

Minutes
Special Meeting of Council
Village of Lumby
Village Office, Council Chambers
Thursday, July 3, 2008

Mayor Foster called the meeting to order at 6:30 p.m.

Members Present: Mayor Eric Foster
Councillor Deb Leroux
Councillor Matt McLenehan
Councillor Ben Winters

Absent: Councillor Elinor Turrill

Staff: Ken Klassen, Director of Finance/Approving Officer

Gallery: There were two people present in the gallery

08/169 Moved by Councillor McLenehan, seconded by Councillor Leroux that the agenda be adopted.

CARRIED

08/170 Moved by Councillor Leroux, seconded by Councillor McLenehan that By-law 685-2008, being a bylaw to amend Official Community Plan By-law 638-2005 as for the property legally described as Lot A, Plan KAP45648, D.L. 308 (2598 Shuswap Avenue) from Green Space Church to Medium Density Residential be given first and second readings and that the Public Hearing be held on July 21, 2008 at 6:30 p.m.

CARRIED

08/171 Moved by Councillor Leroux, seconded by Councillor McLenehan that By-law 686-2008 to amend Division 9 of By-law 395-1986 by adding a new section Residential Medium-Density R-2(a) Zone be given first and second readings and that the Public Hearing be held on July 21, 2008 at 6:30 p.m.

CARRIED

08/172 Moved by Councillor Winters, seconded by Councillor McLenehan that Development Permit for Lot A, D.L. 18, Plan 33604, except Plan KAP67683 for the development of a Tire Retreading Facility (1440 Dyffryn Road) be approved with the following conditions:

- a. The property shall be developed in compliance with attached Schedules 'A' (site plan) and Schedule 'B' (elevations); and
- b. Signage for the proposed development shall be in accordance with Section 405 of the Village of Lumby Zoning Bylaw 395, 1986; and
- c. Landscaping shall be in accordance with Section 403.2 of the Village of Lumby Zoning Bylaw 395, 1986 with the exception of the variance noted by waiving the requirement for a landscaping of the remaining undeveloped portion of the property, as it will be developed in future phases. The remaining undeveloped lands shall be maintained for dust control and natural growth; and
- d. Parking and paving shall be in accordance with Section 1001 of the Village of Lumby Zoning Bylaw 395, 1986; and.
- e. The proposed development shall be fully serviced with Village of Lumby water, and the sanitary shall be serviced by a holding tank and shall connect to the Village sewer at such time as the service become available; and
- f. A surface and foundation drainage plan shall be prepared for the proposed development. The drainage shall be approved by the Village of Lumby Public Works Superintendent as a condition precedent to the use of the land for a tire retreading facility; and
- g. Impermeable catch basins shall be provided for all fuel and chemical storage areas proposed to be located on the subject property in accordance with the requirements of the Provincial Fire Commissioner and/or the Ministry of Environment; and
- h. Screening of outdoor storage areas shall be in accordance with Section 403 of the Village of Lumby Zoning Bylaw 395, 1986; and

- i. Loading bay requirements shall be in accordance with Section 1101 of the Village of Lumby Zoning Bylaw 395, 1986;and
- j. Development Cost Charges shall be paid at time of building permit issuance; and
- k. Prior to the issuance of the Development Permit, a restrictive covenant must be registered on the title of the subject property that indemnifies the Village of Lumby and the Regional District of North Okanagan from any losses or damages caused by flooding; and
- l. All construction must meet the flood construction elevation of 493.5 metres GSC Datum and must conform to the Floodplain Management Provisions outlined in Schedule "F" of the Village of Lumby Zoning By-law 395; and
- m. An irrevocable letter of credit in the amount of 1.5 times the amount of a professional paver's estimate and a professional landscaper's estimate for the work outlined above shall be provided to the Village of Lumby as a condition precedent to issuance of building permits for the proposed development;

CARRIED

08/173 Moved by Councillor Leroux that Council table the Water Meter Financing Report to July 21, 2008.

CARRIED

08/174 Moved by Councillor Leroux, seconded Councillor McLenehan that Council changes the Regular meeting of July 14, 2008 to July 21, 2008 at 6:30 p.m. and that an ad be placed in the newspaper.

CARRIED

08/175 Moved by Councillor Winters, seconded Leroux that Council enter in-camera to discuss matters under section 90 of the Community Charter on matters relating to land issues.

CARRIED

08/176 Moved by Councillor Turrill, seconded by Councillor Winters that Council revert to an open meeting.

CARRIED

08/177 Moved by Councillor Winters that the meeting be adjourned.

CARRIED

Mayor Eric Foster

Clerk