

The legal authority to develop and administer zoning regulations in British Columbia is derived from the *Local Government Act section 903*. A Zoning Bylaw is a regulatory tool; it divides land within the District into zones and sets out regulations for each zone. Regulations typically include:

- Permitted land uses within each zone
- Maximum building heights
- Number of buildings per lot
- Maximum lot coverage
- Minimum size for new lots created by subdivision
- Minimum setbacks from lot lines
- Density of dwelling units
- Parking requirements

Zoning provides a number of benefits to a community from a local government perspective. A zoning bylaw:

- Segregates conflicting land uses (e.g. residential and some industrial uses);
- Helps prevent overcrowding and unsightliness of properties;
- Ensures a degree of certainty for property owners and potential purchasers of land;
- Requires land development activities to meet certain bylaw requirements;
- Provides residents an opportunity to get involved in community land use decisions; and,
- Can be enforced in the event of non-compliance.

## Consultation Process:

The Zoning Bylaw Update consultation process provided Council, staff and the community key opportunities to review and provide input and feedback into a new zoning bylaw.

October 2013	Urban Systems was engaged to work as partners on review and revision of the zoning bylaw.
January 2013	Staff met to review background study and existing planning documents.
February 2013	Public meeting with Council and Stakeholders from the business development sector and citizen/community groups reviewed issues including the strengths and weaknesses of the existing zoning bylaw.
February - May 2013	Technical review and assessment of known issues.
May 2013	Assessment of Best Practices and preparation of recommendations to Council.
June 2013	Council workshop with Staff and Urban Systems to discuss potential changes to the zoning bylaw.
July 2013	Public Consultation Open House during Farmers Market in Heritage Park Pavilion.
September 2013	Public Consultation Open House at Council Chambers to provide additional feedback.
December 2013 – October 2014	Consolidation of research, background information and feedback into a bylaw for Council's consideration

The following are some of the issues identified and the recommendations resulting from the public consultation process and Council workshops:

- **Urban Agriculture** - Consider including Apiculture "Bee Keeping" in A-1 Agriculture Zone and RR-1, RR-2 Rural Residential Zones.
- **Downtown Parking** – Review and consider potentially relaxing parking requirements for commercial land uses. Consider parking incentives for downtown development including shared parking requirements and reduced parking requirements for certain types of developments.
- **Permeable Surfaces for Parking** – Consider allowing permeable parking surfaces and require that larger asphalt parking areas provide some form of storm water filtration system.
- **Sustainable Building and Energy Technologies** – Include provisions for sustainable technologies in the updated bylaw and allow but regulate the height and size of solar panels.
- **Bed and Breakfasts** – Allow bed and breakfasts to have up to four units of accommodation, but ensure that each unit of accommodation provide for parking and appropriate screening.
- **Affordable Housing** - The issue of affordable housing was comprehensively reviewed with focus on the legalization of secondary suites and garden suites.

- **Secondary Suites** – Allow secondary suites as an accessory use within most single family zones and encourage the legalization of existing secondary suites. Include legalization incentives and enforcement approaches in future policy documents.
- **Garden Suites** – Permit Garden Suites as a use within residential zones and regulate their design through the development permit process (no public hearing required).
- **Minimum Lot Sizes** – Modify the minimum lot sizes for areas of interest to encourage infill development. Future amendments to the OCP will identify specific areas suitable for infill development.
- **Modernization of Definitions and Language** – The definitions have been reviewed and revised to reflect best practices, facilitate ease of interpretation and to provide a more reader-friendly document to Council, staff, the development community and the general public.

## Change Highlights:

Most of the identified issues have been addressed by changes contained in Schedule 'A' of the proposed bylaw. Ongoing Planning and Development Services Department project work including review of OCP Development Permit Guidelines with respect to form and character, steep slopes and sustainability principles will likely result staff requesting Council to consider further updates to the zoning bylaw in due course. Outcomes of the anticipated Housing Action Plan and Downtown Parking Management Strategy may also impact zoning bylaw regulations. It will be important to ensure that the bylaw remains up-to-date and relevant moving forward.

Other changes to the text of the bylaw include streamlined formatting and up-to-date definitions. Diagrams have been added to Schedule 'A' whenever it was felt that they would assist in interpreting the requirements. Consideration has been given the current provincial agency regulations where appropriate, most particularly with respect to minimum lot sizes where no community sewer service is available.

To avoid unnecessary redundancy, uses that are permitted in all zones are listed in Part 5 General Regulations, Section A Permitted Uses. Similarly, Part 5 General Regulations, Section C provides the regulations that apply to all zones. Specific use regulations are contained in Section D. The concept of Residential Flex Units introduced in the New Monaco Neighbourhood Comprehensive Development Zone have also been integrated into the bylaw. Policies for implementing secondary suites, garden suites and residential flex units will be brought forward to Council in conjunction with further consideration of the zoning bylaw.

Two new zones are presented in Schedule 'A' to respond to anticipated or proposed developments. The RM-5 Multi-Unit Residential Zone reflects size and density regulations found in surrounding communities for higher density multi-unit residential development. The WM-1 Waterfront and Marina Zone responds to identified future development potential in the foot of Princeton Avenue.

Zoning Bylaw 2100 Schedule 'B' (Map) remains consistent with existing zoning designations. Zone titles have been amended to reflect the changes proposed in the text of the document such as the amended titles of individual zones and the removal of redundant 's' designations (secondary suites will be permitted in most residential zones).

## Next Steps:

Staff recommends that Council give First Reading to Zoning Bylaw 2100, 2014 so that it may be sent for technical review to the District's legal advisors and engineers, for full review and comment. Prior to proceeding to Second Reading and Public Hearing, the zoning bylaw will be submitted to all required referral agencies including the Agricultural Land Commission, various Provincial Ministries (Ministry of Transportation, Ministry of Environment) the Regional District of Central Okanagan and neighbouring municipalities for their review and comment. Interested community stakeholders will also be engaged to provide comment. Zoning Bylaw 2100 will subsequently be amended to reflect any significant concerns and comments before it is returned to Council for consideration of Second Reading and to be forwarded to Public Hearing.

# **AGENDA ITEM # 6.F.**

**Report/Document:**      Attached:x      Available:      Nil:

1. District of Peachland Zoning Bylaw 2100, 2014 Schedule 'A' Including Parts 1-5
2. District of Peachland Zoning Bylaw 2100, 2014 Schedule 'A' Part 6 – Parking and Loading
3. District of Peachland Zoning Bylaw 2100, 2014 Schedule 'A' Part 7 – Zones
4. District of Peachland Zoning Bylaw 2100, 2014 Schedule 'A' Part 8 – CD Zones
5. District of Peachland Zoning Bylaw 2100, 2014 Schedule 'B' Zoning Map

- Options:**
1.      **COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION**
  2.      **COTW MAY CHOOSE TO REFER BACK TO STAFF FOR ADDITIONAL INFORMATION**
  3.      **COTW CAN CHOOSE TO NOT SUPPORT THE RECOMMENDATION**