1. **Call to Order**

   The Mayor called the meeting to order at 7:00 pm.

   We acknowledge that we are conducting our business today on the unceded territory of squilx”/syilx (Okanagan) peoples. As a Council, we recognize the importance of doing our best to build respectful relationships that contribute to stewarding the land and waters in the community with integrity and consideration for future generations.

2. **Adoption of Agenda**

   2021-09-197 It was moved and seconded
THAT the Regular Council Meeting Agenda of September 21, 2021 be adopted.

Carried.

3. Adoption of Minutes

3.1 Special Council Meeting Minutes of August 31, 2021

2021-09-198 It was moved and seconded

THAT the Special Council Meeting Minutes of August 31, 2021 be adopted with the following corrections:

- under item 3, "roll" should be "role"

Carried.

3.2 Regular Council Meeting Minutes of September 7, 2021

2021-09-199 It was moved and seconded

THAT the Regular Council Meeting Minutes of September 7, 2021 be adopted with the following corrections:

- Page 2, "She" should be capitalized as the start of a new sentence.
- Page 3, section 9.1 is a legal description legal be amended from "W 1/2 of Lot 3 Meas Along the N & S Boundaries thereof DL" to "W 1/2 of Lot 3, measured along the north and south boundaries therefor District Lot"
- Page 3, amend the word "prince" under the statement from Barinder Kahlon - applicant, to "price".

Carried.

4. Report from Mayor

Mayor Baker read the following statement:

On September 30, 2021, the District of Lake Country will close non-essential operations and lower our flag to half-staff at Municipal Hall in recognition of the first National Day of Truth and Reconciliation.

We are taking these steps to show our respect for our indigenous friends and neighbours who deserve our understanding and compassion on this day, and truly, every day.

We all were shocked this year by the discovery of unmarked graves at former residential school sites. We are troubled by the continuing stories of despair from our friends and neighbours, stories of systemic abuse and generational impacts; stories of inequality, fear and hopelessness. These stories need to be heard and addressed.
Lake Country Council believes in leading by example. This small step to recognize such an enormously important and complex issue, is still one step towards real truth and reconciliation. More steps are needed, and we will work on that continually.

We will seek the truth and not shy away from the uncomfortable realities that we’ll find as we strive towards reconciliation with the indigenous people in our community. To Lake Country Council, reconciliation means seeking to repair the damage that has been done and working to find common ground and a better future for everyone, equally. We will not be fearful of this, we will embrace it.

Lake Country, by lowering its flag and closing our operations, is honoured to show we care deeply about our indigenous friends and neighbours and will proudly recognize Canada’s first National Day of Truth and Reconciliation on September 30.

2021-09-200 It was moved and seconded

THAT non-essential operations be closed and the flag be lowered to half-mast at the Municipal Hall in recognition of the first National Day of Truth and Reconciliation.

Carried.

5. Announcements

6. Delegations and Petitions

6.1 Decriminalization Done Right, From Ben Goerner

7. Bylaws following a Public Hearing (No Public Comment)

8. Public Comment (For items not included on the Agenda)

9. Development-Related Applications (Public Comment)

9.1 Development Permit DP2019-005-C & Development Variance Permit DVP2020-021

11565 Okanagan Centre Road East

Birte Decloux and Grace Pontes

In response to questions from Council, Ms. Decloux clarified trees and grasses will be located between the retaining wall and neighbouring property as a buffer. In addition, substantial landscaping including deciduous and coniferous trees between 5m and 13m in height, will be located along the east phase. This will be done to mitigate the height of the basement to the neighbours. The retaining wall is intended to minimize earth movement and shore up land to provide flat yards and space for residents. The vision of the project is to provide a similar feeling to single family homes with room for a yard and garden space.

The natural vegetation shown on the landscape plan is located on the neighbouring property and is not subject to this application and will not be disturbed as part of the development. The steep contours shown on the landscape plan are also located on the neighbouring property. A hydrologist and Ecoscapes Engineering have been hired to address concerns related to the ground water spring. Documentation will be submitted
ensuring there is no infiltration within 100 feet of the spring. Council requested the applicant communicate with the neighbouring property owners and the applicant expressed assurance all registered professionals will adhere to their professional standards.

The Mayor asked if there were any comments from the public.

**Nolan Smith, Robinson Road**

Mr. Smith is a neighbouring resident and expressed concerns with the height of the development. Due to the existing slope of the land, there will be 40 feet of wall for a view. He noted he has a well on his property which is 10 feet from the property line and even though there are assurances there will be no disturbance within 100 feet, once building starts, it could impact the well water and leave him without irrigation or potable water.

**Keira Smith, Robinson Road**

Mrs. Smith noted there is standing water on their property that flows into the development below which needs to be addressed. She is not satisfied with the developers engineering plans for groundwater and would like additional information.

2021-09-201 It was moved and seconded

THAT Development Permit DP2019-005-C for property located at 11565 Okanagan Centre Road East, legally described as Lot B, Section 22, Township 20, ODYD, Plan 10901, Roll 2845000 for the construction of 20 multiple unit row houses within 5 buildings consisting of two 3-unit buildings, two 4-unit buildings, and one 6-unit building be approved;

AND THAT prior to issuance of the Development Permit, a Security Deposit of $242,325.00 be submitted to the District of Lake Country to ensure the works described in the Permit for landscaping are completed;

AND THAT prior to issuance of the Development Permit that a Driveway Access Permit is issued by District Engineering;

AND FURTHER THAT the Development Variance Permit DVP2020-021 for property located at 11565 Okanagan Centre Road East, legally described as Lot B, Section 22, Township 20, ODYD, Plan 10901, Roll 2845000 to vary the following sections of Zoning Bylaw 561, 2007

1. Section 7.7.2. to add Row Housing to the list of housing forms for which “walkout basements oriented to the rear yard shall not be considered for the purpose of determining height”; and

2. Section 8.5.10. to vary “the combined height of a fence on top of a retaining wall from 2.0 m to 2.4 m”.

Carried.

Opposed: Councillor Kozub

9.2 Development Permit DP2020-012-C and Development Variance Permit DVP2021-024

3041 Woodsdale Road

Bob Guy, applicant
In response to questions from Council, Mr. Guy advised Council he has a good relationship with the neighbour and has discussed the development with him many times. Mr. Guy has discussed the curb issue with the neighbour and once the shallows are finished, the curb will be redone and will be cut off to satisfy his concerns. The fence issue hasn’t been raised by the neighbour but Mr. Guy noted it will not be an issue and he is happy to discuss it and provide a solution.

Mr. Guy provide clarification on the sanitary sewer relocation and decommissioning portions of the application.

The Mayor asked if there were any comments from the public a first, second and third time. There were none.

2021-09-202 It was moved and seconded

THAT Development Permit DP2020-012-C for property located at 3041 Woodsdale Road, legally described as Lot A District Lot 169 Osoyoos Division Yale District Plan 18890, Roll 11606075 for a 44-unit townhouse development be approved.

AND THAT Development Variance Permit DVP2021-024 for property located at 3041 Woodsdale Road, legally described as Lot A District Lot 169 Osoyoos Division Yale District Plan 18890, Roll 11606075, to vary the following sections of Zoning Bylaw 561, 2007:
1. Section 15.7.6(d) to reduce the minimum required front yard setback (Woodsdale Road) from 6m to 4.5m;
2. Section 15.7.6(e) to reduce the minimum required side yard setback for portions of a building in excess of 2.5 storeys for Building 3 from 7.5m to 6.9m;
3. Section 7.4.2 to increase the allowable projection of a balcony into the minimum required front yard setback (Woodsdale Rd) from 0.6 to 1.2m;

be approved;

AND FURTHER THAT prior to the issuance of Development Permit DP2020-012-C a Security Deposit of $327,977.30 be submitted to the District of Lake Country to ensure works described in the permit are completed.

Carried.

Opposed: Councillors Gambell and Kozub

9.3 Temporary Use Permit TP2021-001 and Development Permit DP2021-027

9162 Glenmore Road

Stewart McMillian, owner

In response to questions from Council, Mr. McMillian stated the original plan was to rezone the property to industrial and not to have an RV storage although that is not possible at this time due to the District's future road realignment plans. This proposal is an interim measure until the property can be rezoned and subdivided. The long-term use of the property is market driven. The proposed temporary use will likely employee 2 people. Without the ability to connect to sewer there will be no washrooms or sani-dump systems on site. In response to questions, the applicant noted the lighting will be downcast.
The Mayor asked if there were any comments from the public a first, second and third time. There were none.

2021-09-203 It was moved and seconded

THAT Temporary Use Permit TP2021-001 and Development Permit DP2021-027 for property located at 9162 Glenmore Road legally described as: Lot 1 Section 3 Township 20 Osoyoos Division Yale District Plan 4674 and Lot 1 Section 3 Township 20 Osoyoos Division Yale District Plan 26595, to allow development of an outdoor recreational vehicle and boat storage facility be approved.

Carried.

Opposed: Councillor Ireland

9.4 Development Variance Permit DVP2020-020

15050 Pelmewash Parkway

The Mayor asked if there were any comments from the public.

Alan Gatzke, Old Mission Road

Mr. Gatzke noted this application received a lot of negativity on Facebook. He has not met the owner but spoke in favour of the application. He believes the District should not be concerned about taking over the proposed septic system. Mr. Gatzke used to think a proposal like this should be on sewer but has changed his mind. Sewer will change Oyama and all allow developments on the isthmus. Until sewer comes, everyone that wants to develop is going to need a variance. If you approve this variance, it allows the applicant to make a plan and bring it back to Council. The perception is not the reality in this case. The reality is the applicant has to do this variance before he can do any plan.

Filip Nelson, Sheldon Road

This development will be directly across from Mr. Nelson's property. Mr. Nelson expressed concerns that the septic system will produce a nuisance odour. A letter with 53 signatures opposed to the application was submitted to Council. The community has the opportunity to speak and has said no. This property has been in a state of repair for a long time and residents are fearful of reprisals from the property owner. This is not the development that is wanted in the neighbourhood. Everyone in the community wants to be on sewer and has built to the existing guidelines with no variances. If the first step in this application is a variance, an exception to the rule, where does that lead the development. The people in Oyama, the people that live in the neighbourhood, got together and signed the letter, it was not via Facebook. This proposal will place a sewage treatment plant in people's front yard. The neighbourhood, your constituents, have come together to tell Council "no" with 16 letters and 53 signatures.

Matthew Van Galen, proponent

Mr. Galen stated the development is in line with the Official Community Plan, will diversify the tax base and provides a great opportunity. The proposed septic system has been reviewed by an engineer and the system will be many feet underground. The proposal does not include sky scrapers and proposes to upgrade the pump house and
water supply to improve fire flows for the neighbourhood. The current hydrants do not support enough fire flow for a single family dwelling and the water improvements will benefit the entire neighbourhood. Mr. Galen circulated a conceptual drawing to Council (attached to these minutes). The property is sloped and views would not be impacted. The building will be repurposed into something everyone can enjoy and provides an opportunity for Lake Country to grow and prosper.

The Mayor asked if there were any further comments

Gary Van Galen, proponent

Mr. Galen advised the original building was constructed in 1967 by Helmet West as Oyama Sausage. Mr. West lived in on the property and built the surrounding houses for his business partners and employees to make it a successful happy community. The proponents also wish to build a successful happy community with a development that fits within Oyama.

Don Martin, Sheldon Road

Mr. Martin advised Council that he submitted a letter and signed the petition in opposition to the application. He has lived on his property for 30 years with septic and has been waiting for a sewer connection like everyone else. He requested additional information on the proposed septic system be provided. He added there have never been issues with water pressure on his property. Residents in the neighbourhood walked around to discuss the application and no one was in favour. He concluded that smoke from the previous Oyama Sausage was never a problem.

Matthew Van Galen, proponent

Mr. Galen advised that pits have been found on the property and the new proposal provides an environmentally friendly plan. The communities concerns are understood but the proposal cannot wait for sewer. The proposal would also upgrade the pumphouse and Lake Country water system to improve fire flows.

Filip Nelson, Sheldon Road

Mr. Nelson asked Council to consider asking all the users of Pelmewash and the Rail Trail if they thought locating a septic system that close to the lake was a good or a bad idea. The new systems can be very effective but what would happen if you asked all those people their opinion.

Gary Van Galen, proponent

Mr. Galen noted the existing septic systems were built in 1970 and 1968. The new system would be 8 times further away from the lake and much cleaner.

Alan Gatzke

Mr. Gatzke stated this issue is about a piece of commercial land that cannot move ahead without a variance. He requested Council remove the emotion from the decision and consider the applicant has to do this because it’s commercial land.

2021-09-204 It was moved and seconded
THAT Development Variance Permit DVP2020-020 for the property located at 15050 Pelmewash Parkway legally described as That part of the fractional south west 1/4 of the north west 1/4 of Section 2 shown on plan DD3472 Township 14 ODYD Except Plans 19792 and 22625, Roll 1720000 be denied and the file closed.

**Motion Failed.**

Opposed: Mayor Baker, Councillor's Scarrow, Ireland, McKenzie and Kozub

2021-09-205 It was moved and seconded

THAT Development Variance Permit DVP2020-020 for property located at 15050 Pelmewash Parkway legally described as That part of the fractional south west 1/4 of the north west 1/4 of Section 2 shown on plan DD3472 Township 14 ODYD Except Plans 19792 and 22625, Roll 1720000 be referred to staff, pending receipt of the following information:

- a summary of community consultation
- an explanation of servicing and short term solution vision
- explanation and understanding of the impact of servicing on the LWMP process
- receipt of a Development Permit application for concurrent consideration.
- clarification of Development Permit guidelines and land use sequencing process
- status of current septic system

**Carried.**

Opposed: Councillor Gambell

_Councillor Gambell left the meeting at 10:55 p.m._

2021-09-206 It was moved and seconded

THAT the Regular Council Meeting of September 21, 2021 continue past 11:00 p.m.

**Carried.**

10. Development-Related Applications (No Public Comment)

10.1 Notice on Title NOT2021-009

12008 Pretty Road

2021-09-207 It was moved and seconded

THAT Notice on Title be placed on the property at 12008 Pretty Road legally described as Lot 1, Plan KAP17479, Section 21, Township 20, ODYD, Except Plan EPP79165 P.I.D. 002-001-471 pursuant to Section 57 of the Community Charter.

**Carried.**

Opposed: Councillor Ireland
10.2 Notice on Title NOT2021-010

11263 Pretty Road
2021-09-208 It was moved and seconded

THAT Notice on Title be placed on the property at 11263 Pretty Road legally described as Lot 15, Plan KAP17861, Section 15, Township 20, ODYD, P.I.D. 008-345-139 pursuant to Section 57 of the Community Charter.

Carried.

11. Non-Development Related Reports

11.1 Permissive Tax Exemption Bylaw

2021-09-209 It was moved and seconded

THAT Tax Exemption Amendment Bylaw 1165, 2021 be read a first, second and third time.

i) Addition of a 2-year Little Owl Academy Tax Exemption

ii.) Addition of a 2-year Winfield Memorial Hall Tax Exemption, subject to having a signed lease agreement in place by October 31, 2021 which opens the parking lot to the public.

Carried.

12. Report from In Camera

13. Council Committees

14. Information Items

15. Strategic Priorities and Mission Statement

15.1 Strategic Priorities

15.2 Council’s Values, Vision and Mission Statement

16. Councillor Items

Councillor Scarrow thanked everyone for their patience during the meeting this evening and said let's all go home.

Councillor Ireland presented his notice of motion.

Councillor McKenzie announced his wife is a cancer survivor and for the 10th year is doing the Bike for the Cure. She has raised $30,000 for cancer and this will be her third year doing the bike around Wood Lake. He is very proud of her.

Councillor Reed thanked all the volunteers who helped out with the federal election and thanked everyone that came out to vote. She noted that an update on the Liquid Waste Management Plan was scheduled to be presented to Council and is curious on the current
capacity after the recent development approvals which would put the limit at approximately 287 units available. She looks forward to hearing an update from staff and what plan B looks like.

2021-09-210 It was moved and seconded

THAT, as the District’s request for a 2021 UBCM meeting with the Minister of Transportation and Infrastructure was declined, a letter be sent to the Minister requesting a meeting this fall to address transportation issues important to Lake Country.

Carried.

17. Adjournment

The Mayor adjourned the meeting at 11:11 p.m.

Mayor, James Baker

Corporate Officer, Reyna Seabrook