



Minutes

Regular Council Meeting

October 19, 2021, 7:00 p.m.
Council Chambers/Video Conference
10150 Bottom Wood Lake Road
Lake Country, British Columbia V4V 2M1

Council Present:

Mayor James Baker
Councillor Penny Gambell
Councillor Blair Ireland
Councillor Todd McKenzie
Councillor Cara Reed
Councillor Bill Scarrow

Council Absent:

Councillor Jeremy Kozub

Staff Present:

Tanya Garost, Chief Administrative Officer (CAO)
Reyna Seabrook, Director of Corporate Services
Michael Mercer, Director of Policy & Legal Affairs
Steve Windsor, Director of Protective Services
Matt Vader, Director of Parks, Recreation & Culture
Brent Penner, Deputy Fire Chief
Kiel Wilkie, Utility Manager
Scott Unser, Public Works Manager
Cory Gain, Manager of Planning
Ruth Sulentich, Communications & Public Engagement Specialist
Gary Penway, Acting Director of Planning and Development
Zara Rockwell, Chief Building Inspector
Trevor James, CFO Director of Finance and Administration

1. Call to Order

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.

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

2. Adoption of Agenda

2021-10-216 It was moved and seconded

THAT the Regular Council Meeting Agenda of October 19, 2021 be adopted.

Carried.

3. Adoption of Minutes

3.1 Regular Council Meeting Minutes of October 5, 2021

2021-10-217 It was moved and seconded

THAT the Regular Council Meeting Minutes of October 5, 2021 be adopted.

Carried.

4. Report from Mayor

5. Announcements

6. Delegations and Petitions

6.1 Tourism Kelowna - Annual Report

FROM: Chris Lewis, Director of Visitor Experience, Tourism Kelowna

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

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

Dave Petitclerc

Mr. Petitclerc thanked Mayor Baker for allowing him to speak. Mr. Petitclerc expressed his admiration and praise for Kaloya Park as one of the most beautiful parks he has ever seen. He inquired about why Council changed the regulations and recommended dogs be permitted off leash in Kaloya Park? Allowing dogs in the park creates all kinds of problems, not only in the park but along the trails near Kaloya Park as well. Such issues include dog feces in the park and on the trails, dog's peeing on the children's playground, land owners no longer permitting access to trails due to dog feces, people trying to enjoy weddings or lunch and being interrupted by dogs off leash and jumping on people. Dogs off leash can also scare, and possibly injure, both adults and children. He noted that most dog owners are very good and it's the bad ones that create a problem and give the others a bad name. If the dogs were permitted to chase the geese away, the geese come right back after being chased off by a dog. He asked who to contact regarding his concerns related to dogs in Kaloya Park.

9. Development-Related Applications (Public Comment)

9.1 Remedial Action NOT2021-002

10420 Okanagan Centre Road East; Lot 17, Plan 521, Block D, Section 10, Township 20
ODYD

2021-10-218 It was moved and seconded

THAT remedial action requirements be imposed on the deck and deck coverings constructed on at 10420 Okanagan Centre Road East, legally described as Lot 17, Plan 521, Block D, Section 10, Township 20, ODYD, Roll: 2262000 (the "Property");

AND THAT the deck and deck coverings constructed on the Property be declared:

a hazardous condition pursuant to Section 73(1) of the Community Charter;

an unsafe condition pursuant to Section 73(2)(a) of the Community Charter;

in contravention of the BC Building Code and the District's Building Regulation Bylaw No. 1070, 2018 pursuant to section 73(2)(b) of the Community Charter; and

a nuisance pursuant to Section 74(2) of the Community Charter;

AND THAT, no later than forty-five (45) days after notice of this remedial action is sent, the owner, pursuant to section 72 (b) the Community Charter is hereby required to:

remove all decks and deck coverings (roofs over decks) from the single-family dwelling building on the Property;

board up, secure, close or otherwise ensure no access is available to the deck through any entrance, exit, window or any other means;

remove or store all remnants of the demolished deck and deck coverings from the Property so as not to create an unsightly condition; and

carry out all work in compliance with all applicable bylaws and enactments, by obtaining a valid building permit.

AND THAT the owner of the Property and all persons entitled to notice be notified of the remedial action requirements in accordance with section 77 of the Community Charter including notice that Council reconsideration of the remedial action requirement may be requested by providing written notice within 14 days of the date on which notice of remedial action is sent;

AND FURTHER THAT should the owner default on remedial actions being undertaken the District or its agents or contractors are authorized to carry out or to have work carried out at the expense of the owner. If the expense remains unpaid at December 31 of the year in which the work is done, the expense shall be added to and form part of the taxes to be paid on the real property as taxes in arrears or be collected as a debt.

Carried.

9.2 Notice on Title NOT2021-007

11407 Okanagan Centre Road W; Lots 10 & 11 Blk D Plan KAP454 Sec 17 Twp 20 ODYD;
Roll: 2590000

2021-10-219 It was moved and seconded

THAT Item 9.2 on the October 19, 2021 Regular Council Meeting Agenda, consideration of Notice on Title at 11407 Okanagan Centre Road West be removed from the agenda.

Carried.

9.3 Notice on Title NOT2021-008

5075 Glenmore Road; Lot A Plan KAP19884 Sec 3 Tw 20 ODYD; Roll: 2173215

Glenn Dolman, owner

Mr. Dolman advised Council that he is in the process of applying for a building permit and has engaged an engineer. The engineer will be able to provide the necessary schedules to complete the building permit application in approximately 4 to 6 weeks.

2021-10-220 It was moved and seconded

THAT consideration of Notice on Title for the property at 5075 Glenmore Road legally described as Lot A, Plan KAP19884, Section 3, Township 20, ODYD, P.I.D. 007-935-226 pursuant to Section 57 of the Community Charter be deferred for 6 weeks for the applicant to work with the building division to bring the property into compliance.

Carried.

9.4 Notice on Title NOT2021-011

10175 Chase Road; Lot 1 Plan KAP21806 Sec 9 Twp 20 ODYD; Roll: 2226030

Barry Rhodes, representative

Mr. Rhodes advised Council that he is representing the property owner and there has been a lot of confusion and misrepresentation around this property and application. He thanked staff for postponing the application from the previous meeting allowing his wife time to recover. Mr. Rhodes noted the building was constructed in 1971 and that he was provided advice that the building could be torn down under the right to farm provisions. He continued that there was no issue with getting a permit as it has been inspected by an independent building inspector. He requested a deferment of 3 months.

2021-10-221 It was moved and seconded

THAT consideration of Notice on Title on the property at 10175 Chase Road legally described as Lot 1, Plan KAP21806, Section 9, Township 20, ODYD, P.I.D. 007-306-377 pursuant to Section 57 of the Community Charter be deferred for 3 months for the applicant to work with the building division to bring the property into compliance.

Carried.

10. Development-Related Applications (No Public Comment)

10.1 Zoning Amendment (Dock Materials) P2021-010

Zoning Amendment (Dock Materials) Bylaw 1168, 2021

2021-10-222 It was moved and seconded

THAT Zoning Amendment (Dock Materials) Bylaw 1168, 2021 be read a first and second time;

AND THAT Zoning Amendment (Dock Materials) Bylaw 1168, 2021 be forwarded to a Public Hearing.

Carried.

11. Non-Development Related Reports

11.1 2021 Council Remuneration Task Force

2021-10-223 It was moved and seconded

THAT Council Remuneration and Expenses Policy 164, 2018 be amended to include the recommendations of the 2021 Council Remuneration Task Force:

Annual remuneration not be adjusted

The basis and timing for annual CPI increases to Council remuneration be included

Authority to travel be included

Provided technology devices be included.

Carried.

11.2 Moberly Local Service Area Bylaw Repeal

2021-10-224 It was moved and seconded

THAT Moberly Local Service Area Repealing Bylaw 1163, 2021 be read a first, second and third time;

AND THAT the Moberly Local Service area be referred to the Water Services Advisory Committee.

Carried.

11.3 Tax Exemption Amendment Bylaw 1165 2021

1st, 2nd & 3rd readings September 21, 2021; advertised October 7 & 14, 2021

2021-10-225 It was moved and seconded

THAT Tax Exemption Amendment Bylaw 1165, 2021 be adopted.

Carried.

11.4 AAP Certificate of Sufficiency - Loan Authorization Bylaw (WWTP) 1158, 2021

2021-10-226 It was moved and seconded

*THAT the October 12, 2021 Certificate of Sufficiency for Loan Authorization Bylaw (WWTP) 1158, 2021 be approved;
AND Loan Authorization Bylaw (WWTP) 1158, 2021 be adopted;
AND THAT Temporary Borrowing Bylaw (WWTP) 1169, 2021 be a read first, second and third time.*

Carried.

12. Report from In Camera

13. Council Committees

14. Information Items

14.1 Board of Education Meeting Highlights of September 29, 2021

14.2 Okanagan Basin Water Board (OBWB) Report - October 8, 2021

15. Strategic Priorities and Mission Statement

15.1 Strategic Priorities

15.2 Council's Values, Vision and Mission Statement

16. Councillor Items

Councillor Gambell announced that she attended the Safe Schools Committee meeting and is happy to report Lake Country is going to have a reservist operating as a School Liaison Officer beginning approximately next month which is a step in the right direction. The position will have a new title but continues the idea of committing to the connection between the school and RCMP which is very positive to have in Lake Country again. She continued noting that she took part in the business walks this morning with the Mayor, volunteers, the Chamber of Commerce and Tourism Kelowna. The event is very worthwhile and it was interesting to hear comments from local businesses about the impacts of COVID on the community as well as suggestions for improving their current situation. Hopefully all business owners will complete the survey which is available through the Chamber of Commerce and the Central Okanagan Economic Development Commission. She also encouraged people in the community have a look at the new fire hall.

Councillor McKenzie acknowledged the Okanagan Forest Task Force who cleaned up 25,000 pounds of trash in a remote forest area. This is a growing problem and he hopes Council can figure out how to make it easier for people to take trash to the landfill. He congratulated his

wife who recently completed a cycle around the lake and raised \$7,000 for cancer. Thank you to everyone who donated to her cause and he is very proud of her.

Councillor Ireland also thanked the Okanagan Forest Task Force for the wonderful work they are doing cleaning up what people should be cleaning up themselves. He is very thankful to this dedicated group who work hard to make our living areas and forests better places. He continued, congratulating Councillor McKenzie's wife for doing a great job raising money for an important cause.

Councillor Scarrow echoed Councillor Ireland's comments and said the new fire hall site is looking good with the new pavement.

Councillor Reed echoed her fellow Councillor's comments and proposed the following notice of motion:

THAT staff be directed to investigate bylaw amendments similar to other communities that consider blunting mechanisms or alternatives for spiked fences to reduce unnecessary suffering of deer being impaled.

Councillor Ireland expressed his regrets for not being able to join the business walks this morning.

Mayor Baker commented on the business walks noting people were doing reasonably well considering COVID but raised concerns with being unable to find staffing because of the rental and housing market. He also expressed dismay at the recent degree of vandalism that occurred at the Swalwell washrooms which is very unfortunate. When a RCMP School Liaison Officer was employed there was markedly reduced vandalism in the community. Most young people respect the property although there are some that do not. He inquired about when Council would be receiving their new student Youth Councillors.

17. Adjournment

The Mayor adjourned the meeting at 8:43 p.m.

Mayor, James Baker

Corporate Officer, Reyna Seabrook