



**DISTRICT OF PEACHLAND
COMMITTEE OF THE WHOLE AGENDA
Council Chambers – Community Centre
4450-6th Street Peachland
Tuesday, May 24, 2011 at 9:00 A.M.**

Page

1. CALL TO ORDER

2. AMENDMENTS TO AGENDA

3. APPROVAL OF THE AGENDA

4. PRESENTATIONS AND DELEGATIONS

- 3-11 A. Emergency Preparedness Week Update
Jason Brolund, Assistant Fire Chief - Kelowna Fire Department
- 13-14 B. Transition Towns
Patricia Guest, Westside in Transition

5. ADOPTION OF MINUTES

- 15-21 A. COTW Meeting Minutes held Tuesday, May 10, 2011

6. REPORTS / DISCUSSION



- A. Community Centre Sound System - Verbal Report
For Information
- 23-33 B. Downtown Revitalization Program
For Information
- 35-40 C. School Site Acquisition Charge - School District No. 23
Request for Decision
- 41-47 D. Bylaw Enforcement Report - Non-Compliant Office Trailer
For Information
- 49-50 E. Bylaw Enforcement - Property Remediation
Request for Decision
- 51-70 F. Ponderosa Pincushion Official Community Plan Amendment Bylaw and Phased
Development Ageement Bylaw
Request for Decision
- 71 G. 2011 Capital Works Update
For Information

7. ADJOURNMENT


Polly Palmer
Corporate Officer
May 20, 2011

Agenda Item # 4A.

Emergency Preparedness
A Step-by-Step Guide




Emergency Preparedness Week – May 1-7 2011



What is Emergency Management?

A continuous process within which communities reduce vulnerability to hazards prepare for, cope with and recover from disasters



Agenda Item # 4A.

72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

Regional Emergency Program

- Provincial Legislation mandates an Emergency Plan
- Local Authority responsible for Emergency Management within it's jurisdiction
- Regional Program administered by KFD
- Funded by all member municipalities










72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

Elected Officials Roles and Responsibilities

- Legislated Responsibilities – Emergency Planning
- Policy Direction
- Corporate Support of Emergency Plan
- Publicly Support Emergency Preparedness
- Be available – Emergency Contact Lists
- During Emergency – within EOC




Agenda Item # 4A.

 **GetPrepared.ca**
IS YOUR FAMILY PREPARED?


In Canada, we have an emergency management model that includes everyone from individuals and families, local, regional, provincial and federal government



 **GetPrepared.ca**
IS YOUR FAMILY PREPARED?

Emergency Management Model

At the local level, Canadians are expected to plan for and deal with everyday emergencies they may face.



IS YOUR FAMILY PREPARED?


Agenda Item # 4A.

72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

Have you ever thought about how to prepare for an emergency?

How would you:

- Look after your family for 72 hours?
- Cope without power or tap water?
- Contact your family and receive information?



72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

Fast fact:

- Although the majority of Canadians believe that having an emergency plan and emergency kit are important, *only a small minority* have actually created them



72 HOURS
IS YOUR FAMILY PREPARED?
GetPrepared.ca

Learn the three steps to getting prepared:

- Know the risks
- Make a plan
- Get a kit




72 HOURS
IS YOUR FAMILY PREPARED?
GetPrepared.ca

Common misconceptions:


- Most emergencies are short-lived
- I won't ever have to deal with an emergency where I live
- There are a lot of emergencies I just can't prepare for
- Preparing takes too much time



Agenda Item # 4A.



STEP 1
Know the risks Know your region



The consequences of emergencies can be similar, but knowing the risks in your region can help you better prepare.



STEP 2
Make a plan



You aren't prepared — until you make a plan.

- Work with Family to develop your plan
- Photocopy your plan
- Keep copies of your plan in safe and memorable places



Agenda Item # 4A.

72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

STEP 2
Make a plan

Other helpful hints:

- Choose an out-of-town contact person
- Make arrangements through friends
- Practice your plan!
- Review your plan once a year



72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

STEP 3
Prepare a kit

To prepare for an emergency that could last 72 hours or more, what would you put in a kit?



Agenda Item # 4A.




72 HOURS GetPrepared.ca
IS YOUR FAMILY PREPARED?

Pre-packaged kits:

- St. John Ambulance and The Salvation Army kits are available for purchase at www.sja.ca
- Canadian Red Cross kits are available at www.redcross.ca

The image shows a red backpack-style emergency kit. The kit is open, revealing various supplies inside, including a first aid kit, a water bottle, a flashlight, and other emergency supplies. The kit is placed on a white surface.

Agenda Item # 4A.



“Preparing for an emergency is a responsibility we all share.

Having a plan and an emergency kit to cope with the first 72 hours of an emergency can make a world of difference in keeping a family safe and comfortable, and helps first responders to focus their resources on those in urgent need.”

...

Agenda Item # 4B.

Patricia Guest

4610 Ponderosa Drive

Peachland, BC

V0H1X5

May 18, 2011

Re: Transition Town presentation Council Meeting May 24th, 2011

Dear Council

On May 24th at the Council meeting I will be presenting a short introduction to Transition Town <http://www.transitionnetwork.org> We are a group of citizens who have come together to introduce our community to the grassroots initiative of Transition Towns. The purpose of Transition Towns is to support Community led responses to peak oil and climate change building resilience and happiness. Building resilience in a wide range of areas such as food, economics and energy will help the community withstand severe energy, climate or economic shocks while creating a better quality of life in the process.

You have already begun a Transition Town initiative by forming the Mayor's Task force on climate change (see attachments) which is the first directive to local governments who want to become involved in Transition Town. I started a "greenies" group in January because I felt the time was right to take some action on sustainability issues within Peachland. At that time I knew nothing about Transition Towns. That is exactly how Transition Towns started. When the time is right things happen.

Transition Town appeals to me because it is a positive, sustaining initiative. It is not about campaigning against things. It is about envisioning the future that we want for ourselves and our children and making it happen.

There are many different initiatives within Transition Town movements. We have chosen to work on building resiliency in food security and have been working on creating a food hub of organic local products. We have an extensive array of locally sourced products from produce to meats and preserves to dried goods including grains and dairy. We are looking for a distribution point for the co op.

Introducing Transition Town to the community and involving people in the process is really what needs to be done at this point and education is the key to this. I ask you to allow us to use 4th street place as a screening room for movies such as Transition Town, The End of Suburbia, Fresh, Dirt, Power of Community and many others. These would be offered free of charge and each screening would have a short introduction to Transition Town followed by discussion after the screening. We are of course asking that you waive the fees for use of this venue.

...

Agenda Item # 4B.

I am also asking for a grant of \$1000.00 to start off our awareness campaign and to purchase the products for our first fundraiser which is The Survival Bucket. As you are probably aware people are supposed to have enough food and water for 72 hours in the event of an emergency. In our area the threat of fire always comes to mind. Our Survival Bucket has a week of food for one person in a 10 gallon pail. We will sell it at the Farmers Market where we will be promoting the ideas and vision of TT. The monies raised will go back into the community in the form of future initiatives like Peachland Pesos and, Community Transition Festivals.

With these small initial steps we are moving forward to sustainability and resilience in Peachland and ask for Councils support in our efforts.

Sincerely

Patricia Guest

Agenda Item # 5A.

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Committee of the Whole Meeting Minutes
Held Tuesday, May 10, 2011 at 9:00 a.m.
In the Council Chambers – Community Centre**

PRESENT:

Mayor Fielding, Councillors Bell, Broadaway, Condon, Fraser, Moberg and Schierbeck

CAO Elsie Lemke
Director of Finance Doug Pryde
Director of Operations Doug Allin
Director of Planning and Development Dave Smith
Executive Assistant Erin Boyes
Planning Administrator Heidi Simkins

CALL TO ORDER

Mayor Fielding called the meeting to order at 9:00 a.m.

AMENDMENTS TO THE AGENDA

Add Item 6K – Civic Awards

APPROVAL OF THE AGENDA

MOVED by Councillor Schierbeck:

THAT the agenda be approved as amended.

CARRIED.

PRESENTATIONS AND DELEGATIONS

OUR OKANAGAN PRESENTATION

Leigha Horsfield, Business Services Coordinator, Community Futures gave a presentation on Our Okanagan, noting that:

- Our Okanagan is an online tool created by the Okanagan Partnership and Community Futures to unite consumers with products and services in the Okanagan Valley
- The main focus of the website is to support the local market and reduce consumer challenges
- There are no current costs associated with businesses joining the website
- Community Futures would like to request that the District incorporates a button on the Municipal website, information to be available at the Municipal office and information to be included with business licensing

Discussion ensued relative to:

- Presenting the Our Okanagan website at a future Peachland Economic Development Committee (PEDC) meeting
- The website being user friendly
- Tracking consumer success in using the website to find products and services
- Being a tool to reduce green house gas emissions by supporting local enterprise

MOVED by Councillor Condon:

THAT COTW recommends that Council supports the Our Okanagan website initiative to promote Okanagan associations, businesses and consumers by:

- Providing an Our Okanagan button on the District website
- Including Our Okanagan brochure with business licenses
- Having Our Okanagan information on hand at the Municipal office

CARRIED.

**RDCO BIENNIAL
REPORT ON
WASTE
REDUCTION**

Peter Rotheister, Manager of Waste Reduction gave a presentation on waste reduction, noting that:

- A waste composition study was completed at the end of 2010 to determine how much waste could be diverted from the landfill; approximately 50% of all commercial waste was determined to be able to be diverted, comprising 80% of all waste taken to the landfill
- 2010 had many successful reduction projects including a regional district wide yard sale, living greener calendars, hazardous waste collection drop offs and clean up programs
- The 2010 landfill collection has been at the lowest point since 2003
- To date the 2011 projects have focused around commercial waste reduction and diversion which has shown a 15% reduction in commercial waste in the first quarter
- 25 metric tonnes less of material has been dropped off at the Glenmore Landfill so far this year
- Data is being collected for the Radio Frequency Identification (RFID) program, and is expected to be fully implemented in 2011
- The RDCO is investigating having a one day recyclable collection in Peachland and Lake Country to assist with commercial and multi-family recycling
- The future Provincial Extended Producer Packaging program will create packaging regulations at the Provincial level, and will make the producer more responsible for recyclable material options

Discussion ensued relative to:

- The RDCO website having a comprehensive list of places where recyclable materials can be taken, including paint, batteries and fluorescent bulbs
- The RDCO working closely with District staff to determine the best location for the weekly recyclable location
- West Kelowna not signing on to the RFID program

ADOPTION OF MINUTES

It was noted that the COTW minutes need to be amended to reflect the Integrated Land Management Bureau (ILMB) on bullets one and three on page 11 under Zipline Environmental Report rather than the RDCO.

MOVED by Councillor Moberg:

THAT the COTW Meeting Minutes held Tuesday, April 26, 2011 be adopted as amended.

CARRIED.

REPORTS / DISCUSSION

**DANCIN'
BAREFOOT IN THE
PARK**

Patricia Cheyne and Valerie MacGillivray from the Dancin' Barefoot in the Park Music Festival addressed the COTW with the following points:

- They have not applied for Non-Profit organization status
- Any deficits are funded by the organizers
- The number of portable toilets reflects the number of people expected and the duration of the event, and was calculated by the rental company
- The gate policy will not allow guests to leave after 6:30 pm to ensure safety
- The organizers intention is to be a self-sustaining event by 2015

Discussion ensued relative to:

- The value of the event to the community
- Increasing attendance numbers
- Designation of a non-profit organization would qualify them for Civic Grants annually

MOVED by Councillor Schierbeck:

THAT COTW recommends that Council support the Dancin' Barefoot in the Park request, on a one year basis for waiving of rental fees, garbage fees and the cost of renting portable toilets in the amount of \$2998.80.

CARRIED.

**COMMUNITY
RECREATION
POLICY FIN-035
AMENDMENT -
GRATIS FACILITY
USE**

MOVED by Councillor Condon:

THAT the COTW recommends that Council amend the Community Recreation Policy FIN-035 to add the World of Wheels and the BC Cancer Agency Mobile Screening Mammography program for gratis facility use; and

FURTHER THAT the fees for the May 7th, 2011 Mammography clinic be reimbursed.

CARRIED.

**COMMUNITY
RECREATION
POLICY FIN-035
AMENDMENT -
SOUND SYSTEM**

Director of Community Services, Cheryl Wiebe presented a report regarding an amendment to the Community Recreation Policy FIN-035 to include facility renters to use professional sound technicians, noting that:

- Several non-District sponsored events have rented the sound system without using a professional sound technician, and issues have ensued
- Sound technician rates are typically around \$50.00 per hour

Discussion ensued relative to:

- The acoustics of the Community Centre
- Multiple microphones changing the way sound is managed on the sound system; technicians can balance the sound
- Protecting the sound system as an asset of the community
- Contacting Keith Thom to discuss the sound set up at the Wellness Centre's Putting on the Glitz event
- Facility renters bringing their own sound system for events

Agenda Item # 5A.

- The policy amendment adding a financial burden on local community groups

MOVED by Councillor Bell:

THAT the COTW recommends that Council amend the Community Recreation Policy FIN-035 to require that renters of the Community Centre sound system use professional sound technicians.

CARRIED.
Councillor Condon OPPOSED.
Councillor Schierbeck OPPOSED.

The Director of Community Services will contact Keith Tom to discuss the sound set up for the Putting on the Glitz event.

MAIL BALLOT AMENDMENT BYLAW NO. 1984, 2011

CAO Elsie Lemke presented Mail Ballot Amendment Bylaw No. 1984, 2011, noting that:

- The amendment now reflects clearer wording which will extend the time for distributing mail ballot packages to eligible voters

MOVED by Councillor Schierbeck:

THAT COTW recommends that Council give first three readings to Mail Ballot Authorization and Procedure Bylaw No. 1888, Amendment Bylaw No. 1984.

CARRIED.

RESERVE FUND TRANSFER BYLAWS NO. 1997, 2011 & 1998, 2011

Director of Finance Doug Pryde presented Reserve Fund Transfer Bylaws No. 1997, 2011 and 1998, 2011.

Discussion ensued relative to:

- The Non-DCC Reserve Fund being repaid with interest as provincially legislated under the Community Charter

MOVED by Councillor Bell:

THAT the COTW recommends that Council gives first three readings to District of Peachland Reserve Fund Transfer Bylaw Number 1997, 2011 (Storm Water Drainage Reserve to Non-DCC Roads Reserve); and

THAT the COTW recommends that Council gives first three readings to District of Peachland Reserve Fund Transfer Bylaw Number 1998, 2011 (Non-DCC Roads Reserve to DCC Parks Reserve).

CARRIED.

OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 1969 - VOLUNTARY AMENITY FUNDING

Director of Planning and Development Dave Smith presented a report regarding a referral report on the OCP Voluntary Amenity Contribution Amendment Bylaw and Policy, noting that:

- The OCP can be amended to include Voluntary Amenity Contribution Funding, creating a reserve fund and including the Local Government Act legislation

Agenda Item # 5A.

- Developer agreements for Amenity Contribution Funding can be made on a case by case basis with the OCP amendment, or a policy can be adopted to set out specific guidelines for all developments
- The OCP Amendment Bylaw is in accordance with the Peachland Economic Development Committee's report on Voluntary Amenity Contribution funding

Discussion ensued relative to:

- A Voluntary Amenity Contribution policy not being discussed at this time, the OCP Amendment Bylaw needs to be adopted before the Policy is finally discussed

MOVED by Councillor Moberg:

THAT COTW recommends that the Peachland Economic Development Committee Voluntary Amenity Contribution referral comments be forwarded to the public hearing as part of the information to be considered.

CARRIED.

AEGEAN GRILL - PATIO ON MUNICIPAL RIGHT OF WAY

Director of Planning and Development Dave Smith presented a report on the Aegean Grill's request to construct a patio on the Municipal Right of Way, noting that:

- The Planning and Development Department is working on a formal system for business encroachment requests, including consultations with the Chamber of Commerce, PEDC, and lawyers
- The Aegean Grill application is very similar to that of the Waterfront Pizzeria and Grill application that was made on March 8th, 2011

Discussion ensued relative to:

- Supporting a design which will not take up two entire parking stalls, but rather having a sidewalk patio which will re-direct pedestrians onto an adjacent walkway
- Amending the proposed resolution to include design and construction similar to that presented to the COTW on March 8th, and including Councillor Condon being involved in the design and construction process

MOVED by Councillor Condon:

THAT COTW recommends that Council pending development and adoption of a policy, bylaw and encroachment agreement governing applications for café and restaurants sidewalk patios, that authorization be granted to the owners of the Aegean Grill to encroach onto the municipal right of way in front of the restaurant (two parking stalls) to construct a restaurant patio that will be subject to:

- i) proof of insurance in the amount of three million dollars that indemnifies the municipality from any and all damages, injuries or claims arising from the use of the sidewalk;
- ii) final patio design and construction similar to that presented to COTW on March 8th, 2011, and consistent with requirements of the District of Peachland: such requirements to be established recognizing the experimental nature of

**MAIN MOTION
CONTINUED**

the temporary approval and undertaken in consultation between restaurant owners, staff and Councillor Condon;

iii) payment of a fee in the amount of \$300.00; and

iv) authorization to be valid for the period May 1, 2011 to October 31, 2011 after which time the patio is to be removed.

CARRIED.

**TEMPORARY
PORTABLE
COMMERCIAL
OFFICE
STRUCTURE
PERMIT EXTENSION**

Discussion ensued relative to:

- The total length of the extension being 8 years
- Future downtown development planning

MOVED by Councillor Condon:

THAT COTW recommends to Council that a one year extension be granted allowing a Temporary Portable Commercial Office structure located on Lots 18 & 19, Block 2, Plan 44, DL 490 at 3322 1st Street for TNI Network Inc., until May 31, 2011; and

THAT the original conditions as provided in the Building Permit of 2003 continue to apply to this building.

CARRIED.

**ROCKY J'S BEACH
HUT LIQUOR
LICENSE
AMENDMENT**

Director of Planning and Development Dave Smith presented a report on an amendment to the liquor license for the Rocky J's Beach Hut.

MOVED by Councillor Schierbeck:

THAT COTW recommends that Council approve the amendment of Liquor License Number 303563 held by Rocky J's Beach Hut, located at 5866 B Beach Avenue (Plan 44, Lot 1, DL 490, Block 1) to change from a Food Primary: Patron Non-Participation License to a Food Primary: Patron Participation License; and

THAT the amendment be approved due to the minimal impact on parking, traffic, road access, safety and noise; and

FURTHER THAT if approved, it is not anticipated to result in the establishment operating contrary to its primary purpose.

CARRIED.

**ZIPLINE
ENVIRONMENTAL
REPORT
CORRESPONDENCE**

Discussion ensued relative to:

- Ongoing environmental monitoring being the responsibility of both the Regional District of Central Okanagan and the Integrated Land Management Bureau (ILMB)
- The District monitoring the raw water quality to identify disturbances in the watershed upstream from erosion or pollution

Agenda Item # 5A.

MOVED by Councillor Bell:

THAT the Environmental Assessment Report Addendum, prepared by Ecoscape, dated March 10, 2011 be received for information.

CARRIED.

- 2010 CIVIC AWARDS** Council discussed the 2010 Civic Awards evening:
- Thanking all staff members who helped to make the Civic Awards a great success
 - Congratulated all of the nominees and awards recipients
 - Suggested having a light installed on the stage for speakers to make it easier to read notes
 - community groups celebrated their volunteers

ADJOURNMENT

MOVED by Councillor Moberg:

THAT the COTW meeting adjourn at 11:03 a.m.

CARRIED.

Certified Correct

Mayor

Corporate Officer

Dated at Peachland, B.C.

This day of , 2011.

Agenda Item # 6B.

COUNCIL BRIEFING

Date: May 11, 2011

TO: Mayor & Council
FROM: Elsie Lemke, Chief Administrative Officer
SUBJECT: Downtown Revitalization Program

INTRODUCTION

On May 10, 2011, Council adopted an amendment to the Official Community Plan (OCP) to add the Sustainable Downtown Peachland Plan as a schedule. "The Sustainable Downtown Peachland Plan (2010) updates and enhances many aspects of the Beach Avenue Neighborhood Plan and outlines a vision and design concept for the future of downtown Peachland. This plan was the result of citizen participation and a comprehensive design charrette process." A logical next step to this process would be planning an implementation strategy. An implementation strategy for a redevelopment area often includes items like tax incentives and other related revitalization incentives.

The Sustainable Downtown Peachland Plan supports a vibrant and dynamic town centre. An incentive program to encourage accelerated private sector investment can help to achieve Council's vision. The objectives for a Downtown Revitalization Program could be:

- To create economic stimulus to encourage commercial capital investment;
- To encourage redevelopment of aging, single use downtown buildings;
- To create additional employment opportunities that will reduce the need for citizens to work outside of the community;
- To promote environmental objectives, such as green projects, energy efficiency, and reduction of greenhouse gas emissions;
- To expand the commercial tax base.

PROGRAM SUMMARY

The Community Charter was introduced in 2004, and provided municipalities the ability to offer revitalization tax exemption opportunities by bylaw. Following is a summary of a typical revitalization tax exemption program:

- A bylaw is required to establish a Revitalization Tax Exemption (RTE) program. The bylaw would identify an area and be based on the Sustainable Downtown Peachland Plan;
- The municipality enters into agreements with property owners within the designated area if they plan to undertake revitalization initiatives that qualify under the bylaw. RTE Certificates are then issued to BC Assessment Authority, and those improvements would be exempt from general municipal property taxes for a period of time identified in the bylaw (typically 5 years);
- RTEs only apply to construction of new improvements or alterations to existing improvements with a value in excess of that established in the bylaw (e.g. minimum \$75,000 - \$100,000). Often the program specifies a time frame of 2 – 3 years within which a project can qualify, with occupancy required within a relatively short time frame.
- Any work done prior to making application for a RTE will not be eligible for consideration;

Agenda Item # 6B.

- The RTE applies only to municipal property taxes, and not to other property taxes, like School, Regional District, Hospital District, etc;
- Tax rate increases still apply to the non-exempted assessment;
- Applicants must complete a RTE and meet all requirements before October 31st in the year prior to the exemption being requested. An application would be accompanied by:
 - i) A certificate confirming all taxes and other charges imposed on the property are paid in full;
 - ii) A description of the new improvements or alteration of existing improvement that would be eligible under the bylaw for a RTE;
 - iii) The Agreement duly executed by the property owner;
 - iv) The application fee established under the bylaw.
- The RTE continues to apply if ownership of the property changes;
- The RTE would be cancelled if the property owner breaches any covenant or condition of the RTE bylaw or the Agreement, or allows the property to go into tax arrears, or the property is put to a use that is not permitted in the designated zone;
- The estimated annual general municipal tax associated with an increase in assessed value, attributed to the construction of a new improvement or alteration of an existing improvement is as follows (based on 2011 tax rates):

\$75,000 value -	\$385.42
\$100,000 value -	\$513.90

OTHER CONSIDERATIONS

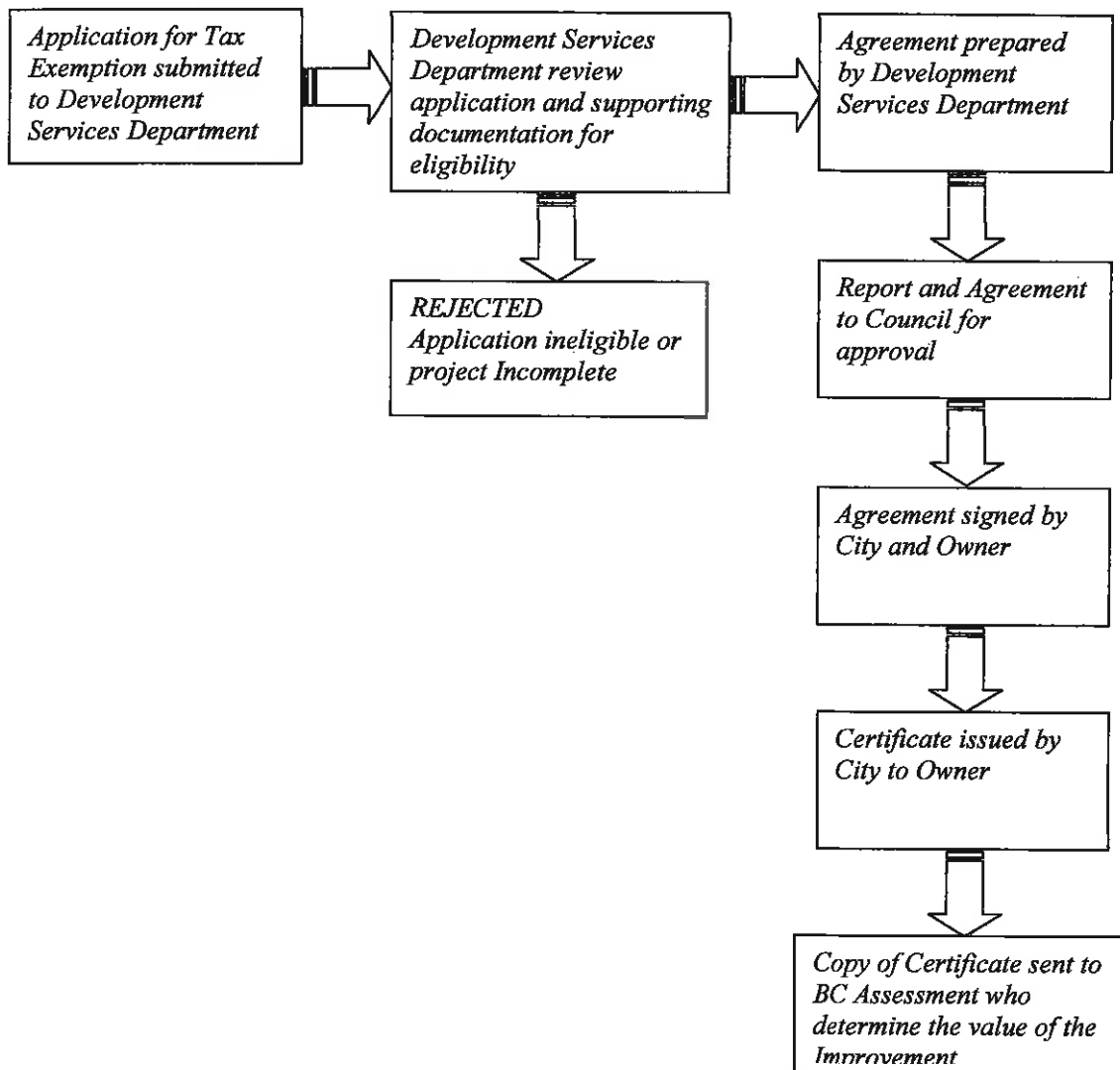
There are a few examples of some cities providing additional incentives for new development, but these are not very common. Some of the other types of incentives offered are:

- Building Permit fee reductions;
- Development Cost Charge (DCC) reductions;
- Reduction in development permit fees;
- Flexibility in building height restrictions;
- Priority processing of applications.

It should be noted that when, for example, DCC reductions are offered, the funding gap must be picked up by the general taxpayers. A few communities provide different levels of exemption depending on the scale of improvements. For example, greater improvements that provide a significant amount of new full time jobs qualify for higher exemptions than façade upgrades or building retrofits.

A sample bylaw is attached that reflects the most common approach to tax revitalization schemes currently in place in BC communities.

**DOWNTOWN REVITALIZATION TAX EXEMPTION PROGRAM
FLOW DIAGRAM**



...

Agenda Item # 6B.

DISTRICT OF PEACHLAND

BYLAW No. _____

A Bylaw to provide for a revitalization tax exemption

WHEREAS the Council may, by bylaw, provide for a revitalization tax exemption program in accordance with Section 226 of the Community Charter;

AND WHEREAS Council wishes to establish a revitalization tax exemption program to encourage property investment and revitalization in the Revitalization Area;

AND WHEREAS Council's objective is to stimulate and reinforce development initiatives in the Revitalization Area by promoting property investment within the Beach Avenue South and Waldo Way South precincts (as identified in the Sustainable Downtown Peachland Plan) and to reinforce the District's investment in infrastructure upgrades and beautification projects;

AND WHEREAS Council has designated the Revitalization Tax Exemption Area pursuant to the District of Peachland's Official Community Plan, Sustainable Downtown Peachland Plan;

AND WHEREAS the Community Charter provides that a revitalization tax exemption program bylaw may only be adopted after notice of the proposed bylaw has been given in accordance with Section 227 of the Community Charter and Council has given this notice;

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

INTERPRETATION

1. In this bylaw:

"Agreement" means a revitalization tax exemption agreement, as set out in Schedule "B" attached hereto and forming part of this Bylaw, between the owner of a property located in the Revitalization Area as set out on Schedule "A" attached hereto and forming part of this Bylaw;

"Assessed Value" will have the same meaning as set out in the Assessment Act;

"Base Amount" means an assessed value of land and improvements used to calculate municipal property tax payable (excluding specified area levies) on a Property located in the Revitalization Area during the Base Amount Year;

"Base Amount Year" means the calendar year prior to the first calendar year in respect of which an Agreement applies to a property in the Revitalization Area and/or the calendar year in which the Revitalization Tax Exemption Certificate is issued;

"District" means the District of Peachland;

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“Corporate Officer” means the Corporate Officer of the District of Peachland;

“Council” means the Council of the District of Peachland;

“Owner” means the legal registered owner and any subsequent owner of the Property or any parts into which the Property is subdivided, and includes any person who is a registered owner in fee simple of the Property from time to time;

“Property” means the legally described land and improvements to which a Revitalization Tax Exemption is applied for and as legally described in the Agreement;

“Revitalization Area” means an area designated and set out on Schedule “A” attached hereto and forming part of this Bylaw;

“Revitalization Tax Exemption” means a revitalization tax exemption pursuant to a Revitalization Tax Exemption Certificate;

“Revitalization Tax Exemption Certificate” means a revitalization tax exemption pursuant to this Bylaw;

2. There is established a revitalization tax exemption program which includes the following:

a) Revitalization Tax Exemptions authorized under this Bylaw applies to:

- (i) the construction of a new improvement where the construction has a value in excess of \$75,000.00;
- (ii) the alteration of an existing improvement where the alteration has a value in excess of \$75,000.00, and;

wherein the property is located within the Revitalization Area as set out on Schedule “A” attached hereto and forming part of this Bylaw.

b) Any construction of a new improvement or alteration of an existing improvement as outlined in Section 2 a) of this Bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration.

c) The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the increase in the assessed value of the improvements on the Property between:

- (i) The calendar year before the construction or alteration began, as outlined under Section 2 a) of this Bylaw; and
- (ii) The calendar year in which the construction or alteration as outlined under Section 2 a) of this Bylaw is completed.

d) The Property’s assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as outlined in Section 2 a) of this Bylaw, as a result of the Revitalization Tax Exemption.

Agenda Item # 6B.

- ...
- e) The maximum term of a Revitalization Tax Exemption is contingent on when the Revitalization Tax Exemption Certificate for the Property is issued by the District pursuant to this Bylaw and the Agreement:
- (i) if the construction or alterations as outlined in Section 2 a) of this Bylaw have commenced on or before October 31 and will be assessed on the subsequent year's assessment roll, then the Revitalization Tax Exemption Certificate will be issued one (1) year and a subsequent Revitalization Tax Exemption Certificate will be issued for the next four (4) years plus a single renewal for a term of an additional five (5) years;
 - (ii) if the construction or alterations as outlined in Section 2 a) of this Bylaw have commenced and been completed on or before October 31 and will be assessed on the subsequent year's assessment roll, then the Revitalization Tax Exemption Certificate will be issued five (5) years plus a single renewal for a term of an additional five (5) years;
- f) The amount of Revitalization Tax Exemptions authorized under this bylaw to calculate the general municipal property tax payable (excluding specified area levies) is equal to any increase in the assessed value of improvements on the Property attributed to construction or alterations as outlined in Section 2 a) of this Bylaw (hereinafter referred to as the Total Amount) and is as follows:
- (i) Year 1 – 5 Total Amount
 - (ii) Year 6 Total Amount less 20%
 - (iii) Year 7 Total Amount less 40%
 - (iv) Year 8 Total Amount less 60%
 - (v) Year 9 Total Amount less 80%
 - (vi) Year 10 Total Amount less 100% - No Revitalization Tax Exemption – the Property is fully taxable.
3. The kinds of property revitalization that will be eligible for a Revitalization Tax Exemption under this Bylaw will be limited to property zoned C-2 and C-3, in the Beach Avenue South and Waldo Way South precincts.
4. This Bylaw does not apply to a property unless:
- a) The property is located in the Revitalization Area shown on Schedule "A" attached hereto and forming part of this Bylaw; and
 - b) The Owner of the property has entered into an Agreement with the District as set out in Schedule "B" attached hereto and forming part of this Bylaw.

...

Agenda Item # 6B.

5. Where a property is partially within the Revitalization Area, this Bylaw shall apply where at least 50% of the property lies within the Revitalization Area.
6. Once the conditions established under this Bylaw and the Agreement as set out in Schedule “B” attached hereto and forming part of this Bylaw, have been met, a Revitalization Tax Exemption Certificate must be issued for the Property.
7. The Revitalization Tax Exemption Certificate must, in accordance with the conditions established in this Bylaw and the Agreement set out in Schedule “B” attached hereto and forming part of this Bylaw, specify the following:
 - a) the amount of Revitalization Tax Exemption or the formula for determining the Revitalization Tax Exemption;
 - b) the term of the Revitalization Tax Exemption;
 - c) the conditions on which the Revitalization Tax Exemption is provided; and
 - d) that a recapture amount is payable if the Revitalization Tax Exemption Certificate is cancelled and how that amount is to be determined.
8. If an Owner wants to apply for a Revitalization Tax Exemption under the Bylaw, the Owner must apply to the Director of Planning and Development Services in writing and must submit the following with the application:
 - a) a certificate that all taxes assessed and rates, charges, and fees imposed on the Property have been paid and where taxes, rates or assessments are payable by instalment, that all instalments owing at the date of the certificate have been paid; the provision for Development Cost Charge instalments shall be pursuant to Section 933 of the Local Government Act and Regulation 166/84;
 - b) a completed written application as per Schedule “C” attached hereto and forming part of this Bylaw;
 - c) a description of the construction or alteration as outlined in Section 2 a) of this Bylaw, that would be eligible under the Bylaw for a Revitalization Tax Exemption;
 - d) an examination fee in the amount of \$250.00; and
 - e) a copy of the Agreement as set out in Schedule “B” attached hereto and forming part of this Bylaw, duly executed by and on behalf of the Owner.
9. In the event that the conditions under which a Revitalization Tax Exemption Certificate was issued are no longer met by the Owner, as set out in Section 10 of this Bylaw, the Owner must pay to the District a recapture amount of the foregone property taxes of the following applicable percentage of the total Revitalization Tax Exemptions obtained under this Bylaw:

Agenda Item # 6B.

- a) Years 1 to 10 50%
10. A Revitalization Tax Exemption Certificate will be cancelled if:
 - a) the Owner breaches any covenant or condition of this Bylaw or the Agreement set out in Schedule "B" attached hereto and forming part of this Bylaw;
 - b) the Owner has allowed the property taxes to go into arrears or to become delinquent; or
 - c) the property is put to a use that is not permitted in the C2 or C3 commercial zones.
 11. The Corporate Officer is hereby authorized to execute the documentation necessary to give effect to the provisions of this Bylaw, including the Agreement set out in Schedule "B" attached thereto and forming part of this Bylaw.
 12. If any section or phrase of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, it shall be severed and the invalidity of the remaining provisions of this Bylaw shall not be affected.
 13. Any enactments referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
 14. This Bylaw shall come into full force and effect upon adoption of same.
 15. This Bylaw may be cited as "District of Peachland Revitalization Tax Exemption Bylaw No. _____."

READ A FIRST TIME THIS DAY OF , 20 .

READ A SECOND TIME THIS DAY OF , 20 .

READ A THIRD TIME THIS DAY OF , 20 .

ADOPTED BY COUNCIL THIS DAY OF , 20 .

MAYOR

CORPORATE OFFICER

...

Agenda Item # 6B.

SCHEDULE "A"

MAP OF REVITALIZATION AREA

SAMPLE

...

Agenda Item # 6B.

SCHEDULE "B"

REVITALIZATION TAX EXEMPTION AGREEMENT

SAMPLE



District of Peachland COTW Request for Decision

To: Mayor & Council
From: Chief Administrative Officer
Date: May 12, 2011
Subject: School District No. 23 re: School Site Acquisition Charge
Recommendation: THAT COTW recommends to Council that we remain opposed to the proposed School Site Acquisition Charge, and will participate in the dispute resolution process.

Implications of Recommendation:

General: Provides for a facilitated process on School Sites Acquisition Charges to proceed.

Organizational: n/a

Financial: n/a

Policy: n/a

Strategic Plan: n/a

BACKGROUND: In October, 2010, Council responded by letter to the Central Okanagan School District #23 to their proposed School Site Acquisition Charge, by objecting to each of the proposed school sites identified in their report, for the following reasons:

1. Peachland would like to see full and equitable participation of all local governments within School District No. 23, including Westbank First Nations;
2. Concerns about the negative impact this fee will have on developers in the Okanagan;
3. Concerns about the recent sale of a school site in Peachland, and the fact that the funds were directed away from future school site acquisition reserves.

The letter from the Board Chair indicates that they have asked their staff to establish a meeting date with Westbank First Nation Chief and Council to discuss the possibility of participating in the proposed School Site Acquisition Charge. The letter further suggests that this action addresses our first concern, so therefore they are requesting that Council now approve the charge so that they can move ahead with implementation.

In April, we received a letter from the consultant appointed by the Ministry of Education to conduct a dispute resolution process on this matter with the District of West Kelowna, District of Lake Country, and District of Peachland, requesting a meeting date at the end of May to begin

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Agenda Item # 6C.

the process. Mayor Fielding and I will be attending a meeting, as well as participating in the facilitated session on June 9th.

Since the District's concerns have not yet been fully addressed, it is recommended that we maintain our position, and participate in the dispute resolution process, along with the District of Lake Country and the District of West Kelowna.

REPORT/DOCUMENT: **Attached: X** **Available:** **Nil:**

- OPTIONS:**
1. COTW CAN SUPPORT RECOMMENDATION.
 2. COTW CAN MAKE AMENDMENTS TO THE RECOMMENDATION PRIOR TO ADOPTION.
 3. COTW CAN REQUEST ADDITIONAL INFORMATION OF STAFF PRIOR TO PASSING A RESOLUTION.



BOARD OF EDUCATION

"Together We Learn"

Agenda Item # 6C
SCHOOL DISTRICT No. 23

(CENTRAL OKANAGAN)

1940 Underhill Street, Kelowna, B.C. V1X 5X7

Tel. (250) 860-8888 Fax (250) 860-9799

Website: www.sd23.bc.ca

May 3, 2011

The Corporation of the District of Peachland
5806 Beach Avenue
Peachland, BC
V0H 1X7

Re: School Site Acquisition Charge

Dear Mayor Fielding and Council:

Further to our letter of November 1, 2010, the Board of Education is progressing with the implementation of the School Site Acquisition Charge. The Board has reconsidered your concern that Westbank First Nation housing developments will not be contributing towards the impending School Site Acquisition Charge in the Central Okanagan. The Board has rescinded a previous motion not to approach the Westbank First Nation and have asked staff to establish a meeting date with Chief and Council as soon as possible to discuss the possibility of Westbank First Nation developers participating in the School Site Acquisition Charge. This action addresses the Council's number one concern identified in the letter of October 19, 2010.

Given there is still a lot of work to be completed to implement the School Site Acquisition Charge, the Board of Education is requesting that Council now approve the School Site Acquisition Charge so that staff can move ahead with the establishment of the charge. The School District is at various stages of implementation with the five local governments that are, by legislation, required to participate before the charge is valid.

Sincerely,

Rolli Cacchioni
Board Chair

RECEIVED
MAY 03 2011
DISTRICT OF PEACHLAND

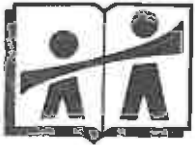
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Agenda Item # 6C
SCHOOL DISTRICT No. 23

(CENTRAL OKANAGAN)

1940 Underhill Street, Kelowna, B.C. V1X 5X7
Tel. (250) 860-8888 Fax (250) 860-9799

Website: www.sd23.bc.ca



BOARD OF EDUCATION

"Together We Learn"

May 3, 2011

Chief and Council
Westbank First Nation
301-515 Hwy 97 South
Kelowna, BC
V1Z 3J2

RECEIVED
MAY 3 2011
DISTRICT OF PEACHLAND

Re: School Site Acquisition Charge

Dear Chief Louie and Council:

The Board of Education is currently in the process of implementing a School Site Acquisition Charge with the five local governments in the Central Okanagan. The Charge is to be collected similar to a Development Cost Charge on new housing construction within the School District's boundaries. The purpose of the Charge is to satisfy the provincial government's requirement that local developers contribute towards land purchases for future school sites. Under legislation, the maximum local contribution for a school site is 35% of the value of the land only.

Westbank First Nation (WFN) land developers are not legally required to participate in the School Site Acquisition Charge; however, some local governments have expressed concern that without WFN participation, developers not on First Nation land would be placed in a competitive disadvantage. Also the charge is appropriate as many of the families moving onto WFN lands will have children attending School District No. 23 increasing the need to purchase land to build more schools.

The Board is requesting a meeting with Council, at your earliest convenience, pursuant to the District of West Kelowna's concerns with the aforementioned matter. The purpose of the meeting is for School District staff to present to Council the details and benefits of the School Site Acquisition Charge, and to request Council's consideration to voluntarily implement a School Site levy on family housing that is developed on WFN lands for the purpose of general resale.

Sincerely,

Rolli Cacchioni
Board Chair

Attachment

cc: Doug Findlater, Mayor, District of West Kelowna
Keith Fielding, Mayor, District of Peachland

...

Agenda Item # 6C.

October 19, 2010

Central Okanagan School District #23
1940 Underhill Street
Kelowna, BC
V1X 5X7

Attention: Roli Cacchioni, Chairperson

Dear Mr. Cacchioni;

Re: School Site Acquisition Charge Implementation Fee

On behalf of Council, I would like to thank you for the staff presentation to District Council on the proposed School Site Acquisition Charge proposal. We have had an opportunity to review the proposal a number of times, and can advised that at the October 12, 2010 regular Council meeting, a resolution was passed objecting to each of the proposed school sites identified in your report, and the reasons for our objections are outlined below.

Firstly, Peachland would like to see full and equitable participation of all local governments within School District No. 23, including Westbank First Nations. We understand the fact that this legislation does not apply to First Nations lands, but we believe you should engage them in communication about the importance of this initiative, and encourage them to consider participating on a voluntary basis in advance of finalizing the proposal.

Further, we are concerned about the negative impact this fee will have on developers in the Okanagan. With the current state of the economy and significant challenges developers are having getting much-needed projects underway, the fee being proposed for school site acquisition poses another hurdle for them to deal with, during already uncertain times.

Finally, we are concerned about the recent sale of a school site in Peachland, and the fact that the funds were directed away from future school site acquisition reserves. These types of decisions do not find favour with Peachland's taxpayers, and result in questions about associated decision making.

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Agenda Item # 6C.

Page 2
School District #23
October 19, 2010

Thank you kindly for your consideration.

Yours truly,

Mayor Keith Fielding

- c. Council
 - CAO E. Lemke
 - Mr. Larry Paul, Secretary Treasurer
 - Judy Shoemaker, Planning Manager
 - Mayor Sharon Shepherd, City of Kelowna
 - Mayor Doug Findlater, District of West Kelowna
 - Mayor James Baker, District of Lake Country
 - Chair Robert Hobson, Central Okanagan Regional District



District of Peachland Request for Decision

To: Committee of the Whole (COTW)
From: Planning and Development Services
Date: May 02, 2011
Subject: Property at 4534 Princeton Avenue – Removal of Non-Compliant Trailer
Recommendation: **THAT COTW recommend that Council direct staff to seek a court injunction for a removal order for the trailer located 4534 Princeton Avenue.**

Implications of Recommendation:

General: That the District of Peachland would seek a court injunction for a removal order
Organizational: N/A
Financial: N/A
Policy: N/A

BACKGROUND:

- September 17, 2009 a construction office trailer was moved onto the Ice Development project site.
- September 18, 2009 a STOP WORK NOTICE was posted on structure.
- September 18, 2009 an e-mail from Building Inspector is sent to Steve Brown from Ice Developments notifying him that a stop work notice was posted on the office structure.
- A call was later returned to the Building Inspector asking that Rick Slen be contacted regarding this issue.
- Rick Slen was contacted by phone and the Building Inspector discussed the situation. Mr. Slen indicated that the office would be required on the project site when the development started up. At that time the approvals for the development were not approved by the District, he was informed that the office trailer would have to be removed from the property.
- October 14, 2009 the Building Inspector re-sends e-mail dated September 18, 2009 to Mr. Slen with an update of the situation insisting that the office structure be removed from the property before November 6, 2009.

Agenda Item # 6D.

- November 26, 2009, Mr. Slen contacted the Manager of Development Services requesting consideration to allowing the office structure to remain as an office during the demolition of the project. Request was forwarded to the Building Inspector for reply.
- December 10, 2009 Building Inspector replied to MDS indicating that if the structure is allowed to remain in support of a demolition permit then the Ice Developments would have to apply for an accessory building permit, if approved the structure would have to meet all required setbacks from the property line and be placed on a proper foundation base. This information was forwarded to Mr. Slen. No building permit applications have been received to date.
- June 29, 2010 Bylaw Enforcement received a complaint regarding broken windows on the Ice Development property, site was visited by Building Inspector and Fire Chief, some plywood doors and window covers had been removed, Fire Chief spoke with the Developer and the structures were secured again.
- November 04, 2010 Building Inspector re-visited the site. Over the summer the structures on the property had become unsecured again and debris and household items had been removed from the dwelling and left in the yard in an unsightly condition.
- November 04, 2010 Building Inspector sent a registered letter to Mr. Slen / Ice Developments indicating that the office trailer be removed from the property and that the unsightly condition must be brought into full compliance before December 13, 2010.
- March 16, 2011 a letter was sent to Mr. Slen indicating that the property has not been brought into compliance as required prior to December 13, 2010. Three Bylaw Notices was attached to the letter for the outstanding bylaw violations. The letter indicated that the property must be in compliance before April 18, 2011. To date there has been no reply.

REPORT/DOCUMENT:

Attached: X

Available:

Nil:

1. Letters dated November 04, 2010 and March 16, 2011
2. Photo's of the property.

OPTIONS:

1. **COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION**
2. **COTW MAY CHOOSE TO NOT SUPPORT THE RECOMMENDATION**
3. **COTW MAY REFER THE MATTER BACK TO STAFF FOR FURTHER INFORMATION**



Agenda Item # 6D.

May 02/11





Agenda Item # 6D. *The Corporation of the District of Peachland*

5806 Beach Ave
Peachland, BC
V0H 1X4

Phone: 250.767.2647
Fax: 250.767.3433
Website: www.peachland.ca

November 04, 2010

Folio No. 318-10061.440

0833268 BC Ltd
PO Box 177
De Winton Alberta
T0L 0X0

Registered Mail

Attention Mr. Rick Slen,

Re: Unlawfully Storing a Construction Office at 4534 Princeton Ave Peachland BC

On September 18, 2009 the District Building Inspector conducted an inspection of the above noted property. Prior to the visit a construction office was placed on the property without any approvals from the District. At that time the Inspector posted a stop work notice on the structure and then later notified the developer by e-mail that the placement of the office structure is in contravention of the District zoning bylaw.

Since the notice was posted on the structure, the District Planning Department had discussed options with you to obtain a building permit, allowing a temporary construction office to support a permitted building project.

To date there has been no building or development permit applications submitted to the District to allow the structure to remain temporarily sited on the property in support of any construction project proposed. The District of Peachland Zoning Bylaw No. 1375, 1996 does not permit the storage of temporary structures on residential zoned properties that are regulated by building permits.

The unlawful placement and storage of the construction office is in contravention of the District of Peachland Zoning Bylaw 1375, 1996. Please remove the office structure from the property on or before December 13, 2010. If after this date the structure still remains on the property, enforcement action will be taken by the District to ensure that the office structure is removed and impounded.

We have observed trespassing and vandalism on the property in question. On several occasions the plywood closures on the doors and windows which secure the buildings and structures on the property have been removed and entry into the structures has been obtained. Debris and house hold items from the structure have been removed and scattered around the exterior of the dwelling, this has created an unsafe unsightly condition.

The District of Peachland Fire and Life Safety Bylaw No. 1718 section 7.7 requires that the owner of any vacant building shall ensure the premises are free from debris and flammable substances and shall keep the building securely closed so as to prevent entry by unauthorized persons. This condition must be maintained at all times. Ongoing inspections will be forthcoming by the District for compliance in this regard, please ensure all vacant structures are secure and debris is removed from the site.



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Agenda Item # 6D.

If further clarity on these issues is required please direct your response to the undersigned. Thank you, your cooperation is anticipated.

Sincerely

Mike Girouard
By-law Enforcement Officer
Building Inspector
Phone: 250-767-2647
E-mail: mgirouard@peachland.ca

Cc: Dave Smith / Director of Planning and Development Services
Grant Topham / Fire Chief





Agenda Item # 6D. *The Corporation of the District of Peachland*

5806 Beach Ave
Peachland, BC
V0H 1X4

Phone: 250.767.2647
Fax: 250.767.3433
Website: www.peachland.ca

March 16, 2011

Folio No. 318-10061.440 – 318-10059.650

0833268 BC Ltd
PO Box 177
De Winton Alberta
T0L 0X0

Attention Mr. Rick Slen,

Re: Bylaw Contraventions at 4534 Princeton Ave and 5919 Columbia Ave Peachland

In a letter dated November 05, 2010 the District had required that the subject property be brought into compliance with the District Bylaws on or before December 13, 2010. Prior to December 13, 2010 this issue was discussed with you over the phone; the District was lead to believe that the issue of the office structure, the unsecured structures and the unsightly condition of the property would be resolved shortly into the new year. Since then, the unsecured structures have been secured, however the issues regarding the office trailer and the unsightly premises condition still remain un-resolved.

To date the above noted property remains in contravention of the following bylaws regulated within the District of Peachland.

Please note the following bylaw violations.

- (Construct Without a Permit) Section 8.1 / Building Bylaw No. 1574
- (Unsightly Premises) Section 2 a-b / Bylaw No. 1333

Please see the attached Bylaw Notices. The District will continue to seek compliance on this property. If full compliance is not achieved by April 18, 2011 further enforcement action will be forthcoming. If further clarity on these issues is required please direct your response to the undersigned, your cooperation is anticipated.

Sincerely

Mike Girouard
By-law Enforcement Officer
Building Inspector
Phone: 250-767-2647
E-mail: mgirouard@peachland.ca

Cc: Dave Smith / Director of Planning and Development Services
Grant Topham / Fire Chief





District of Peachland Request for Decision

To: Committee of the Whole (COTW)
From: Planning and Development Services
Date: May 02, 2011
Subject: Property at 4534 Princeton Ave and 5919 Columbia Ave
Recommendation: **THAT COTW recommend that Council direct staff to proceed with the remedial action necessary to correct the unsightly premises condition on the above noted properties**

Implications of Recommendation:

General: Council may impose Remedial Action in accordance to Division 12 of the Community Charter
Organizational: Property owner will be notified of Councils resolution and will have 30 days to comply before remedial action is imposed
Financial: Cost incurred can be recovered through property taxes
Policy: Bylaw Enforcement Policy 070

BACKGROUND:

June 29, 2010 Bylaw Enforcement received complaint regarding broken windows on the property, site was visited by Building Inspector and Fire Chief, some plywood doors and window covers had been removed. The Fire Chief spoke with the Developer and the structures were secured again.

November 04, 2010 Building Inspector re-visited the site, over the summer the structures on the property had become unsecured again. Debris and household items had been removed from the dwelling and left in the yard in an unsightly condition.

November 04, 2010 Building Inspector sent a registered letter to Mr. Slen / Ice Developments indicating the unsightly condition must be brought into full compliance before December 13, 2010.

March 16, 2011 A letter was sent to Mr. Slen indicating that the property had not been brought into compliance as required prior to December 13, 2010. Three Bylaw Notices were attached to the letter for the outstanding bylaw violations. The letter indicated that the property must be in compliance before April 18, 2011. To date there has been no reply.

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Agenda Item # 6E.

REPORT/DOCUMENT:

Attached: X

Available:

Nil:

1. Letters dated November 04, 2010 and March 16, 2011
2. Photo's of the property.

OPTIONS:

1. **COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION**
2. **COTW MAY CHOOSE TO NOT SUPPORT THE RECOMMENDATION**
3. **COTW MAY REFER THE MATTER BACK TO STAFF FOR FURTHER INFORMATION**



Agenda Item # 6F.

District of Peachland Request for Decision

To: Committee of the Whole (COTW)

From: Planning and Development Services Department

Date: May 12, 2011

Subject: 1) Proposed Amendments to the Official Community Plan Bylaw No. 1600, 2000, Appendix "C" Pincushion/Ponderosa Area Sector Plan,
2) Pincushion/Ponderosa Phased Development Agreement (PDA).

Recommendation: **THAT COTW recommend;**

THAT Council give Fourth and Final Reading of the Official Community Plan Amendment Bylaw No. 1944, 2010; and

THAT Council gives First and Second Readings to Bylaw No. 2000, 2011, to amend the Official Community Plan Bylaw No. 1600, 2000; and

THAT Council gives First and Second Readings to the Pincushion/Ponderosa Phased Development Agreement (PDA) Authorization Bylaw No. 1999, 2010; and

THAT staff be directed to schedule the Public Hearing

Implications of Recommendation:

General: Approval of the proposed Ponderosa/Pincushion OCP/ASP amendment, PDA and related Bylaws will facilitate the development of a self-contained mixed use community containing a championship golf course.

Organizational: N/A

Financial: The developer will be responsible for all costs involved with this proposal. The District of Peachland will benefit from a significant increase in residential and commercial tax base as well as amenity contributions.

Policy: Providing Fourth and Final Adoption of the Official Community Plan ASP Amendment Bylaw No. 1944, 2010 is required to ensure amendments to the ASP agreed to by Council in 2010 are adopted prior to proceeding with new amendments.

Changes to both the OCP and the Pincushion/Ponderosa Phased Development Agreement (PDA) Authorization Bylaw No. 1959 are required if the Council wishes to see this development proposal proceed.

BACKGROUND:

The report addresses four (4) issues:

1. Fourth Reading of the OCP/ASP Amendment Bylaw No. 1944, 2010.

...

2. First & Second Reading of Phased Development Agreement, Authorization Bylaw No. 1891, 2011. **Agenda Item # 6F.**
3. First & Second Reading of OCP/ASP Amendment Bylaw No. 2000, 2011.
4. Setting a date of the Public Hearing.

Fourth and Final Reading of the OCP/ASP amendment Bylaw No. 1944, 2010 removes the requirement to provide a public swimming pool as a public amenity. Removal of this requirement is replaced by a cash payment of \$470,000 in compensation for the non-required 1.19 ha (2.94 acres) area of land for the non-required swimming pool and provision of a Community Amenities Contribution Fund generated through a charge of \$1350.00 per residential unit built on the property.

The OCP/ASP amendment Bylaw No. 2000, 2011 primarily addresses changes as a result of refinement and clarification of the Phased Development Agreement, the Affordable Housing Agreement, proposed Zoning bylaw and updated traffic studies.

The proposed Phased Development Agreement (PDA) Authorization Bylaw 1999 authorizes Council to enter into a phased development agreement with 0817642 B.C. Ltd to develop the Pincushion Ponderosa land according to the terms and conditions contained in the Agreement developed within the framework of the Pincushion/Ponderosa Area Sector Plan. This Agreement has necessitated several minor and one major change to the ASP, which requires proposed amendments to the Pincushion/Ponderosa Area Sector Plan.

Past History

- | | |
|------------------------------|---|
| <u>April 2005</u> | A fire at the Ponderosa Golf Club destroyed the clubhouse and facilities |
| <u>Oct., 2005</u> | Peachland staff advised the Golf Club that an Area Sector Plan (ASP) would be required for the redevelopment of the area and those terms of reference for the ASP would be required, |
| <u>May, 2006</u> | An application was made by New Town Planning Consultants to the District of Peachland to undertake the ASP. |
| <u>Oct., 2006</u> | The Terms of Reference for the Ponderosa / Pincushion Ridge ASP were approved. The Terms of Reference were reviewed by the Environmental Land Use Committee (ELUC) and they recommended that Council include reference to consideration for affordable housing. This amendment was approved by Council. |
| <u>Dec., 2006</u> | A Public Open House was held at the Community Center. |
| <u>June 27, 2007</u> | A Public Open House held at the Holiday Inn, Westbank |
| <u>July 11, 2007</u> | A Public Open Houses held at the Community Center and in Westbank. |
| <u>Oct. 2007</u> | A Public Open House held at the Seniors Center. |
| <u>Sept. 23, 2008</u> | ELUC considered the ASP and recommended passage of First and Second Reading to the OCP Amendment Bylaw 1891. |
| <u>Oct. 14, 2008</u> | Council passed First and Second Reading of the OCP (ASP) Amendment Bylaw 1891. Referrals sent out and peer reviews of issues in the technical reports undertaken by staff or by peer professionals. |
| <u>Nov 13, 2008</u> | Public Hearing held. |
| <u>Nov 18, 2008</u> | Third Reading given to of Bylaw No.1891. |

Agenda Item # 6F.

...

<u>Dec 8, 2008</u>	Council passed Third Reading of the OCP (ASP) amendment bylaw.
<u>April 13, 2010</u>	First and Second Readings given to OCP Amendment Bylaw 1994 and Zoning Amendment Bylaw 1924 and MDA received.
<u>May 26, 2010</u>	Public Hearing held for OCP Amendment Bylaw 1994 and Zoning Amendment Bylaw 1924.
<u>June 16, 2010</u>	Reconvened Public Hearing for OCP Amendment Bylaw 1994 and Zoning Amendment Bylaw 1924.
<u>June 22, 2010</u>	Third Reading given to OCP Amendment Bylaw 1994 and Zoning Amendment Bylaw 1924.
<u>July 13, 2010</u>	First and Second Reading of MDA Authorization Bylaw 1959.
<u>August 19, 2010</u>	Public Hearing on MDA Authorization Bylaw 1959 to enter into a Phased Development Agreement- Public Hearing adjourned to review MDA.
<u>Aug 2010/Mar 2011</u>	MDA reviewed by the Municipal Solicitor
<u>May 10, 2011</u>	MDA authorization Bylaw No. 1959 rescinded.

DISCUSSION:

A copy of the PDA and the attachments (i.e. Affordable Housing Agreement) are to be attached upon receipt from the Solicitors. If it is not available by agenda day being Friday May 20, 2011, it will be provided to Council as soon as possible, on or before the Council meeting on May 24, 2011.

The Proposed Phased Development Agreement:

The proposed PDA has been drafted to ensure that the proposed development containing following elements can take place in such a way that it is beneficial to both the developer and the Peachland community:

- (a) A Village Centre containing a maximum of 5,000m² of commercial and retail space, tourist accommodation, and 1050 residential units
 - (b) A Vineyard/Winery including 70 residential units;
 - (c) An Alpine Development including 120 residential units;
 - (d) Multiple Family Development including 700 residential units;
 - (e) Single Family Development including 100 residential units;
 - (f) Golf Course, Club House, including 60 residential units;
 - (g) Parks & Trails;
 - (h) Restaurant, spa and other uses commonly associated with a Hotel or other recreational development developed on the Lands, and accessory parking, buildings and structures in accordance with the Specified Zoning Bylaw; and
- Notwithstanding the numbers of residential units contained in (a) to (f) above, the numbers may be changed as long as the maximum number of market units will not exceed 2100, plus 210 units of affordable housing units.

The proposed comprehensive development would evolve into a well planned and self-contained community that would be an asset to Peachland and will bring in following amenities and cash contributions for community facilities:

1. Through the proposed PDA, the developer has offered to fully develop and dedicate or otherwise provide for perpetual public use the following amenities:

Agenda Item # 6F.

- ...
- i. An Amphitheatre
 - ii. A Village Square
 - iii. A Trail Head Park
 - iv. A 4.1 hectare (10.2 acres) of land as dedicated public parkland.
 - v. A trail system connecting to exiting trails around the subject property.
2. Through the proposed PDA, the developer has also offered to provide:
- vi. \$470,000 Cash-in-lieu as compensation for the non-required 1.19 hectare (2.94 acre) land for the swimming pool;
 - vii. 1.785 hectare (4.41 acre) Linear Park along the road to be dedicated as Public Road.
 - viii. 0.13 hectare (1/3 acre) of land to be dedicated for a Satellite Fire Equipment Storage Facility in close proximity to the golf course maintenance facility.
3. Through the proposed PDA, the developer has also offered to pay:
- ix. A cash contribution of \$1,350 per residential unit, developed in the property, to an Amenity Reserve Fund established by the District for the general purpose of provision of the Community facilities. The contribution is payable at the time of issuance of a Building Permit for Multiple Family Residential units or as a condition of the Subdivision Approval of Single Family Residential lots.
 - x. A cash contribution of \$250.00 per residential unit at the time of occupancy permit for Multiple Residential housing and at the subdivision approval for Single Detached housing for **Fire Protection Reserve Fund**.

The Proposed development is providing all on-site services, at no direct cost to the community, along with the aforesaid amenities and contributions.

Required Changes to the ASP:

The proposed MDA has evolved out of prolonged discussions with the developer and it has been vetted by the Municipal Solicitor. In its final form it requires a series of revisions to the text and figures in the ASP. These are noted in the following Table:

Agenda Item # 6F.

Proposed ASP Revisions			
Revision	Minor –	Major – Public Hearing	Action
1.0 Executive Summary - paragraph 7 A total of 2059 <u>2310</u> units are proposed within the Plan area. Tourism uses occupy 208 units while conventional residential is offered in 4851 <u>2102</u> homes.	✓		Council Resolution
4.2 Delete the words " Westside District Municipality " replace it with " District of West Kelowna ".	✓		Council Resolution
5.1 Background - Population and Housing A forecast of 208 tourism units are distributed throughout the Tourism Village. An additional 1,600 condominium 1,641 apartments and town homes provide for residential lifestyle throughout the Plan Area. 251 single family residences make up the balance of the market residential units plus 210 affordable homes resulting in a net growth of 2059 <u>2310</u> units. Distribution of the various uses is shown on the Future Land Use Map (Figure 1) and is outlined in Table 1- Land Use Density (Residential & Resort Yields).	✓		Council Resolution
5.1 Land Use Table – Replaced – See attached Table #1		✓	Bylaw Amendment
6.0 Natural Environment 6.1 Cascadia Natural Resource Consultants Inc. undertook a qualitative observation of mule deer winter range and derived a series of recommendations for retaining and enhancing winter range.	✓		Council Resolution
7.11 Development Phasing Strategy – Replace Table – 2; See attached Table #2		✓	Bylaw Amendment
8.2 Proposed Development The preliminary concept plan indicates that 2059 2310 residential units including 210 affordable housing units will be constructed.	✓		Council Resolution
8.4. Traffic Policies 8.4.1 Secure approval for a direct an access to Highway 97 as the principal route to the Plan area.	✓		Council Resolution
8.4.2 A new connection to Highway 97 is required prior to the completion of the first phase of the development.	✓		Council Resolution
8.4.3 Upgrade Ponderosa Drive as identified in the recommendations in the Traffic Safety Study to be completed to the satisfaction of the District of Peachland	✓		Council Resolution
8.4.4 Delete and renumber remaining sub-section	✓		Council Resolution

Agenda Item # 6F.			
8.4.5 Re-number 8.4 .4 Undertake a more detailed warrant investigation as part of the Traffic Safety Study to determine both the extent to which local roads can be upgraded and any priorities needed that can improve safety in the short term.	✓		Council Resolution
8.4.6 Re-number 8.4.5 Upgrade Somerset Avenue as identified in the recommendations in the Traffic Safety Study to be completed <u>to the satisfaction of the District of Peachland.</u>	✓		Council Resolution
8.4.7 Re-number 8.4.6 Signalize the intersection of Ponderosa Drive / Highway 97 / 13 th Ave when the development levels reach a maximum of 100 units. Alternatively, reanalyze the need for a signal should traffic generated by the Plan Area be rerouted by the proposed direct Highway 97 access.	✓		Council Resolution
8.4.8 Re-number 8.4.7 Implement improvements to the Princeton Avenue / Somerset Avenue intersection through realignment of the geometry.	✓		Council Resolution
8.4.9 Re-number 8.4.8 The existing road network plan should make provisions for one collector status roadway through the length of the development for a possible future connection to an upper level bypass route.	✓		Council Resolution
11.3.1 Park Objectives Provide for community park land dedicated to the development of a community swimming pool and green-space.	✓		Council Resolution
<u>12.3 Servicing Policies</u> 12.3.2.6 Highway 97 access shall be provided within the initial phase of construction.	✓		Council Resolution
<u>15.0 Development Permit Area</u> Delete reference to Figure 2 and replace with Figure 6.	✓		Council Resolution
16.4 Economic Sustainability Delete the words " tennis facility "	✓		Council Resolution
17.0 Implementation Elements (add sub-section) 17.3 Development Concept Development concepts and estimates illustrated in this ASP shall be clarified within the Phased Development Agreement and amendment to the CD-7 Ponderosa/Pincushion Zoning Bylaw.	✓		Council Resolution
<u>Mapping Upgrades</u> Delete Figure 2a – Replace with new Figure 2a	✓		Council Resolution
Figure 6 Development Permit Areas - map has been adjusted and replaced to accommodate the revisions to Figure 1b	✓		Council Resolution

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Agenda Item # 6F.

Table 1

Land Use Table - Showing how the land is proposed for use.				
Use	Units/ha	Area ha.	Unit Yield	% of Total
Hillside Cluster Housing	6	17.3	70	3%
Medium Density MFR	75	8.8	656	32%
Low Density MFR	20	5.6	112	5%
Single Family Residential	7	15.9	111	5%
Urban Village Residential	104	8.5	881	40%
Vineyard / Winery	3	23.3	70	3%
Affordable Housing			210	+10%
Total Residential			2110	88%
Tourism Accommodation	100	2	200	12%
Total Residential			2310	
Total Plan Area		152.4		100%
Total Settlement Area		80.8		53%
Green-space & Golf		71.6		47%

Table 2

7.11 Development Phasing Strategy

The full completion of the development proposed in the Ponderosa /Pincushion Ridge Area Sector Plan will take many years. Phasing the infrastructure, market products, recreation and other uses is expected to respond to market demand with the intent to follow the basic process as outline on Table 2.

Phase	Infrastructure	Recreation	Development
First Year 1-4	<ul style="list-style-type: none"> • Access to Highway 97 • Expansion of Water System • Extension of Sewer Trunk • Upgrade to Somerset /Princeton Intersection • Local road access to initial development areas • Urban Village servicing 	<ul style="list-style-type: none"> • Golf course • Lower Elevation Trails 	<ul style="list-style-type: none"> • Club House • 200 Multiple Family Residential Units • 150 Cluster Housing Units
Second Year 5 7	<ul style="list-style-type: none"> • Local Roads within the Urban Village • Extension of Roads to Golf Housing • Upland Water Reservoir 	<ul style="list-style-type: none"> • Upper Elevation Trails 	<ul style="list-style-type: none"> • 400 Multiple Family Residential Units • Vineyard & Winery • 50 Single Family Units • 1000m² Commercial Lease Space • Hotel & Restaurant (208 Units) • Village Plaza
Third Year 8 - 10	<ul style="list-style-type: none"> • Extended Urban Infrastructure • Local Road Network Extension 	<ul style="list-style-type: none"> • Neighbourhood Parks 	<ul style="list-style-type: none"> • 20 Cluster Housing Units • 70 Vineyard Housing Units • 50 Single Family Units • 2000m² Commercial Lease Space • 500 Multiple Family Residential units
Fourth Year 10+	<ul style="list-style-type: none"> • Extended Urban Infrastructure • Local Road Network Extension • Extended Urban Infrastructure • Local Road Network Extension 	<ul style="list-style-type: none"> • Neighbourhood Parks 	<ul style="list-style-type: none"> • 62 Single Family Units • 2000m² Commercial Lease Space • 600 Multiple Family Residential units

Table 2 Implementation Phasing Chart

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The aforementioned revisions do not change the intent of the ASP except for moving the proposed “Hotel & Restaurants” and “Village Plaza” from the proposed First Phase to the proposed Second Phase. This means that construction and completion of these facilities will be delayed four years. **This is considered a major change that requires an amendment to the PDA Authorization Bylaw.** But since the PDA Authorization Bylaw requires a Public Hearing, it is desirable that other above mentioned minor changes be included in the Amendment Bylaw as well.

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Issues of Clarity and Certainty:

(a) Primary Access:

In the ASP adopted in 2008, explicit reference was made to providing a new connection to Highway #97. Subsequent changes are being proposed regarding phasing of development and re-evaluating the nature of the main access to the development. It is unclear whether there will be clarity and certainty on the access at the Zoning/PDA stage although MOTI does provide final approval prior to bylaw adoption.

(b) Internal Road Network

The internal road network will be the responsibility of the developer and it will be developed to the satisfaction of the District. There will be a connection through the length of the development. A Road Safety Study is being undertaken and any road improvements necessary to accommodate the developer will be provided at the developers expense.

(b) Form and Character:

The exterior of all multi-family buildings in the development and the compatibility of the scale of the development with the natural sloped terrain has not been clearly illustrated at this stage in the approval process. It is anticipated that the greater design detail will be provided at a later stage in the process (Development Permit).

(c) Water Capacity

A technical review (Urban Systems Ltd.) of water capacity in relation to the Water Master Plan has been undertaken in March 2011 and it indicated:

“There is sufficient raw water supply in the Peachland Creek watershed to accommodate all of the current development applications in the District, based on an estimated population horizon of 18,490. The analysis also indicates sufficiency of supply due to drought conditions (both 3 X 20 year and 1 X 1:200 year low runoff), climate change and potential impacts due to mountain pine beetle.”

DISCUSSION:

This project has been generally supported by Council to date. Perceived benefits of this project include:

1. Employment opportunities
2. Increased consumer choice
3. Inflow of revenues to Peachland
4. Economy through spending by visitors at these businesses
5. Increased tourist activity, a world class golf course facility
6. The provision of affordable housing
7. Amenity contributions
8. Development of access and an internal road network at the expense of the developer
9. Infrastructure and utilities being extended to the area at the expense of the developer
10. Sustainable green development features being investigated by the developer

A Phased Development Agreement has been negotiated between the District and the developer. Issues which need to be addressed can be addressed through the PDA, the CD Zone and in subsequent Development Agreements. The development documentation has been considered by Solicitors since July

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2010, and administrative and outstanding legal issues appear to have been resolved. It is recommended that MOTI approval for Highway 97 access is necessary before Final Adoption of the zoning amendment.

Agenda Item # 6F

Referrals will be sent to required agencies following the passing of First and Second Reading.

REPORT/DOCUMENT:

Attached: X

Available:

Nil:

1. Official Community Plan Amendment Bylaw # 1944, 2010 - (Fourth and Final Reading)
2. District of Peachland & Ponderosa/Pincushion Phased Development Agreement, (staff and Solicitors are attempting to have this available for the agenda package on Friday, May 20, 2011) When received it will be accessible at www.peachland.ca for review.
3. Official Community Plan Amendment Bylaw # 2000, 2011.

OPTIONS:

1. **COTW MAY CHOOSE TO SUPPORT THE RECOMMENDATION**
2. **COTW MAY CHOOSE TO NOT SUPPORT THE RECOMMENDATION**
3. **COTW MAY CHOOSE TO REFER THE MATTER BACK TO STAFF FOR MORE INFORMATION.**

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Agenda Item # 6F.

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 1944 , 2010

A Bylaw to Amend the Official Community Plan, Bylaw Number 1600, 2000

WHEREAS the Council of the Corporation of the District of Peachland has adopted the Official Community Plan Bylaw;

AND WHEREAS it is deemed necessary to amend the Official Community Plan Bylaw;

NOW THEREFORE, the Council of the Corporation of the District of Peachland, in open meeting enacts the District of Peachland Official Community Plan, Bylaw Number 1600, 2000 be amended as follows:

1. THAT **Appendix "C"** – Pincushion Area Sector Plan be amended as follows:

(a) **Section 1.0** – Executive Summary be amended by deleting the following paragraph in its entirety:

“Provide land for a community park suitable for a public swimming pool and adjoining green- space and construct the public pool as an amenity provided by the development.”

Replace it with the following sentence:

“Provide land for park or cash-in-lieu plus a per unit contribution for general amenities”

(b) Delete the following paragraph in its entirety from sub-section 2.3- What The Plan Can Do For Peachland of **Section 2.0** – Introduction:

“Community recreation will also be enhanced with the development providing a public swimming pool facility, an integrated walking trail network and local neighbourhood parks and plazas.”

And replace it with the following paragraph:

“Community recreation will also be enhanced with the development providing an integrated walking trail network and local neighbourhood parks and plazas.”

(c) Delete the following paragraph in its entirety from sub-section 7.8 – Anticipated Future Land Use Designations of **Section 7.0** – Land Use Strategy:

“Community Pool/Park
Community-wide recreation facilities in the form of a public park and swimming pool are proposed adjacent to the concentration of population within the urban Village.”

And replace it with the following paragraph :

“Community Park
Community-wide recreation facilities in the form of public parks are proposed adjacent to the concentration of population within the urban Village.”

(d) Delete the words “swimming pool, and” from the second paragraph of sub-section 11.1 – Background of **Section 11.0** –Parks, Trails and Natural Areas

- (e) Delete paragraph 11.4.1 of sub section 11.4 – Park Policies, of **Section 11.0-** Parks, Trails and Natural Areas and replace it with the following new paragraph 11.4.1:

“11.4.1 Provide the community with park or cash-in-lieu”

- (f) Delete paragraph 11.4.6 of sub section 11.4 – Park Policies, of **Section 11.0 -**Parks, Trails and Natural Areas and replace it with the following new paragraph 11.4.6:

“11.4.6 Provide a Community Amenity Contribution fund generated through the build-out of the ASP”

- (g) Delete paragraph in sub section 17.2 – Required Studies and Reports of **Section 17.0** Implementation Elements and replace it with the following new paragraph:

“Council will not adopt any zoning bylaws to implement the plan until appropriate studies or reports are undertaken and provided so that they may be phased into individual development permit applications”

2. This Bylaw may be cited as ‘The Official Community Plan Bylaw No. 1600 Amendment Bylaw No. 1944, 2010’

This Bylaw shall take effect upon its adoption by Council of the Corporation of The District of Peachland.

READ A FIRST TIME, this 13th day of April, 2010.

READ A SECOND TIME, this 13th day of April, 2010.

PUBLIC HEARING held, this 26th day of May, 2010;

RECONVENED PUBLIC HEARING held, this 16th day of June, 2010

READ A THIRD TIME, this 22nd day of June, 2010.

FINALLY RECONSIDERED AND ADOPTED, this day of , 2010.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This day of , 2010.

Agenda Item # 6F.

THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NUMBER 2000, 2011

A Bylaw to Amend the Official Community Plan, Bylaw Number 1600, 2000

WHEREAS the Council of the Corporation of the District of Peachland has adopted the Official Community Plan Bylaw;

AND WHEREAS it is deemed necessary to amend the Official Community Plan Bylaw;

NOW THEREFORE, the Council of the Corporation of the District of Peachland, in open meeting enacts the District of Peachland Official Community Plan, Bylaw Number 1600, 2000 be amended as follows:

1. THAT **Appendix "C"** – Pincushion Area Sector Plan be amended as follows:

- (a) Delete the following first two sentences from paragraph seven of **Section 1.0 – Executive Summary** in their entirety:

“A total of 2059 units are proposed within the Plan area. Tourism uses occupy 208 units while conventional residential is offered in 1851 homes”.

Replace with the following sentences:

“A total of 2310 units are proposed within the Plan area. Tourism uses occupy 208 units while conventional residential is offered in 2102 homes”.

- (b) Delete the words “Westside District Municipality” from the second paragraph of sub-section 4.2 – Regional Context Statement of **Section 4.0 – District of Peachland** and replace it with “District of West Kelowna”.
- (c) Delete the third paragraph in its entirety from sub-section 5.1 – Background of **Section 5.0 – Population and Housing**:

“ A forecast of 208 tourism units are distributed throughout the Tourism Village. An additional 1,600 condominium homes provide for residential lifestyle throughout the Plan Area. 251 single family residences make up the balance of the residential units resulting in a net growth of 2059 units. Distribution of the various uses is shown on the Future land Use Map (Figure 1) and is outlined in Table 1- Land Use Density (Residential & Resort Yields).”

And replace it with the following paragraph:

“ A forecast of 208 tourism units are distributed throughout the Tourism Village. An additional 1641 apartments and town homes provide for residential lifestyle throughout the Plan Area. 251 single family residences make up the balance of the market residential units plus 210 affordable homes resulting in a net growth of 2310 units. Distribution of the various uses is shown on the Future Land Use Map (Figure 1) and is outlined in Table 1- Land Use Density (Residential & Resort Yields).”

- (d) Delete Table 1 - Land Use Table in its entirety from sub-section 5.1 – Background of **Section 5.0 Executive Summary** and replace it with the following:

Land Use Table - Showing how the land is proposed for use.				
Use	Units/ha	Area ha.	Unit Yield	% of Total
Hillside Cluster Housing	6	17.3	70	3%
Medium Density MFR	75	8.8	656	32%
Low Density MFR	20	5.6	112	5%
Single Family Residential	7	15.9	111	5%
Urban Village Residential	104	8.5	881	40%
Vineyard / Winery	3	23.3	70	3%
Affordable Housing			210	+10%
Total Residential			2110	88%
Tourism Accommodation	100	2	200	12%
Total Residential			2310	
Total Plan Area		152.4		100%
Total Settlement Area		80.8		53%
Green-space & Golf		71.6		47%

- (e) Delete the following sentence in its entirety from paragraph three sub-section 6.1 – Background – of **Section 6.0 - Natural Environment**:

“Cascadia Natural Resource Consultants Inc. assisted with a detailed deer habitat study to review the potential for conflicts between deer and golf or residential uses in the Crown Land areas”.

Replace it with the following sentence:

“Cascadia Natural Resource Consultants Inc. undertook a qualitative observation of mule deer winter range and derived a series of recommendations for retaining and enhancing winter range”.

- (f) Delete sub-section 7.11 – Development Phasing Strategy of **Section 7.0 – Land Use Strategy**, and replace it with the following:

7.11 Development Phasing Strategy

The full completion of the development proposed in the Ponderosa /Pincushion Ridge Area Sector Plan will take many years. Phasing the infrastructure, market products, recreation and other uses is expected to respond to market demand with the intent to follow the basic process as outline on Table 2.

Phase	Infrastructure	Recreation	Development
First Year 1-4	<ul style="list-style-type: none"> • Access to Highway 97 • Expansion of Water System • Extension of Sewer Trunk • Upgrade to Somerset /Princeton Intersection • Local road access to initial development areas • Urban Village servicing 	<ul style="list-style-type: none"> • Golf course • Lower Elevation Trails 	<ul style="list-style-type: none"> • Club House • 200 Multiple Family Residential Units • 150 Cluster Housing Units
Second Year 5 7	<ul style="list-style-type: none"> • Local Roads within the Urban Village • Extension of Roads to Golf Housing • Upland Water Reservoir 	<ul style="list-style-type: none"> • Upper Elevation Trails 	<ul style="list-style-type: none"> • 400 Multiple Family Residential Units • Vineyard & Winery • 50 Single Family Units • 1000m² Commercial Lease Space • Hotel & Restaurant (208 Units) • Village Plaza
Third Year 8 - 10	<ul style="list-style-type: none"> • Extended Urban Infrastructure • Local Road Network Extension 	<ul style="list-style-type: none"> • Neighbourhood Parks 	<ul style="list-style-type: none"> • 20 Cluster Housing Units • 70 Vineyard Housing Units • 50 Single Family Units • 2000m² Commercial Lease Space • 500 Multiple Family Residential units
Fourth Year 10+	<ul style="list-style-type: none"> • Extended Urban Infrastructure • Local Road Network Extension • Extended Urban Infrastructure • Local Road Network Extension 	<ul style="list-style-type: none"> • Neighbourhood Parks 	<ul style="list-style-type: none"> • 62 Single Family Units • 2000m² Commercial Lease Space • 600 Multiple Family Residential units

Table 2 Implementation Phasing Chart

- (g) Delete the following sentence in its entirety from subsection 8.2 – Proposed Development of **Section 8.0 - Traffic:**

“The preliminary concept plan indicates that 2059 residential units will be constructed”.

Replace it with the following:

“The preliminary concept plan indicates that 2310 residential units including 210 affordable housing units will be constructed”.

(h) Delete the following paragraphs in their entirety from sub-section 8.4 – Traffic Policies of **Section 8.0 – Traffic:**

- 8.4.1 Secure approval for a direct access to Highway 97 as the principal route to the Plan Area.
- 8.4.2 A new connection to Highway 97 is required at the first phase of the development phasing strategy.
- 8.4.3 Upgrade Ponderosa Drive to the standard of a collector road in accord with the District of Peachland regulations, and relocate the access to 13th Street.
- 8.4.4 Identify and provide areas along Ponderosa Drive suitable for passing opportunities.
- 8.4.5 Undertake a more detailed warrant investigation to determine both the extent to which the road can be upgraded and any priorities needed that can improve safety in the short term.
- 8.4.6 Upgrade Somerset Avenue to a collector road in accord with the District of Peachland regulations, should this need sustain with the direct highway access in place.
- 8.4.7 Signalize the intersection of Ponderosa Drive / Highway 97 / 13th Ave & Clements Crescent when the development levels reach a maximum of 100 units. Alternatively, reanalyze the need for a signal should traffic generated by the Plan Area be rerouted by the proposed direct Highway 97 access.
- 8.4.8 Implement improvements to the Princeton Avenue / Somerset Avenue intersection through realignment of the geometry.
- 8.4.9 The existing road network plan should make provisions for one collector status roadway through the length of the development for a possible future connection to an upper level bypass route.

Insert the following paragraphs and re-number accordingly:

- 8.4.1 Secure approval for an access to Highway 97 as the principal route to the Plan Area.
- 8.4.2 A new connection to Highway 97 is required prior to the completion of the first phase of the development.
- 8.4.3 Upgrade Ponderosa Drive as identified in the recommendations in the Traffic Safety Study to be completed to the satisfaction of the District of Peachland.
- 8.4.4 Undertake a more detailed warrant investigation as part of the Traffic Safety Study to determine both the extent to which local roads can be upgraded and any priorities needed that can improve safety in the short term.
- 8.4.5 Upgrade Somerset Avenue as identified in the recommendations in the Traffic Safety Study to be completed to the satisfaction of the District of Peachland.
- 8.4.6 Signalize the intersection of Ponderosa Drive / Highway 97 / 13th Ave when the development levels reach a maximum of 100 units. Alternatively, reanalyze the need for a signal should traffic generated by the Plan Area be rerouted by the proposed direct Highway 97 access.
- 8.4.7 Implement improvements to the Princeton Avenue / Somerset Avenue intersection through realignment of the geometry.
- 8.4.8 The existing road network plan should make provisions for one collector status roadway through the length of the development for a possible future connection to an upper level bypass route.

(i) Delete the following sentence in its entirety from sub-section 11.3.1 – Park Objectives of **Section 11.0 – Parks, Trails and Natural Areas:**

“Provide for community park land dedicated to the development of a community swimming pool and green-space”.

Replace it with the following sentence:

“Provide for community park land dedicated to the development of a green-space”.

- (j) Delete the following sentence in its entirety from sub-section 12.3.2.6 – Servicing Policies of **Section 12.0 – Servicing and Phasing of Utilities:**

“Highway 97 access shall be within the initial phase of construction to offset construction traffic from use of existing local roads”.

Replace it with the following sentence:

“Highway 97 access shall be provided within the initial phase of construction”.

- (k) Delete reference to “Figure 2” throughout **Section 15.0 Development Permit Area** and replace it with “Figure 6”.

- (l) Delete the words “tennis facility” from sub-section 16.4 - Economic Sustainability of **Section 16.0 – Environmental, Social and Economic Sustainability.**

- (m) Add the following sub-section, 17.3 - Development Concept to **Section 17.0 Implementation Elements:**

17.3 Development Concept

“Development concepts and estimates illustrated in this ASP shall be clarified within the Phased Development Agreement and amendment to the CD-7 Ponderosa Pincushion Zoning Bylaw”.

- (n) Delete Figure 2a – Map of OCP Land Use Designations and replace with new Figure 2a, OCP Land Use Designations forming part of and attached to this bylaw as Schedule “A”.

- (o) Delete Figure 6 – Map of Development Permit Areas and replace with new Figure 6 – Map of Development Permit Areas forming part of and attached to this bylaw as Schedule “B”.

- 2. This Bylaw may be cited as ‘The Official Community Plan Bylaw No. 1600 Amendment Bylaw No. 2000, 2011’

...

This Bylaw shall take effect upon its adoption by Council of the Corporation of The District of Peachland.

READ A FIRST TIME, this day of , 2011.

READ A SECOND TIME, this day of , 2011.

PUBLIC HEARING held, this day of 2011;










READ A THIRD TIME, this day of , 2011.

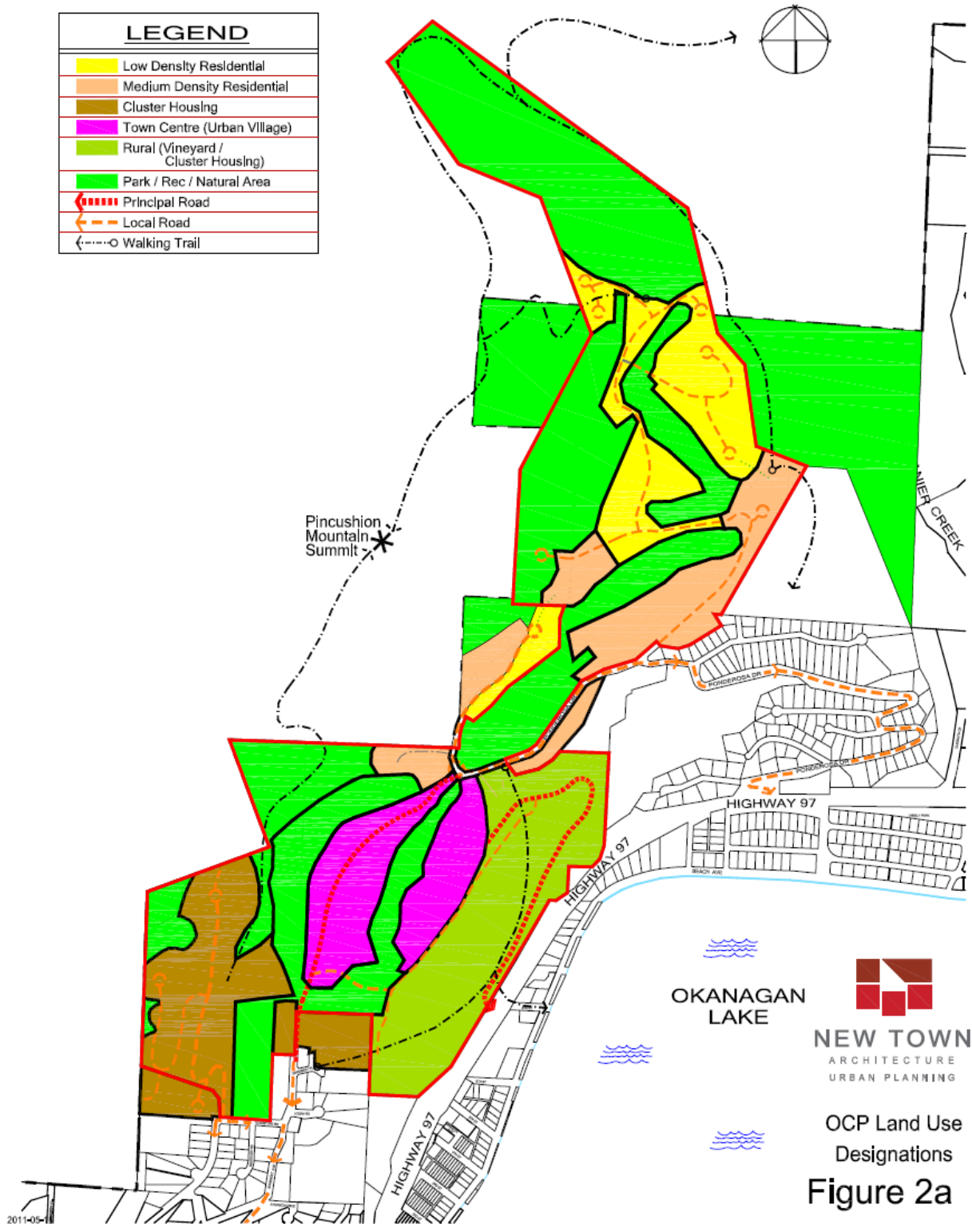
FINALLY RECONSIDERED AND ADOPTED, this day of , 2011.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This day of , 2011.

LEGEND	
	Low Density Residential
	Medium Density Residential
	Cluster Housing
	Town Centre (Urban Village)
	Rural (Vineyard / Cluster Housing)
	Park / Rec / Natural Area
	Principal Road
	Local Road
	Walking Trail



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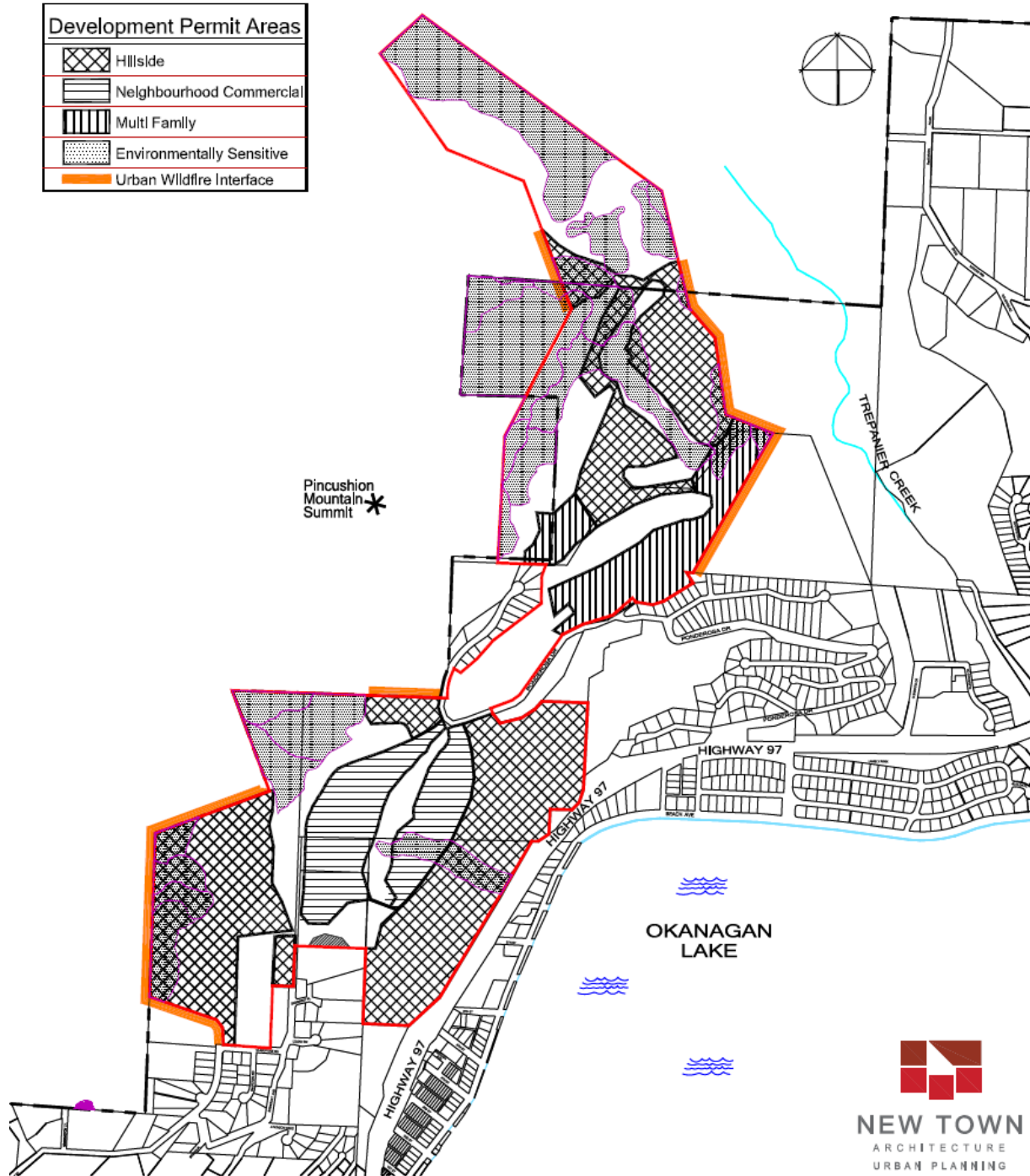


NEW TOWN
 ARCHITECTURE
 URBAN PLANNING

OCP Land Use
 Designations

Figure 2a

2011-05-




NEW TOWN
ARCHITECTURE
URBAN PLANNING

Development Permit
Areas
Figure 6

2011-05-11

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Agenda Item # 6G.



District of Peachland Staff Report

TO: Mayor & Council
FROM: Doug Allin, Director of Operations
DATE: May 16, 2011
SUBJECT: **2011 Capital Budget Update**

Public Works

- Compost Site closure plan working with the Ministry of Environment to meet our obligations
- Preparing Asset Management presentation to Council
- Preparing the 2011 paving plan and schedule
- Sidewalk and pedestrian connectivity plan – report preparations
- GIS gifting program and GIS cemetery layers

Water:

- Peachland creek water quality and quantity monitoring program (OBWB Grant)
- Huston Road Water Main preparations- Tendering process completed and awarded to Bennett Contracting, construction to start May 17th, 2011