

District of Coldstream

Regular Council Meeting Minutes – November 28, 2011

CALL TO ORDER: Mayor Garlick called the meeting to order at 7:48 pm

PRESENT: Mayor Garlick
Councillors Besso, Cochrane, Dirk, Enns, Firman and Kiss

STAFF: M. Stamhuis, Chief Administrative Officer
K. Austin, Corporate Officer
C. Broderick, Director of Development Services
T. Seibel, Director of Financial Administration

ALSO PRESENT: 1 member of the media
10 people in the Gallery

1. APPROVAL OF AGENDA

Moved by Kiss, seconded by Besso,

THAT the agenda for the meeting of the District of Coldstream Council be approved with the following additions:

- 6.a. Bylaw 1535, 2008
- 6.b. Letter to Minister Chong re: Bill 8

No. REG2011-466 **CARRIED**

2. PRESENTATION

Mayor Garlick presented Councillor Firman with a gift from the District of Coldstream in thanks for his six years of service as a Councillor for the District of Coldstream.

3. PUBLIC OPPORTUNITY TO ADDRESS COUNCIL

There were no persons wishing to address Council.

4. **MINUTES**

Moved by Besso, seconded by Enns,

THAT the regular Council meeting minutes, dated November 14, 2011, be adopted with the following corrections:

Page 3, Resolution No. REG2011-452 be deleted and replaced as follows:

“THAT, when Council considers the November 3, 2011 report from the Director of Development Services regarding Viewscapes in Established Neighbourhoods, the report should incorporate the option presented by Mr. and Mrs. Stothers Dawson in their letter to Council dated November 14, 2011, that option being; the District of North Vancouver bylaw example referred to as option 5 in their letter, please include pros and cons to this option.”

Page 7, Resolution No. REG2011-463 be deleted and replaced as follows:

“THAT the Mayor be requested to draft a letter, addressed to the Minister of Community, Sport and Cultural Development, with copies to the BC Premier, local MLA and UBCM, which detail the District’s concerns regarding the proposed legislation in Bill 8, specifically in regard to service reviews.

AND THAT the draft letter be brought forward to the November 28, 2011 regular meeting of Council for approval prior to being sent.”

No. REG2011-467 CARRIED

Moved by Kiss, seconded by Besso,

THAT the following committee minutes be adopted as circulated:

- 4.b. Advisory Planning Commission Minutes dated March 1, 2011
- 4.c. Environmental Advisory Committee Minutes dated March 7, 2011
- 4.d. Agriculture Advisory Committee Minutes dated September 13, 2011
- 4.e. Kalavista Neighbourhood Advisory Committee Minutes dated October 3, 2011
- 4.f. Technical Advisory Committee Minutes dated October 17, 2011
- 4.g. Economic Development Advisory Committee Minutes dated November 15, 2011
- 4.h. Finance Committee Minutes dated November 21, 2011

No. REG2011-468 CARRIED

5. REPORTS OF THE CHIEF ADMINISTRATIVE OFFICER

5.a. TD025 - Grant in Aid Policy Proposed Revisions

- Report from the Director of Financial Administration dated November 22, 2011

Moved by Dirk, seconded by Besso,

THAT Council adopt the amended TD025 Grant in Aid Policy as presented in the November 22, 2011 report from the Director of Financial Administration.

No. REG2011-469 CARRIED

5.b. Draft Transit Service Review Report

- Report from the Director of Financial Administration dated November 23, 2011

Moved by Dirk, seconded by Kiss,

THAT staff be directed to include the Draft Transit Service Review Report on the first Committee of the Whole meeting in January for further discussion.

No. REG2011-470 CARRIED

5.c. 2011 Local General Elections Official Results

- Report from the Corporate Officer dated November 23, 2011

Moved by Enns, seconded by Besso,

THAT the report from the Corporate Officer, dated November 23, 2011, regarding 2011 Local General Elections Official Results, be received for information.

No. REG2011-471 CARRIED

5.d. Kidston Road Multi-Use Path, Phase 2 – Proposed Grant under the Community Recreation Program

- Report from the Executive Research Coordinator dated November 21, 2011

Moved by Kiss, seconded by Enns,

THAT the report from the Executive Research Coordinator, dated November 21, 2011, regarding Kidston Road Multi-Use Path, Phase 2 – Proposed Grant under the Community Recreation Program, be received for information.

No. REG2011-472 CARRIED

6. **UNFINISHED BUSINESS**

6.a. Bylaw 1535, 2008

Moved by Dirk, seconded by Kiss,

THAT staff be directed to compile a listing for Council of all historical and potential, general and site specific, off site works requests, so that they can be understood, sorted and prioritized for deciding whether, how and when to apply them.

No. REG2011-473 CARRIED

6.b. Letter to Minister Chong re: Bill 8

Moved by Besso, seconded by Enns,

THAT, subject to Council approval via email, Mayor Garlick be authorized to send a letter to Minister Chong regarding changes to legislation pertaining to Service Reviews as proposed in Bill 8.

No. REG2011-474 CARRIED

7. **CORRESPONDENCE**

7.a. Bylaw 2517 – Jaws of Life Service Establishment Repeal Bylaw

- Letter from the Regional District of North Okanagan dated October 10, 2011

Moved by Kiss, seconded by Cochrane,

THAT pursuant to the provisions of section 801.4 [Consent on behalf of municipal participating area] of the Local Government Act, the Council of the District of Coldstream does hereby consent, on behalf of the electors of the District of Coldstream, to the Board of the Regional District of North Okanagan adopting the following bylaw, "Jaws of Life Service Establishment Repeal Bylaw No. 2517, 2011", which repeals Jaws of Life Service Establishment Bylaw No. 1003, 1991.

No. REG2011-475 CARRIED

8. REPORTS OF COMMITTEES AND COMMISSIONS

8.a. Finance Committee Recommendations: (Chair Garlick/all of Council)

Moved by Dirk, seconded by Cochrane,

- 8.a.1 THAT, with regard to Grant Levels, Council direct staff to amend the Grant In Aid Policy to reflect Option 1 "*A Maximum Annual Grant of \$1,000 per Applicant*" as outlined in the November 10, 2011 report from the Director of Financial Administration.

No. REG2011-476 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.2 THAT, with regard to Criteria, Council direct staff to amend the Grant In Aid Policy to reflect Option 2 "*Increase the Scope of Eligible Applicants*" as outlined in the November 10, 2011 report from the Director of Financial Administration.

No. REG2011-477 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.3 THAT, with regard to Criteria, Council direct staff to amend the Grant In Aid Policy to reflect Option 3 "*Provide Additional Wording*" as outlined in the November 10, 2011 report from the Director of Financial Administration by adding the following wording to the Grant In Aid Policy Criteria Section:

"Preferential consideration will be given, in the following order, to grant applicants who conduct substantially all their operations within:

- 1. Coldstream*
- 2. Greater Vernon"*

No. REG2011-478 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.4 THAT staff be directed to provide an annual report to Council after the grant deadline which summarizes all applications received and which distinguishes which applicants fall into the criteria of operating in Coldstream or Greater Vernon;

AND THAT the complete Grant In Aid applications provided by applicants be made available to Council electronically for their review.

No. REG2011-479 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.5 THAT the Finance Committee recommend to Council that staff be directed to provide a full accounting of the Grid Road Project which identifies all extra works that were included and that may be eligible for Gas Tax Funding;

AND THAT staff be directed to allocate \$144,000 from the 2011 Gas Tax monies to be identified as a funding source for any budget shortfall, pending the resolution of the pavement contract for the Grid Road Project.

No. REG2011-480 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.6 THAT staff be directed to recalculate the 2012 Budget by including the following adjustments to the budget and report back to the Finance Committee:

1. Delay the hiring of an Engineer for an additional two months; and
2. Reduce the Pavement Management Program 2012 allocation of \$90,000 to \$25,500 and use the savings of \$65,500 to fund the recommended increases to the Machinery and Equipment Reserve (\$33,000) and the Drainage Reserve (\$32,500).

No. REG2011-481 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.7 THAT staff be directed to eliminate paper agendas and provide electronic agendas and wireless internet service in the Municipal Hall.

No. REG2011-482 CARRIED

Moved by Dirk, seconded by Cochrane,

- 8.a.8 THAT the Finance Committee recommend to Council that staff be directed to provide a full accounting of the final costs for the Kidston Path project.

No. REG2011-483 CARRIED

8.b. Regional District of North Okanagan (Dirk/Garlick)

Councillor Dirk reported that at the recent meeting of the Regional District of North Okanagan Board, the following items were discussed:

- Source Assessment for the north end of Kalamalka Lake
- The Board had approved the renaming of Centennial Park to Sovereign Park
- The Board had received the Drought Management Plan
- Early budget approval had been granted for the West Swan Lake Project

8.c. Greater Vernon Advisory Committee (Garlick/Kiss)

Mayor Garlick reported that at the recent meeting of the Greater Vernon Advisory Committee, the following items were discussed:

- The motion regarding a proposed water rate structure submitted by Councillor Kiss had been postponed to the January 2012 meeting of the Committee

8.d. Okanagan Regional Library (Besso)

Councillor Besso reported that negotiations between the Okanagan Regional Library Board and the Professional Employees Association had commenced.

Other Reports of Council

8.e. Mayor Garlick advised Council that he had had an introductory meeting with Mayor-Elect Sawatzky.

8.f. Councillor Besso reported that she had attended the 2012 Torch Lighting Ceremony for the 2012 BC Winter Games. She encouraged everyone to support the 2012 BC Winter Games and noted that the organizing committee continued to seek volunteers.

9. BYLAWS

9.a. District of Coldstream Mechanic Shop Loan Authorization Bylaw No. 1590, 2011

- Report from the Director of Financial Administration dated November 21, 2011
- Bylaw No. 1590, a bylaw to authorize the borrowing of \$1,335,320.00 to construct a new mechanic shop, address environmental concerns, WorkSafe BC standards, and works yard site improvements.

Moved by Kiss, seconded by Cochrane,

THAT "District of Coldstream Mechanic Shop Loan Authorization Bylaw No. 1590, 2011" be passed and finally adopted;

AND THAT staff be directed to proceed with the final design and tender document preparation for the Mechanic Shop project and related works.

No. REG2011-484

CARRIED
Besso and Firman opposed

9.b. District of Coldstream Zoning Bylaw No. 1382, 2002,
Amendment Bylaw No. 1599, 2011, Amendment No. 31

- Bylaw No. 1599, a bylaw to rezone the property located at 8505 Kalavista Drive from Residential Single Family (R.1) to Parks and Open Space (P.1)

Moved by Kiss, seconded by Enns,

THAT "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1599, 2011, Amendment No. 31" be read a third time by title only;

AND THAT staff be directed to bring forward a text amendment, which would add the wording from the final property sale agreement, in future zoning bylaw amendment.

No. REG2011-485

CARRIED

Moved by Dirk, seconded by Kiss,

THAT "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1599, 2011, Amendment No. 31" be passed and finally adopted.

No. REG2011-486

CARRIED

- 9.c. District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1601, 2011, Amendment No. 32
- Bylaw No. 1601, a bylaw to amend the Shopping Centre Commercial (C.6) Zone sections as follows: section 407 - Setbacks from Major Roads; section 504.1 - Permitted Uses of Land, Building, and Structures; section 504.2 - Floor Area; section 504.3 - Height of Buildings and Structures; section 504.4 - Lot Area; section 504.7 - Off-Street Loading; sections 504.9.a. to 504.9.d. - Setbacks; and section 504.10.d. Landscaping and Screening.

Moved by Besso, seconded by Kiss,

THAT the second reading of "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1601, 2011, Amendment No. 32" be rescinded;

AND THAT staff be directed to amend "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1601, 2011, Amendment No. 32" by replacing clause b. of section 504.3, Height of Buildings and Structures, entirely and replacing it with the following:

- 504.3 b. The height of buildings and structures cited in subsection a. above may be exceeded for sloped roofs and architectural details to act as a decorative element or to cover or screen rooftop mechanical equipment to a maximum height of 2 metres (6.56 feet)

AND THAT the following clause be added to section 504.8, Setbacks:

- 504.8 e. Notwithstanding setbacks required in this bylaw, where a property line is adjacent to a residential zone, the minimum setback shall be provided with a depth of not less than 8 metres (26.24 feet)

AND THAT, as amended, "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1601, 2011, Amendment No. 32" be read a second time by title only;

AND FURTHER THAT "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1601, 2011, Amendment No. 32" be read a third time by title only.

No. REG2011-487

CARRIED
Firman opposed

10. NEW BUSINESS

11. **RESOLUTION TO ADJOURN TO IN-CAMERA**

Moved by Kiss, seconded by Enns,

THAT Council adjourn to an In-Camera meeting to discuss issues related to the following paragraphs under Section 90(1) of the *Community Charter*:

- (c) labour relations or other employee relations;
- (g) litigation or potential litigation affecting the municipality;
- (m) a matter that, under another enactment, is such that the public may be excluded from the meeting.

No. REG2011-488 **CARRIED**

The Regular meeting of Council recessed at 8:51 pm and reconvened at 10:01 pm.

12. **BUSINESS ARISING FROM THE IN-CAMERA MEETING**

13. **ADJOURNMENT**

Moved by Kiss, seconded by Enns,

THAT the regular meeting of Council held November 28, 2011, be adjourned.

No. REG2011-489 **CARRIED**

The regular meeting of Council adjourned at 10:02 pm.

CERTIFIED CORRECT

Keri-Ann Austin, Corporate Officer

Jim Garlick, Mayor

District of Coldstream

Special Council Meeting Minutes – December 1, 2011

CALL TO ORDER: Mayor Garlick called the meeting to order at 4:03 pm

PRESENT: Mayor Garlick
Councillors Cochrane, Dirk, Firman and Kiss

Councillors Besso and Enns as entered in the minutes

STAFF: M. Stamhuis, Chief Administrative Officer
K. Austin, Corporate Officer
C. Broderick, Director of Development Services
T. Seibel, Director of Financial Administration

ALSO PRESENT: None

1. APPROVAL OF AGENDA

Moved by Cochrane, seconded by Dirk,

THAT the Special meeting agenda for the District of Coldstream Council be approved with the addition of the following:

2.a. Letter to Ida Chong re: Bill 8

No. REG2011-490 CARRIED

2. ITEMS FOR DISCUSSION

2.a. Letter to Ida Chong re: Bill 8
• Draft letter prepared by Mayor Garlick

Moved by Cochrane, seconded by Kiss,

THAT the draft letter from Mayor Garlick and addressed to Minister Ida Chong, regarding proposed legislation in Bill 8, be sent to Minister Chong as written.

No. REG2011-491 CARRIED

3. RESOLUTION TO ADJOURN TO IN-CAMERA

Moved by Cochrane, seconded by Kiss,

THAT Council adjourn to an In-Camera meeting to discuss issues related to the following paragraph under Section 90(1) of the *Community Charter*:

(g) litigation or potential litigation affecting the municipality.

No. REG2011-492 CARRIED

The Special meeting adjourned at 4:04 pm and reconvened at 4:14 pm.

3. ADJOURNMENT

Moved by Cochrane, seconded by Dirk,

THAT the special meeting of Council held December 1, 2011, be adjourned.

No. REG2011-493 CARRIED

The regular meeting of Council adjourned at 4:15 pm.

CERTIFIED CORRECT

Keri-Ann Austin, Corporate Officer

Jim Garlick, Mayor

District of Coldstream

Inaugural Council Meeting Minutes – December 5, 2011

CALL TO ORDER: The Corporate Officer called the meeting to order at 6:00 pm

PRESENT: Mayor Garlick
Councillors Besso, Cochrane, Dirk, Enns, Kiss and McClean

STAFF: M. Stamhuis, Chief Administrative Officer
K. Austin, Corporate Officer
B. Bibby, Building Official
I. Breitreutz, Executive Research Coordinator
C. Broderick, Director of Development Services
P. Jansen, Senior Accounting Clerk
J. Lewis, Corporate Clerk
M. Pethick, Operations Superintendent
T. Seibel, Director of Financial Administration

ALSO PRESENT: 1 member of the media
33 people in the Gallery

1. **CALL TO ORDER**

The Corporate Officer called the meeting to order at 6:00 pm.

2. **INTRODUCTION OF MR. JUSTICE BETTON**

The Chief Administrative Officer introduced BC Supreme Court Justice D. Allan Betton.

3. **OATH OF OFFICE OF DULY ELECTED OFFICIALS**

Mr. Justice Betton administered the Oath of Office to Mayor Garlick and Councillors Besso, Cochrane, Dirk, Enns, Kiss and McClean.

Mayor Garlick thanked Mr. Justice Betton and presented him with the book, "*Nulli Secundus*", authored by Dr. Margaret Ormsby.

4. **PRESENTATION FROM MLA FOSTER**

MLA Foster offered his congratulations on behalf of the Province to each of the newly Elected Officials.

5. **APPROVAL OF AGENDA**

Moved by Cochrane, seconded by Kiss,

THAT the agenda for the meeting of the District of Coldstream Council be approved as circulated.

No. REG2011-494 **CARRIED**

6. **MAYOR'S ADDRESS**

Mayor Garlick thanked the community for their continued support noting that he was pleased to be working with the returning incumbents. Mayor Garlick also welcomed Councillor McClean to Council.

7. **ACTING MAYOR APPOINTMENTS**

Moved by Kiss, seconded by Dirk,

THAT the schedule for Acting Mayor Appointments be as follows:

Councillor Besso	December 2011 – May 2012
Councillor Cochrane	June 2012 – November 2012
Councillor Dirk	December 2012 – May 2013
Councillor Enns	June 2013 – November 2013
Councillor Kiss	December 2013 – May 2014
Councillor McClean	June 2014 – November 2014

No. REG2011-495 **CARRIED**

8. **APPOINTMENT OF REGIONAL DISTRICT REPRESENTATIVES**

Moved by Enns, seconded by Cochrane,

THAT Councillor Dirk be appointed to the Regional District Board of Directors and Mayor Garlick be appointed as Alternate Director;

AND THAT Mayor Garlick and Councillor Kiss be appointed to the Greater Vernon Advisory Committee as Members and Councillors Dirk and Besso be appointed as their Alternate Members respectively.

No. REG2011-496 **CARRIED**

9. APPOINTMENT OF MUNICIPAL SOLICITOR FOR 2012

Moved by Kiss, seconded by Cochrane,

THAT until otherwise directed by Council, the Chief Administrative Officer be given authority to engage the legal services of Davidson and Company, Staples McDannold Stewart, and Murdy & McAllister, or other firms as deemed necessary to provide legal services to the District of Coldstream in 2012.

No. REG2011-497 CARRIED

10. 2012 COUNCIL AND COMMITTEE OF THE WHOLE MEETING DATES

Moved by Dirk, seconded by Besso,

THAT, except as may be altered by subsequent resolution of Council or pursuant to the Council Procedure Bylaw and with the exception of the month of December 2012, when meetings will be held on December 3 and 17, the meeting dates for the Council of the District of Coldstream for 2012 shall be the second and fourth Mondays of each month at 6:00 p.m. and held in the Council Chambers at the Municipal Hall (when a Regular Council Meeting falls on a Statutory Holiday, unless otherwise altered by Council resolution, the meeting will be held on the Tuesday of that week);

AND THAT as an exception to the above, two Regular Council Meetings shall be held in Lavington, on March 12 and September 10, 2012;

AND FURTHER THAT, except as may be altered by subsequent resolution of Council or pursuant to the Council Procedure Bylaw and with the exception of the months of January and December 2012, when the meetings will be held on January 16 and December 10, the meeting dates for the Committee of the Whole for 2012 shall be the first and third Mondays of each month at 6:00 p.m. and held in the Council Chambers at the Municipal Hall (when a Committee of the Whole Meeting falls on a Statutory Holiday, unless otherwise altered by Council resolution, the meeting will be held on the Tuesday of that week).

No. REG2011-498 CARRIED

11. **APPOINTMENT OF SIGNING AUTHORITIES**

Moved by Enns, seconded by Kiss,

THAT with respect to financial matters, Mayor Garlick, Councillors Besso and Cochrane, the Chief Administrative Officer, Michael Stamhuis and the Director of Financial Administration, Trevor Seibel, be appointed as signing authorities for the District of Coldstream until altered by subsequent resolution.

No. REG2011-499 **CARRIED**

12. **ADJOURNMENT**

Moved by Kiss, seconded by McClean,

THAT the special meeting of Council held December 1, 2011, be adjourned.

No. REG2011-500 **CARRIED**

The regular meeting of Council adjourned at 6:21 pm.

CERTIFIED CORRECT

Keri-Ann Austin, Corporate Officer

Jim Garlick, Mayor

District of Coldstream

Public Hearing Meeting Minutes – November 28, 2011

CALL TO ORDER: Mayor Garlick called the meeting to order at 6:00 pm

PRESENT: Mayor Garlick
Councillors Besso, Cochrane, Dirk, Enns, Firman and Kiss

STAFF: M. Stamhuis, Chief Administrative Officer
K. Austin, Corporate Officer
M. Austin, Planning Technician
C. Broderick, Director of Development Services
T. Seibel, Director of Financial Administration

ALSO PRESENT: 1 member of the media
38 people in the gallery

1. CALL TO ORDER

Mayor Garlick called the meeting to order and informed the gallery of the procedures that would be followed regarding the Public Hearing process.

2. BYLAW FOR CONSIDERATION

2.a. District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1599, 2011, Amendment No. 31

- Bylaw No. 1599, a bylaw to rezone the property located at 8505 Kalavista Drive from Residential Single Family (R.1) to Parks and Open Space (P.1)

The Director of Development Services provided a synopsis indicating that the main purpose of the bylaw was to preserve the property as a public park and greenspace and to ensure that boat trailer parking would be prohibited on the subject property.

3. PUBLIC INPUT

3.a. Correspondence Received:

- Email from Norm Hladun dated November 10, 2011
- Letter from Flo Ryan dated November 10, 2011
- Email from James and Christine Cookson dated November 23, 2011

Mayor Garlick asked if there were any persons present who believed their interests were affected by the proposed bylaw and who wished to speak.

3.b. Input from the Gallery

3.b.1 **Jim Cookson** of 17978 Tronson Road, Vernon, wished to thank Council for preserving the property located at 8505 Kalavista Drive as a park property for the use of the public. He noted that, although the final property sale agreement had additional wording with respect to ensuring the property be used for park purposes, he suggested that any needed text amendment undertaken early in the new year would be satisfactory.

3.b.2. **Flo Ryan** of 8510 Kalavista Drive, expressed concern that the property, since it was now owned by the Regional District of North Okanagan, could be converted to additional parking for boat launch users without the District's approval or without consultation from neighbourhood residents. She noted that with the current parking and boat launch use, traffic was not an issue for most of the year and only problematic on the long weekends in the summer. However, any expanded parking would likely cause greater traffic impacts on the residents beyond the long weekends.

3.b.3 **Louise Christie** of 13012 Westkal Road wished to thank Mr. and Mrs. Cookson for allowing non-profit groups to use the property when it was in their ownership. She also thanked Council for their initiative in having the Regional District of North Okanagan acquire the property for the Parks Inventory and for preserving it for the use and enjoyment of the public. She requested that Council ensure the property never be used for expanded boat launch parking.

The Mayor called a second time if there were any persons present who believed their interests were affected by the proposed bylaw and who wished to speak.

Mayor Garlick called a third and final time if there were any persons present who believed their interests were affected by the proposed bylaw and who wished to speak.

4. ADJOURNMENT

There being no further persons from the gallery wishing to speak, the Public Hearing held November 28, 2011 was adjourned 6:17 pm.

CERTIFIED CORRECT

Keri-Ann Austin, Corporate Officer

Jim Garlick, Mayor

District of Coldstream

Public Hearing Meeting Minutes – November 28, 2011

- CALL TO ORDER: Mayor Garlick called the meeting to order at 6:18 pm
- PRESENT: Mayor Garlick
Councillors Besso, Cochrane, Dirk, Enns, Firman and Kiss
- STAFF: M. Stamhuis, Chief Administrative Officer
K. Austin, Corporate Officer
M. Austin, Planning Technician
C. Broderick, Director of Development Services
T. Seibel, Director of Financial Administration
- ALSO PRESENT: 1 member of the media
38 people in the gallery

1. CALL TO ORDER

Mayor Garlick called the meeting to order and informed the gallery of the procedures that would be followed regarding the Public Hearing process.

2. BYLAW FOR CONSIDERATION

2.a. District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1601, 2011, Amendment No. 32

- Bylaw No. 1601, a bylaw amend the Shopping Centre Commercial (C.6) Zone sections as follows: section 407 - Setbacks from Major Roads; section 504.1 - Permitted Uses of Land, Building, and Structures; section 504.2 - Floor Area; section 504.3 - Height of Buildings and Structures; section 504.4 – Lot Area; section 504.7 – Off-Street Loading; sections 504.9.a. to 504.9.d. – Setbacks; and section 504.10.d. Landscaping and Screening.

The Director of Development Services advised that the focus of the proposed text amendment was to address issues regarding permitted uses, setbacks, lot size and height restrictions. He also noted that a Development Variance Permit (DVP) could not be sought because DVPs do not permit variances in density or use. He further noted the following:

- the existing minimum lot size was 1 ha (2.5 acres), which was prohibitive to allow development of the property
- the Ministry of Highways requirement for land had been satisfied and as such, specific setbacks required from Highway 6 could be incorporated into the bylaw

- building heights were intended to be kept to 10 metres but the bylaw needed some flexibility beyond this height to allow for facades, screening of rooftop mechanical equipment and for the provision of architectural enhancements as per the Development Permit Guidelines in the Official Community Plan

3. PUBLIC INPUT

3.a. Correspondence Received:

- Letter from Scott and Leigha Horsfield dated November 22, 2011
- Email from Ken and Corrine Brown dated November 22, 2011
- Letter from Brian and Tracy Miller dated November 22, 2011
- Letter from Tamara & Michael Heidt dated November 23, 2011
- Email from Jared Davies dated November 23, 2011
- Letter from Bryan and Cathey Seabourne dated November 23, 2011
- Email from Betty and Harold Campbell dated November 23, 2011
- Email from Jenna Skerratt dated November 23, 2011

Mayor Garlick asked if there were any persons present who believed their interests were affected by the proposed bylaw and who wished to speak.

3.b. Input from the Gallery

3.b.1 **Barry Beardsell** of 2201 – 28th Avenue, Vernon, raised concerns regarding stormwater management, the turning lanes into and out of the property, the addition of “libraries” as a use, and the possible perception that the District was aiding a developer contrary to the *Community Charter*. He further requested that the District direct staff to send a copy of the Public Hearing Meeting Notes to the Ministry of Transportation and the Ministry of Environment.

3.b.2 **Leigha Horsfield** of 241 Inverness Drive, advised that she appreciated and looked forward to the new amenities that would be provided by the Trintec Development. She expressed concern with respect to the setbacks and building heights and requested that Council maintain the 8 metre setback and the maximum building height of 10 metres. Her other concerns were:

- Second storeys on buildings could impact privacy
- Light pollution from 24 hour illuminated signage
- Lack of height restrictions could create excessive architectural details

- 3.b.3 **Darryl Spencer** of 323 Inverness Drive, said he welcomed commercial development but was concerned that allowing for architectural details to go beyond the building height of 10 metres could result in lost views from his residential property. He also expressed concern regarding increased traffic impact on the neighbouring roads. Mr. Spencer further commented that similar developments had not been successful and suggested that there should be a more structured plan than what had been shared to date. He indicated he would like to see non-“chain” types of stores, interesting restaurants and a clean, well run convenience store in the development.
- 3.b.4 **Jenna Skerrat** of 9831 Elgin Drive agreed with the comments and concerns raised by Mr. Spencer and indicated that the suggested permitted uses allowed for a hotel and she did not want to see a small, two storey hotel/motel on the site. She requested that Council maintain the current setbacks. She inquired as to whether or not traffic impact studies had been undertaken with respect to Selkirk Drive and Elgin Drive.
- 3.b.5 **Trina Koch** of 2106-39th Street, Vernon, thanked Council for their support in building the wetland walkway in the park area between the Regional District of North Okanagan Building and the Trintec development site. She requested that Council take the opportunity to work with the Developer to create a sustainable development plan including a stormwater management plan that would include ideas such as paving stones instead of asphalt. She noted further information regarding sustainable stormwater management could be found on the Okanagan Basin Water Board website.
- 3.b.6 **Cliff Vico** of 251 Inverness Drive, raised concerns regarding setbacks and screening between the development and the residents. He did not want to see a walkway, purposely designed or inadvertently created by adding an additional fence along the existing residential fencing. He was concerned that noise and exhaust pollution would result from loading docks situated at the back of the commercial buildings, backing on to the residential area. He inquired as to whether or not the District had agreements with the other local jurisdictions (Vernon and BX) bordering on the proposed development. He suggested that Sarsons Road should not be used as an access.
- 3.b.7. **Barry Beardsell** of 2201 – 28th Avenue, Vernon, questioned the land exchange between the District and the Developer for the proposed roadway through park property. He was concerned that the District had given away the land without financial consideration.
- 3.b.8 **Jared Davies** of 9820 Montrose Place, requested that more information on the proposed development be made available as the development proceeded. He noted that he had found it difficult to find information regarding the project and asked Council to consider adding more information to the District website.
- 3.b.9 **Bill Kirkland** of 265 Inverness Drive, requested that Council maintain the current setbacks and height restrictions in order to preserve privacy. He also suggested that 24 hour illuminated signs not be permitted.

- 3.b.10 **Mike Heidt** of 289 Inverness Drive, requested that Council maintain the current setbacks and height restrictions.
- 3.b.11 **Brian Miller** of 257 Inverness Drive, requested that Council maintain the current setbacks and height restrictions in order to preserve the rural nature of the District.
- 3.b.12 **Garry Vanderveen** of 301 Inverness Drive, requested that Council maintain the current setbacks and height restrictions.
- 3.b.13 **Ken Brown** of 277 Inverness Drive, expressed concern regarding the 10 m height restrict and inquired as to how the height would be calculated given the slope of the property. He suggested that where the development property was brought to a level grade, some of the houses on the lower end of Inverness might be facing buildings far in excess of 10 m high. He suggested that the District work with the Developer to consider moving the building to the opposite side of the site, closer to Highway 6 and put the parking areas on the side closer to Inverness and the residential areas.
- 3.b.14 **Bryan Seabourne** of 281 Inverness Drive, expressed his objection to varying building height and agreed with the suggestion from Mr. Brown to redesign the site plan to move the commercial buildings toward Highway 6. He also wanted to know how the difference in building heights would be treated relative to the slope of Inverness Drive.
- 3.b.15 **Bob MacKay** of 612 Mt. York Drive, President of Trintec Developments, advised Council that he wished to achieve support for the development of the property from the neighbouring residents. He noted that most of the gallery's inquiries would be answered when they were at the development permit stage wherein detailed designs would be required and would show how lighting, parking, and building heights would be addressed. He also noted that his request to relax the setbacks from 8 metres to 6 metres was to accommodate the buildings located close to Highway 6. He suggested that he would be agreeable to maintain an 8 metres setback on that portion of the development adjacent to residential properties. He also advised Council that he was seeking a change to the height restrictions only to avoid having buildings with flat rooftops and to comply with the Development Permit Guidelines in the Official Community Plan. He also assured Council that it was his desire to have dialogue with the residents of Inverness Drive and that he would welcome their input.

Mr. MacKay also noted that until the building designs were completed, he would have difficulty answering questions regarding lighting and rooflines. He also wished to bring to the gallery's attention that the land within the park site for the roadway was to be exchanged with the District for a portion of the adjacent Trintec property. He also wished to remind the Council that the site plan was a conceptual design only.

- 3.b.16 **Cliff Vico** of 251 Inverness Drive, suggested that the site plan be revised to located the buildings where the roadways were shown and move the roadways to where the buildings were shown. He also expressed further concerns with regard to having dumpsters containing food waste behind the buildings backing on to Inverness as well as safety concerns at Sarsons Road.

The Mayor called a second time if there were any persons present who believed their interests were affected by the proposed bylaw and who wished to speak.

Mayor Garlick called a third and final time if there were any persons present who believed their interests were affected by the proposed bylaw and who wished to speak.

4. **ADJOURNMENT**

There being no further persons from the gallery wishing to speak, the Public Hearing held November 28, 2011 was adjourned 7:47 pm.

CERTIFIED CORRECT

Keri-Ann Austin, Corporate Officer

Jim Garlick, Mayor

This page is intentionally blank.

This page is intentionally blank.

DISTRICT OF COLDSTREAM
DEVELOPMENT VARIANCE PERMIT APPLICATION

FILE NO. 11-018-DVP
DATE November 25, 2011

Applicant / Owner	Charles Knight
Legal Description	Lot 2, Section 23, TP 6, ODYD, Plan 11634
Location	6784 Highway 6
Area of Subject Property	1.07 hectares (2.65 acres)
Servicing	Community Water and Septic
Zoning	Rural Two (RU.2) / Agricultural Land Reserve (ALR)
Official Community Plan Designation	Agricultural / Existing Major Road (i.e. Highway 6) / Watercourse Development Permit Area
Proposed Variance	To vary the setback from 37.5 metres (123.03 feet) to 33 metres (108.27 feet) from the centreline of Highway 6 to the proposed foundation for a residence. To allow a residence to be moved onto the property, even though the property is less than 4 hectares (9.88 acres) in size.

Development Services Recommendation

THAT Development Variance Permit No. 11-018-DVP (Knight) be issued to the owners of Lot 2, Plan 11634 to vary Division Four – General Regulations of the District of Coldstream Zoning Bylaw No. 1382, 2002, and amendments made thereto, as follows:

- a. Section 407.1, under Setbacks from Major Roads, is varied from 37.5 metres (123.03 feet) to 33 metres (108.27 feet) measured from the centre line of Highway 6 for the placement of a house on the subject property;
- b. Section 405.3, under Moving of Buildings, is varied by allowing a house to be moved onto a parcel (i.e. Lot 2, Plan 11634) that is 1.07 hectares (2.65 acres) in size, rather than a minimum of 4 hectares (9.88 acres) in size;

AND FURTHER THAT Development Variance Permit No. 11-018-DVP (Knight) be issued to the applicant, subject to the following conditions:

- i. That the applicant obtain the necessary demolition, moving and building permits from the District of Coldstream Building Official;
- ii. That, as part of the Building Permit process, a bond or Letter of Credit (or such other assurances as determined by the Building Official) of \$5,000, in addition to the security required by the Building Official is provided to ensure that the existing house

- is demolished or removed from the subject property; or that the existing house be demolished or removed prior to the new house being moved onto the property;
- iii. That, prior to relocating the residence, that it be inspected by the Building Official to ensure it is of acceptable condition and appearance;
 - iv. That a Watercourse Development Permit be obtained from the District of Coldstream; or, that a no-build/no-disturb Restrictive Covenant be placed on title for the Riparian Assessment Area (i.e. 30 metres from the creek);
 - v. That the siting of the residence be in accordance with the Plot Plan of Proposed Building Locations on Lot 2, Plan 11634, Sec 23, TP 6, ODYD, Except Plan 35602, dated October 7, 2011, by William E. Maddox, B.C.L.S.;
 - vi. That the applicant show the location of the existing septic tanks and fields on the plan. Should a septic system be non-functional or located where the shed or house is proposed, the applicant is to decommission the system, construct a new one and obtain sign off from a qualified environmental professional for both the decommissioning and the new system. Any new septic system will need to follow the septic tanks disposal field setback regulations established by the Province;
 - vii. That a geotechnical report be provided prior to issuance of a building permit and to the satisfaction of the Director of Engineering Services and the Building Official. The applicant is to provide a sediment and erosion control plan by a qualified professional and demonstrate that the proposed structures are not within the area; and,
 - viii. That the applicant applies for and receives a Controlled Access Permit for access to and from Highway 6, prior to any works occurring on the property.

Background

The subject property is located at 6784 Highway 6. With respect to existing buildings and structures, there is one house and one shed located on the subject property.

The owner would like to remove the existing house and replace it with another house, in a new location and on a new foundation. The proposed new location is between the existing house and shed (see Photo 1).

Planning Considerations

Official Community Plan

The subject property is located in a Watercourse Development Permit Area. A Watercourse Development Permit (WDP) must be obtained by the applicant, stating that the residence shall be placed outside of the Riparian Assessment Area (RAA) (i.e. 30 metres on either side of the creek measured from the top of bank). Alternatively, a no-build/no-disturb Restrictive Covenant could be placed on title for the RAA.

The residence is proposed to be located outside of the 30 metre RAA, so a Riparian Assessment is not required.

The floodplain area within 1.5 meters elevation and 15 meters setback of the high water mark of Coldstream Creek is designated as a hazardous area. At the time of building

permit, the Building Official may require a restrictive covenant, in favour of the District of Coldstream, to protect the property from the potential flooding and erosion damage from Coldstream Creek.

Zoning Regulations

The subject property is zoned Rural Two (RU.2) and is located in the Agricultural Land Reserve (ALR).

Setbacks from Major Roads

The current zoning regulations require that all buildings and structures be setback at least 30 metres (98.42 feet), plus the required setback of the respective zone, from the centre line of Highway 6. The required setback of the RU.2 Zone is 7.5 metres (24.61 feet), for a combined setback requirement of 37.5 metres (123.03 feet) from the centreline of Highway 6.

The subject property is bordered by Highway 6 in the front and Coldstream Creek in the rear. As shown on the attached Plot Plan, the building envelope between the required Highway 6 and front yard setbacks (i.e. 37.5 metres) and the Riparian Assessment Area setback (30 metres) is too shallow to accommodate the proposed foundation and house (i.e. only about 6.5 metres in width remains for a house).

Staff support the variance to the Highway 6 setback because it allows for a greater setback from the creek (i.e. 30 metres) which helps to protect the creek and its riparian vegetation and habitat.

The Ministry of Transportation and Infrastructure has no objections to the proposal.

Moving of Buildings

The Zoning Bylaw does not allow buildings and structures to be moved from one lot to another unless the property is located in the ALR and is at least 4 hectares (9.88 acres) in size. This regulation is most likely in place for two reasons: to allow a "fruit and picker's cabin" to be brought onto larger agricultural parcels for farm help and to prevent dilapidated homes from being brought onto residential parcels.

Concerns about the quality of the house being placed on the property can be alleviated by having the Building Official inspect the residence to ensure it is of acceptable condition and appearance. This inspection should be completed prior to relocation.

Because the Zoning Bylaw only allows one single-family dwelling or one modular manufactured home or one two-family dwelling, the existing house must be removed before the proposed house can be relocated.

The applicant has taken steps to significantly improve the appearance of the site. Derelict vehicles and machinery have been removed. Also a camperized bus has been removed from the property.

Surrounding Land Uses

South – Rural Two (RU.2) / Agricultural Land Reserve (ALR) / Coldstream Creek

West – RU.2 / ALR / Highway 6

North – RU.2 / ALR / Highway 6

East – RU.2 / ALR / Coldstream Creek

Agency Referral Comments

A referral package was sent to internal staff, utility companies, and some provincial agencies. The following comments have been received:

Chief Administrative Officer No objections.

Director of Engineering Services Prior to approval: the applicant is to show on the plans the location of the existing septic tanks and fields. Should a septic system be non-functional or located where the shed or house is proposed, the applicant is to decommission the system, construct a new one and obtain sign off from a qualified environmental professional for both the decommissioning and the new system.

Any new septic system will need to follow the septic tanks disposal field setback regulations established by the Province.

Prior to issuance of a building permit: this property shows a high potential for erosion. A geotechnical report shall be provided prior to issuance of a building permit and to the satisfaction of the Director of Engineering Services, Building Official and the Director of Development Services. The applicant is to provide a sediment and erosion control plan by a qualified professional and demonstrate that the proposed structures are not within the area.

Only one sanitary service, one water service and one driveway are permitted for this lot.

Development within the Riparian Area Regulation setback is prohibited unless the SPEA has been established by a qualified environmental professional. The applicant shall protect the natural drainage courses in accordance with the OCP.

Greater Vernon Services – Water No concerns.

Ministry of Transportation and Infrastructure No objections. Prior to any works occurring on the property, the applicant is required to apply for and receive a Controlled Access Permit for access to and from Highway 6.

FortisBC FortisBC has no concerns and no facilities in the immediate area. The applicant should contact FortisBC to have their current gas service abandoned and/or altered prior to removal of the existing home.

Any concerns received through the agency referral process have been accounted for in the conditions of the permit.

Respectfully submitted by,

Reviewed by,

Craig Broderick
Michelle Austin

Craig Broderick, MCIP
Director of Development Services &
Michelle Austin, Planning Technician

Michael A. Stamhuis

Michael Stamhuis
Chief Administrative Officer

Attachments

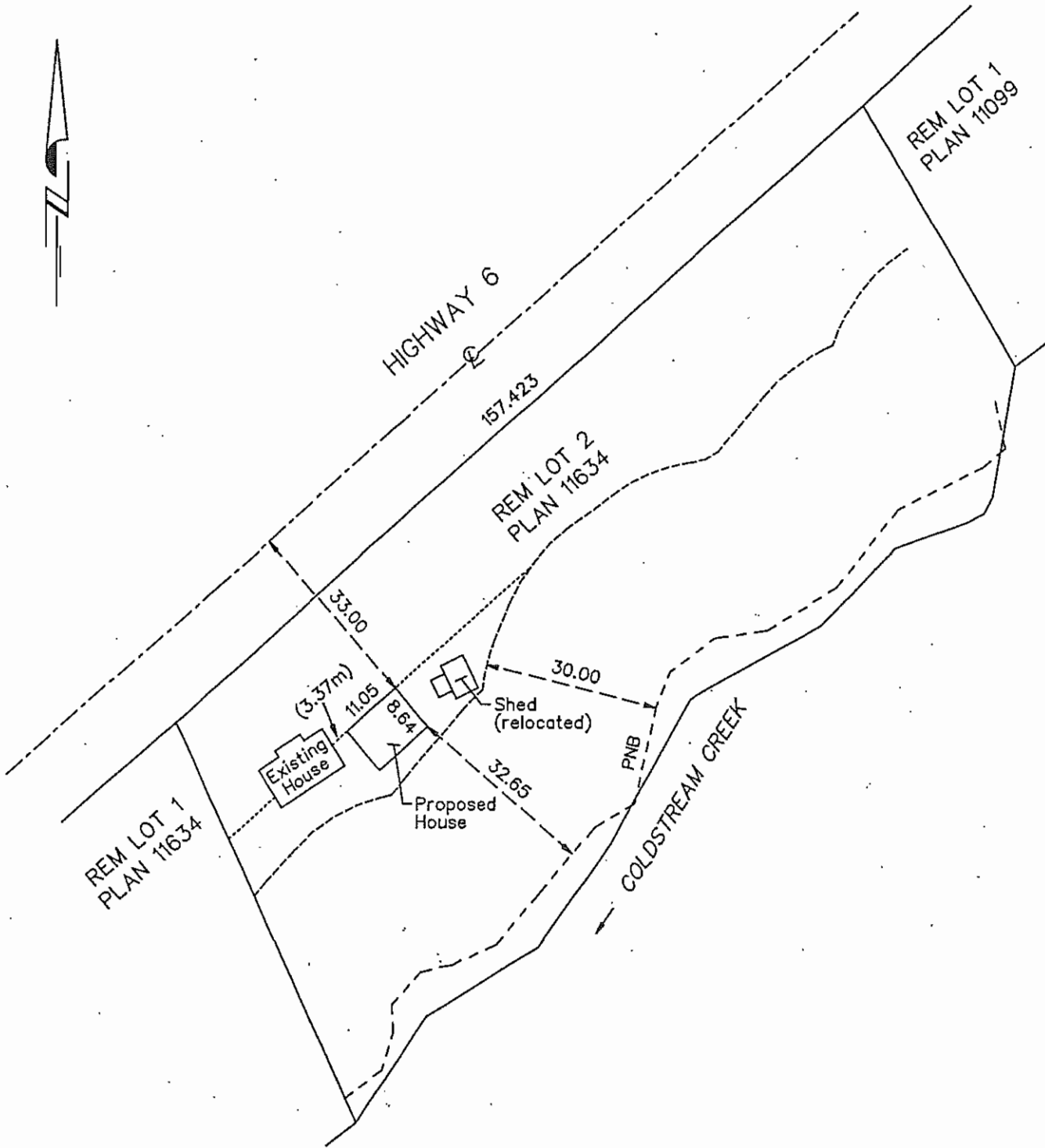


Photo 1: View, facing south, of existing house and shed

This page is intentionally blank.

This page is intentionally blank.

ALL DISTANCES ARE IN METRES.



PLOT PLAN OF PROPOSED BUILDING LOCATIONS ON LOT 2, PLAN 11634, SEC 23, TP 6, ODYD EXCEPT PLAN 35602

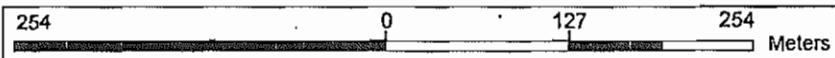
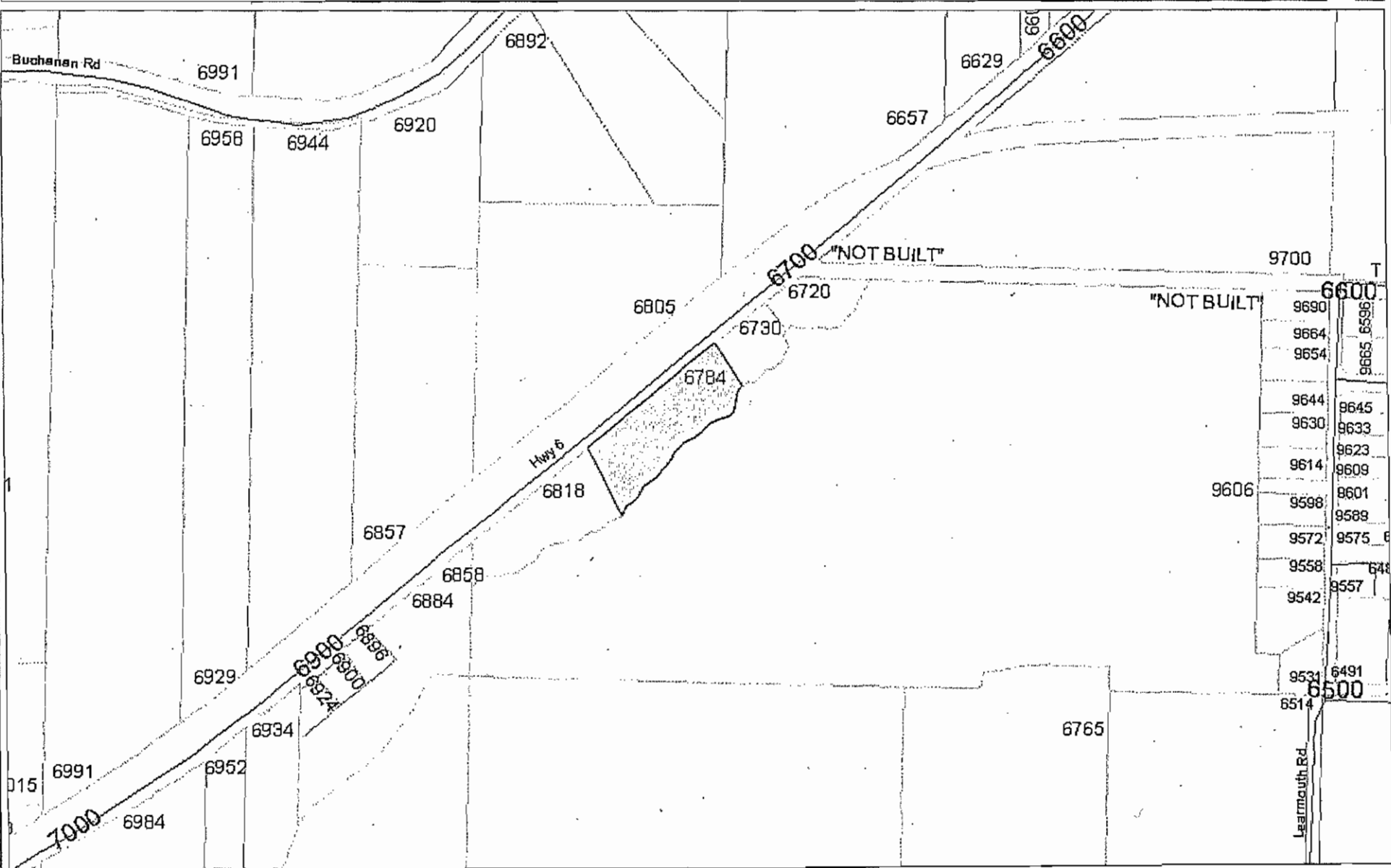
SCALE: 1 : 1000 OUR FILE: R9180

DATE: 7 Oct 2011 DRAWN: RB

Knight

WILLIAM E. MADDOX
B.C. LAND SURVEYOR
3500 - 30th STREET
VERNON, B.C. V1T 5E8
TELEPHONE (250)542-4343

North Okanagan Map



© Corporation of the City of Vernon & Regional District of North Okanagan 1:5,000



This drawing has been produced by the City of Vernon's and the Regional District of North Okanagan's Geographic Information Systems. The data provided is derived from a variety of sources with varying levels of accuracy. The City of Vernon and the Regional District of North Okanagan make no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.

The Corporation of the
District of Coldstream
9901 Kalamalka Road
Vernon, B.C.

DVP VIB 1L6

Application/File No. 11-018-SUB (Knight)

APPLICATION FOR A PERMIT

I/We hereby make application under the provisions of Part 29 of the Municipal Act for a: (check where applicable)

- Development Variance Permit
- Temporary Commercial and Industrial Permit
- Development Permit

to permit the proposed development as described in the attached form upon (legal description): LOT 2, PLAN 11634, SEC 34, TPG, ODYD

EXCEPT PLAN 35602


and located at (street address or general location) _____

6784 HIGHWAY 6, LAVINGTON

from _____ to _____ zone.

Required application fee of \$ 600.00 and the completed Permit Information Form are attached.

11th October 2011
Date


Applicant's Signature

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT.

Date

Registered Owner's Signature

Where the applicant is NOT the REGISTERED OWNER, the Application must be signed by the REGISTERED OWNER, or his SOLICITOR.

FOR OFFICE USE ONLY

APPLICATION FEE \$ _____ RECEIVED.

RECEIPT NO. _____

Date

Signature of Official

PERMIT INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested information, Official Community Plan and Zoning Amendment Application, Application Fee, and Certificate of State of Title or Indefeasible Title for the subject property.

(1) Applicant and Registered Owner knightsvac@shaw.ca

(a) Applicant's Name CHARLES ALLEN KNIGHT

Address 4403 29th STREET, VERNON Postal Code V1T 5B7

Telephone: ~~Business~~ (Cell) 250-309-5776 Home 250-545-3076

(b) Registered Owner's Name SAME AS ABOVE

Address _____ Postal Code _____

Telephone: Business _____ Home _____

(c) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application, must accompany the application as a proof of ownership.

(2) Application Fee

An Application Fee as set out in Schedule "B" attached hereto shall be made payable to the Corporation of the District of Coldstream and shall accompany the Application.

(3) Text Amendment

Described the Proposed Text Amendment _____

(4) Redesignation and Rezoning - Property to be Redesignated and Rezoned

(a) Legal Description in full _____

(3) (c) Present Zoning RU2

(d) Description of Existing Use/Development _____

RURAL RESIDENTIAL USE. AN EXISTING HOUSE
AND SHED ARE ON THE PROPERTY.

(e) Full Description of the Proposed Use/Development (use separate sheet if necessary) THE EXISTING HOUSE IS TO BE

REMOVED. ANOTHER HOUSE IS TO BE MOVED ONTO
THE PROPERTY AND SET UP ON A PROPOSED NEW
FOUNDATION IN A NEW LOCATION. THE EXISTING
SHED IS TO BE MOVED TO COMPLY WITH THE
REQUIRED SETBACK FROM COLDSTREAM CREEK.

(f) Proposed Variation and/or Supplementation to Existing Regulations (use separate sheet if necessary) _____

IN DISTRICT OF COLDSTREAM ZONING BYLAW
No. 1382, 2002, SEC. 802(9)(b): TO VARY THE
REQUIRED FRONT YARD SETBACK FROM 37.5m
TO 33.0m FROM THE CENTRE LINE OF
HIGHWAY NO. 6 TO THE PROPOSED NEW FOUNDATION
AND RESIDENCE.

(4) Reasons in Support of Application

Reasons and comments in support of the Application (use separate sheet if necessary)

THE EXISTING HOUSE DOES NOT COMPLY WITH THE COMBINED REQUIRED SETBACKS OF THE DISTRICT OF COLDSTREAM FOR HIGHWAY 6. THE BUILDING ENVELOPE AVAILABLE BETWEEN THE REQUIRED 37.5m SETBACK FROM THE CENTRE LINE OF HIGHWAY 6 AND THE REQUIRED 30m SETBACK FROM COLDSTREAM CREEK IS TOO SHALLOW TO ACCOMMODATE THE NEW FOUNDATION. THE MOTI HAS INDICATED THEY WILL ACCEPT A MINIMUM 32.5m SETBACK FROM THE C/L OF HIGHWAY 6, WHICH CORRESPONDS TO 25m FOR FUTURE WIDENING, 3m FOR THE SIDE SLOPES AND 4.5m FROM THE NEW BOUNDARY TO THE PROPOSED HOUSE. THE PROPOSED VARIANCE IS FROM 37.5m TO 33.0m, WHICH IS 0.5m MORE THAN THE MINIMUM REQUIRED BY THE MOTI. IF GRANTED, THIS VARIANCE WOULD ALLOW THE PROPOSED HOUSE TO BE SITUATED OUTSIDE THE SPEA HENCE AVOIDING A COSTLY PAR ASSESSMENT.

(6) Attachments

At the time of providing Application and Information Forms to the applicant, the Municipal Clerk shall indicate which of the following attachments are required or not required for this Application. The Municipal Clerk may also require additional information.

- (a) A dimensioned Sketch Plan drawn to a scale of _____ to _____ showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing buildings, structures, and uses.

REQUIRED: Yes _____ No _____

(b) A dimensioned Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures, highway access, etc.

REQUIRED: Yes _____ No _____

(c) A Contour Map (Plan) drawn to a scale of _____ to _____ with contour interval of _____, if warranted by the topographic condition of the subject site.

REQUIRED: Yes _____ No _____

(d) A dimensioned Sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision (small or large) is contemplated.


REQUIRED: Yes _____ No _____

(e) Technical Information or reports and other information required to assist in the preparation of the Permit, listed below:

Specific Reports: _____

General: _____

11th October 2011
Date


Applicant's Signature

Date: 23-Sep-2011
Requestor: (PA80737)
Folio: R9180

TITLE SEARCH PRINT
WILLIAM E. MADDOX B.C.L.S.
TITLE - LB379627

Time: 11:46:09
Page 001 of 001

KAMLOOPS LAND TITLE OFFICE TITLE NO: LB379627
FROM TITLE NO: KW80842

APPLICATION FOR REGISTRATION RECEIVED ON: 15 APRIL, 2010
ENTERED: 20 APRIL, 2010

REGISTERED OWNER IN FEE SIMPLE:
CHARLES ALLAN KNIGHT, WATERWELL DRILLER
#1 4403-29TH STREET
VERNON, BC
V1T 5B7

TAXATION AUTHORITY:
DISTRICT OF COLDSTREAM

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 009-478-965
LOT 2 SECTION 23 TOWNSHIP 6 OSOYOOS DIVISION YALE DISTRICT PLAN 11634
EXCEPT
PLAN 35602

LEGAL NOTATIONS:

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND
COMMISSION ACT, SEE PLAN M11122

CHARGES, LIENS AND INTERESTS: NONE

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

MISCELLANEOUS NOTES:
PL 35602 - DF X92347


Property Legal Description:

LOT 2, PLAN 11634, SEC 34, TP 6, ODYD
EXCEPT PLAN 35602


Based on my personal knowledge of the subject property, I do not believe that the subject property is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the Contaminated Sites Regulation. Accordingly, I elect not to complete and submit a "site profile", as outlined in Section 40 of the *Environmental Management Act*.

I further acknowledge that this election does not remove any liability which may otherwise be applicable under the legislation.

Charles Allen KNIGHT
Applicant/Agent (print name)


Applicant /Agent (signature)

William Maddox
Witness (print name)


Witness (signature)

11th October 2011
Date

This page is intentionally blank.

This page is intentionally blank.

DISTRICT OF COLDSTREAM
DEVELOPMENT VARIANCE PERMIT APPLICATION

FILE NO. 11-019-DVP
DATE November 28, 2011

Applicant / Owner	Barry Vassberg / Colmar Projects Inc. (Mark Anderson)
Legal Description	Lot 5, Sec. 23, TP 9, ODYD, Plan KAP76419
Location	762 Mt. Ida Drive
Area of Subject Property	0.29 hectares (0.71 acres)
Servicing	Community Water and Community Sewer
Zoning	Residential Single Family (R.1)
Official Community Plan Designation	Residential (R)
Proposed Variance	To vary the side yard setback of an existing house from 2 metres (6.56 feet) to 0.85 meters (2.79 feet). To vary the side yard setback for the eaves on the house from 1 metre (3.28 feet) to 0.4 metres (1.31 feet).

Development Services Recommendation

THAT Development Variance Permit No. 11-019-DVP (Anderson) be issued to the owners to vary the side yard setback regulations, of the Residential Single Family Zone, of the District of Coldstream Zoning Bylaw No. 1382, 2002, and amendments made thereto, as follows:

- a. Section 701.9.d, side yard setbacks, is varied from 2 metres (6.56 feet) to 0.85 meters (2.79 feet) to sanction the siting of the existing house.
- b. Section 305.b, setback exceptions, is varied from 1 metre (3.28 feet) to 0.4 metres (1.31 feet) to sanction the siting of the eaves on the existing house.

AND FURTHER THAT Development Variance Permit No. 11-019-DVP (Anderson) be issued to the applicant, subject to the following condition:

- i. That the attached Survey Certificate, dated February 25, 2011 and prepared by William E. Maddox, BCLS, form part of the Development Variance Permit.

Background

Construction of the existing house on this property started back in 2007. In January 2008 the Building Official inspected and approved the framing, water piping and plumbing drainage. Later that year, a notice was placed on title and the building permit expired because the owner had failed to confirm that the home was covered by warranty.

Subsequently, the home warranty was provided and a second building permit was issued to complete the house. The notice on title was also removed. Sometime after the framing was approved, a stairwell leading to the basement was added to the south side of the house. This stairwell and roof system encroaches into the side yard setback. The owner requires a variance to make the siting of the house comply with the District of Coldstream bylaws.

Planning Considerations

The subject property is located in the Residential Single Family Zone (R.1). The R.1 Zone requires that all buildings and structures be setback at least 2 metres (6.56 feet) from the side property line. However, the Zoning Bylaw provides setback exceptions for "projections". For instance, eaves can project into the side yard setback by up to one (1) metre (3.28 feet). Put another way, the side yard setback for eaves in the R.1 Zone is (1) metre (3.28 feet).

The applicant provided the following rationale on the application form:

This overhang on setback was done before I owned the property (by previous owners). We have spoken to the home owners to the south and they don't have an issue with the roof over hang. With the design of the current roof it would be very difficult to remove this section of roof.

Agency Referrals

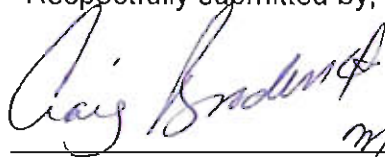
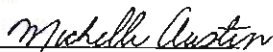
The application and related information was circulated internally; however, no objections or pertinent comments were received.

Notice has been sent to adjacent landowners within 30 meters (100 feet) of the subject property. Neighboring property owners will have an opportunity to present concerns in person or in writing to Council.

Conclusion

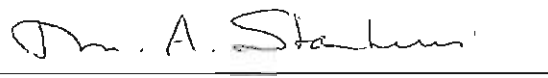
The owner requires a variance to sanction the siting of the existing house. Previous owners contravened the Zoning Bylaw by constructing a portion of the house within the side yard setback area. The current owner is attempting to rectify the situation by way of a variance. Staff recommend that Council support this development variance application.

Respectfully submitted by,

Craig Broderick, MCIP
Director of Development Services &
Michelle Austin, Planning Technician

Reviewed by,



Michael Stamhuis
Chief Administrative Officer

Attachments

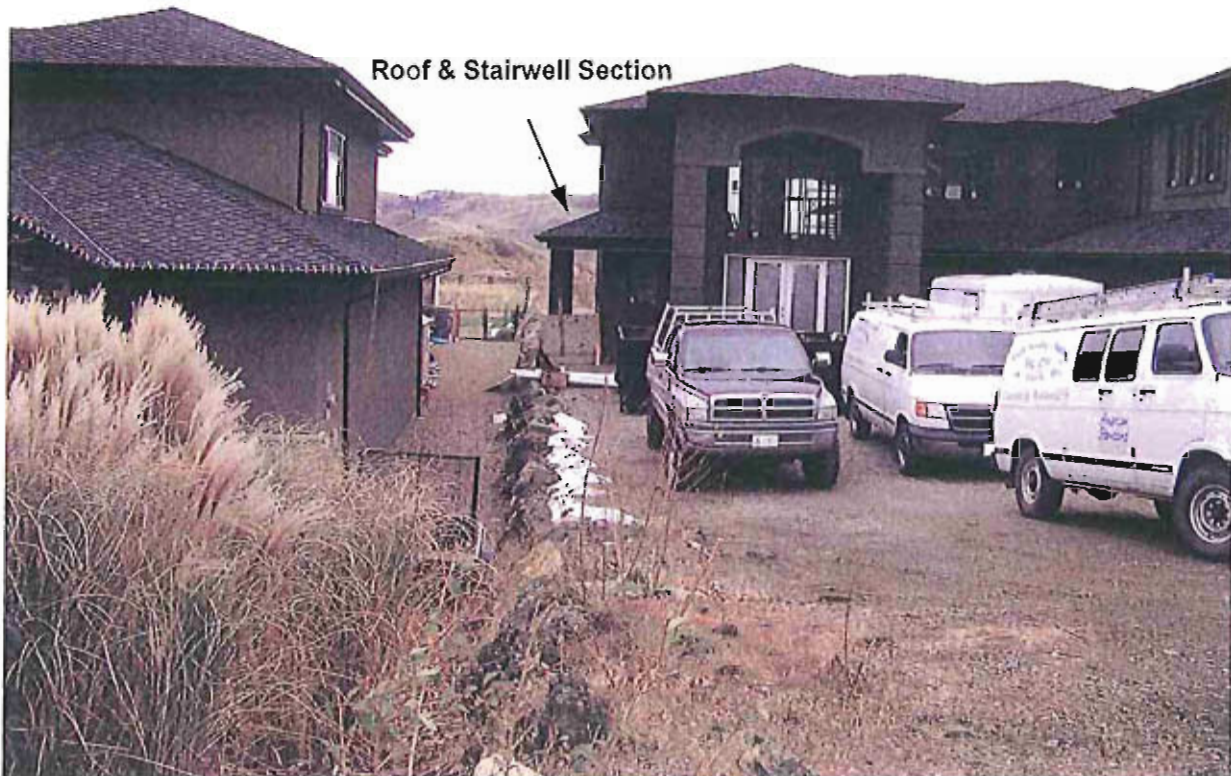
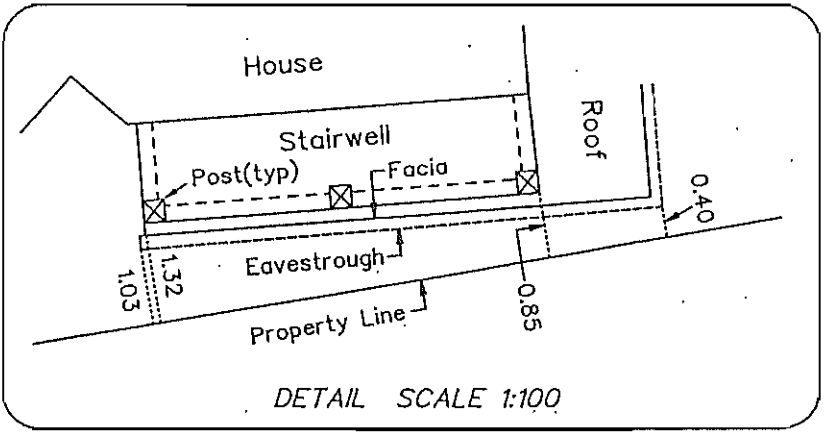
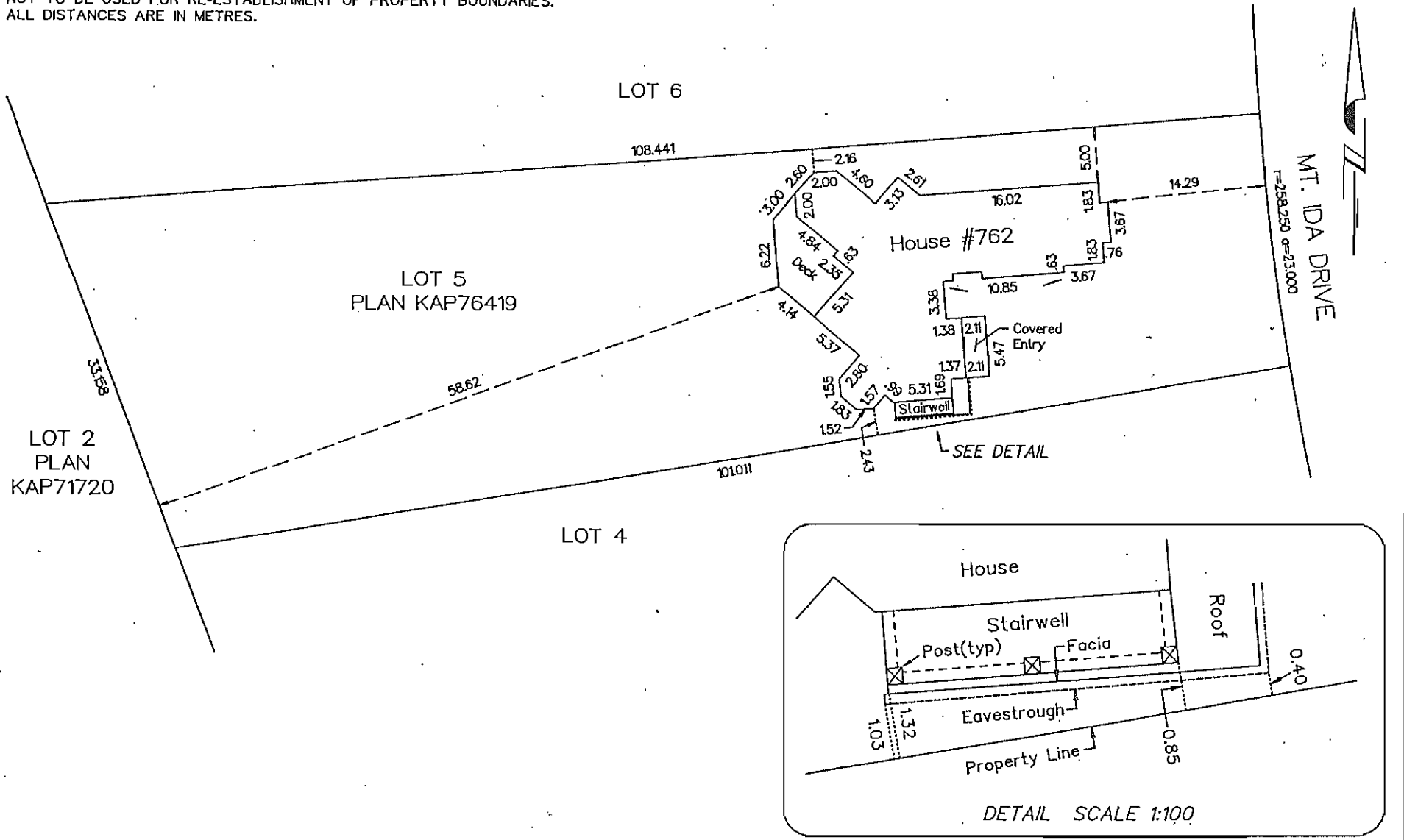


Photo 1: View of house, facing west



Photo 2: View of stairwell and roof system, facing west

NOT TO BE USED FOR RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.
ALL DISTANCES ARE IN METRES.



© WILLIAM E. MADDOX B.C.L.S. 2D11

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

Certified correct this 28th day of February, 2011

W. Maddox
B.C.L.S.

SURVEY CERTIFICATE SHOWING
BUILDING LOCATION ON LOT 5,
PLAN KAP76419, SEC 23, TP 9,
ODYD

SCALE: 1 : 500 OUR FILE: R8083

DATE: 25 Feb 2011 DRAWN: RB

Kysa Investments Ltd.

WILLIAM E. MADDOX
B.C. LAND SURVEYOR
3500 - 30th STREET
VERNON, B.C. V1T 5E8
TELEPHONE (250)542-4343

80830B01

This page is intentionally blank.

This page is intentionally blank.

The Corporation of the District of Coldstream
9901 Kalamalka Road
Vernon, B.C.
V1B 1L6

Application/File No. 09-019-PVP

APPLICATION FOR A PERMIT

I/We hereby make application under the provisions of Part 29 of the Municipal Act for a: (check where applicable)

- Development Variance Permit
- Temporary Commercial and Industrial Permit
- Development Permit

to permit the proposed development as described in the attached form upon (legal description):

Lot 5 Plan KAP 76419 sec 23 T.P 9 ODYD

and located at (street address or general location)

762 Mt Ida Drive (Middleton Mt.)

from _____ to _____ zone.

Required application fee of \$ 600 and the completed Permit Information Form are attached.

Oct 18/11
Date

[Signature]
Applicant's Signature

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT.

Oct 18/11
Date

[Signature]
Registered Owner's Signature

Where the applicant is NOT the REGISTERED OWNER, the Application must be signed by the REGISTERED OWNER, or his SOLICITOR.

FOR OFFICE USE ONLY

APPLICATION FEE \$ 600 RECEIVED.

RECEIPT NO. _____

Date

Signature of Official

PERMIT INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

This form is to be completed in full and submitted with all requested information, Official Community Plan and Zoning Amendment Application, Application Fee, and Certificate of State of Title or Indefeasible Title for the subject property.

(1) Applicant and Registered Owner

(a) Applicant's Name Barry Vassberg
Address 805 Cavalier Dr Postal Code V1T 9M6
Telephone: Business 7 Home 250 558 4879

(b) Registered Owner's Name Mark Anderson
Address Box 76012 Edmonton Postal Code T6H 5Y7
Telephone: Business 780 446 4777 Home

(c) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application, must accompany the application as a proof of ownership.

(2) Application Fee

An Application Fee as set out in Schedule "B" attached hereto shall be made payable to the Corporation of the District of Coldstream and shall accompany the Application.

(3) Text Amendment

Described the Proposed Text Amendment

(4) Redesignation and Rezoning - Property to be Redesignated and Rezoned

(a) Legal Description in full

3) (c) Present Zoning _____

(d) Description of Existing Use/Development _____

(e) Full Description of the Proposed Use/Development (use separate sheet if necessary) _____

Is developed as single family dwelling

(f) Proposed Variation and/or Supplementation to Existing Regulations (use separate sheet if necessary) _____

Variation to 2 meter setback on south side of property as shown on site plan drawing attached. The stairwell roof for entrance to basement overhangs the 2 meter setback. We require development variance permit for same.

(4) Reasons in Support of Application

Reasons and comments in support of the Application (use separate sheet if necessary)

This over hang on setback was done before I owned the property (by previous owners) We have spoken to the home owners to South and they don't have issue with roof overhang. With the design of the current roof it would be very difficult to remove this section of roof.

(6) Attachments

At the time of providing Application and Information Forms to the applicant, the Municipal Clerk shall indicate which of the following attachments are required or not required for this Application. The Municipal Clerk may also require additional information.

(a) A dimensioned Sketch Plan drawn to a scale of 5cm to 1m showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing buildings, structures, and uses.

REQUIRED: Yes No

(b) A dimensioned Site Development Plan drawn to a scale of _____ to _____ showing the proposed use, buildings and structures, highway access, etc.

REQUIRED: Yes _____ No _____

(c) A Contour Map (Plan) drawn to a scale of _____ to _____ with contour interval of _____, if warranted by the topographic condition of the subject site.

REQUIRED: Yes _____ No _____

(d) A dimensioned Sketch Plan drawn to a scale of _____ to _____ of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: Yes _____ No _____

(e) Technical Information or reports and other information required to assist in the preparation of the Permit, listed below:

Specific Reports: Land Survey

General: _____

Sept 21 / 2011
Date

[Signature]
Applicant's Signature

Property Legal Description:

Lot 5 Plan KAP 76419 sec 23 TP 9
ODYD

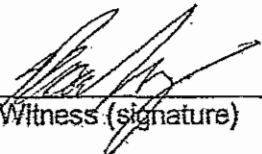
Based on my personal knowledge of the subject property, I do not believe that the subject property is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the Contaminated Sites Regulation; Accordingly, I elect not to complete and submit a "site profile", as outlined in Section 40 of the *Environmental Management Act*.

I further acknowledge that this election does not remove any liability which may otherwise be applicable under the legislation.

Mark Anderson
Applicant/Agent (print name)

Barry Vassberg
Witness (print name)


Applicant /Agent (signature)


Witness (signature)

September 21/2011
Date

Date: 07-Sep-2011 TITLE SEARCH PRINT Time: 09:15:52
Requestor: (PD57462) CENTURY 21 EXECUTIVES REALTY VERNON Page 001 of 003
Folio: VASSBERG TITLE - CA2106574

KAMLOOPS LAND TITLE OFFICE TITLE NO: CA2106574
FROM TITLE NO: LB3494

APPLICATION FOR REGISTRATION RECEIVED ON: 19 JULY, 2011
ENTERED: 22 JULY, 2011

REGISTERED OWNER IN FEE SIMPLE:
COLMAR PROJECTS INC.
PO BOX 76012
EDMONTON, AB
T6H 5Y7

TAXATION AUTHORITY:
DISTRICT OF COLDSTREAM

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 026-052-733
LOT 5 SECTION 23 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN KAP76419

LEGAL NOTATIONS:

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT, SEE DF KE94291

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT, SEE DF KE94292

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29, MUNICIPAL ACT - SEE DF KH37608

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT (SEE DF KH78440).

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KM76748

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KN111191

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL ACT, SEE KN95092

HERETO IS ANNEXED EASEMENT KP44256 OVER PART LOT 8 PLAN KAP66549 SHOWN ON PLAN KAP66794

HERETO IS ANNEXED EASEMENT KP44257 OVER PART LOT 9 PLAN KAP66549 SHOWN ON PLAN KAP66794

HERETO IS ANNEXED EASEMENT KP44258 OVER PART LOT 10 PLAN KAP66549 SHOWN ON PLAN KAP66794

HERETO IS ANNEXED EASEMENT KP44259 OVER PART LOT 11 PLAN KAP66549 SHOWN ON PLAN KAP66794

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL

Date: 07-Sep-2011 TITLE SEARCH PRINT Time: 09:15:52
 Requestor: (PD57462) CENTURY 21 EXECUTIVES REALTY VERNON Page 002 of 003
 Folio: VASSBERG TITLE - CA2106574

GOVERNMENT ACT, SEE KR42345

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE KR70456

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE KT33427

HERETO IS ANNEXED EASEMENT KT90964 OVER THAT PART OF LOT 2 PLAN KAP71720 SHOWN ON PLAN KAP71721

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE KW174356

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL GOVERNMENT ACT, SEE KW75965

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE

CHARGE NUMBER	DATE	TIME
---------------	------	------

UNDERSURFACE RIGHTS

V23189	1983-03-31	12:59
--------	------------	-------

REMARKS: INTER ALIA

FORFEITED TO CROWN SEE V23189

STATUTORY RIGHT OF WAY

KP54090	2000-06-16	12:20
---------	------------	-------

REGISTERED OWNER OF CHARGE:

SHAW CABLESYSTEMS COMPANY

INCORPORATION NO. 50762A

KP54090

REMARKS: INTER ALIA

STATUTORY BUILDING SCHEME

KW131288	2004-09-21	13:05
----------	------------	-------

REMARKS: INTER ALIA

MORTGAGE

CA2106673	2011-07-19	14:01
-----------	------------	-------

REGISTERED OWNER OF CHARGE:

CANADIAN WESTERN BANK

CA2106673

ASSIGNMENT OF RENTS

CA2106674	2011-07-19	14:01
-----------	------------	-------

REGISTERED OWNER OF CHARGE:

CANADIAN WESTERN BANK

CA2106674

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

Date: 07-Sep-2011 TITLE SEARCH PRINT Time: 09:15:52
Requestor: (PD57462) CENTURY 21 EXECUTIVES REALTY VERNON Page 003 of 003
Folio: VASSBERG TITLE - CA2106574

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

This page is intentionally blank.

This page is intentionally blank.



DISTRICT OF COLDSTREAM MEMORANDUM

TO Mayor and Council

FILE NO. 11-020-OCP & 11-021-ZON
(Hora)

FROM Craig Broderick, MCIP
Director of Development
Services & Michelle Austin,
Planning Technician

DATE December 5, 2011

SUBJECT Referral of an application to the Advisory Planning Commission – proposed redesignation and rezoning of Lot A, Plan 27772, 11200 Palfrey Drive East

1.0 Purpose

To provide Council with a summary of the above-noted application and request direction regarding whether or not it should be forwarded to the Advisory Planning Commission (APC).

2.0 Origin

Municipal Policy No. PLD024 “Matters to be Referred to the Advisory Planning Commission” states that “Amendments to the OCP” and “Amendments to the Zoning Bylaw” be referred to the APC when directed by Council.

3.0 Application Summary

The subject property is located at the east end of Palfrey Drive East, adjacent to both Kalamalka Lake Provincial Park and the Agricultural Land Reserve. It is 1.21 hectares (3 acres) in size and owned by Mr. Gordon Hora.

Both properties are designated (i.e. OCP) and zoned Rural Two (RU.2) and serviced by Community Water and Community Sewer. Mr. Hora would like to re-designate the property to Residential and rezone it to Residential Single Family (R.1) in anticipation of applying to subdivide it into six bare land strata lots and one fee simple lot for the existing house. The proposed subdivision layout is preliminary in nature and serves to illustrate a possible lot layout for the property.

Surrounding Land Uses

South – Kalamalka Lake Provincial Park

West – single family residential (i.e. Palfrey Drive East) (R.1)

North – agricultural (i.e. RU.2 / ALR)

East – one residence on a agricultural parcel (i.e. RU.2 / ALR), accessed from Coldstream Creek Road

Agency Referral Comments

A referral package was sent to internal staff, Greater Vernon Water and Parks, and some provincial authorities. The following comments have been provided to date:

Chief Administrative Officer / Director of Engineering Services	<p>The north boundary of the fee simple lot should be amended to remain in line with the south boundary of East Palfrey Road. This will require some reconstruction of the driveway to the fee simple lot.</p> <p>Consideration should be given to obtaining a sanitary sewer right of way to tie into Priest Valley Road to avoid a pump station.</p> <p>A storm water management plan will be needed showing how impact on neighbouring properties will be avoided.</p> <p>All slope reinforcement will require geotechnical engineering review and sign-off.</p>
Coldstream Fire Chief	No objections as long as access and water supply are built to code.
Greater Vernon Water	Water system upgrades may be required as a condition of Rezoning approval. A GVW application fee is payable prior to our assessment of your application.
Agricultural Land Commission	The ALC has no objection to the proposed strata subdivision, provided the development is fenced on the ALR boundary (north and east) with a trespass proof fence, and that either all or a portion of the 10 metre setback on the easterly boundary is planted with a vegetative buffer – please reference the Commission's "Landscape Buffer Guidelines".

4.0 Role of the Advisory Planning Commission

The APC is an independent body composed of local residents that assist Council in an advisory capacity on matters referred to them by Council. As outlined in Municipal Policy, such matters include the preparation of area plans, amendments to the OCP and Zoning Bylaw, and applications to the Agricultural Land Commission. The APC meets on an as-needed basis, upon referral from Council.

Based on Section 15 – Redesignation Criteria and Section 16 – Rezoning Criteria of the OCP, staff and Council may consider the following prior to redesignation and rezoning:

- Compatibility with surrounding land uses;
- Compatibility with possible future land uses shown on the Land Use Map;
- Environmental impacts;
- Parkland needs and requirements;
- Hazardous conditions such as, such as flood hazards or unstable soils;
- Access;
- Water and sewer services;
- Consistency with the objectives and policies of the OCP;

- Compatibility with the interests of other government agencies (i.e. the ALC); and,
- Subsurface rights.

Apart from the issues noted above, staff and Council could benefit from referring these applications to the APC as there may be unforeseen issues or concerns identified by members. Input from this Committee could help strengthen and add credence to the decision making process.

At this point in the application process, staff is in the information gathering phase. A thorough review of potential issues will be done once the agency referral process is complete, including referral to the APC.

If Council decides to forward the applications to the APC, staff will prepare a report for the APC and hold a meeting in January 2012. Subsequently, staff will prepare a final report for Council's consideration, including the APC recommendation and a staff recommendation, regarding whether or not the OCP and Zoning Bylaw should be amended as proposed. If Council decides not to forward the applications to the APC, a report will be prepared with a staff recommendation for Council's consideration.

3.0 Recommendation

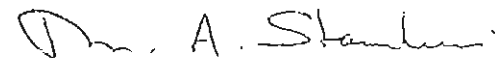
Staff recommend that the proposal be forwarded to the APC for its consideration and for a recommendation back to Council.

Respectfully submitted by,

Reviewed by,

Craig Broderick, MCIP
Director of Development Services &
Michelle Austin, Planning Technician



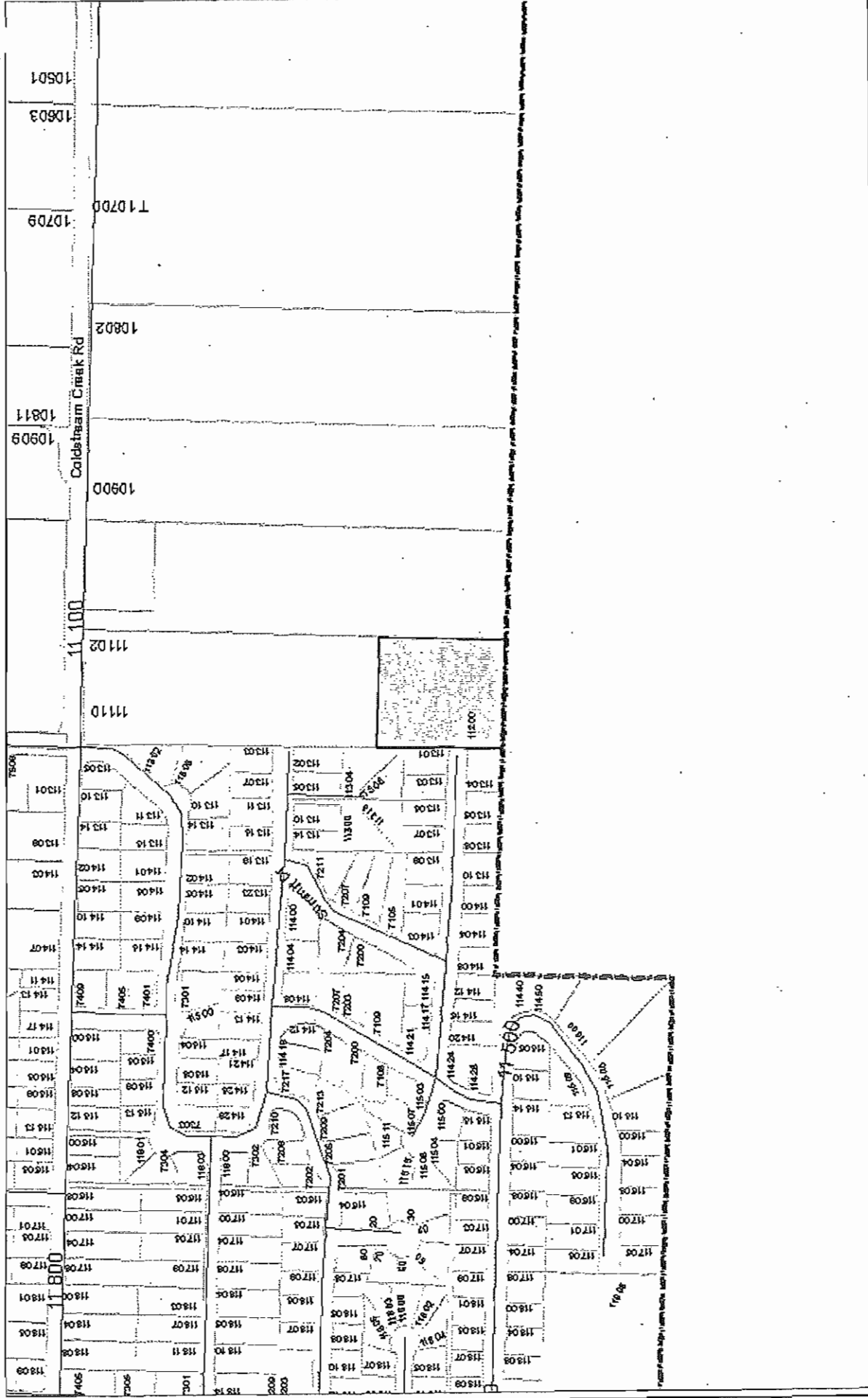
Michael Stamhuis
Chief Administrative Officer

Attachments

This page is intentionally blank.

This page is intentionally blank.

North Okanagan Map



This drawing has been produced by the City of Vernon and the Regional District of North Okanagan's Geographic Information Systems. The data provided is derived from a variety of sources with varying levels of accuracy. The City of Vernon and the Regional District of North Okanagan make no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.



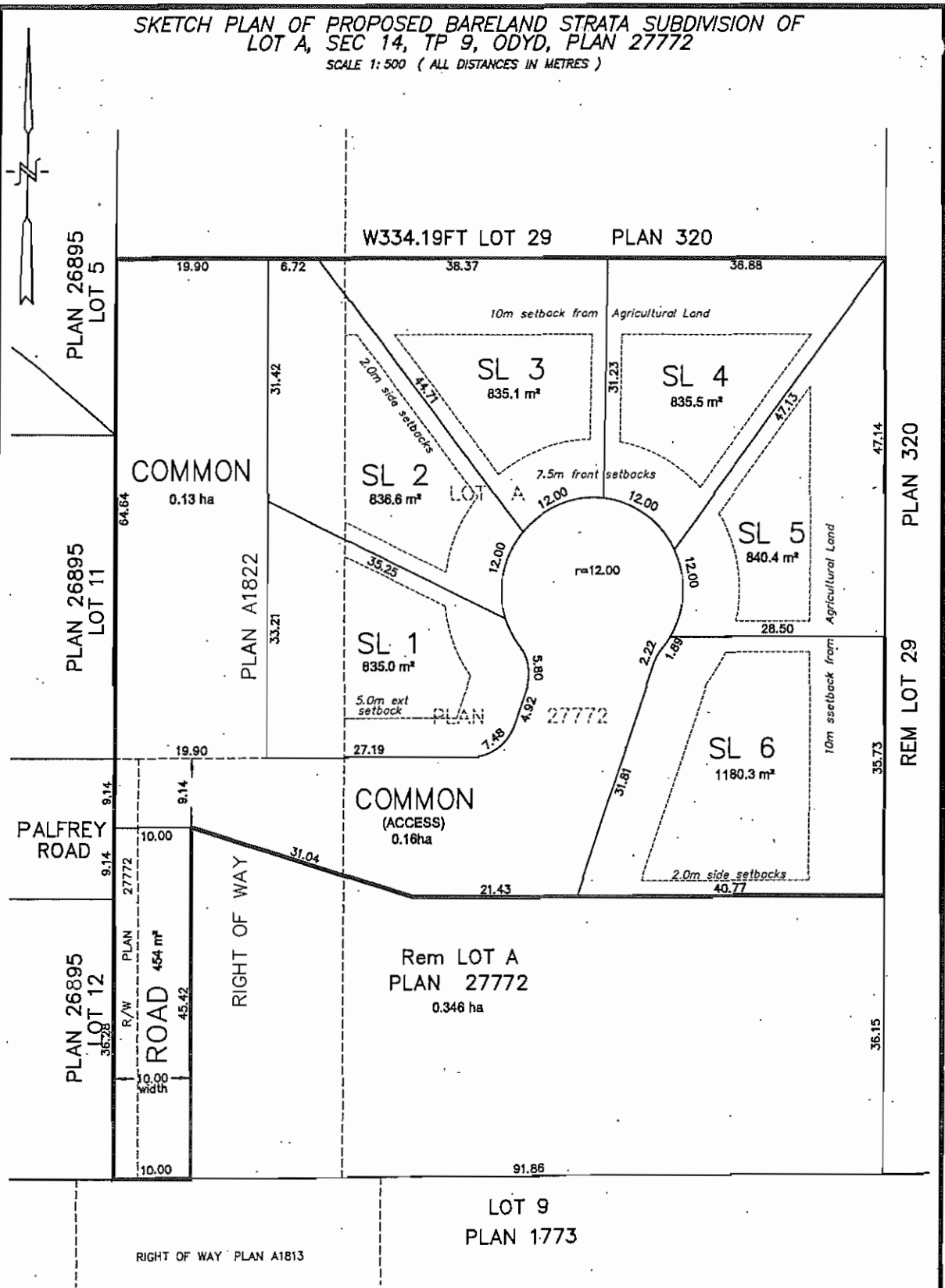
254 0 127 254 Meters



© Corporation of the City of Vernon & Regional District of North Okanagan

1:5,000

SKETCH PLAN OF PROPOSED BARELAND STRATA SUBDIVISION OF
 LOT A, SEC 14, TP 9, ODYD, PLAN 27772
 SCALE 1:500 (ALL DISTANCES IN METRES)



PROPOSED ZONING: R1
 MIN LOT WIDTH: 23m
 MIN LOT AREA: 835 sq.m.
 MAX LOT COVERAGE: 35%
 MIN SETBACKS:
 Front yard: 7.5m
 Side yard: 2.0m
 Exterior side yard: 5.0m
 Rear yard: 7.5m

SEPTEMBER 19, 2011

THIS PLAN IS PREPARED FOR THE USE OF:
 HORA

RUSSELL N. SHORTT
 British Columbia Land Surveyor
 2801-32nd STREET, VERNON, B.C. Phone 545-0511

FAX: 545-2741
 FILE No. 25136prop2
 F.B. No. Pg. NA
 19951120.1044

SCHEDULE A.3

**District of Coldstream
9901 Kalamalka Road
Coldstream, BC V1B 1L6**

Application/file No: **25136**

Date: October 25, 2011

APPLICATION FOR OFFICIAL COMMUNITY PLAN AND ZONING AMENDMENT
(Joint Application)

I/We hereby apply for: (check where applicable)

an amendment to the text of Official Community Plan Bylaw No.
a change in the Official Community Plan Land Use Designation, and
an amendment to the text of Zoning Bylaw No.
rezoning,
of the property described as (legal description):
Lot A, Sec. 14, Tp. 9, ODYD, Plan 27772

and located at (street address or general location)
11200 Palfrey Drive East, Coldstream

from current designation **RU 2** zoning to proposed designation **R1** zoning

Required application fee of **\$1500.00** and the completed Official Community Plan and Zoning Amendment Information Form are attached. (B/L985/91)

Oct. 25, 2011
Date

[Signature]
Applicant's Signature

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT

Date

Registered Owner's Signature

Where the applicant is NOT the REGISTERED OWNER, the Application must be signed by the REGISTERED OWNER, or his SOLICITOR.

FOR OFFICE USE ONLY	
APPLICATION FEE OF \$	received. Receipt No. _____
_____	_____
Date	Signature of Official

OFFICIAL COMMUNITY PLAN & ZONING AMENDMENT INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

The form is to be completed in full and submitted with all requested information, Zoning Amendment Application, Application Fee, and Certificate of State of Title, or Indefeasible Title for the subject property.

1) **Applicant and Registered Owner**

(a) Applicant's Name **Jason R. Shortt, BCLS**

2801 - 32 Street, Vernon, B.C. V1T 5L8

Telephone: **250-545-0511**

(b) Registered Owner's Name **Gordon Hora**

11200 Palfrey Drive, Coldstream, BC

Telephone: Business _____ Home _____

(c) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application, must accompany the application as a proof of ownership.

2) **Application Fee**

An application Fee of \$1500.00 shall be made payable to the District of Coldstream and shall accompany the Application. (B/L 985/91)

3) **Text Amendment**

Describe the proposed Text Amendment (if applicable)

The applicant is proposing to change the OCP designation for the subject parcel from RU 2 to Residential. The applicant is proposing re-zone the property from RU 2 to R 1.

4) **Resignation and Rezoning - Property to be Redesignated and Rezoned**

- (a) Size of property (area, number of parcels) **One parcel, 1.2 ha**
- (b) Present Designation **RU 2**
Present Zoning **RU 2**
- (c) Proposed Designation **R 1**
Proposed Zoning **R 1**
- (d) Description of Existing Use/Development
Residential/Vacant sloped non-agricultural land.
- (e) Description of the Proposed Use/Development (use separate sheet if necessary)
The applicant is proposing to re-zone the property to allow for the creation of six (6) bare land strata R 1 lots and one fee simple R 1 lot.
- (f) Services Currently Existing/Readily Available to the Property (check applic. area)

Services	Currently Existing		Readily Available	
	<u>Yes</u>	<u>No</u>	Yes	No
Road Access	Yes			
Water Supply	Yes			
Sewage Disposal	Yes			
Hydro	Yes			
Telephone	Yes			
School Bus Service	Yes			

* Readily available means existing services can be easily extended to the subject property.

- (g) Proposed Water Supply Method
Community
- (h) Proposed Sewage Disposal Method
Community
- (i) Approximately Commencement Date of Proposed Project

5) Reasons in Support of Application

Reasons and comments in support of the application (use separate sheet if necessary)

See Attached

6) Attachments

At the time of providing Application and Information Forms to the applicant, the Regional District of North Okanagan Planning Director shall indicate which of the following attachments are required for this Application. The Planning Director may also require additional information.

- (a) A dimensioned Sketch Plan drawn to a scale of 1 to 500 showing the parcel(s) or part of the parcel(s) to be re-designated and/or rezoned and the location of existing buildings, structures, and uses.

REQUIRED: Yes

- (b) A dimensioned Site Development Plan drawn to a scale of 1 to 500 showing the proposed use, buildings and structures, highway access, etc.

REQUIRED: Yes

- (c) A Contour Map (Plan) drawn to a scale of to with contour interval of , if warranted by the topographic condition of the subject site.


REQUIRED: No

- (d) A dimensioned Sketch Plan drawn to a scale of 1 to 500 of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: Yes

- (e) Additional Information Required:

Oct. 25, 2011
Date


Applicant's Signature

FOR OFFICE USE ONLY:

Forms duly completed, received:

Air Photo No. _____

Assessment Roll No. _____

Signature of Official

Map No. 82L/ _____

Date

Affected by:

Agricultural Land Reserve

Yes _____ No _____

Referral Required to:

Controlled Access Highway

A.P.C. " _____ " Chairman _____

Yes _____ No _____

Director _____

Interior Health Authority _____

Ministry of Transportation _____

Vernon _____

Ministry of Land, Water _____

& Air Protection _____

Ministry of Community, _____

Aboriginal & Women's Services _____

Other _____

Major Grid Road other than Controlled
Access Highway

Yes _____ No _____

)

The proposed OCP amendment would fit in well with existing land uses. The development to the West is single family residential with park to the South. The large fee simple for the existing home would buffer the new six lots from the park and the new road access to the park along the West portion of the development improves the local access to the park and is a community benefit. As all the land to the North and East is in the ALR, the cul-de-sac is a suitable design (ie: access to lands beyond is not required). A 10 meter agricultural buffer is also proposed as per the Districts guidelines. The lot has road and other municipal services at the lot line and is therefore feasible for development. The land under application is unsuitable for agriculture due to its topography. The area shown as common property and the hydro line could be designated as park if desired as part of the development. Generally the proposed provides for the highest and least use of the subject parcel and would be a positive addition to District of Coldstreams' residential tax base.

RUSSELL N. SHORTT

LAND SURVEYORS

R.N. SHORTT, B.C.L.S., A.L.S., C.L.S.
J.R. SHORTT, B.C.L.S.

TELEPHONE 250-545-0511
FAX 250-545-2741
EMAIL: jasons@jrshortt.ca

2801 - 32nd STREET
VERNON, B.C. V1T 5L8

File: 25136
September 16, 2011


District of Coldstream
9901 Kalamalka Road
Coldstream, BC V1B 1L6

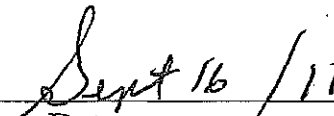
TO WHOM IT MAY CONCERN:

This is to authorize Jason R. Shortt to act as my agent/applicant on matters pertaining to the subdivision application of:

Legal Description: Lot A, Sec. 14, Tp. 9, ODYD, Plan 27772

Owner: Gordon Hora


Name


Date

This page is intentionally blank.

This page is intentionally blank.

ce: 25-Oct-2011
Requestor: (PB43703)
Folio:

TITLE SEARCH PRINT
RUSSELL N. SHORTT & CO.
TITLE - KD59342

Time: 12:09:01
Page 001 of 002

KAMLOOPS LAND TITLE OFFICE TITLE NO: KD59342
FROM TITLE NO: R36394

APPLICATION FOR REGISTRATION RECEIVED ON: 17 JULY, 1990
ENTERED: 18 JULY, 1990

REGISTERED OWNER IN FEE SIMPLE:
GORDON LEWIS HORA, PURCHASING AGENT
STEFFIE ROSE HORA, HOMEMAKER
7990 CARAWAY COURT
VERNON, BC
V1B 2G8
AS JOINT TENANTS

TAXATION AUTHORITY:
DISTRICT OF COLDSTREAM

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 004-700-856
LOT A SECTION 14 TOWNSHIP 9 OSOYOOS DIVISION YALE DISTRICT PLAN 27772

LEGAL NOTATIONS:

NOTE: SUBJECT TO LINE FENCES ACT DD 506

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND
COMMISSION ACT, SEE PLAN M11122

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE
CHARGE NUMBER DATE TIME

RIGHT OF WAY

80744E 1959-08-04 10:32
REGISTERED OWNER OF CHARGE:
WEST KOOTENAY POWER AND LIGHT COMPANY LIMITED
80744E
REMARKS: INTER ALIA

RIGHT OF WAY

M17934 1977-03-31 00:00
REGISTERED OWNER OF CHARGE:
THE CORPORATION OF THE DISTRICT OF COLDSTREAM
M17934
REMARKS: PART OUTLINED GREEN ON PLAN 27772

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

Date: 25-Oct-2011

TITLE SEARCH PRINT

Time: 12:09:01

Requestor: (PB43703)
folio:

RUSSELL N. SHORTT & CO.
TITLE - KD59342

Page 002 of 002



DISTRICT OF COLDSTREAM MEMORANDUM

TO Mayor and Council

FILE NOs. 11-023-SUB & 11-024-DP

FROM Craig Broderick, MCIP
Director of Development
Services & Michelle Austin,
Planning Technician

DATE December 6, 2011

SUBJECT Removal of a Restrictive Covenant on 815 Mt. Ida Drive,
Lot 10, Sec. 23, TP 9, ODYD, Plan KAP76419

1.0 Purpose

The purpose of this memo is to ask for direction from Council regarding the removal of a restrictive covenant on title for the above-noted property.

2.0 Origin

The Development Services Department has received an application to subdivide the subject property into 11 bare land strata lots; however, there are two restrictive covenants on title. One covenant limits residential development to one (1) single-family residence and the other protects the upper area from development based on environmental considerations. For the Approving Officer to consider the application, the first restrictive covenant would have to be removed.

3.0 Background/Discussion

Restrictive Covenants on Title

The Development Services Department recently received an application from the owner of Lot 10, Plan KAP76419 to subdivide the westerly portion of the parcel into 11 bare land strata lots (see attached Concept Plan). The subject property is located at 815 Mt. Ida Drive, adjacent to the City of Vernon/District of Coldstream boundary (see Figure 1).

Review of the Certificate of Title showed that in 2004 two restrictive covenants were registered on title (see attached Plan KAP76420). The District of Coldstream is named as the Approving Authority on the covenants. Covenant No. KW131289 applies to the eastern portion of the subject property and states the following:

1. *Hereafter no buildings, structures or improvements of any kind shall be constructed on that portion of the Lands outlined in heavy black on Reference Plan of Covenant over part of Lot 10, Plan KAP76419, Sec. 23, TP 9, ODYD, prepared by William E. Maddox, BCLS, and dated, August 24, 2004 (the "No-Build Zone"), except for a perimeter fence.*

Covenant No. KW131290 applies to the entire lot and states the following:

2. *From and after the date of the Agreement, [Devco Construction Ltd.] may construct not more than one Single Family Residence on the Lands.*
3. *Except as permitted by section 2, no building, manufactured home or unit, modular home or other structure shall be constructed, re-constructed, moved or located on the Lands.*

As it stands, nothing can be built on the eastern (or upper) portion of the lot and only one (1) single-family residence can be built on the western portion of the lot. The subdivision that created Lot 10 was granted, in part, because of an agreement that this property would not be further subdivided or developed.

Origin of the Restrictive Covenants

In August of 2003, Devco Construction applied to the District of Coldstream to subdivide Lot 33, Plan KAP75931 into 18 single-family residential lots (i.e. File No. 03-036-SUB). In November of 2003, the Approving Officer issued a Preliminary Layout Review (PLR) for the proposed subdivision. In the PLR, the Approving Officer did not approve proposed Lot 10 as a buildable lot for the following reasons:

- 1) *The lot would result in unacceptable environmental impacts and scarring on the hillside from driveway and house construction activities;*
- 2) *The house location and other improvements would be out of character with the development in the surrounding area;*
- 3) *The resultant development will have too drastic an impact on the existing grove of trees located above the steep hillside;*
- 4) *The Fire Chief has indicated that Lot 10 should not be approved, as he has concerns with respect to the ability to deliver fire suppression activities to a house that would be located on Lot 10. He has also expressed concerns related to the potential damage to fire apparatus that could result from driving on a steep driveway;*
- 5) *Most of the Remainder is shown as Open Space in the OCP; and,*
- 6) *The proposed lot would be a panhandle, which would require a Development Variance Permit. Staff would not support a variance for the reduced lot frontage.*

By way of a letter, dated December 15, 2001, the owner (i.e. Mr. McKergow) requested that the Approving Officer reconsider Lot 10 for construction of a single family home:

I would appreciate it if you would reconsider your position on this lot. It is my intention to retain this lot in our family for the immediate future. It would also be my intention to possibly build a single-family home on this site in the future. There is a

nice bench that would accommodate a nice home. We are trying to create estate lots in this subdivision that would allow for larger estate type housing. Building on this site would not be out of character with what we are trying to develop. I am more concerned with the proposed multi-family approval that is right next to this site on the Vernon Side. It is not my intention to later ask for multi-family zoning. I want to retain the site in our family for the immediate future for their enjoyment.

On January 19, 2004, the Approving Officer responded to Mr. McKergow's request as follows:

We thank you for outlining the rationale and background for the proposed lot. The concerns cited in the PLR remain unchanged. As a possible compromise, I would consider a revised lot configuration for proposed Lot 10. The revised lot configuration would need to match the dimensions of land designated Residential in the OCP. The remainder is designated as Open Space. As such, that land must remain undeveloped and in a natural state. If proposed Lot 10 were to be approved as designed, Council would need to first support and approve an OCP amendment. If the land was redesignated, it could then be considered for residential development.

On Monday, March 8, 2004 Mr. McKergow appeared as a delegation before Council requesting that Council consider allowing Devco Construction Ltd. to build one (1) single-family residence on proposed Lot 10 and removing the restrictive covenant on this particular lot. At that meeting, Council passed the following resolution:

AND THAT authority hereby by given to Devco Construction to proceed with the proposed subdivision of Lot 69, Section 23, Township 9, ODYD, Plan KAP46101, except Plans KAP48189, KAP69835, KAP69836 and KAP71720;

AND FURTHER THAT a restrictive covenant be placed on proposed Lot 10 to allow for the construction of one single family residence only and accept Mr. McKergow's undertaking that the driveway could and would be constructed to meet all Coldstream bylaw requirements.

In their resolution above, Council agreed to allow Mr. McKergow to construct one (1) single-family house on Lot 10.

Existing Zoning and OCP Designation

The property in question is currently zoned Residential Single Family (R.1). The portion proposed for subdivision (i.e. the westerly half of Lot 10) is designated as Residential in the OCP. The property is also designated as a Residential Development Permit Area. The objective of this designation is to ensure that subdivisions creating three lots or more do not result in unsafe or hazardous conditions and do not have a negative impact on the natural environment. Any further development of the property would be subject to the development permit process.

Environmental Considerations

The soil erosion potential mapping shows that the risk is low (i.e. expect minor erosion of fines in ditch lines and disturbed soils) for the subject property (see Figure 4). The terrain stability mapping also shows it Class I (i.e. no significant stability problems exist) (see Figure 5). If development does occur on the subject property, drainage works would need to be constructed to ensure there is no impact on the lower existing lots fronting onto Mt. Ida Drive.

The Sensitive Ecosystem Inventory mapping shows the property as having a low Sensitive Ecosystem Ranking on most of the property, with a small portion ranked as high (see Figure 2).

Rationale for Removing Covenant No. KW131290

- The subject property is zoned and designated appropriately for the proposed subdivision;
- Broad scope mapping shows low risk with respect to terrain stability and erosion;
- Broad scale Sensitive Ecosystem Mapping shows mostly low Sensitive Ecosystem Ranking and is not identified as a Core Conservation Zone;
- A large area of land around Lot 10 is already designated as Open Space in the OCP:
 - McKergow Meadows; Lot 2, KAP71720; 8.43 ha (20.83 ac); owned by the District of Coldstream;
 - Remainder Fr. NW ¼, Sec. 23, TP 9; size unknown; owned by the District of Coldstream;
 - Water Reservoir; Lot A, Plan KAP82761; 18.7 ha (46.2 ac); owned by the District of Coldstream;
 - Top of Middleton Mountain; Lot 1, Plan KAP92446; 37.4 ha (92.41 ac); owned by the Regional District North Okanagan; Zoned Park and Open Space (P.1).
- As a condition of subdivision, the lands above the proposed subdivision could be required to be dedicated to the District of Coldstream as park (1.8 hectares / 4.5 acres).
- Through the subdivision process, the District of Coldstream may be able to secure a piece of property that is contiguous to large public holdings;
- The proposed development would generate substantial tax revenue for relatively little to no incremental municipal expenditure (i.e. strata road and servicing, with no new municipal roads to maintain).

Rationale for Keeping Covenant No. KW131290

- Based on principle:
 - the Approving Officer approved the subdivision that created Lot 10, in part, because it was agreed to that only one (1) single-family house would be built;
 - the Council of the day wanted only one (1) single-family house to be constructed on Lot 10 and approved a covenant to ensure this;
 - it is assumed that the property owners along Mt. Ida Drive purchased with an understanding that no further subdivision or development would occur above them; they may be concerned about this land being subdivided and developed.

Options

Option 1: Remove Covenant No. KW131290

This option would allow the Approving Officer to consider the proposed 11 lot subdivision of the westerly portion of Lot 10.

Option 2: Keep Covenant No. KW131290

This option would only allow the construction of one (1) single-family house on the westerly portion of Lot 10. This option would essentially eliminate the possibility of the District of Coldstream obtaining ownership of the upper area (i.e. 1.8 hectares / 4.5 acres).

Option 3 – Send the Request for Removal of Covenant No. KW131290 out for Referral

The PLR, for the subdivision that created Lot 10, cited unacceptable environmental impacts, difficulty with fire suppression, etc. as reasons for refusing development on this lot. This option would entail sending the request out for referral to Director of Engineering, the Fire Chief and the Ministry of Environment to determine if these concerns are still valid. Based on the referral comments, a recommendation could be made to Council as to whether or not the covenant should be removed.

4.0 Conclusion

As noted above, the owner of the subject property would like to remove a covenant which limits residential development to one (1) single-family house. If the covenant is removed, the owner will proceed with an application to subdivide the westerly portion of Lot 10 into 11 bare land strata lots. The covenant was originally put in place due to concerns about environmental impacts, fire suppression challenges, etc.

The property is appropriately designated and zoned for the proposed use. Current broad level mapping does not identify the property as having high environmental values or issues with terrain stability and erosion. However, a detailed environmental site assessment and more refined mapping could highlight areas or features of high environmental significance. A geotechnical study may also find area of geotechnical concern. Such studies can be required as part of the subdivision process or the development permit process.

From a planning perspective, the proposed development of the site represents a good use of land and servicing. This type of 'in-fill' should be encouraged as it provides for growth within an already serviced area.

In contrast, as part of the approval for creating Lot 10, an agreement was reached to protect this parcel from further subdivision and development. Furthermore, the current property owners in the area presumably purchased with the comfort of knowing that that lot would not be subdivided and developed. For this reason, it would seem unfair to allow subdivision of Lot 10.

5.0 Recommendation

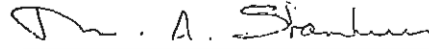
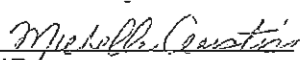
THAT Council support “Option 2: Keep Covenant No. KW131290” and thus continue to only allow one (1) single-family dwelling to be built on the subject property.

Respectfully submitted by,

Reviewed by,



Craig Broderick, MCIP
Director of Development Services &
Michelle Austin, Planning Technician



Michael Stamhuis
Chief Administrative Officer

Attachments



Figure 1: Air Photo of Lot 10 - taken in 2010

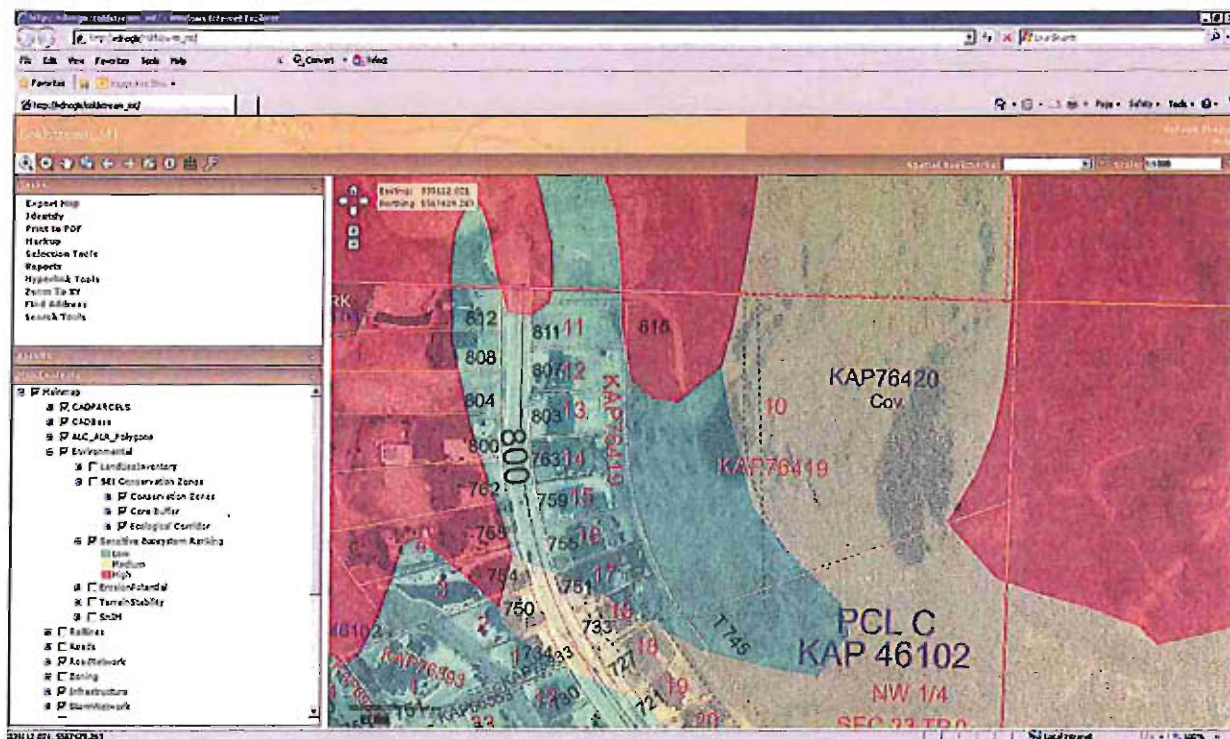


Figure 2: Sensitive Ecosystem Ranking (red = high; yellow = medium; green = low)

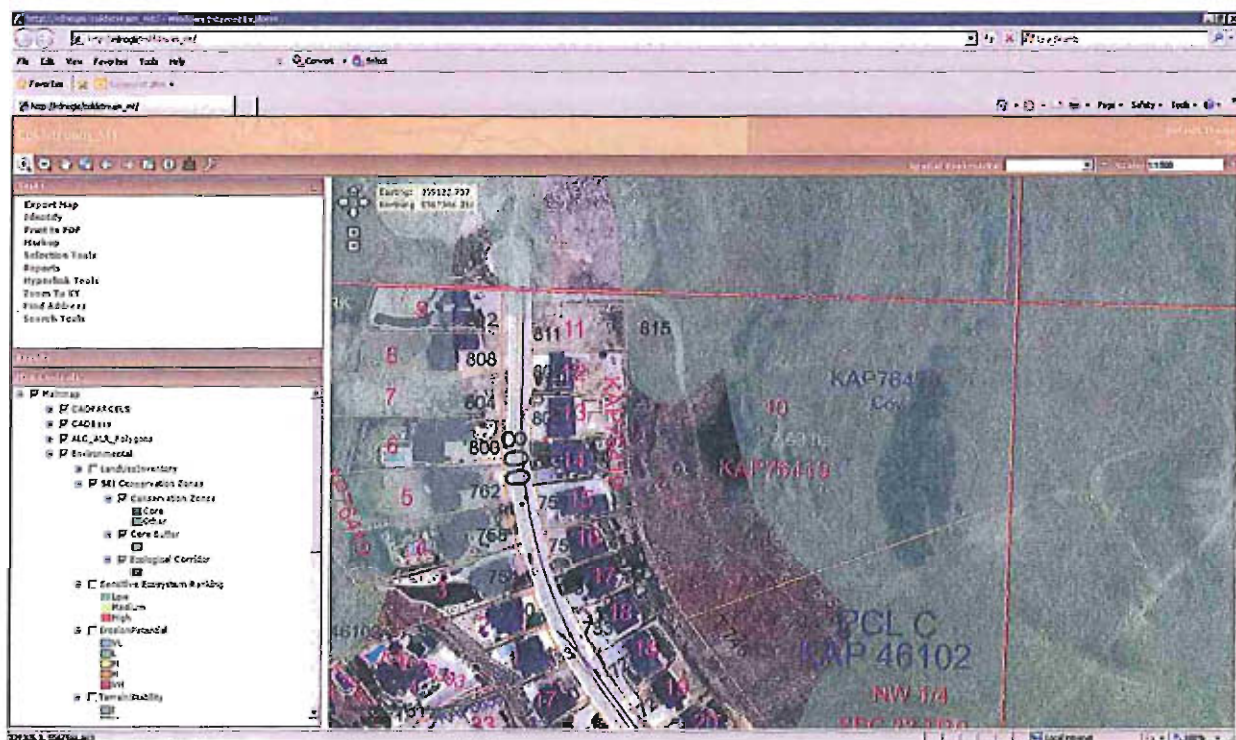


Figure 3: SEI Conservation Zones - Other

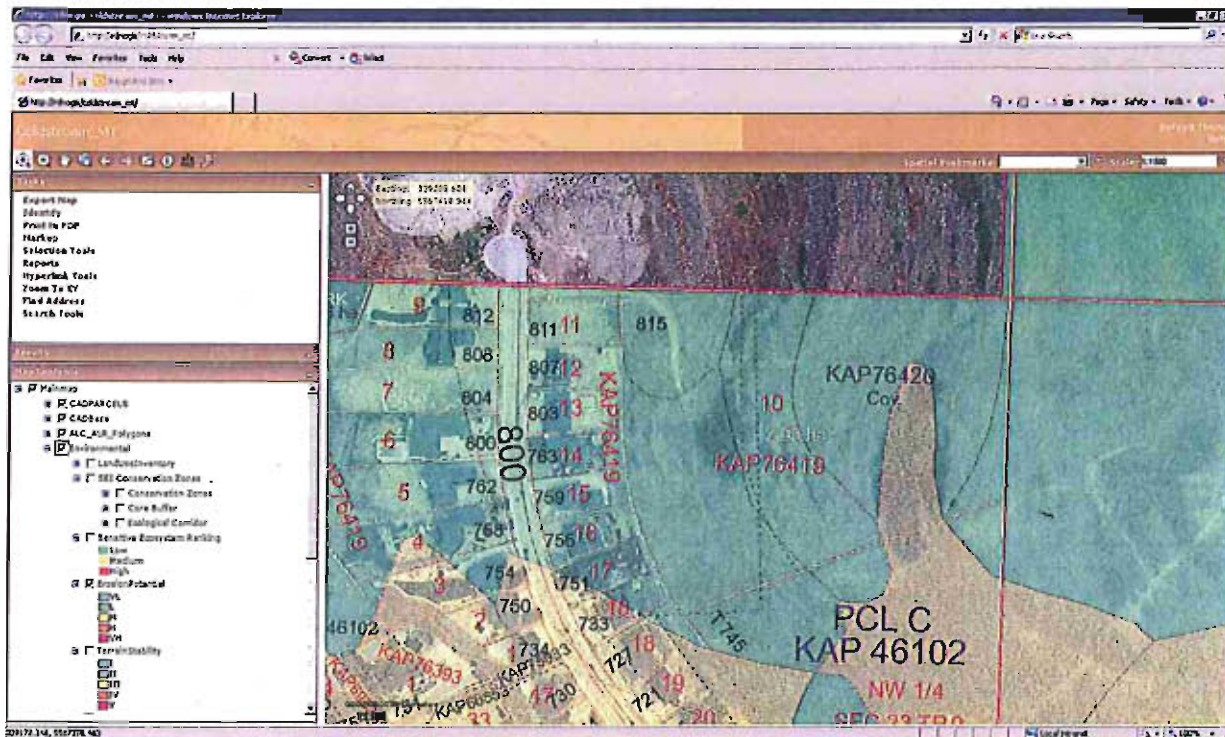


Figure 4: Erosion Potential - green = low

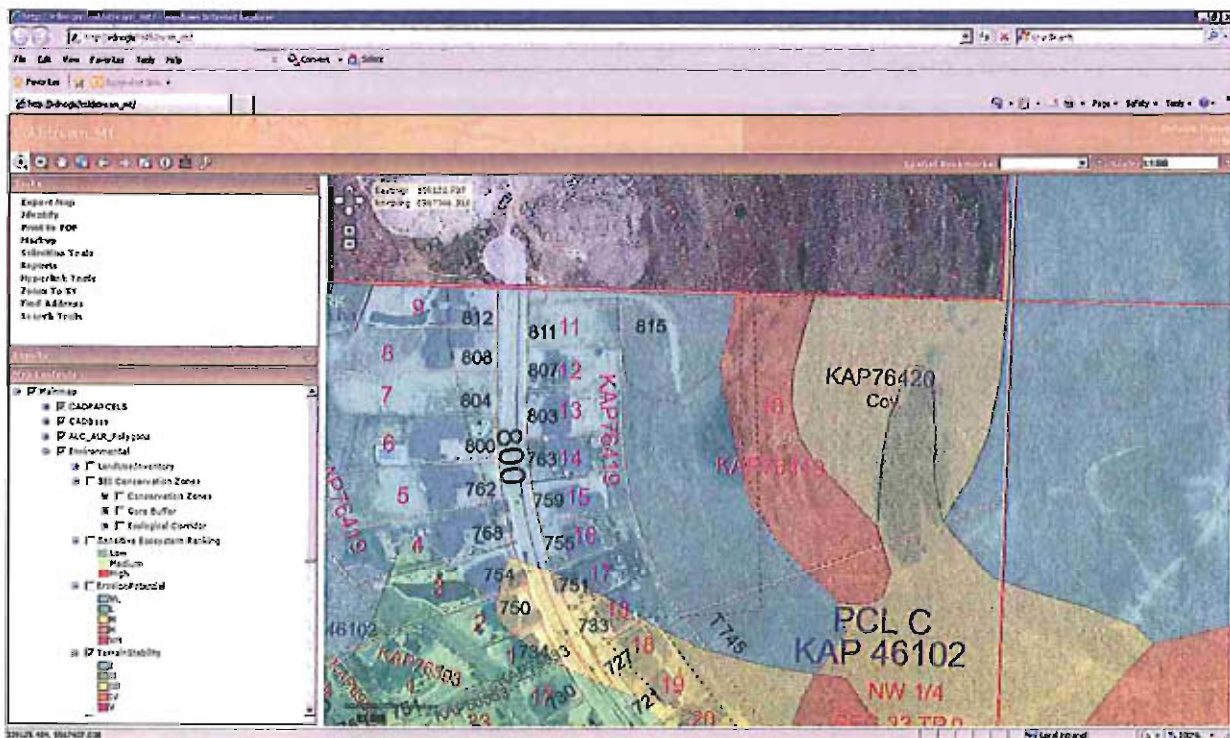


Figure 5: Terrain Stability - Blue - low or medium



DISTRICT OF COLDSTREAM MEMORANDUM

TO Mayor and Council **FILE.** 0360-66, 6520-07
FROM Craig Broderick **DATE** December 12, 2011
Director of Development Services
SUBJECT Kalavista Neighbourhood Plan

1. Purpose

To present Council with the Kalavista Neighbourhood Plan and to request direction with respect to how Council wishes to proceed with the plan.

2. Origin

Director of Development Services

3. Background

Over the course of the last two years, the Kalavista Neighbourhood Advisory Committee has been working with Council and staff on a Neighbourhood Plan. The Kalavista Neighbourhood Plan (KNP) has gone through several drafts. The copy attached dated December 7, 2011 is presented to Council's consideration.

With the exception of the Action Plan at the end of the KNP which was recently completed, the Kalavista Neighbourhood Advisory Committee recommended to Council that they approve the Kalavista Neighbourhood Plan (Draft # 3), as presented at the March 7, 2011 Committee meeting. (KNC2011-012).

The intent of the KNP is to "supplement the Official Community Plan (OCP) and provide additional detailed policy with respect to new growth, redevelopment and service levels within the plan area. The Plan is intended to set out a policy framework for Council to help guide decisions related to land use and servicing changes in the plan area."

The KNP covers many topic areas such as land use, servicing, transportation, operations, safety and environment. It sets out a vision for the plan area, establishes goals intended to help achieve the vision and it provides an action plan to help reach those goals.

Moving forward, there are a range of options available to Council with respect to how to use the KNP. Option 1 – Receive and Endorse. Council can receive and endorse the KNP as a resource document that will help staff and Council with future land use, servicing and operational issues in the future. This approach has been used with the Sarsons Road Pre-Plan. The KNP would also be used when dealing with other government agencies (i.e. RDNO, GVAC, Province of BC). Option 2 – Simple OCP Amendment. Council can direct staff to prepare an OCP Amendment that would essentially serve to adopt the KNP in its entirety as a Schedule to the OCP. This approach was taken with the Bicycle and Pedestrian Master Plan. In this case the actual OCP amendment was comprised of simple policy statements (i.e. 9.4.5. Support the Bicycle and Pedestrian Master Plan, 12.315 Apply the Bicycle and Pedestrian Master Plan to transportation planning and decision making. And, 19.11.5 Implement the Bicycle and Pedestrian Master Plan). Option 3 – Complex OCP Amendment. This option would see the land use and servicing content of the KNP integrated into an OCP amendment.

At the June 6, 2011 meeting, the Kalavista Neighbourhood Advisory Committee passed the following Resolution

"THAT the Kalavista Neighbourhood Advisory Committee recommend to Council that the Official Community Plan be amended to incorporate the Kalavista Neighbourhood Plan".

Either Option 2 or 3 as noted above would accomplish the request of the Kalavista Neighbourhood Advisory Committee

As a general comment, based on the Vision resulting from the process, the KNP does not support any radical changes to existing land use or servicing policies for the area. However, the policy direction related to redevelopment is the type of specific land use policy that is suitable for integrating into the OCP. That section states that:

REDEVELOPMENT STRATEGIES

Strategy #1 – Lakefront Redesignation and Rezoning

Upon submission of an application to amend the Official Community Plan and zoning to convert existing single family lot(s) to a more intense land use (i.e. townhouses, condominium apartments, commercial), ensure that public access to and along the waterfront are secured and that view corridors from Kalavista Drive to Kalamalka Lake are protected.

Strategy #2 – Properties Adjacent to the lagoon Redesignation and Rezoning Upon submission of an application to amend the Official Community Plan and zoning to convert existing single family lot(s) to a more intense land use (i.e. townhouses, condominium apartments, commercial), ensure that public access to and along the lagoon are secured and that view corridors from Kalavista Drive to the Lagoon are protected.

Strategy #3 – Seniors Housing Consider applications from throughout the Plan Area that propose seniors housing development with a preference for supportive seniors housing projects (i.e. Abbeyfield Society style).

Strategy #4 – Sustainable Development Standards Applications for redevelopment are encouraged to include sustainable development features in order to achieve a higher environmental standard as compared to conventional development. Applications achieving LEED or Built Green Certification or other similar standard, may be eligible for increased density or other favourable consideration (i.e. less Development Cost Chargers, lower building permit fees)."

Staff recommend that Council select Option 1 - Receive and Endorse. The rationale for this recommendation is that the KNP does not establish new land use and servicing direction that is substantially different the existing OCP. Further, the direction provided by Option 1 would allow staff to inform prospective investors about the expectations of Council with respect to any potential redevelopment of the area. This approach also provides greater flexibility as opposed to undertaking an OCP amendment. It should be noted that Section 884 of the Local Government Act states that *"All bylaws enacted or works undertaken by a council, ..., after the adoption of an official community plan,...must be consistent with the relevant plan."*

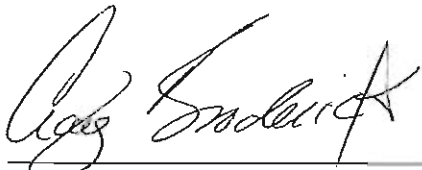
If Option 2 (i.e. Simple OCP Amendment) is adopted, some policies and specific activities that are typically not part of the OCP would become part of the OCP. For instance, actions such as changing boat launch parking lot operating procedures or enhancing RCMP & Bylaw Enforcement likely should not be in the OCP. These are both operational tasks that might help achieve a community goal (i.e. improved safety and transportation). While they may be a worthwhile goal, having it in the OCP may not be practical. One consideration is that these topics or tasks are under the jurisdiction of other agencies. Another is that by having such goals adopted into the OCP, it may eliminate options or reduce flexibility in terms of how to deal with community or neighbourhood issues. As noted above, all bylaws and works must be consistent with the OCP.

4. Conclusion

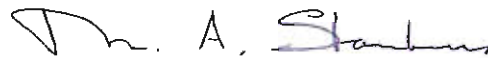
The KNP is a result of a collaborative effort that has resulted in plan that touches on a range of topics. Some of these topics are suitable for incorporating in the OCP (i.e. redevelopment strategies) while others are not (i.e. policing, traffic management). The KNP does not recommend changes to the existing OCP in terms of land use or servicing. As such, an OCP amendment is not warranted. If an OCP amendment is desired by Council then Option 3 – Complex Amendment would be recommended. In that way, certain provisions of the KNP, that are appropriate to be include in an OCP, can be incorporated in the OCP amendment and prepared for consultation and feedback from the public at large. Those provisions would focus on planning, land use management and servicing for the area.

5. Recommendation

It is recommended to Council receive and endorse the Kalavista Neighbourhood Plan dated December 7, 2011.



Submitted by Craig Broderick
Director of Development Services

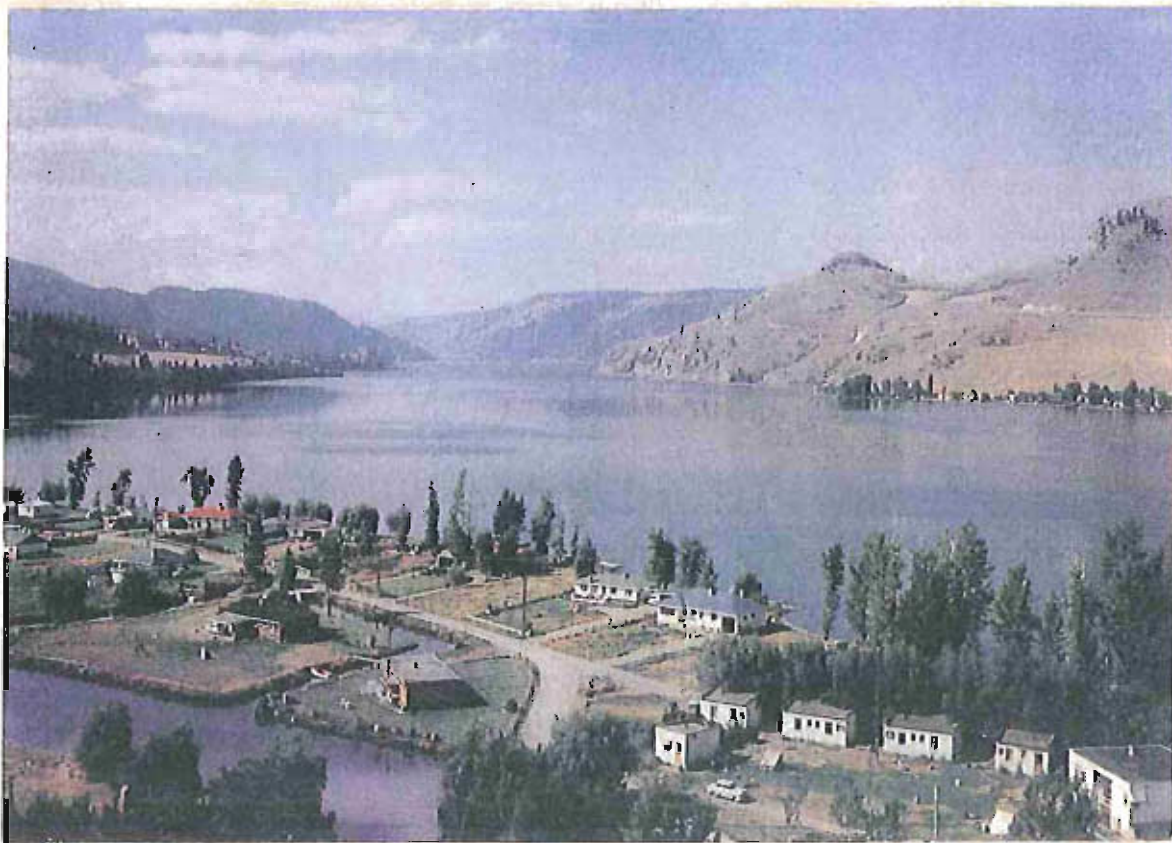


Reviewed by Michael Stamhuis
Chief Administrative Officer

Attachments

Kalavista Neighbourhood Plan

December 7, 2011



"Beautiful Lake Kalamalka, Looking South"

Background

Located in the western section of the District of Coldstream, the Kalavista Neighbourhood is a unique part of the community. The established residential neighbourhood hosts a range on land uses making it a focal point of the District of Coldstream.



Purpose of the Neighbourhood Plan

The purpose of the Kalavista Neighbourhood Plan is to supplement the Official Community Plan (OCP) and provide additional detailed policy with respect to new growth, redevelopment and service levels within the plan area. The Plan is intended to set out a policy framework for Council to help guide decisions related to land use and servicing changes in the plan area.

The Neighbourhood Plan does three essential things. It provides a VISION for the plan area, establishes GOALS intended to help achieve the vision and it provides an ACTION PLAN to reach those goals.

Scope of the Neighbourhood Plan

With respect to land use and services, municipalities in British Columbia are largely governed by the Local Government Act (LGA). Part 26 of the LGA identifies the necessary components of an OCP and outlines consultation and adoption regulations. If any aspect of this neighbourhood plan is integrated into the OCP, the content of the amendments must stay within the legislative framework established within the LGA.

History of Area

The area that is now referred to as the Kalavista area was part of the Long Lake Indian Reserve No. 5 as established in 1876. The head of Kalamalka Lake was traditionally used for growing crops, collecting reeds for baskets and mats as well as fishing for Kokanee in the fall. The reserve status was changed based on the results of a Federal and Provincial Royal Commission in 1916. In 1984, the Federal and Provincial Governments paid the Okanagan Indian Band for the alienated lands (An Early History of Coldstream and Lavington, Anne Pearson).

According to Dr. Margeret Ormby's 'Coldstream - Nulli Secundus', the Kalavista Subdivision was Coldstream's first subdivision with Plan 4068 being registered in 1947 which created 105 residential lots. The Torrent Drive subdivision created an additional 24 lots in 1959. Some of these lots were used for two family dwellings.

Based on concerns related to water quality of Kalamalka Lake, sanitary sewer for the area was installed around 1970. That infrastructure provided for additional growth capacity in the immediate vicinity and to the south of the Kalavista area. The Summertree on the Lake townhouse development illustrated the increased density that was made possible by the sanitary sewer. That development resulted in 50 units being developed on 5.2 acres.

Based on the 237 households within the Plan area, including 61 townhouses, the estimated plan area population is about 640 based on 2.7 persons per household (i.e. 2006 BC Stats Census Profile, Coldstream average). This population estimate is likely somewhat high due to the demographics of the Kalavista area. Also, based on the survey results outlined later in this plan, about one-third of the plan area population resides part time in the neighbourhood.

Boundaries of Kalavista Neighbourhood Plan

As illustrated on Map 1, and as endorsed by Council at their Regular Meeting on June 8, 2009, the boundaries of the Kalavista Neighbourhood Plan encompass the area: between Kalamalka General Store; the rail trestle; Kalamalka Beach Parking lot; the properties between Kalamalka Road and the railway track up to Kidston Road; and Kidston Road between Kalamalka Road and Summertree on the Lake strata complex. This area is referred to the Plan Area in this document.

Map 1 - Boundaries of Kalavista Neighbourhood Plan



Key Land Uses, Characteristics and Influences Within the Plan Area

The Plan Area has several key land uses, characteristics and influences that impact the neighbourhood. Those include:

Predominance of single family dwellings;
Kalamalka Lake;
Kalamalka Beach;
Kalamalka Beach Parking lot;
CN Rail line;
Alexander's Beach Neighbourhood Pub and Liquor Store;
Kalavista Boat Launch and Parking Lot;
Lagoon, park and tennis courts;
Summertree on the Lake Townhouses;
Kidston Elementary School;
Creekside Park;
Lands between Kirkland Drive and Kidston Road; and,
Kalamalka General Store.

Key Land Uses, Characteristics and Influences Outside the Plan Area

As with any neighbourhood, the Kalavista area is part of the larger community and is influenced by local and regional factors. These include:

Kalamalka Road being an arterial route connecting Highway 6 to Highway 97;
College Way (i.e. formerly referred to as the Grid Road);
Okanagan College;
Dutch's Campground; and,
Central Coldstream Neighbourhood to the east.
The Kalavista area forms part of a popular walking, running and cycling network (i.e. Kalamalka Road/Coldstream Creek Road route)
Kalamalka Provincial Park

Neighbourhood Plan Origin

The concept of a neighbourhood plan was discussed at the November 2, 2009 meeting of the Kalavista Neighbourhood Committee. Those Minutes were adopted by Council at their Regular Meeting held Monday, November 23, 2009. The work program for the neighbourhood plan was subsequently refined by the Committee and Council.

Survey Highlights

At their Regular Meeting, held February, 2010, Council passed the following Resolution No. REG2010-082:

THAT the Proposed Survey be approved as amended and sent out to the property owners and occupants in the Kalavista Neighborhood Area.

In the spring of 2010, a mail out survey was conducted in the Plan Area. Out of 333 surveys that were distributed, a total of 102 were returned. The staff report describing the results of the survey is attached for reference.

Some of the key findings of the survey are outlined below.

- Most residents are satisfied with the neighbourhood and are concerned about the future of the area.
- In terms of land uses, the beach, lagoon, tennis courts, Alexander's Pub and the General Store all were seen as beneficial. The survey results showed a slightly positive response for the boat launch and parking lot.
- In terms of future land use, the results indicate that residents do not want to see much change and that they prefer the predominance of single family dwellings.
- The Log House located at 8505 Kalavista Drive was strongly supported as a potential future park site (69% of respondents chose Park as a preferred future land use).
- With respect to the boat launch, 77% of respondents support keeping the boat launch open as either a regional or local facility. It is interesting to note that 64% of the respondents own a boat with 46% responding that they use the Kalavista boat launch and only 12% use the boat launch parking lot. With respect to paying to use the boat launch parking lot, 57% indicated a willingness to do so.
- A note worthy finding is that 68% live in the area year round.

Neighbourhood Attributes

As part of the neighbourhood plan process, the Kalavista Neighbourhood community has itemized the key attributes of the plan area. These attributes were used to help develop the vision for the plan area.

Based on the input from the Committee, the following are key attributes of the Kalavista neighbourhood:

Kalamalka Lake;
Lagoon;
Kal Beach;
flat topography;
mature trees;
lake access;
creek;
wildlife;
proximity to Vernon amenities;
proximity to hospital;

existing commercial operations (Alexander's and Kal store);
open spaces;
proximity to Highway 97;
proximity to College;
proximity to Grid Road;
good schools;
public transit;
close to provincial park;
close to agriculture;
close to Mackie House;
parks;
climate;
aesthetics, cottage type neighbourhood (lanes, trees, etc.);
demographics of the area;
seasonal occupation by residents; and,
zoning.

Vision

At the August 25, 2010 Meeting of the Kalavista Neighbourhood Committee, the following points were articulated as the Vision for the Plan Area.

- **Preserve and enhance the integrity of the Natural Environment;**
- **Preserve and enhance the single family character of the area;**
- **Preserve and enhance the parks and public lands;**
- **Promote year-round, active transportation (i.e. non-motorized activities such as walking, running, cycling, kayaking, canoeing) both on land and water;**
- **Promote safe interaction between the community and environment.**

The vision for the neighbourhood serves to provide a framework and action steps for the neighbourhood plan. Where relevant, the appropriate vision statement is highlighted in the following sections.

Residential Goals

Vision: *Preserve and enhance the single family character of the area.*

Goals

Retain existing zoning pattern of predominantly R1- Single Family dwellings and recognize the other existing residential zones (i.e. R2 for Torrent Drive, R3 for Summertree and the lands between Kirkland Drive and Kidston Road).

Retain the existing zoning regulations with respect to height of houses, and lot coverage.

Prepare a zoning bylaw amendment that would apply to portions of the Kalavista Neighbourhood to limit the side yard fence height to minimize impact on adjacent properties. The draft wording for the amendment is as follows:

'Notwithstanding other provisions of this bylaw, for properties within the Kalavista Neighbourhood (i.e. Kalamalka Road, Kalavista Drive, Kirkland Drive, Jaques Drive, Tebo Drive, Postill Drive, Cottonwood Lane, Torrent Dr.) having an average natural slope of 5% or less, fence heights as noted in this bylaw shall be calculated based on elevations of the centre-line of the road immediately in front of the lot.'

REDEVELOPMENT STRATEGIES

Strategy #1 – Lakefront Redesignation and Rezoning

Upon submission of an application to amend the Official Community Plan and zoning to convert existing single family lot(s) to a more intense land use (i.e. townhouses, condominium apartments, commercial), ensure that public access to and along the waterfront are secured and that view corridors from Kalavista Drive to Kalamalka Lake are protected.

Strategy #2 – Properties Adjacent to the lagoon Redesignation and Rezoning

Upon submission of an application to amend the Official Community Plan and zoning to convert existing single family lot(s) to a more intense land use (i.e. townhouses, condominium apartments, commercial), ensure that public access to and along the lagoon are secured and that view corridors from Kalavista Drive to the Lagoon are protected.

Strategy #3 – Seniors Housing

Consider applications from throughout the Plan Area that propose seniors housing development with a preference for supportive seniors housing projects (i.e. Abbeyfield Society style).

Strategy #4 – Sustainable Development Standards

Applications for redevelopment are encouraged to include sustainable development features in order to achieve a higher environmental standard as compared to conventional development. Applications achieving LEED or Built Green Certification or other similar standard, may be eligible for increased density or other favourable consideration (i.e. less Development Cost Chargers, lower building permit fees).

Commercial Goals

Goals

Recognize the existing commercial uses: Alexander's' Neighbourhood Pub (C7 as attached); and, Kalamalka General Store (C1 as attached) as being part of the unique character of the area.

Review the C7 zone in order to establish appropriate uses and development regulations for the eventual redevelopment of the site. Public access for cycling and pedestrians from Kalavista Drive to Kalamalka Beach will be required as part of any redevelopment of the subject property

Public Places Goals

Vision: Preserve and enhance the parks and public lands.

Goals

Upgrade the park land near the tennis courts and include benches and lights to encourage skating on the lagoon. Improved access to Kalamalka Road with a path and stairs, if required, would be beneficial.

Upgrade Tebo Drive Park to encourage increase usage of the public amenity

Upgrade Postill Drive Park to a passive facility that can include a bench or picnic table.

Maintain the boat launch at its current size.

Boat launch parking may not be expanded beyond its current size.

Encourage or support the implementation of a 'pay to park' system at the boat launch parking lot.

Encourage or support the boat launch parking lot to be used by all users from September to June. Encourage or support that the boat launch parking lot be restricted to vehicles with trailers or 'car topper' passes in July and August.

Consider options of using Kalamalka Beach or Boat Launch parking lot during off season (i.e. car pooling, ride share).

Employ attendants in the summer months to improve launching, parking and traffic flow.

Encourage or support upgrading Creekside Park with a perimeter trail to encourage more active living, better park usage and improved integration with the Kalavista Neighbourhood.

Encourage and improve pedestrian and traffic safety along Kalamalka Road in the vicinity of Kalamalka Beach.

Install and maintain garbage/recycling receptacles and dog waste bag dispensers in all parks/public places and lake access points.

Transportation Goals

Vision: Promote year-round, active transportation both on land and water.

Vision: Promote safe interaction between the community and environment.

Goals

Recognize the influence of Kalamalka Road being an arterial route through the neighbourhood.

Recognize that traffic volumes may increase on Kalamalka Road upon completion of College Way (Grid Road).

Recognize that the roads in the area (i.e. Kalavista Drive; Postill Drive; and, Kidston Road) traverse the neighbourhood and form part of the overall community road network.

Recognize that the Boat Launch and parking form part of the neighbourhood. Implement a 'pay to park' system at the boat launch parking lot.

Implement traffic calming on Kalamalka Road, Kalavista Drive, Postill Drive and Kidston Drive provided the need is established through research.

Upgrade the pedestrian connection between the boat launch and boat launch parking in order to minimize conflict between vehicles, cyclists and pedestrians.

Upgrade the pedestrian crossing to Kalamalka Beach parking lot.

Improve parking at Kalamalka Beach Parking lot and Creekside Park.

Plan for a potential roundabout at Kidston Road as well as upgrades to the creek crossing at Kidston Road.

Improve pedestrian and cycling connections along Kidston Road from Kalamalka Road to Kidston School and onto the Kalamalka Provincial Park.

Ensure that development of the lands between Kirkland Drive and Kidston Road are accessed off Kidston Road. Further, ensure that pedestrian and cycling access through these lands is secured at the time of development.

Ensure that transit is considered as part of any land use and service changes and that transit continues to serve the Kalavista Neighbourhood (i.e. beach, Kalamalka Road).

Safety Goals

Vision: Promote safe interaction between the community and environment.

Goals

Encourage the RCMP to devote adequate resources for the area especially in the summer months.

Ensure adequate resources are committed for bylaw enforcement by the District of Coldstream especially in the summer months.

Encourage upgrades to lighting at the entrance to Alexanders' Neighbourhood Pub.

Ensure infrastructure investment in the area is designed to decrease conflict between vehicles and other road users (i.e. pedestrians and cyclists).

Environmental Goals

Vision: Preserve and enhance the integrity the Natural Environment

Goals

Encourage lakefront, lagoon and creekside owners – including all levels government, to improve the riparian conditions of their properties.

Continue to pursue riparian upgrades for the Kalavista Park.

In consultation with Interior Health and Greater Vernon Water, implement water quality improvements in order to help restore water quality and habitat values of the lagoon.

Action Plan

Based on the Vision and Goals outlined in this Plan, this section provides an action plan or 'list of things to do' in order to implement as many provisions of the plan as possible. The action items range from simple tasks to complex efforts that will take time and will involve several parties. Where feasible, similar actions have been grouped together to avoid duplication.

Action 1 – Amend Zoning Bylaw to Change Fence Heights.

Policy Area – Residential.

Resources/Costs – Staff time and advertising.

Parties Involved – Staff and Council.

Time Frame – Completed.

Action 2 – Review C7 Resort Commercial Zone.

Policy Area – Commercial.

Resources/Costs – Staff time and advertising.

Parties Involved – Staff, Council, land owner, and the public.

Time Frame – 2012.

Notes - Review the C7 zone in order to establish appropriate uses and development regulations for the eventual redevelopment of the site. Public access for cycling and pedestrians from Kalavista Drive to Kalamalka Beach will be required as part of any redevelopment of the subject property. Work with the land owner to explore future options for the site.

Action 3 – Upgrade Kalavista Park.

Policy Area – Public Places.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – Staff, Council, GVAC, and the public.

Time Frame – 2012. Ongoing.

Notes - Upgrade the park land near the tennis courts and include benches and lights. Explore possibilities to encourage skating on the lagoon – either from the Kalavista Park side or from the Log House side. Improve access to Kalamalka Road with a path and stairs, if required, would be beneficial. A portion of this site has also been identified for turtle habitat enhancement. As the Log House property (i.e. 8505 Kalavista Dr) has been acquired by RDNO for park purposes, any assessment of Kalavista Park should consider and incorporate plans for the Log House property.

Action 4 – Upgrade Tebo Park.

Policy Area – Public Places.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – GVAC, staff, Council & local residents.

Time Frame – 2012 consultation, 2013 implementation.

Notes – Explore options to upgrade Tebo Drive Park to encourage increase usage of the public amenity (i.e. possible play structure and bench).

Action 5 – Upgrade Postill Drive Park.

Policy Area – Public Places.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – GVAC, staff, Council & local residents.

Time Frame – 2012 consultation, 2012 implementation.

Notes - Upgrade Postill Drive Park to a passive facility that can include a creekside bench or picnic table.

Action 6 – Pay to Park System.

Policy Area – Public Places/Transportation.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – Staff, Council, GVAC.

Time Frame – Spring 2012.

Notes - Encourage or support the implementation of a ‘pay to park’ system at the boat launch parking lot.

Action 7 - Boat Launch Parking Lot Operational Changes.

Policy Area – Public Places.

Resources/Costs – Staff time, signage, installation, maintenance and advertising.

Parties Involved – Staff, Council, GVAC.

Time Frame – Initiate 2012, ongoing.

Notes - Encourage or support the boat launch parking lot to be used by all users from September to June. Encourage or support that the boat launch parking lot be restricted to vehicles with trailers or ‘car topper’ passes in July and August. Consider options of using Kalamalka Beach or Boat Launch parking lot during off season (i.e. car pooling, ride share).

Action 8 – Boat Launch and Parking Lot Attendants.

Policy Area – Public Places.

Resources/Costs – Contract or employee costs.

Parties Involved – Staff, Council, GVAC

Time Frame – Possible start in 2012.

Notes - Employ attendants in the summer months to improve launching, parking and traffic flow. May be able to alter contract with parking enforcement to include boat launch assistant.

Action 9 – Creekside Park Improvements.

Policy Area – Public Places.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – Staff, Council, GVAC.

Time Frame – Future budget consideration

Notes - Encourage or support upgrading Creekside Park with a perimeter trail to encourage more active living, better park usage and improved integration with the Kalavista Neighbourhood as it is a popular walking destination. The proposed perimeter trail could be fairly flat, about 1km long and offer a safe, smooth surface for a range of park users (i.e. children, seniors, people with disabilities, dog walkers). Explore possibilities of changing the south section of the park to permit dogs on-leash.

Action 10 – Upgrade Kalamalka Beach and Area.

Policy Area – Public Places.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – Staff, Council, GVAC, City of Vernon.

Time Frame – Pedestrian crossing built in 2012. Future budget consideration.

Notes – As per the Bicycle and Pedestrian Master Plan, encourage and improve pedestrian and traffic safety along Kalamalka Road in the vicinity of Kalamalka Beach. Focus of work can be: an overall park plan for the beach and parking lot; a multi-use pathway running parallel to Kalamalka Road, from Alexanders’ to Westkal Crosswalk/Kalamalka General Store and connect to the recently replaced pier; and, upgraded fencing, lighting and landscaping to improve the safety and aesthetics of the area.

Action 11 – Garbage/Recycling Control.

Policy Area – Public Places.

Resources/Costs – Staff time, materials, installation, and maintenance.

Parties Involved – Staff.

Time Frame – 2012.

Notes - Install and maintain garbage/recycling receptacles and dog waste bag dispensers in all parks/public places and lake access points.

Action 12 – Upgrade the pedestrian connection between the boat launch and boat launch parking.

Policy Area – Transportation.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – Staff, Council.

Time Frame – 2012.

Notes - Upgrade the pedestrian connection between the boat launch and boat launch parking in order to minimize conflict between vehicles, cyclists and pedestrians. This will benefit all users of the area including: residents; boaters; walkers; runners; and, drivers. Would involve creating an off-road path or sidewalk in front of Log House property (i.e. 8505 Kalavista Dr).

Action 13 - Upgrade the pedestrian crossing to Kalamalka Beach parking lot.

Policy Area – Transportation.

Resources/Costs – Staff time, design, consultants, materials, installation, and maintenance.

Parties Involved – Staff, Council.

Time Frame – Ramp completed 2011. Pedestrian activated crosswalk still to be completed.

Notes - Upgrade the pedestrian crossing to Kalamalka Beach parking lot.

Action 14 - Improve parking at Kalamalka Beach Parking lot and Creekside Park.

Policy Area – Transportation.

Resources/Costs – Staff time, design, materials, installation, and maintenance.

Parties Involved – Staff, Council, GVAC, City of Vernon.

Time Frame – 2012 & future budgets.

Notes - Improve parking at Kalamalka Beach Parking lot and Creekside Park.

Action 15 – Kidston/Kalamalka Roundabout.

Policy Area – Transportation.

Resources/Costs – Staff time, design, consultants, materials, installation, and maintenance.

Parties Involved – Staff, Council.

Time Frame – Ongoing budget consideration for capital projects. Land to be secured 2012.

Notes - Plan for a potential roundabout at Kidston Road as well as upgrades to the creek crossing at Kidston Road.

Action 16 – Kidston Road Upgrades.

Policy Area – Transportation.

Resources/Costs – Staff time, design, consultants, materials, land, installation, and maintenance.

Parties Involved – Staff, Council, land owners.

Time Frame – Phase 1 Completed 2011 Palfrey Drive to Red Gate, Phase 2 designed, applying for a grant in 2012. Connection to Kirkland Drive from Kidston Rd is dependent upon landowner permission or development of subject property.

Notes - Improve pedestrian and cycling connections along Kidston Road from Kalamalka Road to Kidston School and onto the Kalamalka Provincial Park.

Action 17 – RCMP & Bylaw Enforcement Presence.

Policy Area – Safety.

Resources/Costs – RCMP & GVAC budget.

Parties Involved – Staff, Council, RCMP, GVAC, RDNO staff.

Time Frame – 2012.

Notes - Encourage the RCMP to devote adequate resources for the area especially in the summer months. Ensure adequate resources are committed for bylaw enforcement by the District of Coldstream especially in the summer months.

Action 18– Encourage upgrades to lighting at the entrance to Alexanders’ Neighbourhood Pub.

Policy Area – Safety.

Resources/Costs – Staff time.

Parties Involved – Staff & land owners.

Time Frame – 2012.

Notes - Encourage upgrades to lighting at the entrance to Alexanders’ Neighbourhood Pub.

Action 19 – Improve Riparian Conditions in the Area.

Policy Area – Environmental.

Resources/Costs – Staff time, educational materials, plant materials.

Parties Involved – Staff, volunteers, consultants, private land owners, Interior Health, Ministry of Environment, Ministry of Forests, Lands, and Natural Resource Operations.

Time Frame – Ongoing.

Notes - Encourage lakefront, lagoon and creekside owners – including all levels government, to improve the riparian conditions of their properties. Continue to pursue riparian upgrades for the Kalavista Park. In consultation with Interior Health and Greater Vernon Water, implement water quality improvements in order to help restore water quality and habitat values of the lagoon.

Major Subdivision Plans

PROVISIONAL PLAN NO P2551
Filed 14th January 1947

MAP No. 4068
Deposited 18th Nov. 1947

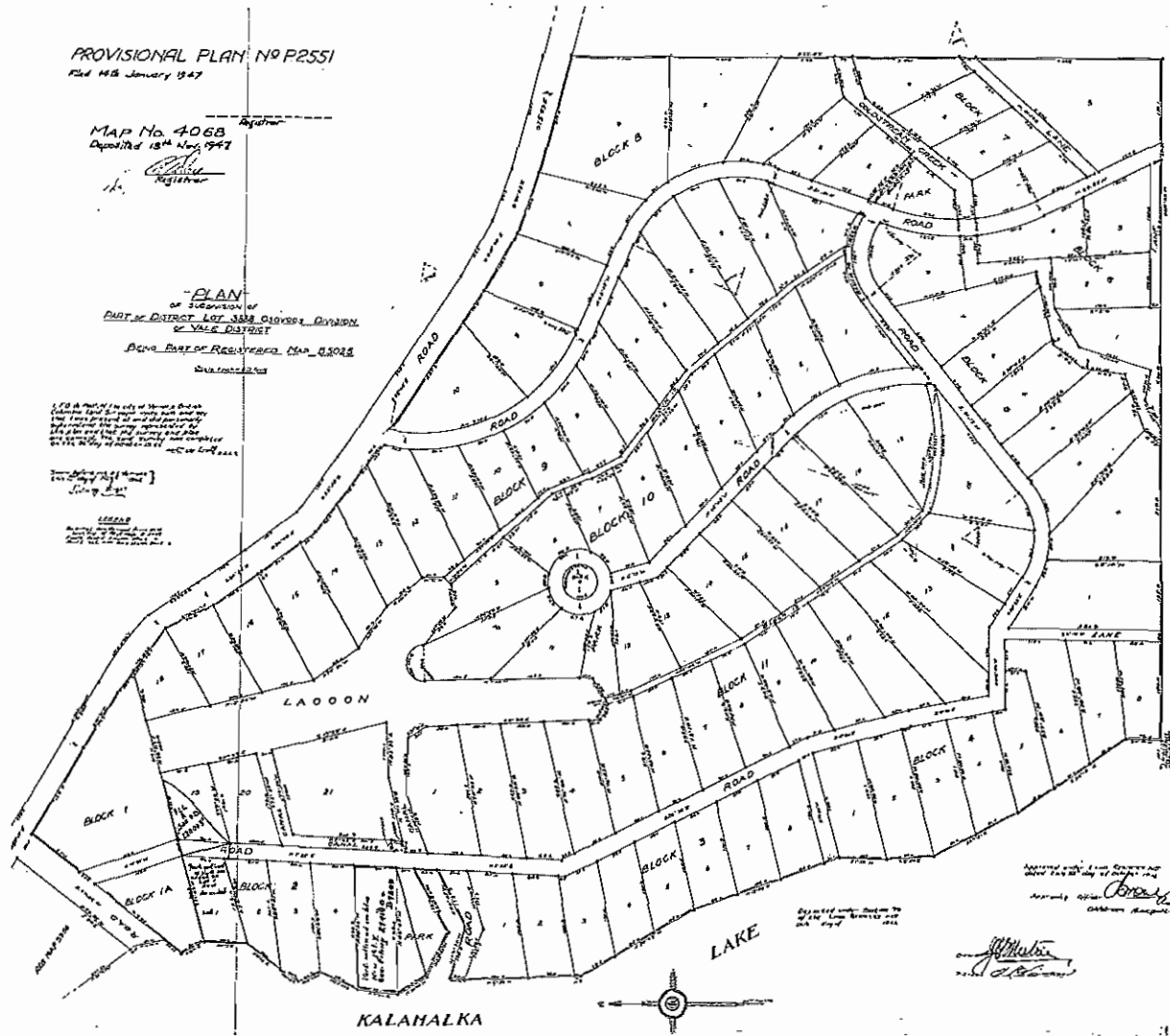
[Signature]
Registrar

"PLAN"
of SUBDIVISION of
PART of DISTRICT LOT 3488 DIVISION
of VALLA DISTRICT
Being Part of Registered Map 32028
Subdivision

I, P. B. Smith of the City of Victoria, the
Cadastral Engineer, do hereby certify that
this plan is a true and correct copy of
the original plan as deposited with me
on the 18th day of November 1947.

Witness my hand and seal
this 19th day of January 1947.

LEGEND
As shown on the plan
and the accompanying map.



Approved and filed for registration
this 14th day of January 1947.
[Signature]
Registrar

[Signature]
P. B. Smith
Cadastral Engineer

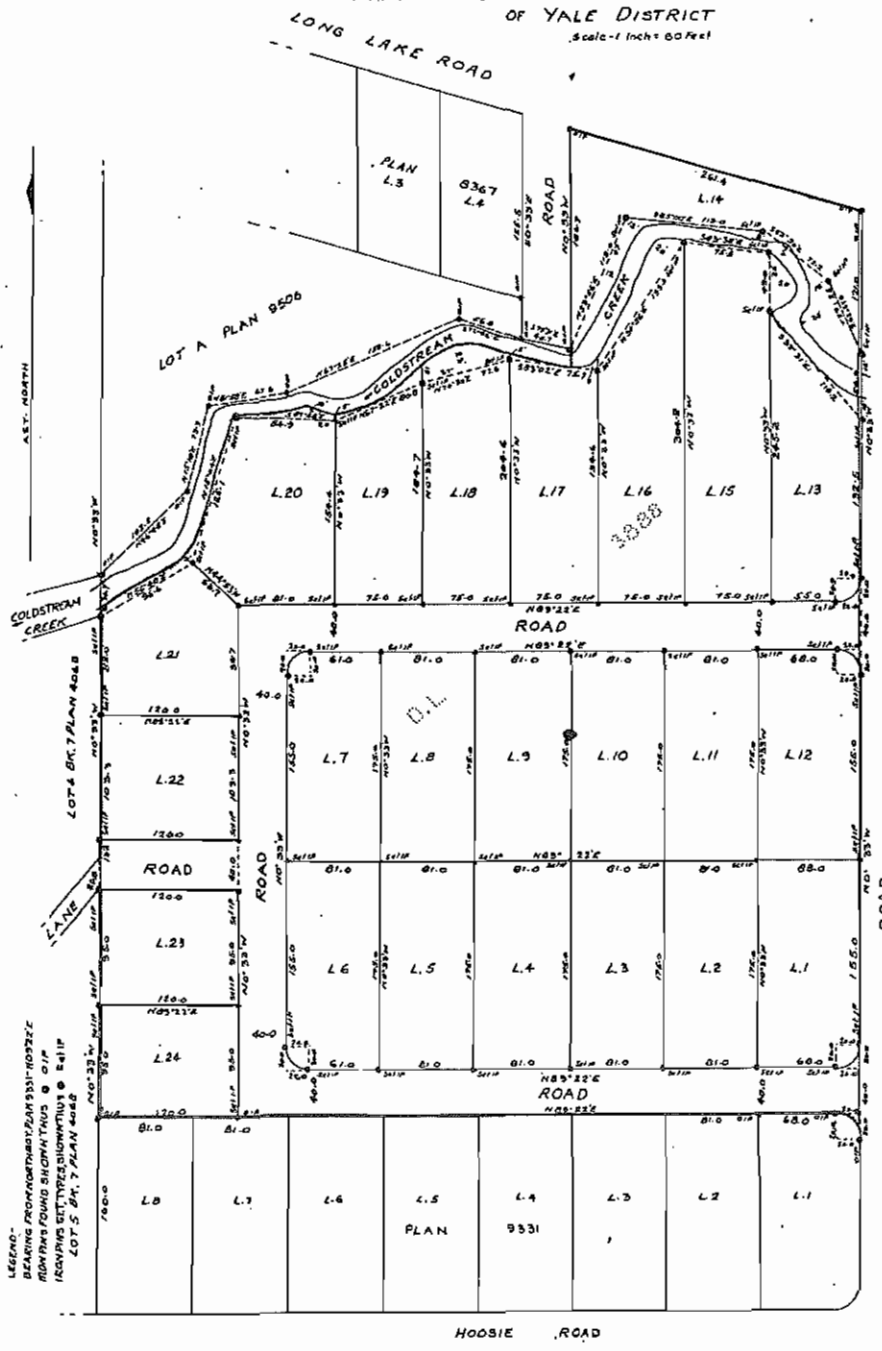
20-NO-304

PLAN OF SUBDIVISION OF PART OF DISTRICT LOT 3888 OSOYOOS DIVISION OF YALE DISTRICT

Scale - 1 inch = 60 feet

PLAN NO. 9708 DEPOSITED IN LAND REGISTRY OFFICE AT KAMLOOPS THIS 26 DAY OF JUNE 1959

REGISTRAR



LEGEND: BEARING FROM MAGNETIC NORTH IS 100° 22' 22" E IRVING'S POINT SHOWN WITHIN 1/4" OF 1/4" IRVING'S POINT SHOWN WITHIN 1/4" OF 1/4" LOT 5 PLAN 9448

APPROVED UNDER LAND REGISTRY ACT THIS 17 DAY OF April 1959 APPROVED OFFICER GOLDSTREAM MUNICIPALITY

I, E.G. de Vries, British Columbia Land Surveyor or more oath and duty, have surveyed and do personally substantiate the survey represented by this plan and the survey and plan are correct. The said survey was completed on the 17 day of April 1959. SHOWN BEFORE ME AT THE CITY OF VERMONT THIS 11 DAY OF June 1959

Witness: [Signature] [Signature]

PLAN OF SUBDIVISION OF PART OF DISTRICT LOT 3888
OSOYOOS DIVISION OF YALE DISTRICT

SCALE ONE INCH = 100 FT.

PLAN No. 9331

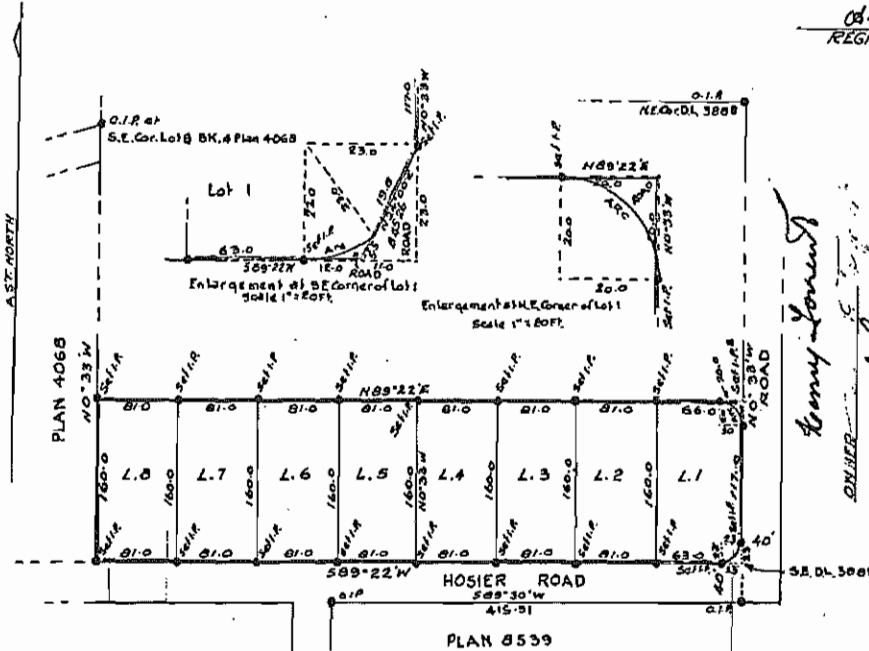
DEPOSITED IN LAND REGISTRY

OFFICE AT KAMLOPS THIS

2ND DAY OF DEC 1958

O.D. Smith
REGISTRAR

LEGEND:
BEARING FROM EAST BOUNDARY D.L. 3660 - N0°33'W
AND NORTH BOUNDARY PLAN 8539
IRON PINS FOUND SHOWN THUS ● O.I.P.
IRON PINS SET, TYPES SHOWN THUS ● S&I.R.



Amey Young
ON HER BEHALF
WITNESS *M. J. Smith*
1015 100th

I, F.G. de Wolf, British Columbia Land Surveyor make oath and say that I was present and did personally superintend the survey represented by this plan and that the survey and plan are correct. The said survey was completed on the 12th day of June 1958

SUBSCRIBED BEFORE ME AT THE CITY OF VERNON
THIS 17th day of June 1958
F.G. de Wolf
A Notary Public in and for the Province of British Columbia

APPROVED UNDER MUNICIPAL ACT

THIS 24 DAY OF JUNE 1958

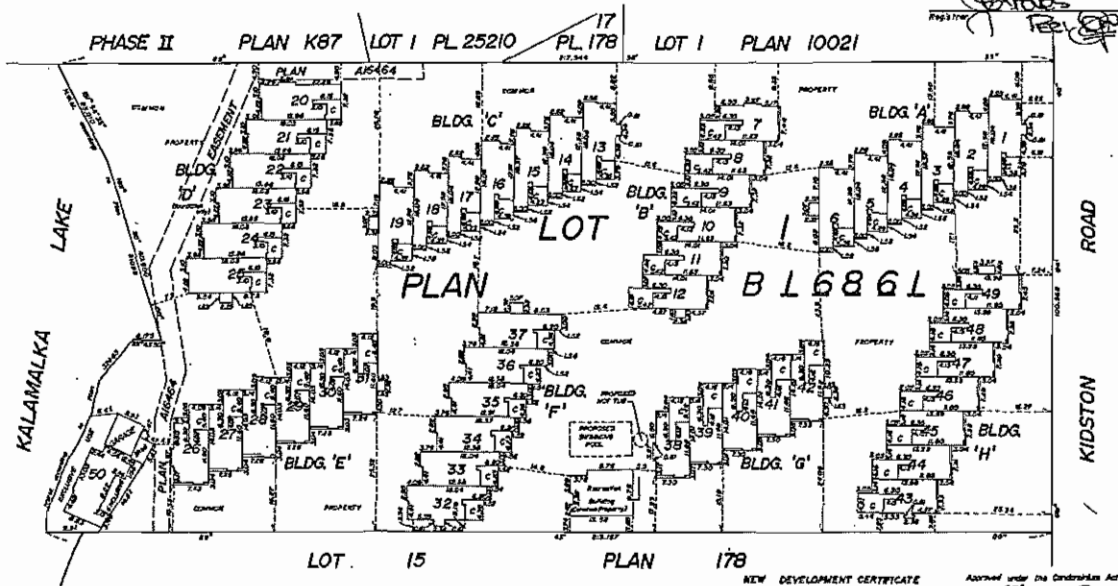
R.H. Blackwood
APPROVING OFFICER COLUSTREAM MUNICIPALITY
Reapproved 28 October 1958
R.H. Blackwood

Amended and
Examined
Oct 28th 1958
F.G. de Wolf
A.C.S.

STRATA PLAN OF LOT 1, PLAN 32663, AS SHOWN ON REFERENCE PLAN B16861, D.L. 20 AND D.L. 130 OF SECTIONS 14 AND 15, TR 9, O.D.Y.D. NOW SINGLE PARCEL
 MUNICIPALITY OF COLDFEET
 SCALE: 1:500

STRATA PLAN K512

Examined and approved in the Land Titles Office at Vancouver, B.C.
 this 4th day of June, 1966.
 Registrar [Signature]



LEGEND

C Denotes Courtyards (exclusive 1961)

NOTE:

The exclusive use area of zone 30 includes the roof and interior walls.

The title address is:
 7880 Kalamalka Road
 Vernon, B.C.
 V1B 1S8

The address for Service of Documents in the Strata Corporation is:
 Box 1837
 Vernon, B.C.
 V1T 1A4
 (SEE DE KOTIKAL)

[Signature]
 462-46-0000-00
 462-46-0000-00
 462-46-0000-00

THE CORPORATION OF THE DISTRICT OF COLDFEET

[Signature]
[Signature]
 1234

NEW DEVELOPMENT CERTIFICATE

I, Robert C. Power, of the City of Vernon, British Columbia Land Surveyor, hereby certify that strata lots 1 to 40 as represented on the Strata Plan of Lot 1, Plan 32663 of District Lots 20 and 130 of Sections 14 and 15, T9, B.C. O.D.C. constitute a new development and have not to the best of my knowledge and belief been previously created.
 This 2nd day of December, 1966.
Robert C. Power, R.C.S.
 This 11th day of May, 1962.
Robert C. Power, R.C.S.

Approved under the Condominium Act

on the 7th day of December, 1961.

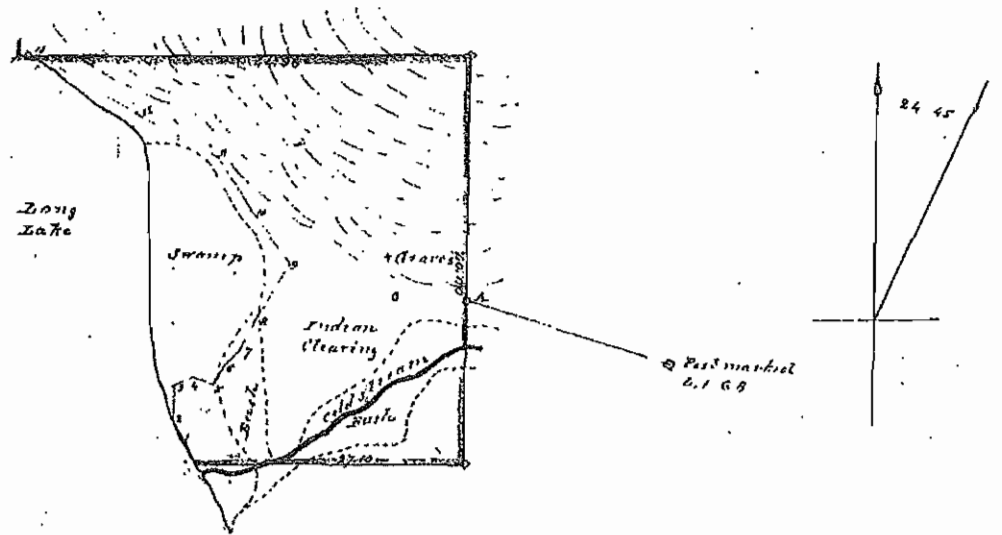
[Signature]
 Approving Officer, Municipality of Coldfeet
 This plan lies within the North Okanagan Regional District.

I, Robert C. Power, of the City of Vernon, British Columbia Land Surveyor, hereby certify that the buildings depicted on the plan shown the whole within the original boundaries of that parcel.
 David W. Vernon, B.C.
 This 9th day of December, 1966.

Robert C. Power, R.C.S.

R.C. POWER & ASSOCIATES
 3264 30th Avenue
 Vernon, B.C. V1T 2C8 Tel. 542-233 F3; 5032-1

Now Lot 3888 C.G.
See file 22114/07.



A survey sketch of Long Lake Indian Reserve Number Five done in 1876.

Courtesy of B. C. Legal Surveys and Lands Branch, Victoria, B. C.

DISTRICT OF COLDSTREAM
MEMORANDUM

TO Mayor and Council
FILE NO. 0360-66

FROM Craig Broderick, MCIP
Director of Development Services &
Wesley Miles, Planning Technician
DATE May 5, 2010

SUBJECT Kalavista Neighbourhood Survey Results

1.0 Purpose

To present the results of the Kalavista Neighbourhood Survey regarding public opinion on new growth, redevelopment, parks, traffic, and infrastructure in the Kalavista neighbourhood.

2.0 Origin

The Development Services Department and Council Resolution:

At their Regular Meeting, held February, 2010, Council passed the following Resolution No. REG2010-082:

THAT the Proposed Survey be approved as amended and sent out to the property owners and occupants in the Kalavista Neighborhood Area.

3.0 Background/Discussion

I. General Survey Statistics

Within the Kalavista Neighbourhood Plan Area (shown in Figure 1.) there are 237 properties including 61 strata lots. As requested by Council, the survey was sent out to owners and occupants which resulted in 333 surveys being distributed.

A total of 102 surveys were returned which represents a return rate of 31% ($102 / 333 \times 100 = 30.63$). Based on the total 237 properties, the return rate is 43% ($102 / 237 \times 100 = 43.03$).

The survey was also available online. Only one survey from outside the area was returned and is not counted as part of the 102 total returned surveys.

II. General Survey Results

*Full numerical and written results are attached in Figure 2. SurveyMonkey – “Response Summary” printout.

1. Please describe your general satisfaction with the Kalavista Neighbourhood.

Numerical Summary: Responses within the neighbourhood show a strong level of general satisfaction. 54.5% of respondents chose “satisfied” with an additional 16.8% choosing “very satisfied”. Only a small number of respondents stated they were dissatisfied or very dissatisfied (16.8 %).

2. Please describe how concerned you are about the Kalavista Neighbourhood in the future.

Numerical Summary: Almost all respondents show some level of concern for the future of the neighbourhood with the largest percentage, 36%, being very concerned.

3. The Kalavista area is comprised of a blend of land uses. Please provide your input on the various uses and regulations:

Numerical Summary: Results show that all land uses are seen as being beneficial or greatly beneficial to the neighbourhood. Land uses (b) Kal Beach and Parking Lot, (c) Lagoon, Tennis Courts and Surrounding Park, (d)

Alexander's Pub and Liquor Store, and (e) *Kalamalka General Store* all show strong counts weighted towards an overall perceived benefit. However, land use (a) *Boat Launch and Parking Lot* showed only a slightly positive result, as a total 50% associated it with a positive impact and 43.9% associate it with a negative impact on the neighbourhood.

As a whole and similarly to question 1., the results show a general satisfaction for current land uses within the Kalavista area. With respect to the Boat Launch and Parking Lot the input is generally divided.

The (f) *Fence Heights* category may have needed additional clarification of intent and meaning within the land use context. Although the majority, 49.5%, suggested that it has no impact on the neighbourhood.

4. Please provide your input on various transportation topics:

Numerical Summary: The Amount of non-summertime traffic and public transit showed the least concern to residents in contrast to the amount of summertime and vehicles with boat trailer traffic. Both of the later issues are seen as a significant concern in regards to transportation issues in the neighbourhood.

5. Please provide your input. (Speed of Traffic)

Numerical Summary: The highest percentage, 44.6%, perceived traffic speed to be appropriate; however a combined total of 55.5% shows that the traffic is perceived as either going "too fast" or "much too fast" with no respondents indicating that traffic was generally too slow. Overall the counts show a general split skewed towards traffic speeds being too high.

6. Please provide your input on pedestrian and cycling safety.

Numerical Summary: Both categories show majority satisfaction with both pedestrian (55.6%) and cycling (61.9%) safety. On the other hand, very few (3%) are identified as being "very satisfied" and a sizeable amount, approximately 40% in both categories, are "dissatisfied" or "very dissatisfied".

7. Which statement most closely represents your views on public parking?

Numerical Summary: 60% of respondents chose "there is significant parking for public facilities in the neighbourhood", 34% chose "there is insufficient parking..." and the remaining 6% chose "there is an excess of parking...".

8. Kalavista Drive could be closed to thru traffic, but open to pedestrians, cyclists and emergency vehicles, at the bridge over the lagoon inlet. Please provide your opinion on this idea of that possible change to the area.

Numerical Summary: More respondents were "very opposed" and "somewhat opposed" than where in support. 62% of respondents opposed the potential road closure whereas 38% were in support.

9. If the thru traffic closure were for June, July and August, please provide your opinion on that data.

Numerical Summary: Results were very similar to the previous question with the majority being "very opposed" to the idea.

10. If Alexander's Pub and Liquor Store were to be redeveloped, what land uses would you prefer to see there? (Note: you may choose more than one answer).

Numerical Summary: The land uses with the strongest support if redevelopment was to occur are *Park* (52.1%) and *Commercial (i.e. restaurant)* at 49%. The next closest land use was *Mixed uses (i.e. hotel, restaurant & condominiums)* at 27.1%.

Written Summary: A total of 28, relatively brief, comments were included however four pertained to questions #8 & #9 regarding closure of Kalavista Drive to traffic.

The majority of relevant comments focused on increased public beach and green space and preservation of current amenities (i.e. restaurant and liquor store). Other comments included increased commercial business (i.e. drug store, bank, recreational centre, medical offices).

11. If the Log House, next to the boat launch parking lot, were to be redeveloped, what land uses would you prefer to see there? (Note: you may choose more than one answer).

Numerical Summary: 69.1% of respondents chose *Park* followed by the second strongest choice of *Single Family* at 33%.

Written Summary: A total of 20 comments were included. A number of respondents felt that it could be used as a non-motorized clubhouse (i.e. kayaks and canoes). Other various comments suggested further commercial development, use as additional park space or in contrast, additional boat trailer parking.

12. The City of Vernon owns the Kal Beach parking lot. If that land were to be developed, what type of development would you refer to see there? (Note: you may choose more than one answer).

Numerical Summary: 84.7% of respondents chose “*Improved Parking*” which is the most definitive response in the survey. The second closest preferred use was “*Park*” at 28.6% and “*Mixed Uses*” and 11.2%

Written Summary: 13 comments were provided, mostly emphasizing their choice to keep the parking and to improve on current facilities, possibly by adding a pedestrian overpass to the beach. It appears by the response that this parking area is heavily utilized and considered vital to access and enjoy Kal Beach and the public parks.

13. With the exception of Alexander’s, Summertree on the Lake and the Kirkland Drive properties, most of the Kalavista neighbourhood is zoned for single family dwellings only. Do you think the zoning for the area should be changed to allow any of the following? (Note: you may choose more than one answer).

Numerical Summary: The question of potential rezoning saw 55.1% of the respondents chose “*None of the above (i.e. unchanged)*”. With all other categories ranging from 7 – 28 percent the strong majority is for no change.

Written Summary: 11 comments were added, 2 reinforcing that no change in zoning should occur, and the rest giving specific recommendations on what should occur within those zones. Also, one comment suggested that the boat launch at Summertree be reopened.

14. The lagoon, adjacent park and tennis courts are neighbourhood community fixtures. Do you have any suggestions on how to improve the lagoon and adjacent park?

Written Summary: A total of 64 comments were made. Concerns regarding the lagoon centered on ‘cleaning up’ of the lagoon. Specifically, increasing water flow by dredging, adding a water feature, or reopening inlet canals from Coldstream Creek. Issues with stagnancy, odour, are given as reasons to increased flow however solutions given tend to be conflicting as some emphasize increased wildlife habitat and naturalization and others suggest fill, removal of “swamp” areas, and wildlife such as Geese and Ducks.

Additional benches, pathways and park features are seen as a positive improvement for the area as well as the possibility of making the lagoon more usable for canoes, kayaks and non-motorized recreation.

15. Do you own a boat?

Numerical Summary: 63.6% of respondents own a boat, 36.4% do not.

16. Do you use the Kalavista Boat launch?

Numerical Summary: 45.9% of respondents use the boat launch, 54.1% do not.

17. Do you use the boat trailer parking lot?

Numerical Summary: 12% of respondents use the boat trailer parking lot, 88% do not.

18. Would you be willing to pay to use the Kalavista boat launch parking lot?

Numerical Summary: 57.1% of respondents would pay to use the parking lot, 42.9 would not.

19. If yes, what would be a reasonable charge per day?

Written Summary: A total of 60 comments were made. The suggested fees ranged from \$2.00 to \$400.00 per day; however the most common amount fell between \$5.00 and \$20.00 per day. A number of comments suggested only charging motorized boaters.

20. Do you feel the Kalavista boat launch should be:

Numerical Summary: The usage of the boat launch saw 45.4% of respondents agree that it should be used as “a regional facility to be used by Greater Vernon residents as well as tourists”, 32 % agree it should be “a local facility to be used only by Greater Vernon residents” and 22.7% say that say the facility should be closed.

When responses from the proponents of the boat launch are combined there is strong support, 77.4%, in keeping the boat launch open as either a regional or local facility.

21. Please indicate your satisfaction with the following topics as they relate to public facilities in the area (i.e. parks, beaches):

Numerical Summary: The final question regarding public facilities showed that the majority of respondents are “satisfied” with all identified topics with the exception of *Police Presence*. However, the *Police Presence* category was still a very close split at 47.9% satisfied, and 49% dissatisfied. The percentages in the dissatisfied grouping for all categories ranged from 15.6 – 39.6 percent (excluding *Police Presence*) and very satisfied groupings for all categories ranged from 1.1 – 16.5 percent. In conclusion, the respondents show general satisfaction with public facilities in the neighbourhood.

III. Personal Information Results

*Full numerical and written results are attached in Figure 2. SurveyMonkey – “Response Summary” printout.

Demographic results show that the residents of the Kalavista area are an older age cohort with a minimal number of dependents. The most common age group was “50-59” at 31.6% of respondents with no residents under age 30 responding to the survey. Only 28 surveys identified any “...children (under 18)...” with 50% of those being one child followed by 32.1% having two children.

Turnover rate within the neighbourhood seems low, as most residents have lived in the area for “20+ years” (36.6%) followed by “11-20 years” at 22.6%. Yet only 68.1% live in the area year round, showing that a significant portion of the residents are using their residences as vacation or summer homes. This would equal approximately 75 properties, of the 237 total properties within the study area.

4.0 Recommendation

THAT the report from the Director of Development Services, May 5, 2010, regarding the Kalavista Neighbourhood Survey Results be received for information.

Respectfully submitted by,

Reviewed by,

Craig Broderick, MCIP
Director of Development Services & Wesley
Miles, Planning Technician

Michael Stamhuis
Chief Administrative Officer



DISTRICT OF COLDSTREAM MEMORANDUM

To: Mayor Garlick and Council
From: Trevor Seibel, CA
Director of Financial Administration
Date: December 8, 2011
Subject: Group Insurance for Elected Officials

File: 0530-02

1. Purpose

For Council to consider group insurance coverage for elected officials.

2. Origin

Correspondence from UBCM received November 25, 2011 (as attached).

3. Background/Discussion

After each municipal election, UBCM issues an offer to provide local government elected officials with limited group insurance benefits. The benefits available are extended health care, dental, optional life insurance and optional accidental death & dismemberment. To be eligible, a minimum of three (3) elected officials must sign up for the program. As the District currently uses the UBCM Group Benefit Plan for the provision of its benefit service, there is the option of "piggy backing" on our current program. In terms of cost it is important to note the following:

- The dental and health benefits are paid 100% by the employer
- Optional life insurance is paid 100% by the employer (shown as a taxable benefit to the recipient)
- Accidental Death & Dismemberment is split 50/50 between the employer and employee

As a result, the minimum annual cost (based on 3 elected officials signing up) to the District will range between \$3,300 and \$17,100 depending on the benefits chosen. Please note that these costs have not been included in the budget.

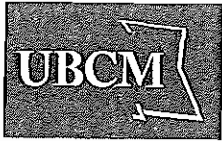
4. It is recommended:

THAT Council provide direction to staff on whether to pursue benefits for members of Council.

Respectfully submitted,

Trevor Seibel, CA
Director of Financial Administration

Reviewed by Michael Stahuis
Chief Administrative Officer



Union of BC Municipalities
Suite 60 10551 Shellbridge Way
Richmond, BC, Canada V6X 2W9

Phone: 604.270.8226
Email: ubcm@ubcm.ca

MEMORANDUM

RECEIVED
NOV 25 2011

TO: Mayor/Chair and Council/Board
CC: Benefits Administrator
FROM: Anna-Maria Wijesinghe
Manager, Member and Association Services
DATE: November 18, 2011
RE: Group Insurance For Elected Officials

DISTRICT OF COLDSTREAM

UBCM offers comprehensive group insurance coverage to municipalities and regional districts in British Columbia. In addition, UBCM also provides coverage for elected officials.

BACKGROUND

In the past, following local government elections, UBCM has offered group insurance benefits to elected officials. A number of our members have taken advantage of these benefits and once again we are pleased to be extending this offer to your elected officials.

COVERAGE OFFERED TO ELECTED OFFICIALS

The following is information and procedures for enrollment in the UBCM Group Benefits Plan offered by our current carrier, Pacific Blue Cross/ BC Life.

A) Available Benefits

Elected officials who meet the eligibility requirements may now participate in the following benefits:

- Extended Health Care
- Dental
- Optional Life Insurance
- Optional Accidental Death and Dismemberment

B) Eligibility

To enroll, there must be a minimum of three (3) elected official applicants per local government. Applications made by local governments that **do not currently** have their staff benefit plans under the UBCM Group Benefits Plan may be reviewed.

C) Benefit Provisions & Costs

1. Extended Health and Dental

We have made a change this time for those local governments with existing staff contracts with us in that the elected officials will be added as a **separate group to your existing contract**. You will need to fill out the attached group enrollment form so we can make the necessary amendments to your contract.

The changes are needed to address the definition of employee and eligibility (hours of work), which are standard components of our and any group benefit contracts. Therefore this change is needed as elected officials are not normally classified as "employees" nor do they work standard weekly hours.

If you provide benefits to your non-union staff through the UBCM Group Benefits Plan, you have the option to provide your elected officials with the same benefits that you provide to the non-union staff, excluding short term and long term disability. Under this approach, the existing group rates for the non-union plan would apply.

If you do not have staff benefits under the UBCM Group Benefits Plan, or you do not wish to provide the same level to Elected Officials, then you can choose a standard package. The standard package cost and benefit limits include:

- Extended Health:
 - ❖ 80% reimbursement of eligible expenses
 - ❖ lifetime maximum of \$50,000
 - ❖ \$25.00 per year single or family deductible
 - ❖ premium of **\$37.89** per month for single coverage and **\$85.25** per month for family coverage
- Dental:
 - ❖ 80% reimbursement of Plan A "Routine" expenses
 - ❖ 50% reimbursement of Plan B "Major Restorative" expenses
 - ❖ no annual maximum on Plan A or B
 - ❖ premium of **\$46.48** per month for single coverage and **\$120.59** per month for family coverage

2. Optional Life Insurance

Optional Group Life can be purchased in multiples of \$10,000 or \$25,000. However, only one multiple can be chosen and will apply to everyone in the group purchasing the optional group life coverage. A rate sheet is attached.

3. Optional Accidental Death & Dismemberment (AD&D)

BC Life's Optional Accidental Death & Dismemberment provides added financial security should one be faced with accidental death, accidental dismemberment of part or all of a limb, or loss of sight, hearing or speech. This benefit would pay an additional amount equal to the Optional Group Life Insurance benefit in the event of death and fractions of the total benefit for other losses or dismemberment.

The monthly cost of this benefit is \$0.055 per \$1,000 of coverage.

Optional Life

Provisions

- waiver of premium to age 65
- suicide excluded in first two years of coverage
- medical evidence required
- coverage terminates at age 65
- conversion available to employee only
- spouse benefit cannot exceed employee's combined basic and optional life

Non-Smokers Rate Schedule per \$1,000 Insured Benefit

Age Band	Males	Females
Under 35	\$0.09	\$0.05
35 - 39	\$0.10	\$0.07
40 - 44	\$0.14	\$0.09
45 - 49	\$0.24	\$0.15
50 - 54	\$0.36	\$0.26
55 - 59	\$0.69	\$0.45
60 - 64	\$1.28	\$0.74

Smokers Rate Schedule per \$1,000 Insured Benefit

Age Band	Males	Females
Under 35	\$0.12	\$0.06
35 - 39	\$0.14	\$0.08
40 - 44	\$0.23	\$0.13
45 - 49	\$0.44	\$0.21
50 - 54	\$0.67	\$0.37
55 - 59	\$1.25	\$0.65
60 - 64	\$2.18	\$1.11



DISTRICT OF COLDSTREAM

FILE: 3800
DATE: December 1, 2011

T0: Mayor and Council
FROM: Bob Bibby, Building Official
SUBJECT: **BUILDING INSPECTOR'S REPORT FOR THE MONTH OF
NOVEMBER, 2011**


Please find enclosed the District of Coldstream Building Statistics and Activity Report for the month of November, 2011.

A total of eleven permits were issued, 3 Single Family Dwellings, 3 Renovations, 4 Accessory Buildings and 1 Swimming Pool with a total construction value of \$1,106,000. This compares to 5 permits and construction value of \$1,556,680 for the same month last year.

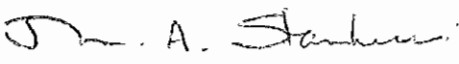
The number of housing units in 2011 to date is 25 compared to 36 in 2010. Total Construction Value to date is down 25% from last year, which is an improvement from the stats earlier in the year.

A total of 5 Building Permit Applications were received for processing during the month of November, 2011.

Respectfully submitted,


Bob Bibby, AScT, CRBO
Building Official

Reviewed by


Michael Stamhuis
Chief Administrative Officer

This page is intentionally blank.

This page is intentionally blank.

**BUILDING PERMIT ACTIVITY
ANNUAL COMPARISON**

MONTH	2010		2010 VALUE	2011		2011 VALUE
	2010 # UNITS	2010 # PERMITS		2011 # UNITS	2011 # PERMITS	
JANUARY	5	6	\$ 1,960,000.00	2	4	\$ 670,000.00
FEBRUARY	3	11	\$ 1,661,500.00	1	2	\$ 405,000.00
MARCH	5	10	\$ 1,638,500.00	3	7	\$ 1,739,000.00
APRIL	4	15	\$ 2,394,000.00	1	9	\$ 560,000.00
MAY	1	7	\$ 285,000.00	2	9	\$ 928,000.00
JUNE	6	16	\$ 2,331,000.00	5	9	\$ 3,816,000.00
JULY	3	8	\$ 984,300.00	1	6	\$ 716,900.00
AUGUST	1	6	\$ 600,000.00	4	8	\$ 1,038,200.00
SEPTEMBER	3	10	\$ 1,392,000.00	1	2	\$ 440,000.00
OCTOBER	3	12	\$ 1,675,250.00	2	12	\$ 1,155,500.00
NOVEMBER	2	5	\$ 1,556,680.00	3	11	\$ 1,106,000.00
DECEMBER	2	2	\$ 480,000.00			
ANNUAL TOTALS	38	108	\$ 16,958,230.00	25	79	\$ 12,574,600.00

RUNNING TOTALS

MONTH	2010			2011		
	UNITS TO DATE	PERMITS TO DATE	TOTAL TO DATE	UNITS TO DATE	PERMITS TO DATE	TOTAL TO DATE
JANUARY	5	6	\$ 1,960,000.00	2	4	\$ 670,000.00
FEBRUARY	8	17	\$ 3,621,500.00	3	6	\$ 1,075,000.00
MARCH	13	27	\$ 5,260,000.00	6	13	\$ 2,814,000.00
APRIL	17	42	\$ 7,654,000.00	7	22	\$ 3,374,000.00
MAY	18	49	\$ 7,939,000.00	9	31	\$ 4,302,000.00
JUNE	24	65	\$ 10,270,000.00	14	40	\$ 8,118,000.00
JULY	27	73	\$ 11,254,300.00	15	46	\$ 8,834,900.00
AUGUST	28	79	\$ 11,854,300.00	19	54	\$ 9,873,100.00
SEPTEMBER	31	89	\$ 13,246,300.00	20	56	\$ 10,313,100.00
OCTOBER	34	101	\$ 14,921,550.00	22	68	\$ 11,468,600.00
NOVEMBER	36	106	\$ 16,478,230.00	25	79	\$ 12,574,600.00
DECEMBER	38	108	\$ 16,958,230.00			
ANNUAL TOTALS	38	108	\$ 16,958,230.00	25	79	\$ 12,574,600.00

PERMIT #	BUILDER	PROJECT ADDRESS	LEGAL DESCRIPTION	ROLL #	PROPOSED USE	VALUATION	# SQ FT	# UNITS	ISSUE DATE	FEES	DAMAGE DEPOSIT	NET FEES	
2011-084	Owner	Cypress Drive, 435	Lot 8 Plan 33030	866-400	ACCESSORY - CARPORT	\$ 5,000.00	800		Nov 14/11	\$ 303.00	\$ 200.00	\$ 103.00	
2011-079	Owner	Tebo Drive, 8301	Lot 1 Plan KAP72467	359-000	ACCESSORY - GARDEN SHED	\$ 15,000.00	288		Nov 7/11	\$ 223.00	\$ -	\$ 223.00	
2011-069	Owner	Scenic Place, 20	Lot 20 Plan 32124	859-900	ACCESSORY SHOP	\$ 25,000.00	864		Nov 3/11	\$ 543.00	\$ 200.00	\$ 343.00	
2011-086	Owner	Cypress Drive, 434	Lot 15 Plan 33030	866-750	ACCESSORY SHOP	\$ 52,000.00	2400		Nov 9/11	\$ 1,733.60	\$ 1,200.00	\$ 533.60	
2011-087	Owner	DeJong Drive, 7905	Lot 9 Plan 7623	825-000	ADDITION - PORCH	\$ 5,000.00	65		Nov 9/11	\$ 103.00	\$ -	\$ 103.00	
2011-083	Vernon Plumbing	Torrent Drive, 8203	Lot 2 Plan KAS3077	413-002	PLUMBING - SEWER PUMP/BATHROOM				Nov 3/11	\$ 55.00	\$ -	\$ 55.00	
2011-085	Owner	College Drive, 8930	Lot 7 Plan 34938	136-720	RENO - REPLACE STAIRS	\$ 1,000.00			Nov 9/11	\$ 55.00	\$ -	\$ 55.00	
2011-072	Embassy Builders	Braeburn Place, 8706	Lot 15 Plan KAP86686	176-931	SFD	\$ 280,000.00	1678	1	Nov 4/11	\$ 5,091.00	\$ 1,200.00	\$ 3,891.00	
2011-075	Keith Dahlen Construction	Coachwood Crescent, 3028	SL 43 Plan KAS2383	1172-343	SFD	\$ 350,000.00	1665	1	Nov 7/11	\$ 4,707.00	\$ -	\$ 4,707.00	
2011-080	Inspiration Homes Ltd.	Hofer Place, 8727	Lot 5 Plan KAP82990	138-210	SFD	\$ 325,000.00	2625	1	Nov 7/11	\$ 5,607.00	\$ 1,200.00	\$ 4,407.00	
2011-068	Vernon Pump House	Mt Ida Drive, 715	Lot 20 Plan KAP75931	178-858	SWIMMING POOL	\$ 48,000.00			Nov 4/11	\$ 819.00	\$ 200.00	\$ 619.00	
						\$ 1,106,000.00				\$ 19,239.60	\$ 4,200.00	\$ 15,039.60	
TOTALS THIS MONTH					TOTALS TO DATE								
	CONSTRUCTION VALUE		\$ 1,106,000.00		CONSTRUCTION VALUE					\$ 12,574,600.00			
	# PERMITS ISSUED				# PERMITS ISSUED						0		
	ACCESSORY	4			ACCESSORY	17							
	DEMOLITION	0			DEMOLITION	1							
	POOL	1			POOL	6							
	RENOVATION	2			RENOVATION	19							
	SFD	3			SFD	22							
	MULTI	0			MULTI	2							
	MOBILE	0			MOBILE	0							
	OTHER	1			OTHER	7							
	SANITARY CONNECTION	0			SANITARY CONNECTION	5							
	TOTAL PERMITS ISSUED	11			TOTAL PERMITS ISSUED	79							
	# UNITS	3			# UNITS	25							
	PERMIT VALUE	0	\$ 280,000.00		PERMIT VALUE					\$ 490,221.34			



DISTRICT OF COLDSTREAM REPORT

TO Mayor and Council

FILE NO. 1855-02-39 (2011)

FROM Irma Breitzkreutz
Executive Research Coordinator

DATE December 9, 2011

SUBJECT **Kidston Road Multi-Use Path, Phase 2 –
Proposed Grant under the Community Recreation Program**

1. Purpose

To apprise Council of the estimated construction and engineering costs for Phase 2 of the Kidston Road multi-use pathway and to request Council approval to apply for funding under the Community Recreation Program.

2. Background/Discussion

Further to the interim staff report to Council dated November 21, 2011 (attached), Urban Systems has provided an estimate of \$299,302 to construct Phase 2 of the Kidston Road multi-use pathway. Based on the Community Recreation Program cost-sharing formula of up to 80% provincial contribution, the District could apply for a \$239,442 grant. The District's 20% share would therefore be \$59,860.

3. Recommendation

THAT Council authorize an application be submitted for a grant under the Community Recreation Program towards offsetting the cost of constructing Phase 2 of the Kidston Road multi-use pathway.

Respectfully submitted,

Irma Breitzkreutz
Executive Research Coordinator

Reviewed by Michael Stambuis
Chief Administrative Officer

Attachment

This page is intentionally blank.

This page is intentionally blank.



DISTRICT OF COLDSTREAM MEMORANDUM

TO Mayor and Council
FILE NO. 1855-02-39 (2011)

FROM Irma Breitreutz
Executive Research Coordinator
DATE November 21, 2011

SUBJECT **Kidston Road Multi-Use Path, Phase 2 –
Proposed Grant under the Community Recreation Program**

1. Purpose

To apprise Council of a new provincial grant – the Community Recreation Program – and the progress to date towards a conceptual design and estimated costs for Phase 2 of the Kidston Road multi-use pathway.

2. Origin

Funding opportunities for recreational infrastructure through the recently announced Community Recreation Program.

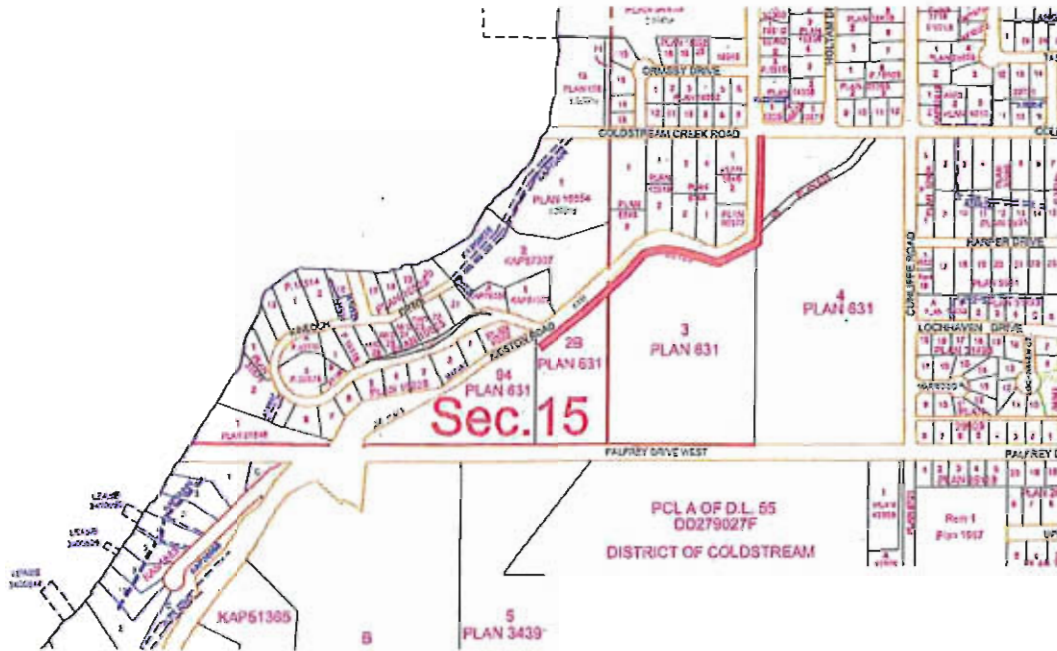
3. Background/Discussion

At this year's UBCM convention in September, Premier Clark announced a Community Recreation Program that will provide \$30 million for communities to give BC families greater access to recreational infrastructure so they can enjoy the benefits of increased physical activity and community involvement. The program aims to invest in those capital projects that make communities healthier, more active places in which to live.

Municipalities may submit one application by the deadline of December 28, 2011. Projects must be completed by March 31, 2015. The cost-sharing formula will be up to 80% provincial contribution, with the balance being the applicant contribution. The program has no defined funding cap, although applicants should consider provincial contribution limits identified in past provincial programs (such as \$400,000 for the Towns for Tomorrow program) when submitting an application.

Phase 1 of the Kidston Road multi-use path was completed in October 2011, connecting the Palfrey Road pathway to the "Red Gate" at Kalamalka Lake Provincial Park. Following announcement of the Community Recreation Program, the District has engaged Urban Systems Ltd. to prepare a conceptual design and estimated costs for construction of the Phase 2 section.

As shown by a red line on the following map, Phase 2 will link from 12450 Kidston Road to the southeast corner of Kidston Road and Coldstream Creek Road.

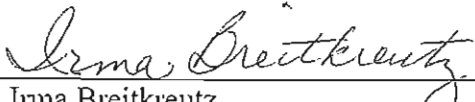


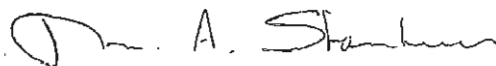
At the time of writing this staff report, the conceptual design and estimated costs for Phase 2 were still being compiled by Urban Systems. Due to the timing of Council meetings in late November/early December, Urban Systems' data and a further staff report will be included on the December 19 Council agenda. That would still allow sufficient time for staff to submit the grant application before Christmas.

4. Recommendation

THAT the report from the Executive Research Coordinator, dated November 21, 2011, regarding Kidston Road Multi-Use Path, Phase 2 – Proposed Grant under the Community Recreation Program, be received for information.

Respectfully submitted,


Inna Bretkreutz
Executive Research Coordinator


Reviewed by Michael Stambuis
Chief Administrative Officer



DISTRICT OF COLDSTREAM MEMORANDUM

TO Mayor and Council

FILE NO. 0530

FROM Michael Stamhuis, P.Eng.
Chief Administrative Officer

DATE December 12, 2011

SUBJECT **ELECTED OFFICIALS' SEMINARS - KELOWNA**

1. Purpose

To provide Council with information regarding the Local Government Leadership Academy seminars for newly elected and re-elected Council members.

2. Origin

Circular from the Local Government Leadership Academy (LGLA).

3. Background/Discussion

Each January after the local government elections, the LGLA puts on a seminar for newly elected officials as well as re-elected officials. The upcoming post-election seminar is scheduled to take place at the Grand Okanagan Resort in Kelowna on January 18-20, 2012.

A copy of the agenda is attached. With the number of sessions set out for re-elected officials, Council members are encouraged to attend if time permits.

4. Recommendation

It is recommended:

THAT the report from the Chief Administrative Officer, dated December 12, 2011, regarding Elected Officials' Seminars – Kelowna, be received for information.

Respectfully submitted,

Michael Stamhuis, P.Eng.
Chief Administrative Officer

Attachment

2012 LGLA ELECTED OFFICIALS TRAINING SEMINARS

LOCAL GOVERNMENT LEADERSHIP ACADEMY

Seminar Dates & Locations

Small Communities <10,000
population
January 11 - 13
Delta Airport, Richmond

SILGA Communities
January 18 - 20
Grand Okanagan, Kelowna

AVICC Communities
January 24 - 26
January 25 - 27
Tigh-Na-Mara, Parksville

Electoral Area Directors
February 8 - 10
Delta Airport, Richmond

AKBLG Communities
February 15 - 17
Prestige Lakeside Resort,
Nelson

Large Communities >10,000
population
February 22 - 24
Delta Airport, Richmond

NCLGA Communities
Feb. 28 - March 1
Inn of the North, Prince
George

Register on CivicInfo
www.civicinfo.bc.ca
after November 21, 2011

For more information go to
www.LGLA.ca

The LGLA Elected Officials Seminars will be offered once again following the BC local government elections. Two additional seminars have been planned for 2012.

The 2012 seminars are designed for both newly and returning elected officials and offer revised seminar content and format.

The seminars will include plenary sessions for all elected officials attending as well as concurrent sessions to meet the specific needs of newly and returning elected officials. We also invite senior management staff to attend the seminars along with their elected officials.

Program Highlights:

- The 2012 program includes sessions on meeting procedures, setting priorities, teamwork, budgeting, financial planning, community planning, affordable housing, local government law, conflict of interest and more....
- Speakers include leading professionals and practitioners from the local government community across BC.
- Content is targeted at both newly and returning elected officials.
- Senior staff members are invited to attend with their council and board members.
- Eight different seminars will be held in locations across the Province including Nelson, Kelowna, Parksville, Richmond and Prince George.
- A special seminar program has been developed to address the needs of electoral area directors.

Registration

Registrations are limited so please register early after November 21, 2011 at CivicInfo BC www.civicinfo.bc.ca

For more information go to www.LGLA.ca or contact LGLA Program Coordinator, Eydie Fraser at lgla@ubcm.ca or 250-356-5275.

Local Government Leadership Academy

The Local Government Leadership Academy (LGLA) was established to serve the needs of elected officials and senior administrators by improving the competencies needed to effectively manage and lead BC's local governments.

We Look Forward To Seeing You In January and February!

Presented by the LGLA in cooperation with the Union of BC Municipalities



**2012
ELECTED OFFICIALS
SEMINARS**

*\$280
registration*

*Kelowna Jan 18-20
@ The Grand.*

DAY 1

6:00 pm	Registration (LOCATION)	
7:00 pm	Plenary Session Opening and Welcome (LOCATION)	
7:15 pm	The "W's" of Elected Officials: <i>Who you are, why you are here, what you wish to accomplish?</i> (LOCATION)	
8:00 pm	Decision Making in Local Government: Keynote (LOCATION)	
9:00 pm	Reception (LOCATION)	

DAY 2

7:00 am	Breakfast Buffet (LOCATION)	
7:30 am	Clinic Session - Making Meetings Work – Meeting Procedures 101 <i>For newly elected officials</i> (LOCATION)	
8:30 am	Orientation to the Day (LOCATION)	

5:00 pm	Supper Break – On Your Own	
7:15 pm	Mentoring Panel (LOCATION)	
8:30 pm	Adjourn	

DAY 3

7:00 am	Breakfast Buffet (LOCATION)	
7:30 am	Local Governments & First Nations: Working Together (LOCATION)	
8:30 am	Concurrent Sessions	
	Newly Elected: Local Government Financial Management – the basics. <i>Budgeting - everything you want to know, need to ask ... and more</i> (LOCATION)	
	Returning Elected: Financial Management 2 <i>Strategic financial planning.</i> (LOCATION)	
10:30 am	Coffee Break (LOCATION)	
10:50 am	Concurrent Sessions, Continued	
	Newly Elected: Local Government Community Planning <i>Why & how we plan, the role of council & staff</i> (LOCATION)	
	Returning Elected: Citizen Engagement LOCATION)	
12:15 pm	Lunch Buffet (LOCATION)	
	The Minister of Community, Sport and Cultural Development	Honorable Ida Chong, Minister of Community, Sport and Cultural Development (Invited).
1:30 pm	Plenary Session - Legal Clinic Public Hearing Skit <i>Legal clinic and discussion on conflict of interest, liabilities, in-camera confidence</i> (LOCATION)	

8:35 am	Roles & Responsibilities <i>The roles and responsibilities of councillors/board members; staff/elected official relations & the art of working together.</i> (LOCATION)	
10:00 am	LGMA Presents (LOCATION)	
10:15 am	An Elected Official Comments on Roles and Responsibilities	
10:30 am	Coffee Break (LOCATION)	
10:50 am	Concurrent Sessions	
	Newly Elected: Local Government Law <i>Overview of Community Charter and Local Government Act; statutory requirements, what you can do - what you can't; responsibilities, by-Laws and resolutions; types of meetings</i> (LOCATION)	
	Returning Elected: Decision Making, Priority Setting and Thinking Strategically <i>The importance of good decision making and the value of priority setting.</i> (LOCATION)	
12:15 pm	Lunch Buffet (LOCATION) Sponsor	
1:30 pm	Plenary Session Communications and the Media <i>The art of media relations</i> (LOCATION)	
2:30 pm	Coffee (LOCATION)	
2:50 pm	UBCM Presents (LOCATION)	
3:20 pm	Municipalities and Regional Districts <i>Overview of Regional Districts</i> (LOCATION)	
4:10 pm	Council in Partnership and Collaboration (LOCATION)	

3:00 pm	Closing Comments and Adjourn	
---------	------------------------------	--



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

November 2, 2010

Reply to the attention of Martin Collins
ALC File 52111

Allan Coyle
Director of Public Affairs, Okanagan College
1000 KLO Road,
Kelowna, B.C. V1Y 4X8

RECEIVED
NOV 28 2011

Dear Mr Coyle:

DISTRICT OF COLDSTREAM

Re: College Application for Non Farm Use

The Agricultural Land Commission has now had opportunity to review Jim Hamilton's August 15, 2011 letter which requested a reconsideration of ALC Resolution #86/2011. In addition it considered the information provided at the October 25th, 2011 meeting between the Agricultural Land Commission and Okanagan College representatives, elected officials, and Greater Vernon Services staff.

Please note the attached Minutes of Resolution # 350/2011 outlining its latest decision. As agent, it is your responsibility to notify your client(s) accordingly.

The Commission advises that has reconsidered its decision and allowed the proposed recreation facilities in the Agricultural Land Reserve. The Commission's original concerns about routine, large scale community requests for ALR for parkland, were met by the additional information provided about parks planning in the region. The Commission was also encouraged by recent District of Coldstream's bylaw initiatives that are supportive of agriculture and represented long term benefits to the farm community. Its other concerns about overall community support for agriculture have been allayed by these initiatives.

Finally, the Commission would like to continue to encourage the College to increase its focus on agricultural curriculum, to reflect the long history of agriculture as a driver for economic development in the region, and to enhance the future economic potential for agriculture.

Other approvals may be necessary, please contact the District of Coldstream for more information.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 
Brian Underhill, Executive Director

cc: District of Coldstream, File: 10-011-ALR

Enclosure: Minutes/Sketch Plan



A meeting was held by the Provincial Agricultural Land Commission on October 25th, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Martin Collins	Regional Planner
Ron Wallace	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

For Consideration

A letter from Jim Hamilton, President of Okanagan College, dated August 15, 2011 was received requesting that the Commission reconsider its decision recorded as Resolution #86/2011. The letter and attached materials provided a regional demand analysis for park land in the Greater Vernon area as well as evidence of community and local government support for the proposed playing fields.

Application:	52111
Applicant:	Okanagan College
Agent:	District of Coldstream
Original proposal:	To use 5.8 ha of ALR for multi use athletic facility and sports fields
Original decision:	Refuse as proposed (Res. #86/2011, March 17, 2011)
Current proposal:	To use 5.8 ha of ALR for multi use athletic facility and sports fields
Legal:	Lot 4, Section 22, Twp. 9, ODYD, Plan 1961 PID 011-381-400
Location:	Highway 97 and College Way

Site Inspection

A site inspection was conducted for the original application on March 16, 2011. Those Commissioners in attendance were:

- Richard Bullock Chair, Okanagan Panel
- Bert Miles Commissioner
- Jim Johnson Commissioner
- Roger Mayer Commissioner

- Martin Collins ALC Staff
- Liz Sutton ALC Staff

Reconsideration Meeting:

The above noted Commissioners and the following applicant representatives met on October 25th, 2011 at the Commission offices and discussed the non-farm use application.

Jim Garlick – Mayor of Coldstream
Herman Halvorson – Chair, Regional District of North Okanagan
Jane Lister – Okanagan College Vernon Campus, Regional Dean
Patrick Nicol – Vernon Councillor and Member of the Greater Vernon Advisory Committee
Allan Coyle – Director of Public Affairs, Okanagan College
Tannis Nelson – Community Development Co-ordinator, Parks, Recreation and Culture, Regional District of North Okanagan

The applicants (Jane Lister and Tannis Nelson) made a presentation that provided the context for the application. Information was provided about the lack of existing outdoor recreational facilities for Okanagan College and Greater Vernon, and placed the recreational proposal in the context of overall parks facility planning for the Greater Vernon area.

The Commission was advised that the Greater Vernon Parks had identified 38 ha of ALR that it would be requesting for future park purposes. About 23 ha would be for trail systems (Grey Canal, BX Creek) that would directly affect very little (if any) high capability farm land. Most of the other park lands under consideration are already established as natural parks (used for dog walking) that are permitted outright in the ALR. There are currently no imminent plans for the development of playing fields on these natural, undeveloped parks.

Councillor Patrick Nicol provided a summary of the general benefits of recreation, and the potential benefits to sports enthusiasts and citizens in the region. Supporting letters from citizens and politicians were provided to the Commission.

Mayor Garlick also provided information about bylaw amendments that the District of Coldstream was proposing that would strengthen the ALR in that community. The District is proposing to increase the minimum parcel size in the Agriculture zone, and to introduce residential size and siting regulations for the Agriculture zone.

Okanagan College representatives also replied to Commission questions about existing agricultural programs, and the potential to enhance the agricultural curriculum. The Commission strongly encouraged the College to increase its agricultural education programs, given the potential opportunities for agricultural development in the Greater Vernon Region.

Context

The proposal was considered under Section 33 of the Agricultural Land Commission Act (the "Act") which states:

- S33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false, or
 - (c) a recommendation by a facilitator under section 13 relating to a dispute warrants a reconsideration of the original decision.

The Commission believed that the applicant had provided evidence (about Greater Vernon Parks planning) that was not available at the time of the original decision and so reconsidered the application.

Commissioner Eligible to Vote

Commissioners Dyson, Gillette, Thibeault, Dempsey, Dowswell and Collins were not present at the March 16, 2011 site inspection. It was confirmed that a summary of the site inspection, the Commission's decision of March 17th, 2011, and the application were provided, thus establishing the Commissioner's eligibility to vote on the application.

Discussion

The Commission recalled that its previous decision to refuse the application was partially based on concerns that the application was being considered outside the overall context of parks planning in the Greater Vernon area. Greater Vernon Services, which is responsible for parks planning in the region, was not involved with the original proposal.

Greater Vernon Services, at its October 25th, 2011 meeting with the Commission, presented a parks master plan which outlined anticipated demand on the ALR for parks. On balance the Commission did not consider the demand for ALR land to be excessive because most of the affected land was uncultivated former irrigation right of way (for a linear park). In addition several "natural" parks have already been established in the ALR (south of Swan Lake, Murtrie Road), but natural parks are permitted by ALC regulation. The only concern expressed by the Commission was the presentation's general reference to relocating the Kin Race Track and potential associated commercial uses into the ALR. The Commission recalled that it has already provided comments (Oct. 26, 2010 to the Regional District of North Okanagan) that were not in support of this proposal.

The Commission also discussed the potential for Okanagan College to increase its agricultural programs and to use a portion of the site in support of agricultural education. It expressed concern that the College was not proposing to use the easterly portion of the 5.8 ha site for agriculture related programs, or research, and it encourages the College to consider how agricultural curriculum and programming could incorporate and utilize the unused portion of the subject property. That being said, the Commission also believed that should the easterly portion of the site be developed for natural turf fields for "field" sports, it is conceivable that play fields could revert to agricultural uses should future changes to a more agriculturally focused curriculum be contemplated.

The proposed (and recently adopted) District of Coldstream bylaw amendments in support of agriculture were also considered. The Commission believed that the District's Agriculture Plan and associated OCP amendments, and the proposed zoning bylaw

amendments to increase the minimum lot size in the Agriculture zone (from 2 ha to 10 ha) and establish size and siting requirements for residences, are very supportive of agriculture and will (if adopted) effectively counter any misunderstanding that the District's support for playing fields in the ALR might be interpreted as representing limited support the ALR resource.

In view of the information provided, and reflecting on its response to other Okanagan communities which had requested park facilities in past decades, the Commission did not object to the use of the 5.8 ha area for track and field facilities.

Conclusions:

- 1) The land under application has good capability for agriculture, but has challenges to agricultural suitability due to its isolated location and ownership by a public institution.
- 2) The use of the 5.8 ha area for a track and field facility and playing fields will not wholly eliminate the agricultural potential of the site. Natural turf playing fields retain a measure of agricultural potential, and the land will remain within the ALR.
- 3) The District of Coldstream has established an Agricultural Advisory Committee and recently adopted, and proposes additional bylaws that will strengthen the ALR in the community.

IT WAS

MOVED BY: Commissioner J. Johnson

SECONDED BY: Commissioner G. Gillette

THAT for the purposes of Section 33(2) of the *Agricultural Land Commission Act*, there are no persons it considers affected by the reconsideration.

AND THAT the request to use 5.8 ha for a sports field complex and track facility be approved.

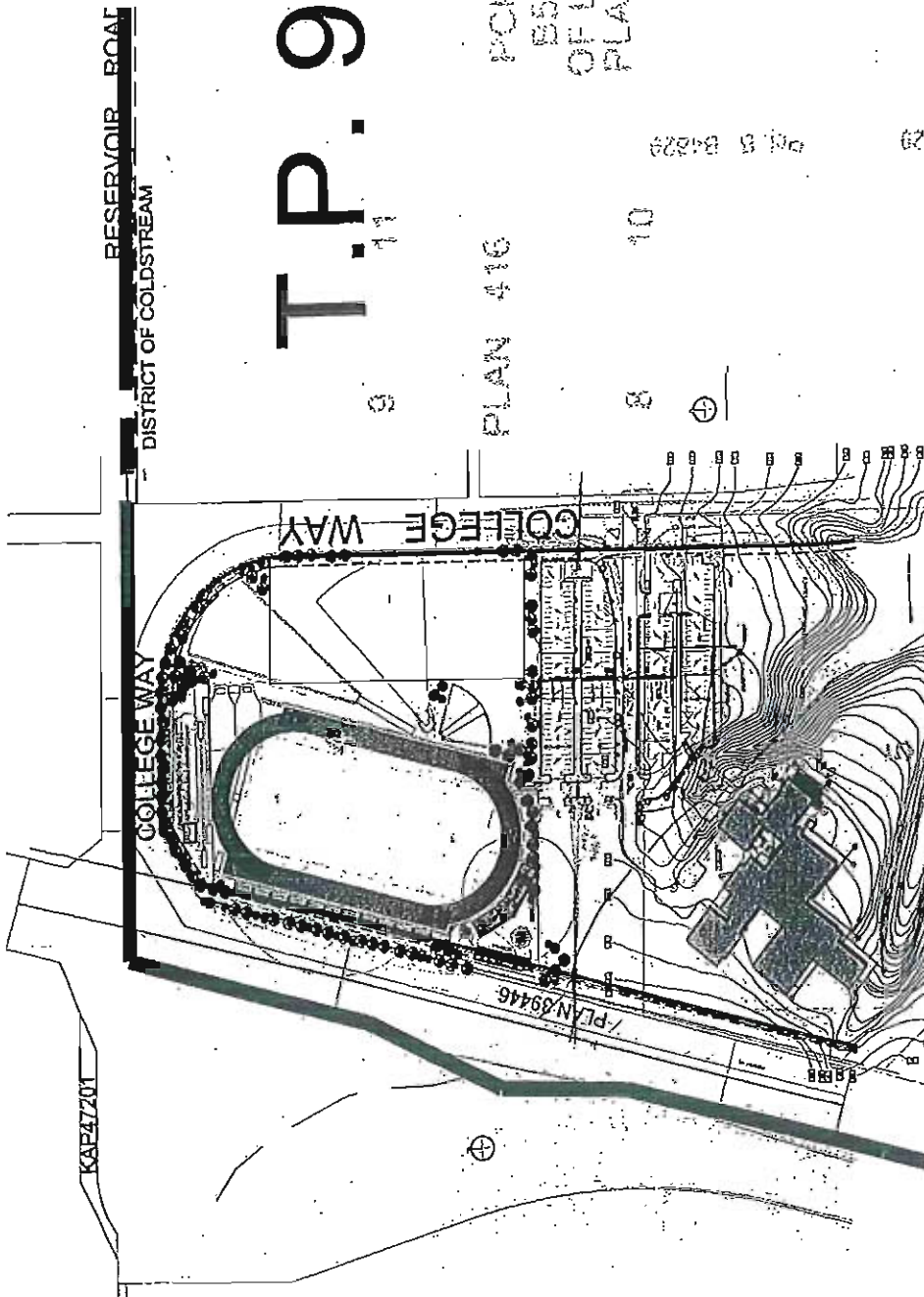
AND THAT the decision is subject to the following conditions:

- That topsoil be retained on the site and used to develop playing fields, or stored in berms at the edge of the site.
- That the facility be constructed within three (3) years

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution #350/2011



Project: Proposed GVSC Sports Field-House
 Drawing: College Park, Vermont, DC
 Date: NOV. 5, 2008
 Project No.: 09486
 Scale: 1:1000
Design

APPROVED RAYING FIELDS & TRACK
 ALC APPLICATION # 52111
 RESOLUTION # 350/2011

RESERVOIR BOAT
DISTRICT OF COLDSTREAM

COLLEGE WAY

T.P. 9

PLAN 416

PCI
E5
OFF
PLA

10

NOV 5 8 42 29

MON
E



REGIONAL DISTRICT OF NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG
DISTRICT OF COLDSTREAM
CITY OF ENDERBY

VILLAGE OF LUMBY
TOWNSHIP OF SPALLUMCHEEN
CITY OF VERNON

ELECTORAL AREAS:

*B - SWAN LAKE
*C - B.X. DISTRICT
*D - LUMBY (RURAL)

*E - CHERRYVILLE
*F - ENDERBY (RURAL)

OFFICE OF: ENGINEERING

OUR FILE No.: 5780.03.02

November 24, 2011

COLDSTREAM, BC V1B 1P6

Dear Sir / Madam:

Re: Excessive Agricultural Water Consumption

The Regional District of North Okanagan - Greater Vernon Water (RDNO-GVW) is committed to equitable and cost effective delivery of water to our customers. The RDNO-GVW is also working with the B.C. Ministry of Agriculture to assure our agricultural community receives the appropriate annual amount of water according to crop needs. The Agricultural Metering Program was implemented to help achieve these goals.

Monitoring water use ensures that access is equitable and encourages each customer to use no more than the allocation they have paid for. In 2012, customers will be receiving a mock bill to introduce the new agricultural water rate that will be applied to any use over a customer's allocation.

As of the last meter reading taken by our staff at the end of the 2011 growing season, your water meter recorded the following consumption:

Property Address	
Property Legal Lot Number	2
Property Plan Number	21678
Allocation (Hectares)	0.1
Maximum Flow Rate (litres per second)	0.078
Annual Maximum Water Available (m ³)	550
Irrigation Water Volume used in 2011 (m ³)	765
Percentage of Use Over Allocation	39.09

Agricultural irrigation customers must conform to Bylaw 2248 which restricts the flow and volume of water used according to individual property water allocations. **Our records indicate that you have used significantly more water than your allocation allows.** This excessive use may be an indication of a leak in your system that should be rectified. However, this is a new monitoring system and due to the scale and nature of the GVW agricultural metering program, errors in data may exist. Customers are encouraged to review their property and water use details, and promptly report any data errors or inconsistencies to **John Bartell**, Engineering Technologist at **250-550-3688**.

Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC
V1B 2K9

Phone: 250-550-3700
Fax: 250-550-3701
Web: www.rdno.ca
E-Mail: info@rdno.ca

File No.: 5780.03.02
Dated: November 24, 2011

If you are found to be using water at a rate that will result in you exceeding your allocation in 2012, Bylaw 2248 requires that enforcement measures be taken. This may include early turn-off of your irrigation water supply, in addition to the proposed over-allocation fees.

Efficient irrigation will help maximize crop productivity while excessive irrigation can lead to soil erosion, lost nutrients, and over application of costly chemicals. The first step to efficiency is to understand how much water you use. Through the Okanagan Irrigation Management (OKIM) program, you can register for online access to water consumption information for your property. The OKIM website, www.okim.ca, compares your water consumption with the predicted monthly water demand of your crop, based on your soil type and climate information from Environment Canada.

Also available through www.okim.ca, is the **Agricultural Irrigation Scheduling Calculator**, which creates a five day irrigation schedule to maximize plant growth and increase productivity for a wide variety of crops. Please contact **Jennifer Miles**, Water Sustainability Coordinator, at **250-550-3684** or email jennifer.miles@rdno.ca, if you would like more information on these online tools.

Yours truly,



Al Cotsworth
Utilities Manager

AC/jm



DISTRICT OF COLDSTREAM MEMORANDUM

TO: Mayor Garlick and Council

FROM: Trevor Seibel, CA
Director of Financial Administration

DATE: December 6, 2011

SUBJECT: 2012 Sewer Rates Bylaw

File: 1715-01

1. Purpose

For Council to give first 3 readings to the 2012 Sewer Rates Bylaw

2. Origin

October 17, 2011 Finance Committee meeting.

3. Background/Discussion

Over the past several years the rate structure for the sewer utility has undergone significant changes. In an effort to move towards a more “user pay” system and promote conservation within the system, the District changed its fee structure from a flat fee to a base fee with consumption rate. Over the past few years the most heavily debated issue is to what level of “user pay” should the rates reflect. There are a couple of key factors that need to be considered:

- The annual sewer rates are established based on the 1st quarter water consumption;
- Coldstream has a large number of “snowbirds” where the 1st quarter consumption is very low and the remaining quarters are quite high;
- The rates must generate sufficient revenue to cover operating expenses plus 50% of the annual amortization.

The 1st quarter consumption figures, when annualized, are generally less than the actual annual flows for which the District is invoiced for treatment and disposal costs. The challenge created is that the base consumption value (1st quarter actual) needs to account for the additional flows during the remainder of the year. As a result, the District’s fee structure incorporates the additional revenues needed for the additional flows in the last 3 quarters of the year.

After a lengthy process that started in October 2010 and finished in December 2010, Council established the following principles during the establishment of the 2011 sewer rates:

- The rate structure needs to incorporate the “snowbird” effect while promoting conservation;
- The rate structure will include a two tiered base fee, based on consumption, and a consumption rate;
- The base fee is calculated on the fixed costs of the sewer utility. The fixed costs were identified as administration, amortization, telephone and utility costs.

Using the above principles the following rate structure was prepared:

- For those accounts who consume less than 15 cubic meters in the 1st quarter, the sewer rate will be calculated as base PLUS consumption rate X 15 cubic meters.
- For those accounts who consume greater than 15 cubic meters the sewer rate will be calculated as base fee PLUS consumption rate X consumption (starting at 0)

For 2011 the base fee was established as \$54.19 and the consumption rate was \$2.31 per cubic meter. The above principles were established as a compromise between a true “user pay” system and ensuring that all sewer utility customers are paying a reasonable share of the sewer utility costs.

Going into 2012 one of the main considerations is the negotiation of a new sewer agreement with the City of Vernon. Currently, the City invoices the District a percentage of the operating and capital costs of the treatment and disposal facility. The percentage is established by taking District flows as a percentage of the overall flows into the treatment and disposal facility. One of the changes being contemplated is the establishment of a sewer rate that will incorporate annual amortization costs. Under this approach, the District would no longer be charged for annual capital projects from the City but would instead pay a portion of the annual amortization charges. The new rate would then be “fixed” for a 5 year period and would only increase based on annual inflation. Although this will create an increase in the annual treatment and disposal costs, it will allow the District to ensure some stability in the rate structure for the next 5 years.

Using the above principles, the 2012 sewer rates have been calculated as follows:

- Base fee - \$56.45
- Consumption rate - \$2.51 per cubic meter

These proposed rates have the following impact:

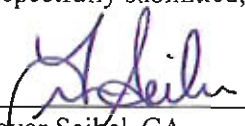
Consumption (cubic meters)	Actual 2011	Proposed 2012	Increase	
			Quarterly	Monthly
10	88.84	94.10	5.26	1.75
30	123.49	131.75	8.26	2.75
50	169.69	181.95	12.26	4.09
70	215.89	232.15	16.26	5.42
90	262.09	282.35	20.26	6.75
110	308.29	332.55	24.26	8.09

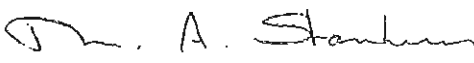
The proposed rate structure will have a small increase to the low sewer users but a larger increase to the higher sewer consumers. The principles established by Council last year provide a reasonable basis for distributing the anticipated cost increases.

4. It is recommended:

THAT Council give 1st, 2nd, and 3rd reading to “District of Coldstream Sewerage Systems Regulation and User Charge Bylaw No.1480, 2006, Amendment Bylaw No.1602, 2011, Amendment No. 6

Respectfully submitted,


 Trevor Seibel, CA
 Director of Financial Administration


 Reviewed by Michael Stambhuis
 Chief Administrative Officer

DISTRICT OF COLDSTREAM

BYLAW NO. 1602, 2011

**A BYLAW TO AMEND THE DISTRICT OF COLDSTREAM SEWERAGE SYSTEMS
REGULATION AND USER CHARGE BYLAW NO. 1480, 2006**

WHEREAS it has been deemed desirable to amend the provisions of Bylaw No. 1480, 2006, cited as the "District of Coldstream Sewerage Systems Regulation and User Charge Bylaw No. 1480, 2006";

NOW THEREFORE, the Council of the District of Coldstream in open meeting assembled ENACTS AS FOLLOWS:

1. This bylaw may be cited for all purposes as the "**DISTRICT OF COLDSTREAM SEWERAGE SYSTEMS REGULATION AND USER CHARGE BYLAW NO. 1480, 2006, AMENDMENT BYLAW NO. 1602, 2011, AMENDMENT NO. 6**".
2. Schedule "A" of Bylaw No. 1480, 2006, is hereby deleted in its entirety and replaced with the following attached Schedule "A".
3. This bylaw shall come into force and take effect upon the final reading and adoption thereof.

READ A FIRST TIME this _____ day of December 2011

READ A SECOND TIME this _____ day of December 2011

READ A THIRD TIME this _____ day of December 2011

FINALLY PASSED, AND ADOPTED this _____ day of January 2012

Corporate Officer

Mayor

Attachment
- Schedule A

	<u>Minimum Charge</u>	<u>Fixed Rate</u>	<u>Consumption Rate</u>
1. Residential	\$94.10 per quarter	\$56.45 per quarter	\$2.51 per cubic meter
2. Commercial	\$94.10 per quarter	\$56.45 per quarter	\$2.51 per cubic meter
3. Multiple Family	\$94.10 per quarter	\$56.45 per quarter, per unit	\$2.51 per cubic meter

For consumption less than fifteen (15) cubic meters, the minimum charge will apply. For consumption greater than fifteen (15) cubic meters, the quarterly charge will be the fixed rate plus the consumption rate.

The consumption per meter rate will be charged based on the measured quantity of water consumption in the first billing period of the year (approximately January to March). This volume will be multiplied by the consumption rate for each and every quarter.

In addition to the charges above, all non-metered customers will be charged a flat rate of \$94.10 per quarter, per unit.

Interest at the rate of twelve percent (12%) per annum shall be charged on any current amounts unpaid by a day designated by the District Treasurer.

4. Proration of Fees

Fixed fees will be reduced based on the connection date to the system after the start of the quarter:

<u>Connection Date</u>	<u>Reduction</u>	<u>Net Charge</u>
0 - 30 days	0	\$ 94.10
30 - 60 days	33%	\$ 62.10
60 days - end of quarter	66%	\$ 31.05

5. Service Installation Fees

- a. There shall be a fee payable for the installation of a 4 inch service connection, from the District's main to the property line, of Two Thousand Dollars and Zero Cents (\$2,000.00).
- b. In those cases where a developer has installed residential sewer connections, and a latecomer is or was in effect, the connection fee shall not be charged. Those residents wishing to connect will be charged the Plumbing Permit cost.
- b. For service connections exceeding 4 inches, fees payable shall be the same as 5.a. above, plus any additional costs incurred.

6. Water Supply

Where a user of the sewerage system does not obtain water from the Greater Vernon Water Utility and the user fee as set out in Sections 2 or 3 apply, where the water consumption must be known, then the user will be required to ensure that all the necessary equipment is in place to obtain this consumption amount.