

AGENDA
REGULAR MEETING OF COUNCIL
Village of Lumby
Municipal Office Council Chambers
1775 Glencaird Street
Monday, January 9, 2012, 6:30 p.m.

1. OPENING OF MEETING

2. ADOPTION OF THE AGENDA

3. ADOPTION OF MINUTES

- (a) Minutes of December 19th, 2011 Regular Meeting of Council

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4. BUSINESS ARISING FROM THE MINUTES:

5. DELEGATIONS:

- (a) Leigha Horsfield, Community Futures North Okanagan to discuss “The Futures Game”

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- (b) Electoral Area “D” Director Rick Fairbairn

6. BUSINESS ITEMS:

- (a) A Development Variance Permit application has been received for 2037 Shuswap Avenue proposing a building addition to accommodate a take-out pizza use. The proposed variation is reducing the required number of parking spaces from 31 to 5 and loading bays from 1 to 0. Planning department recommends:

THAT upon consideration of input from adjacent landowners, Council authorize the issuance of a Development Variance Permit for the property legally described as Lot 1, District Lot 18, ODYD, Plan 27706 and located at 2037 Shuswap Avenue to allow variances to Sections 1001.3 and 1101.4.a.i of the Village of Lumby Zoning Bylaw No.395, 1986 by reducing the required number of off-street parking stalls for a takeout café and store use from 31 to 5 stalls and to waive the requirement to provide a loading bay;

AND THAT Council authorize the issuance of a Development Permit for the property legally described as Lot 1, District Lot 18, ODYD, Plan 27706 and located at 2037 Shuswap Avenue subject to the following:

- a) the dimensions and siting of the building and vehicular and bicycle parking areas shall be in general accordance with the attached site plan;
- b) the exterior design and finish of the building shall be in general accordance with the attached building elevations. The building shall be sided with stucco and hardie plank siding with a neutral, earth tone palette of browns and tan colours.
- c) 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 that may be caused by flooding.

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- (b) Mike Lane, Co-chair of the Vernon Royal Bank Cup 2014 committee, is requesting a letter of support from the Village of Lumby in support of their efforts to bring the RBC Cup to Vernon in 2014.

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- (c) Staff has received a letter regarding the opening and operation of Cherryville Concession operating a mini donut trailer on private property located at 1892 Vernon Street in Lumby. They are requesting an exemption from a Development Permit at the above address. Staff has provided some background information for Council consideration.

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7. BY-LAWS:

8. CORRESPONDENCE:

- (a) Correspondence has been received from SILGA (Southern Interior Local Government Association) regarding a call for nominations.

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- (b) Correspondence has been received from SILGA (Southern Interior Local Government Association) regarding a call for resolutions for the 2012 SILGA Convention. The convention for 2012 is scheduled for April 26 – 28 in Revelstoke, BC. The Village of Lumby is preparing a resolution for Council consideration regarding the National Sex Offender Registry being made public. Council to consider if it wishes to have staff prepare any other resolutions for the 2012 SILGA Convention. Resolutions are to be received by the Secretary-Treasurer, Alison Slater, by Friday February 24, 2012.

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9. INFORMATION:

- (a) District of Elkford – Re: Canada-European Comprehensive Economic & Trade Agreement Negotiations
- (b) Office of the Prime Minister acknowledging receipt of our correspondence of November 17, 2011 addressed to the Prime Minister regarding the National Sex Offender Registry.
- (c) Honourable Ida Chong, Minister, Ministry of Community, Sport and Cultural Development congratulating success in the recent elections.
- (d) Honourable Michael de Jong, Minister, Ministry of Health, congratulating council on the recent elections, as well as appreciation for the meeting at the UBCM Convention.
- (e) Honourable James Moore, Minister of Canadian Heritage and Official Languages and Minister responsible for British Columbia, congratulations on the recent elections.
- (f) Honourable Steve Thomson, Minister, Ministry of Forests, Lands and Natural Resource Operations, regarding the 2011 UBCM Convention meeting.
- (g) Sgt. Tom Norton, Acting Officer in Charge, Crime Prevention & Program Support Services with the RCMP, congratulating on the recent elections including awareness about CPTED (Crime Prevention through Environmental Design) – a copy of the material is available in the office.
- (h) UBCM – Regarding RCMP Contract: Technical Briefing Sessions.
- (i) UBCM – Regarding BC Police & Crime Data.
- (j) UBCM – Regarding Nominations: UBCM Small Water Systems Working Group.
- (k) UBCM – Regarding 2012 Strategic Wildfire Prevention Initiative Program & Application Guides Available – Upcoming Application Deadline.
- (l) Copy of correspondence from the Ministry of Community, Sport and Cultural Development regarding the Regional District of North Okanagan's Regional Growth Strategy.
- (m) BC Community Living Action Group (BC-CLAG) regarding the crisis in BC's community living sector.

10. COUNCIL REPORTS:

(a) Village Representative – Councillor Fisher

1. Lumby and District Chamber of Commerce Liaison
2. Lumby and District Senior Housing Society Liaison
3. Alternate Representative – Okanagan Regional Library Board

(b) Village Representative – Councillor Hodge

1. Delegate to Municipal Insurance Association of BC
2. Lumby and District Health Services Society Liaison
3. Monashee Arts Council Liaison

(c) Village Representative – Councillor Mindnich

1. Okanagan Regional Library Board
2. Alternate Director-Regional District of North Okanagan Board

(d) Village Representative – Councillor Ostafichuk

1. Committee Member – White Valley Parks, Recreation and Culture Committee
2. Lumby Days Society Liaison

(e) Village Representative – Mayor Acton

1. Regional District of North Okanagan
2. White Valley Community Resource Centre Liaison
3. Alternate Delegate to Municipal Insurance Association of BC
4. Alternate Member – White Valley Parks, Recreation and Culture Committee

11. ADMINISTRATION REPORTS:

- (a) Bylaw Enforcement Report November – December 2011

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- (b) Memo from staff regarding Benefits Analysis.

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12. ADJOURNMENT.

Minutes
Regular Meeting of Council
Village of Lumby
Village Office, Council Chambers
Monday December 19, 2011

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

Members Present: Mayor Kevin Acton
Councillor JoAnne Fisher
Councillor Nick Hodge
Councillor Lori Mindnich
Councillor Randal Ostafichuk

Staff: Tom Kadla Chief Administrative Officer
Ken Klassen Director of Finance
Roger Huston Superintendent of Public Works

Delegation: Jane Emlyn
Ron Baker Community Protective Services Manager
Regional District of North Okanagan

Gallery: There were five people present in the gallery.

Council requested the addition of the correspondence be added to the Agenda:

- NOCLS requesting assistance of the Mayor as a Celebrity Caddy for NOCLS's 21st Annual Charity Golf Classic;
- Written correspondence from Councillor Fisher regarding the use of Whitevale School;
- Written correspondence from Councillor Hodge regarding investigating a consumption graph on the Village utility bills; and
- Written correspondence from Councillor Fisher regarding the Local Food Economy.

11/312 Moved by Councillor Hodge seconded by Councillor Fisher that the agenda be adopted as amended.

CARRIED

11/313 Moved by Councillor Fisher seconded by Councillor Mindnich that the minutes be adopted as amended.

CARRIED

Ms. Jane Emlyn presented to Council her background and rationale behind her request for the Village of Lumby to ban the cosmetic use of pesticide in the municipality. Jane Emlyn provided Council with informational handouts as well as presented a slide show and video on the impacts of pesticide use. A list of suggestions for caring for lawn on public land was circulated. Council discussed the presentation and asked how many other municipalities have banned cosmetic use of pesticides? Jane Emlyn advised that 39 out of 180 in British Columbia. Alternatives were discussed as well as putting information onto the municipal website to assist in educating the public. Council thanked her for the presentation.

Mr. Ron Baker, Community Protective Services Manager, Regional District of North Okanagan presented to Council the history behind the Fire Training Centre service review including the steps taken to date to establish a common understanding for the development of a comprehensive agreement – the structure to be based on the successful North Okanagan Emergency Management (NOEM) agreement. Mr. Baker answered questions from Council including the location of the facility, to a discussion around the potential term of the agreement and how the consumables would be dealt with. Council thanked Mr. Baker for the presentation.

11/314 Moved by Councillor Hodge seconded by Councillor Ostafichuk that Council sign the Memorandum of Understanding (MOU) for the Fire Training Centre (FTC).

CARRIED

11/315 Moved by Councillor Ostafichuk seconded by Councillor Mindnich that the Village of Lumby submit an application for funding to the Community Recreation Program in the amount of \$348,258, with a total project cost of \$435,322, for the development of a spray (water) park and an accessible outdoor fitness circuit in Oval Park and further that staff are authorized to proceed with the proposed project, contingent upon receipt of Community Recreation program funding.

CARRIED

COUNCILLOR FISHER OPPOSED

11/316 Moved by Councillor Hodge seconded by Councillor Ostafichuk that Council donate 4 T-shirts to the Lumby Firefighter's Association Emergency Services Bonspiel at the Lumby Curling Club February 3rd and 4th 2012.

CARRIED

Council discussed the presentation by Jane Emlyn and a ban on cosmetic use of pesticides in the Village of Lumby. Concerns about regulating the ban of cosmetic use of pesticides on private property, as well as not having control over the sale of these products were overall concerns of Council. Mayor Acton asked members of Council to do some research on the issue prior to making any decisions. Discussion around Whitevalley Parks is key as the maintenance of these facilities is under the control of the Regional District of North Okanagan through the Whitevalley Parks and Recreation Advisory Committee (WVPRAC). This topic will be discussed at an upcoming WVPRAC meeting in the new year.

11/317 Moved by Councillor Hodge seconded by Councillor Mindnich that the correspondence from Jane Emlyn be received and filed.

CARRIED

Council discussed the Local Food Economy and agreed that this could be a topic to be discussed at the upcoming strategic planning session of Council dated for January 13th 2012.

11/318 Moved by Councillor Hodge seconded by Councillor Mindnich that the correspondence from Hughette Allen be received.

CARRIED

11/319 Moved by Councillor Hodge seconded by Councillor Mindnich that the correspondence from Councillor Fisher regarding the Whitevale School be received and filed.

CARRIED

11/320 Moved by Councillor Hodge seconded by Councillor Mindnich that the correspondence from Councillor Hodge regarding investigating a consumption graph be shown on the municipal utility bills be received and filed.

CARRIED

11/321 Moved by Councillor Mindnich seconded by Councillor Ostafichuk that the information items from be received and filed.

CARRIED

COUNCIL REPORTS

Councillor Fisher distributed a written report updating Council on the Chamber of Commerce meeting she attended December 16th. Highlights included a presentation from Joe Deuling of the Monashee Arts Council, updates on the Lumby Light Up, the Chamber constitution and bylaws as well as the AGM which is currently planned for the end of March. The Chamber will be hosting a trade show which is scheduled for March 31, Saturday in Lumby. Discussion also included Brownfields and the Esso owned lot, with Council continuing to look at ways to deal with this ongoing issue.

Councillor Hodge advised Council that the next Lumby & District Health Services Society meeting is scheduled for Monday January 23rd, 2012. The Monashee Arts Council is meeting Tuesday December 20th, 2011.

Councillor Mindnich updated Council that the Okanagan Regional Library Board labour negotiations are ongoing – waiting to hear from CUPE.

Councillor Ostafichuk updated Council on the recent White Valley Parks, Recreation and Culture Advisory Committee meeting that was held Monday December 12th. Councillor Ostafichuk provided information regarding the Monashee Arts Council delegation and their request for funding. The Community Recreation grant application was briefly discussed again as well as an update regarding the outdoor pool upgrade tender.

Mayor Acton updated Council on the Inaugural Meeting held December 7th at the Regional District of North Okanagan including the selection of Director Patrick Nicol from the City of Vernon as the Chair of the Board of Directors.

Mayor Acton updated Council on the recent Whitevalley Community Resource Centre meeting where highlights included an update from Henry Proce regarding his concerns with the amount of vandalism in the community. It was noted that the community fund raiser went extremely well.

11/322 Moved by Councillor Fisher that the meeting be adjourned.

CARRIED

Mayor

Corporate Officer

The Futures Game

The Futures Game is a 3 hour workshop focussed on community/regional planning and economic development. It is designed to give participants the opportunity to participate in a decision-making game where they will learn the long term consequences of their decisions and the effect that decision making has on the viability and sustainability of communities and regions.

Past participants have indicated that the Futures Game demonstrates the importance of regional collaboration and long term planning. They have walked away from the game with a greater recognition of how decisions made today significantly impact the future.

This workshop is a strong experiential learning experience for participants as the value and insight comes from the process of playing the game and the debrief discussion at the end.

At the conclusion of the workshop participants will be able to:

- Understand how careful planning will assist your region in achieving the future you aspire to create
- Identify and analyze the triple bottom line - economy, environment and society
- Recognize key elements and drivers of regional planning and regional economic/community development process that will enable participants to build a solid scenario-based implementation plan
- Give you a chance to practice decision making and see the consequences of your decisions on a regional level
- At the end of the game participants will be able to apply the concepts learned in the game to individual regions/communities and situations

Up to 10 teams of 4-5 per team play the game in one session. It is designed for:

- Community and regional planners and planning sessions
- Elected leaders, community organizers and leadership classes
- Chambers of Commerce and service groups
- Educators and university students

**VILLAGE OF LUMBY
DEVELOPMENT PERMIT AND
DEVELOPMENT VARIANCE PERMIT APPLICATION**

**File No.: 11-0684-LUM-DVP/ 11-0757-LUM-DP
January 3, 2012**

APPLICANT: Ryan & Geri O'Rourke

LEGAL DESCRIPTION: Lot 1, DL 18, ODYD, Plan 27706

PID #: 004-495-071

LOCATION: 2037 Shuswap Avenue

PROPERTY SIZE: 0.04 ha (400 m²)

ZONING: General Commercial Zone (C.1)

O.C.P. DESIGNATION: General Commercial

PROPOSAL: Building addition to accommodate a take out pizza use

PROPOSED VARIATION: Reducing the required number of parking spaces from 31 to 5 and loading bays from 1 to 0.

PLANNING DEPARTMENT RECOMMENDATION:

THAT upon consideration of input from adjacent landowners, Council authorize the issuance of a Development Variance Permit for the property legally described as Lot 1, District Lot 18, ODYD, Plan 27706 and located at 2037 Shuswap Avenue to allow variances to Sections 1001.3 and 1101.4.a.i of the Village of Lumby Zoning Bylaw No. 395, 1986 by reducing the required number of off-street parking stalls for a takeout cafe and store use from 31 to 5 stalls and to waive the requirement to provide a loading bay;

AND THAT Council authorize the issuance of a Development Permit for the property legally described as Lot 1, District Lot 18, ODYD, Plan 27706 and located at 2037 Shuswap Avenue subject to the following:

- a) the dimensions and siting of the building and vehicular and bicycle parking areas shall be in general accordance with the attached site plan;
- b) the exterior design and finish of the building shall be in general accordance with the attached building elevations. The building shall be sided with stucco and hardie plank siding with a neutral, earth tone palette of browns and tan colours.
- c) 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 that may be caused by flooding.

BACKGROUND:

This report relates to a Development Permit and Development Variance Permit application submitted for the property located at 2037 Shuswap Avenue. The owners of the property are proposing to relocate a pizza business (Frieda's Pizza) currently located at 2095 Shuswap Avenue into a new building addition on the north side of the existing building located on the property.

The Official Community Plan (OCP) designates all commercially designated lands as Development Permit Areas (DPA) for the form and character of commercial development. The subject property also falls in the DPA for the protection of development from hazardous conditions due to its location in the Duteau Creek floodplain. As such, the issuance of a Development Permit is required prior to the issuance of a Building Permit for the addition. The applicant is also seeking a variance to the Zoning Bylaw which requires 31 off-street parking stalls be provided for the proposed uses on the property and 1 loading bay. The applicant is proposing to provide five parking stalls and no loading bays.

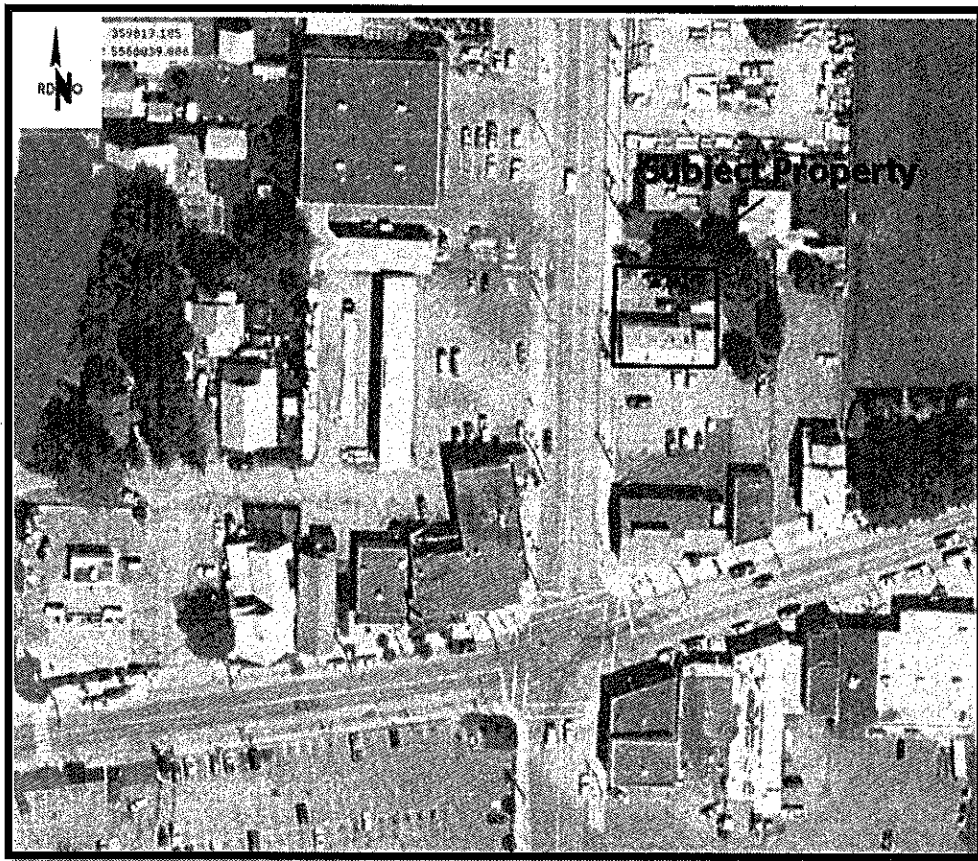
Site Context and the Proposal

The subject property is located mid block on the east side of Shuswap Avenue just north of the Highway 6 and Shuswap Avenue intersection. The property is zoned and designated in the OCP as General Commercial. Properties to the east, south, west and north of the subject property are all zoned and designated as General Commercial. Shuswap Avenue is designated in the OCP as a Major Road.

The property contains a 298 m² (3216 ft²) two storey mixed use commercial building. The main floor currently houses the 148 m² (1594 ft²) Top Video rental business and the second floor contains an apartment unit and a 10.6 m² (115 ft²) office which is associated with the video store. Access to the property is gained from a driveway off Shuswap Avenue. The parking area is surfaced with pavement and contains five parking stalls and is located on the north side of the property. There is currently no landscaping or screening on the property.

The owners have removed a 26.8 m² (288 ft²) roof structure on the north side of the building and is proposing to replace it with a 35.7 m² addition to accommodate a pizza oven and preparation area. An external stairwell will be constructed on the north side of the proposed addition to provide access to a new second storey deck and the residential unit. The owners are proposing to merge their two businesses and use the main floor of the building as their video rental and pizzeria shop. The owners are proposing to refinish the entire building with new doors, windows, stucco and hardie plank siding. A neutral, earth tone colour palette of browns and tans is proposed for the building. Garbage containers are proposed to be located at the rear of the property.

The following orthophoto (aerial photograph) of the subject and surrounding properties was taken in the year 2010:



ZONING BYLAW:

The subject property is zoned General Commercial (C.1). Permitted uses in this zone include accommodation, civic use, educational facilities, entertainment and recreation facilities, food service, office and commerce, public service uses, retail sales, service and repair, and transportation facilities. The current business and proposed pizzeria conform with these permitted uses. The proposal as compared to the General Commercial (C.1) zone requirements is as follows:

CRITERIA	PROPOSAL	ZONE REQUIREMENTS
Lot Area (min)	400 m ²	300 m ²
Lot Width (min)	20 m	10 m
Lot Depth	20 m	N/A
Lot Coverage (max)	46 %	60 %
Height (max)	Two storeys	Lesser of 12 m or 3 storeys
Setbacks (min)		
- Front	0	0 m
- Rear	0.03 m	0 m
- North Side	7.2 m	5 m
- South Side	0	0 m
-Shuswap Ave Center line	>12.5	12.5 m

Parking and Loading

The following table shows the number of parking spaces required by the Zoning Bylaw for each of the uses being carried out on the subject property.

USE	ZONE REQUIREMENT	SPACES REQUIRED
Pizza take-out	15	15
Video Store	1 per 12 m ² gross floor area	14
Residential	1.25 per dwelling unit	2
loading bays	1 per 450 m ² of commercial floor space	1
TOTAL SPACES REQUIRED:		31 parking 1 loading

Parking spaces are required to have a length of 6 m and a width of 2.8 m. Ingress and egress to and from all parking spaces must be by means of unobstructed manoeuvring aisles of not less than 6 m wide for all angle parking up to sixty degrees and 8 m wide for all right angle parking. Commercial parking areas must be surfaced with asphaltic concrete or cement pavement.

Loading spaces must be sufficient in size to accommodate a vehicle 9 m in length and 2.4 m in width. Each loading space must be surfaced with asphaltic concrete or cement pavement.

Landscaping

Section 403.2(a)(ii) of the Zoning Bylaw states that "where any commercial or industrial development abuts a street, a landscaped buffer area shall be provided with a width equal to the required front or exterior side yard setback of the respective zone". As the required front and exterior side yard setback in the C.1 zone is 0 m, no landscaping would be required along the road frontages. This section goes on to state that "the remainder of the property that is not used for buildings, display, parking or access driveways must be suitably landscaped".

Floodplain Management Provisions

The Zoning Bylaw requires that buildings be setback 30 m from the natural boundary of Bessette Creek and Duteau Creek and 15 m from the natural boundary of any other watercourse, lake, marsh, pond, Standard Dyke right-of-way, or structure for flood protection or seepage control. In addition, Schedule F.1 (Provincial Floodplain Mapping) indicates that the flood construction level for the subject property is 496.0 metres GSC Datum. Section 1401.3.b.iii of the Zoning Bylaw states that building additions which increase the size of a building by less than 25% are exempt from the flood construction level requirements.

OFFICIAL COMMUNITY PLAN:

The following Policies and Guidelines from the Rural Lumby Official Community Plan relevant to this application:

Transportation Policies

1. All changes in land use may be required to indicate how the change in use will impact automobile, cycling and pedestrian traffic, should this be deemed necessary by the Village planner. Should any deficiencies in transportation occur due to existing or altered uses the proponent shall commit to and detail the transportation improvements as a part of the plan (this may include the addition of bike racks, on-site parking or sidewalk improvements).
2. Downtown parking changes or associated use changes shall indicate parking duration; long-term, short-term and errand (eg. All-day, 2hr max, 30 min max). This organization of parking should indicate the proper location for downtown employee parking, away from the limited, prime parking areas most convenient for downtown patrons.
3. Promote the use of bicycles throughout the Village, because:
 - a) Bikes are practical and economical.
 - b) It is more cost efficient to plan for rather than to retrofit for bikes.
 - c) Bicycling contributes to healthy lifestyles
 - d) It conserves resources and it is environmentally friendly
 - e) It has economic benefits, (increased tourism and local purchasing patterns).
 - f) There is less infrastructure wear and it requires less costly infrastructure.
 - g) It provides for recreation.

Commercial Lands Policies

1. Land for Commercial use is designated as 'General Commercial' or Mixed Commercial' on Map Schedule A:
 - a) General Commercial - The Commercial designation is applied to the downtown core area along Vernon Avenue and areas to the south bordering on the Village's Industrial lands. The General Commercial area is intended as the primary business and public activity centre. It provides for a range of commercial uses including retail, office, services, as well as civic and cultural uses. Development within the General Commercial designation is subject to Development Permit Area Guidelines outlined in Section 4.6.
2. The downtown of Lumby will serve as the major commercial centre for the Village, and for Rural Lumby. Its retail and office commercial uses will provide for the daily needs of local residents as well as for the needs of tourists. Commercial uses within the downtown should reflect the "small-town" character of the Village in their built form, the Village will encourage commercial functions which are diverse, relatively small-scale, and pedestrian oriented.
3. Encourage a variety of retail opportunities that will positively impact the streetscape.

4. Mixed commercial and residential uses shall be encouraged, with residential accommodation being provided above the first floor.
5. The Village will continue to support the redevelopment and enhancement of the downtown core as a street- and pedestrian-oriented area for commercial, retail, institutional and cultural uses.

Commercial Form and Character Development Permit Guidelines

The subject property is designated as being within a development permit area for the revitalization of an area in which commercial uses are permitted and for the form and character of commercial development. The following guidelines are to be considered when considering the approval of developments within this development permit area.

- Access
 1. Vehicle access should not interfere with, but facilitate pedestrian and cyclists movement.
 2. Provision of appropriate transportation amenities, vehicle parking, bicycle parking and provision of land access where practical for servicing and customer ingress and egress.
- Buildings, Structures and Additions
 1. Buildings, structures and additions should be designed and sited in a manner compatible with adjacent buildings and open areas. Buildings must generally be sited at or near the front property line with on site parking provided at the rear, as required. Buildings must retain narrow storefronts, or the appearance of narrow storefronts, with display windows and recessed shop entrances.
 2. Variable and attractive village style building form, with appropriate use of building materials, landscaping, glazing and interaction with the streetscape. Including small courtyards, seating areas, attractive street lighting, and a coordinated paving scheme. Weather protection including overhangs, canopies or awnings. Other amenities such as street trees, street furniture, public art, planters, flower caskets and benches may also be provided.
 3. Building form, textures, materials, colour scheme and landscaping should reflect continuity with public streetscape initiative and historic village character. Traditional looking building materials such as wood, brick and stone are encouraged for exterior use.
 4. Harmonized form of development and landscaping with the natural setting.
 5. Respect of vistas through the development to prominent natural features beyond subject lands.
 6. Signs should be unobtrusive and should be in scale and character with their surroundings. Freestanding signs shall be limited to one per development.
- 1. Amenities
 1. Appropriate, high quality, public spaces which provide links to surrounding areas and open space relief should be encouraged (community amenity bonuses may be applicable).
 2. Amenities such as benches, garbage receptacles etc. should be encouraged to provide a pedestrian-friendly environment.
- 2. Ancillary Services/Utilities

1. Loading and garbage services should be located at the rear of buildings.
2. Utility service connections should be screened from view or be located so as to minimize visual intrusion.
3. Crime Prevention, guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.
4. Landscaping should:
 1. enhance public views
 2. provide noise buffering
 3. complement building's architectural features
 4. enhance the edges of buildings
 5. screen parking areas from view (with vegetation, berms, low walls, fences etc.)
 6. provide visual buffers of new buildings where appropriate
 7. provide colour
 8. create shade
 9. create design interest
 10. retain required sight distances (from roadways)
 11. contribute towards a sense of personal safety and security
 12. facilitate the access, enjoyment and social activities for all authorized users
 13. provide equal access for mobility-challenged individuals
 14. incorporate existing vegetation with special character, historical or cultural significance
 15. incorporate native plants where practical
 16. incorporate xeri-scape vegetation and principles
5. Lighting, external lighting should be used to enhance safety.

Natural Hazard Areas (Floodplain) Development Permit Guidelines

The subject property is designated as being within a development permit area for the protection of development from hazardous (floodplain) conditions. The following guidelines are to be considered when considering the approval of developments within this development permit area.

1. Development within the Floodplain shall be in accordance with "Flood Hazard Area Land Use Management Guidelines, Ministry of Water, Land and Air Protection, May 2004". Where it is demonstrated that development may occur on the floodplain, the developer shall provide the Village with a save harmless covenant, and development must proceed in strict compliance with the Flood Hazard guidelines listed above.

REFERRAL COMMENTS:

The subject application was referred for comments to the Village of Lumby Municipal Office, Public Works Manager, Building Inspector, the Ministry of Transportation & Infrastructure and the Village of Lumby Fire Chief.

The Village of Lumby Municipal Office advised that the Village has concerns that the current parking requirement may be onerous to this property due to the historical lack of parking in the established downtown core. Municipal staff are aware that in the past,

variances to parking requirements have been issued to other properties. They note that due to recent GHG reduction targets being established in the OCP that this encouragement for the public to use alternative forms of transportation would necessitate a comprehensive review of parking requirements within the Zoning Bylaw. In general, Village staff are supportive of this application.

No other comments were received in response to the referral.

PLANNING ANALYSIS:

Development Permit - Form and Character of General and Mixed Commercial

As outlined above, the Village of Lumby Official Community Plan contains guidelines for general and mixed commercial development which must be consulted when reviewing applications for Development Permits in commercial zones. The proposed addition to the existing building generally conforms to these guidelines.

The existing building is sited at the property line on the front, south and exterior sides. The proposed addition is set back from the side walk which helps to maintain the narrow storefront massing and lessens any detracting the addition may have on the historical character of the main street facade and entrance. Features such as street furniture, garbage receptacles, public art, planters, flower baskets, benches and other amenities are encouraged in the downtown core.

The owners intend to re-finish the façade of the building with hardie plank siding and a coat of new stucco and to paint the building with a neutral, earth tone colour palette of browns and tans. It is suggested that this would be consistent with the OCP which states that "textures, materials, colour scheme and landscaping should reflect continuity with public streetscape initiative and historic village character. Traditional building materials such as wood, brick or stone are encouraged for exterior use".

The guidelines also state that signs should be unobtrusive and should be in scale and character with their surroundings. Signage on the building includes three "Top Video" wall signs one on the north, south and west facades, these signs will be changed to reflect the merging of the two businesses but will remain the same size as the existing signs. There is also one sandwich board sign used by the pizzeria that will be placed on the sidewalk in front of the building daily. None of these signs could be considered obtrusive.

The guidelines further state that loading, garbage and other ancillary services should be located at the rear of buildings and that lighting should be used to enhance safety. The commercial garbage bins are located at the rear of the parking lot adjacent the commercial building and there are a number of street lights along Shuswap Ave, offering conformance with these guidelines.

Development Permit – Protection of Development from Hazardous Conditions

The subject property is located within the 200 year floodplain of Duteau Creek and is therefore designated a Development Permit Area for the protection of development from hazardous conditions. The Development Permit guidelines for Natural Hazard Areas state that where it is demonstrated that development may occur on the floodplain, the developer must provide the Village with a save harmless covenant.

In keeping with this guideline, it is recommended that as a condition of the Development Permit, a save harmless covenant be registered on the title of the subject property to indemnify the Village of Lumby and the Regional District of North Okanagan from losses or damages caused by flooding.

Parking Requirements

The Planning Department concurs with Village staff that the current parking requirements for the proposed uses are excessive. A comparison was carried out to the off-street parking requirements for the City of Vernon and the City of Kelowna. The proposed uses would trigger the need for 9 parking stalls in Vernon and 10 stalls in Kelowna. These requirements are more reflective and reasonable for the amount of traffic associated with the proposed uses. Planning Department staff also note that these requirements service communities with much larger populations and are therefore comfortable with lesser requirements for a small community, such as Lumby.

In review of historic applications for other commercial buildings in the vicinity of Shuswap Avenue, the property located at 2091 Shuswap Ave did receive a variance for parking in 2007. That commercial building is currently home to Frieda's Pizza, an automotive shop, an office, food bank, music studio and three residential units. The parking requirements for this site were varied from 17 to 9.

Additionally, in discussions with the applicant regarding the necessity for a loading bay it was identified that currently, the delivery of goods to Frieda's Pizza are unloaded at 1961 Vernon St, the site of the restaurant Edible Canvas. The applicant has indicated that this arrangement will continue once Frieda's pizza is relocated to 2037 Shuswap Ave. Based on this information the proposed loading bay would be more appropriately designated as a parking stall. In the event that goods need to be delivered on site a parking stall could accommodate a delivery truck. Based on the proposed parking configuration, staff believe the five parking stalls provided on site are adequate to accommodate the proposed uses. Additionally, there is on-street parking that could be used in the event that the parking lot is full. The applicants have indicated they will install a bike rack on the subject property. Planning staff recommend the bike rack be a condition of the Development Permit as this would not only be consistent with the Transportation Policies outlined in the Official Community Plan, which promote the use of bicycles throughout the village, but would also encourage residents to use an alternative mode of transportation to and from the subject site.

It is recommended that the Development Permit and Development Variance Permit application be given favourable consideration as the proposed commercial development complies with the Village of Lumby Development Permit guidelines for commercial form and character and with the requirements of the Zoning Bylaw, with the exception of the requirement to provide 31 off-street parking stalls and one loading bay.

SUMMARY:

This is an application for a Development Permit and Development Variance Permit for the property located at 2037 Shuswap Avenue. The applicant is proposing to construct a 35.7 m² addition to the north side of the existing building to accommodate a pizza oven and preparation area. The commercial building currently houses the Top Video rental shop and one residential unit on the second floor. It is recommended that a Development Permit be approved containing conditions with respect to the form and character of the proposed addition and requiring that a save harmless covenant be registered on the title due to the location of the property in the Duteau Creek floodplain. An analysis of the parking for the proposed development reveals that there are not enough parking spaces onsite to accommodate the requirements of the current Zoning Bylaw. As such it is recommended that a variance be approved to allow 5 parking spaces and 0 loading bays to service the development.

Prepared by:



Laura Frank, MA (Plan)
Sustainability Coordinator

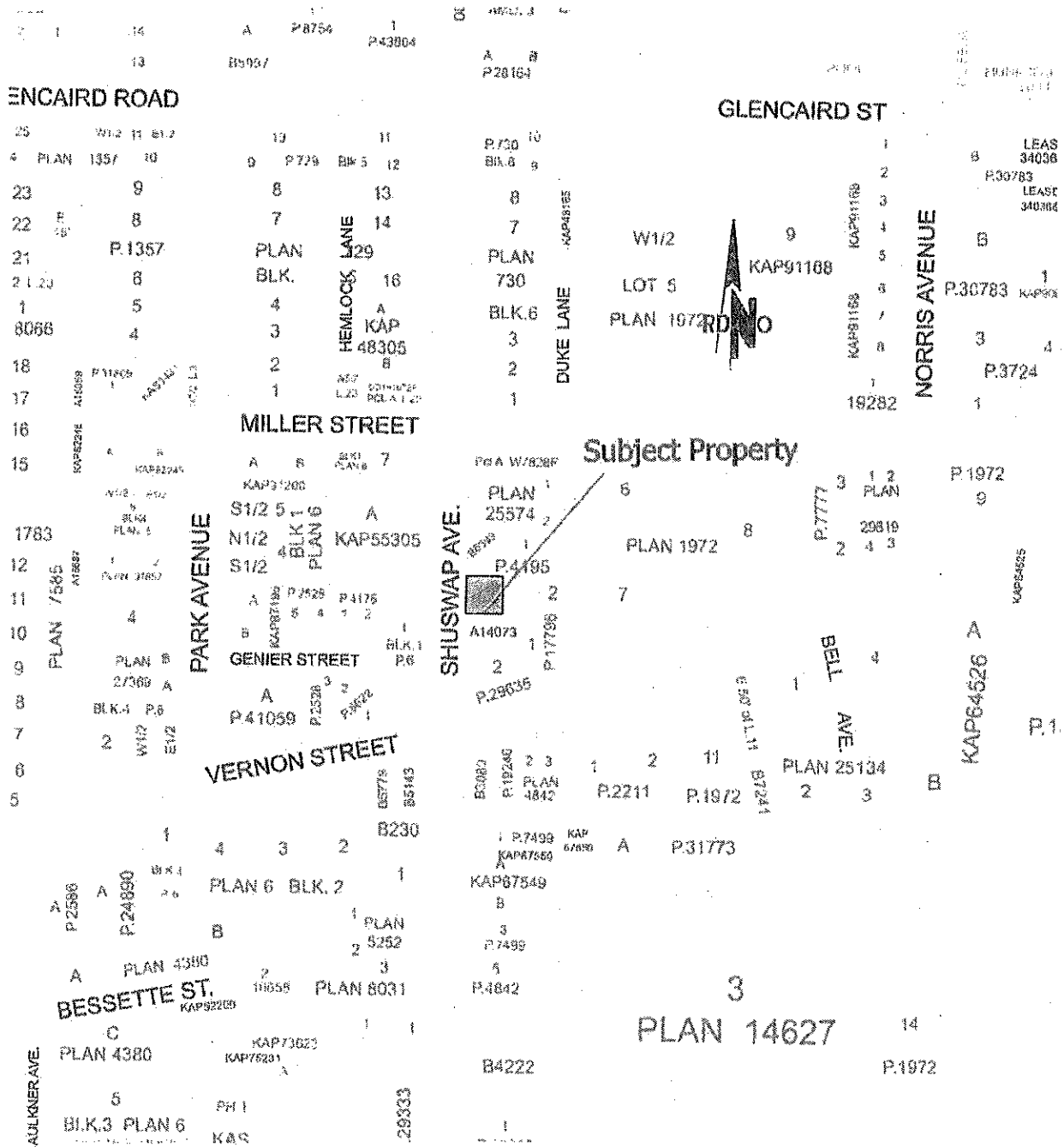
Reviewed by:

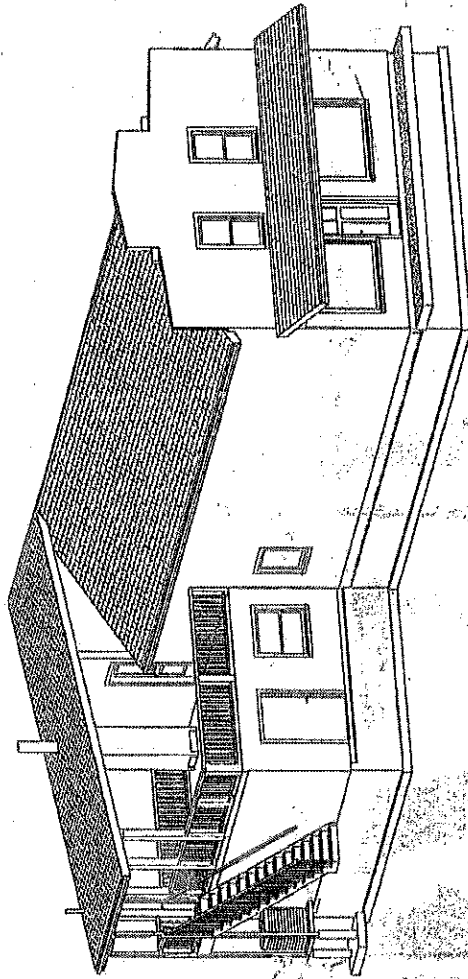


Greg Routley
Deputy Planning Manager

VILLAGE OF LUMBY DEVELOPMENT VARIANCE PERMIT APPLICATION SUBJECT PROPERTY MAP

File: 11-0684-LUM-DVP
Applicant: Ryan & Geri O'Rourke
Location: 2037 Shuswap Avenue





O'ROURKE

PROJECT
NAME

O'ROURKE

SCALE
1/4" = 1'-0"

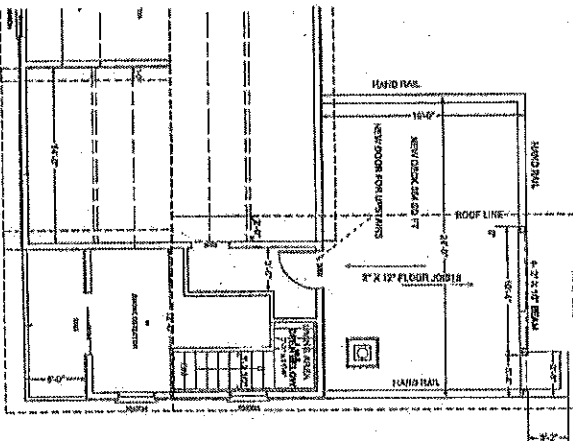
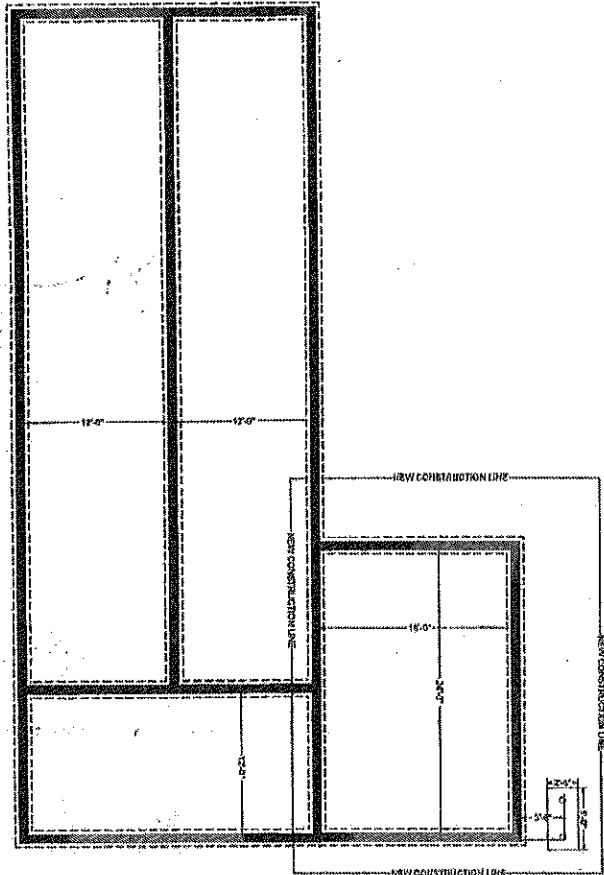
DESIGN BY
DH

3-D CONSTRUCTION LTD
44 LADYSLIPPER RD. LUMBY, B.C.
V0E 2G5 (250) 547-9841

SHEET NUMBER
2 OF 6

DECK PLAN

FOUNDATION PLAN

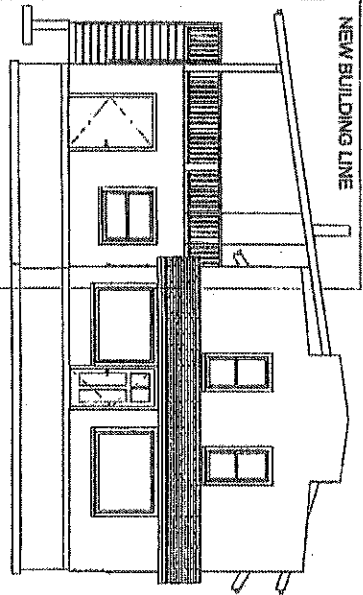


SHEET TITLE

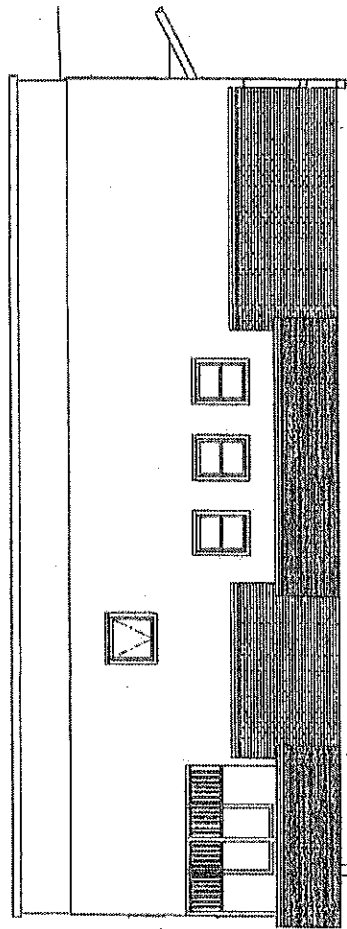
FOUNDATION PLAN
DECK PLAN

DATES

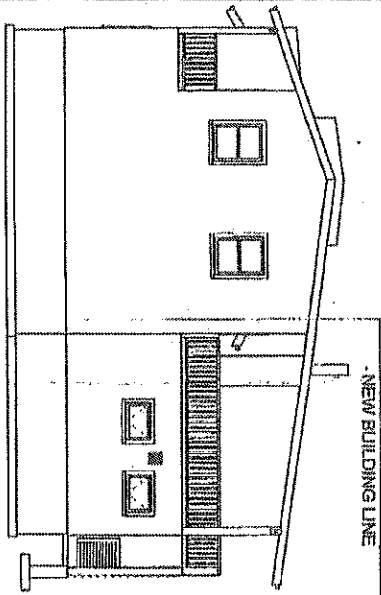
AUGUST 14, 2011



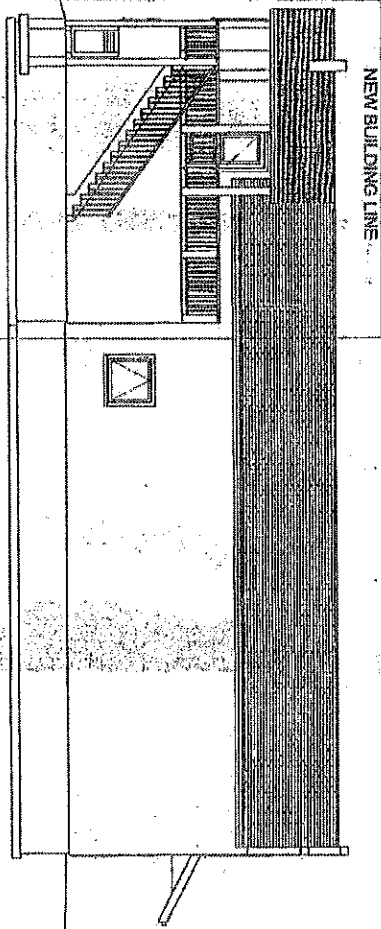
FRONT VIEW



RIGHT SIDE VIEW



BACK VIEW



LEFT SIDE VIEW

PROJECT NAME

O'ROURKE

SCALE
1/4" = 1'-0"

DESIGN BY
DH

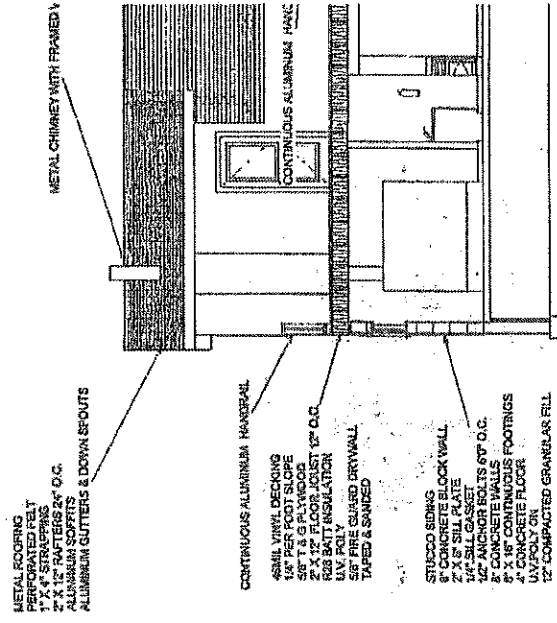
3-D CONSTRUCTION LTD
44 LADY SUPPER RD LUNNEY B.C.
V0E 2G5 (250) 547-9641

SHEET TITLE
3 OF

DATES

AMOUNT TO BE

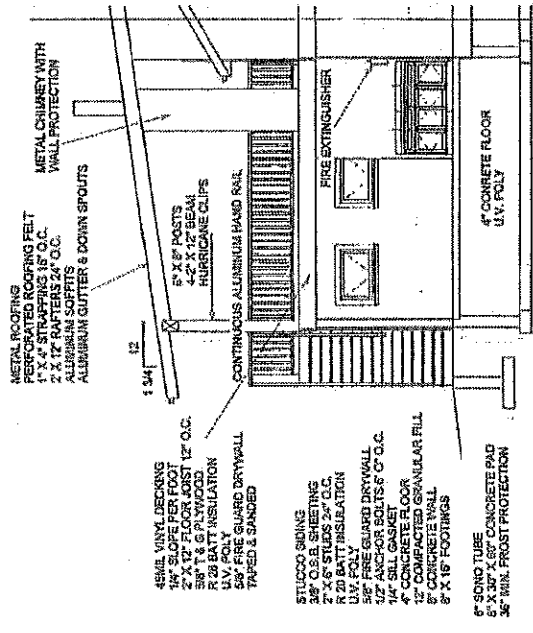
ELEVATIONS



METAL ROOFING
PERFORATED FELT
1" X 4" STRAPPIERS 24" O.C.
2" X 12" RAFTERS 24" O.C.
ALUMINUM SOFFITS
ALUMINUM GUTTERS & DOWN SPOUTS

CONTINUOUS ALUMINUM HANDRAIL
45 MIL VINYL DECKING
1/4" PER FOOT SLOPE
5/8" T & G PLYWOOD
2" X 12" FLOOR JOIST 12" O.C.
R-20 BATT INSULATION
1/2" FIRE RATED DRYWALL
TAPED & SANDED

STUCCO SIDING
8" CONCRETE BLOCK WALL
2" X 4" SILL PLATE
1/2" ANCHOR BOLTS 6" O.C.
8" CONCRETE WALLS
8" X 16" CONTINUOUS FOOTINGS
4" CONCRETE FLOOR
12" COMPACTED GRANULAR FILL



METAL ROOFING
PERFORATED FELT
1" X 4" STRAPPIERS 18" O.C.
2" X 12" RAFTERS 24" O.C.
ALUMINUM SOFFITS
ALUMINUM GUTTER & DOWN SPOUTS

5" X 8" POSTS
4" X 4" SILL PLATE
HURRICANE CLIPS
CONTINUOUS ALUMINUM HAND RAIL

45 MIL VINYL DECKING
1/4" PER FOOT SLOPE
5/8" T & G PLYWOOD
R-20 BATT INSULATION
1/2" FIRE RATED DRYWALL
TAPED & SANDED

STUCCO SIDING
3/8" O.S.B. SHEATHING
2" X 6" STUDS 24" O.C.
R-20 BATT INSULATION
1/2" FIRE RATED DRYWALL
1/2" ANCHOR BOLTS 6" O.C.
1/4" SILL GASKET
4" CONCRETE FLOOR
12" COMPACTED GRANULAR FILL
8" X 16" FOOTINGS

8" CONCRETE FLOOR
4" U.V. POLY
8" X 16" CONCRETE PAD
36" MIN. FROST PROTECTION

CROSS SECTION

CROSS SECTION A

PROJECT NAME	O'ROURKE	
	DESIGN BY:	DH
	3-D CONSTRUC 44 LADYSLIPPER RD VOE 205 (250)	

PROJECT
NAME

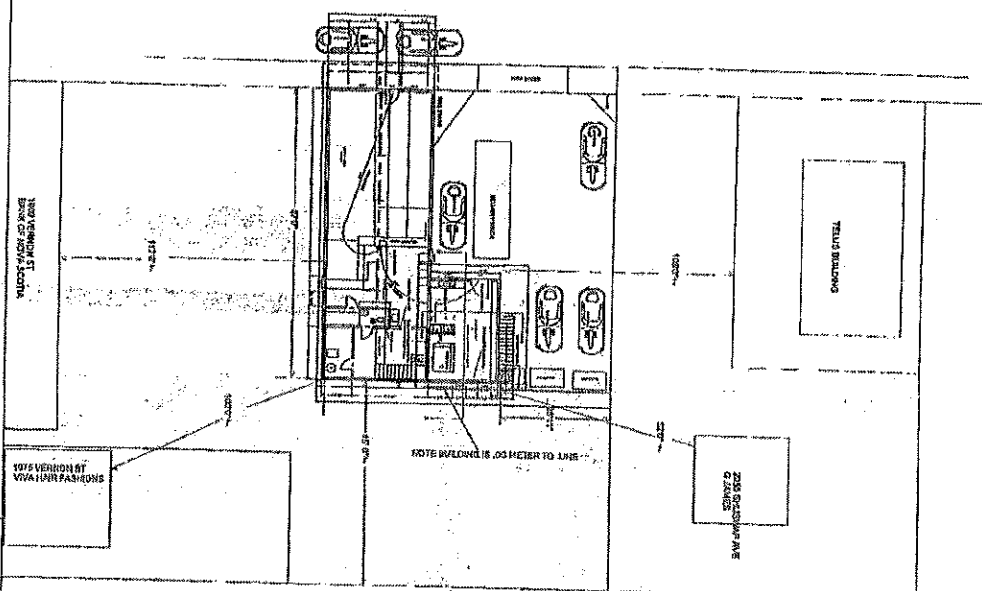
O'ROURKE

DESIGN BY:
DH

3-D CONSTRUCTION LTD
44 LADYSMIPPER RD. LILABY B.C.
V0E 2G5 (250) 547-9841

SHEET NAME
5 OF

2037 SHUSWAP AVE
TOP VIDEO



SHEET TITLE

PI OT PI AN

Tom Kadla

From: Mike Lane <mike.lane@flairair.ca>
Sent: Thursday, December 22, 2011 2:52 PM
To: Tom Kadla
Subject: RBC Cup 2014 Letter of Support Request

Greetings Tom,

As per our conversation, I am the Co-Chair of the Vernon RBC Cup 2014 Committee and we would like to ask for a letter of support from the Village of Lumby in support of our efforts to bring the RBC Cup to Vernon in 2014. We have had excellent support to date from local business and surrounding communities and would greatly appreciate the support of Lumby as well in our bid package. This event is an opportunity to bring National Attention to the area and we feel all communities in the area will benefit.

We must submit our bid to BC Hockey on January 16th and to Hockey Canada on January 27th.

2014 Royal Bank Cup

Background

A committee has been formed to bring the RBC Cup, Canada's national Jr. "A" championship tournament, to Vernon, May 10-18, 2014. Four regional champions and the host team will begin by playing each other. Semi-finalists then will meet to decide who will play in TSN's televised final game on May 18.

Vernon has won the tournament six times but the event has been held in Vernon just once, in 1990. The thrilling final game, when the Vernon Lakers came from behind to defeat the highly favoured New Westminster Royals in overtime, is still a frequent topic of conversation in the area.

The Bid Committee plans to showcase Vernon and its beautiful surrounding area, in order to draw an unprecedented number of visitors to the event. In conjunction with Vernon Tourism, the Bid Committee will arrange for accommodation packages that can include a variety of activities.

The event will involve local groups, especially the Vernon Minor Hockey Association, which will be a major beneficiary of profits generated by the event. The Host Committee also intends to also leave a legacy item in the Wesbild Centre for the citizens of Vernon and surrounding communities to utilize and enjoy.

Thank you for your Time,

Regards,

Mike Lane

Co-Chair RBC Cup 2014 Committee – Vernon

Mike Lane | Controller | Flair Airlines
Direct: 250.807.5450 | Cell: 250.309.8851 | Fax: 250.765.8397
mike.lane@flairair.ca | www.flairair.ca

The logo for Flair Air, featuring the word "Flair" in a large, bold, sans-serif font, with "air" in a smaller, lowercase font to its right. A stylized wing or swoosh graphic is positioned above the "air" portion.

Attention: The Mayor and Counsel of the village of Lumby

Subject: The Opening and Operation of Cherryville Concession operating as a mini donut trailer on private property located @ 1899 Vernon St Lumby British Columbia.

We would like to request an exemption from a development permit at the above address which is hindering us opening our business in Lumby.

We rent this property from Mr. Larry Stewart the owner, under the zoning and bylaws that are in place in the village we meet all requirements:

- General Commercial Zone (C.1) section states the following: subject to the provisions of Divisions Three and Four of this By-Law, the following uses and no others shall be permitted in the General Commercial Zone (C1) : sub-section F: Food Services including Bakeries (Which we Are), butcher shops, caterers (which we can be), coffee shops (which we Are), dairy bars, fish shops, and restaurants (which we Are) – excluding drive thrus.
- Division Three – 304 – 4 Notwithstanding the provisions of this bylaw, buildings, or structures of less than 10 m square are except from the provision of division four, sections 402.4 2 and 3 of this bylaw (Tempary Power Shed) as well as division 4 sub section d for our mast which is hooked directly to B.C. Hydro.

We were approved by The B.C. Health Board (Interior Health) in Late December 2011 @ this Address, and were awaiting sign off From the Fire Chief which would have been the only thing stopping us to this point to be lic. In the village of Lumby. Today we found out that a member of the staff @ the village informed this man not to worry about inspecting as we didn't meet zoning or development proceedings and we were just wasting his time. To date we had contacted NORD in early Oct 2011 and were informed that a building permit as well as a development permit was not need as we were a lic. Mobile unit with a tempary power shed and were not altering the zoning in any way, since that time frame they change their minds. We went so far as to getting copies of the Land surveys and place the tempory power shed 9 feet into Mr. Stewarts property line even thu under division 4 402 section 4 a we could have gone as close to the line as of 1 meter.

This Development permit that is holding us up makes no sense to myself or business partner. If it was true that us starting are business would have triggered it makes no sense as business has been done on this property prior to us starting are development of our business Thru the sale of fish and other seafood product every month for a number of years. As well as the parking issues which NORD has put forward of which sister's restaurant is in violation of, on this property. We have years of experience in this business and are fulfilling a need that has not been meet in your town spending thousands of dollars developing a business that may or may not be profitable in your township however that is what we do as business owners take the risks that no one else will. We own a number of businesses around the lumby area and are members of the chamber of commerce of lumby. We will be employing three full time employees @ this location and offering approx. 10 more positions within our other business. We were planning a fund raiser on our grand opening prior to x-mas to raise monies thru kiss FM in Vernon @ this location with all proceeds going to the lumby food bank, our hope is that this fund raiser will happen in the very near future. In short we have meet all the rules and zoning and played by the books to only continue to run into issue in opening our business. We are aware that develmental exceptions have been grant in this matter before. Issue of washrooms can and will be addressed, we are fully self-contained, and mobile. The owner of this property will be developing this commercial property in the next 5 years; to attract more small business's we have to think outside of the box period. This is why as a counsel an exemption must be given serious consideration to attract more business people to lumby.

Thank you for your Time

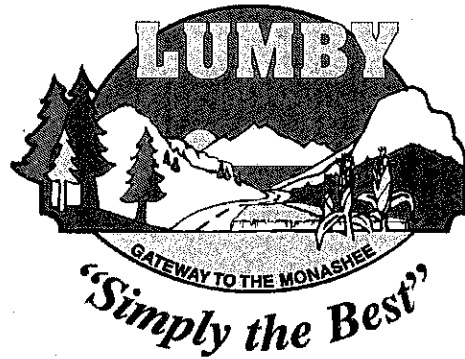
Steve & Bozena Stenhouse

Owners / Operators of " The Cedar Tree Inn, All Dogs Allowed, Cherryville
Concession & Two other business's in the Lumby area

Tom Kadla

From: steve stenhouse <thecedartreeinn@gmail.com>
Sent: Wednesday, January 04, 2012 11:33 PM
To: Tom Kadla
Subject: address correction

The Address is 1892 not 1899 vernon st.



Memo

To: Mayor and Council
From: Tom Kadla, Chief Administrative Officer
Date: January 5, 2012
Re: Mobile Concession

BACKGROUND

This memo is to provide Council with some information on the letter from Mr. Steve Stenhouse regarding operating a mobile concession (mini donut trailer) and the communications between the Village of Lumby and Mr. Stenhouse.

In early December complaints came into our office that a mobile vending trailer was setting up on a lot in downtown Lumby. Upon investigation by our Bylaw Enforcement Officer, Mr. Stenhouse was advised that he needs to communicate with the Regional District of North Okanagan (RDNO) as they are the Village's contracted planners, and they will advise him on what permits, licenses, etc. are required for him to proceed. On December 12th the RDNO planning department advised us that Mr. Stenhouse was into their offices and that they advised him of the Development Permit and Zoning Bylaw requirements. The RDNO planning department advised Mr. Stenhouse that he will need to meet the zoning bylaw requirements for parking, signage, screening, landscaping, etc. and obtain a Development Permit. The RDNO emailed him the applicable Zoning Bylaw and OCP sections.

The municipality has received several phone calls from concerned residents / businesses regarding the Village of Lumby allowing a mobile concession to operate at that location on a permanent basis. We have received one written complaint addressed to Mayor and Council (attached).

In the first week of January, Mr. Stenhouse has communicated on several occasions with the Village of Lumby. He was advised that the RDNO has informed us that a Development Permit is required, and that he needs to go through that process. Mr. Stenhouse advised that he was unhappy with that decision. Discussions on a previous temporary use permit that was issued to a mobile concession unit in 2010 by the Village was explained to Mr. Stenhouse and that it was granted by the Village as permitted under the Local Government Act, Section 921 (Temporary Permits) – see attached Temporary Use Permit's original report to Council.

In follow up with the RDNO, they advised that a Development Permit is required to perform a plan check, zoning compliance, etc. as outlined in the OCP for form and

character of commercial development. A Building Permit is not required according to the RDNO as this is a temporary building – BC Building Code – see Division A, Sec 1.1 1.1.1.1.2)f).

Consideration that the zoning bylaw is currently under review and is expected to be to Council in the upcoming months should be taken into account. We should be consistent with the regulations being considered in the new bylaw as we do not want to permit a use that will be not permitted in the new bylaw just prior to implementing the new bylaw. By allowing this as a permitted use in the zoning bylaw, the municipality would be setting a legal precedent in the commercial zone.

Council may consider the following options for consideration:

1. Allow mobile concessions for special events only, which would require a temporary use permit which would come with conditions based on the application, thus alleviating setting legal precedent;
2. Consider the applicant proceed to apply for a development permit and go through that process which would include a review of bylaws compliance and a review of all applicable statutes, including a public input process; or
3. Another option that Council may choose.

Thank you,

Respectfully submitted,



Tom Kadla
Chief Administrative Officer

December 21, 2011.

RECEIVED
DEC 21 2011
VILLAGE of LUMBY

From: Bryce Mailer,
Box 694,
Lumby, B.C. V0E 2G0.

Attention: Mayor Kevin Acton & Council Members.

Upon hearing about the proposal to permit a mobile concession beside Sisters Restaurant, I was struck by an immediate compulsion to protest the idea.

Sisters has been working to serve local residents for several years and struggling to maintain a solid customer base.

How could anyone think it's a good idea to flood the local market with yet another similar business - next door - in an already saturated market.

This is not supporting local business, but drowning it.

I hereby submit this letter in formal protest of the proposed mobile concession beside sisters.

Sincerely,



Bryce Mailer.

**VILLAGE OF LUMBY
TEMPORARY PERMIT APPLICATION
MOBILE FOOD CONCESSION**

File 01-3340165

August 19, 2010

Applicant Tannis Magnusson – 2280 Cedar Ridge Street
The Traveling Cook Concession and Catering

Telephone No.

Legal Description Lot 1, Plan 14627, District Lot 18, O.D.Y.D.

PID # 008-974-217

Location 2002 Industrial Avenue

Servicing Village of Lumby water

Zoning Light Industrial (I.1)

O.C.P. Designation Light Industrial (I.1)
Development Permit Area – Protection of the Natural Environment

Proposed Use Locating a Mobile Food Concession on the property

**Administration
Recommendations**

Administration recommends that Temporary Permit for the location of a Mobile Food Concession on Lots 1, Plan 14627, District Lot 18, O.D.Y.D., 2002 Industrial Avenue be approved subject to no valid objections being received from adjacent property owners, and conditions as outlined below:

- a. *That the Temporary Permit be for a period of six (6) months, commencing September 7th, 2010, and expiring on March 7th, 2011.*
- b. *The applicant may renew the temporary permit for another six (6) month period, by making an application for renewal to the Village of Lumby*
- c. *That approval be obtained from the authority for the selling of food stuffs.*
- d. *That approval be obtained from the authority for fire safety.*
- e. *That a valid Village of Lumby Business Licence be obtained.*

- f. That under the Section 8(a), of the Local Government Act, should the operator not cease the operation at the expiration period of the permit, the Village has the right to remove the Mobile Food Concession of the site, at the expense of the owner.**
- g. That the operator of the Mobile Food Concession, file with the Village confirmation from the owner of the property that the parties have agreed to the location of a Mobile Food Concession**
- h. That the applicant be responsible for all direct costs associated with the permit**

Background

This is an application for a Temporary Use Permit for Lot 1 Plan 14627, District Lot 18, O.D.Y.D. (2002 Industrial Avenue), for the location of a Mobile Food Concession, as permitted under the Local Government Act, Section 921(Temporary Permits). Under the Village of Lumby Official Community Plan, Section 3.3 Economic Development, under Goals (a), to create a more diverse local economy that provided desirable jobs/goods/services and under the Policies to support the appropriate use of Temporary Commercial Use Permits, pursuant to Section 921 of the Local Government Act on all lands designated as Commercial, and further to support use of Temporary Industrial Use Permits, pursuant to Section 921 of the Local Government Act on all lands designated as Industrial or Light Industrial. As of June 3, 2010 the Local Government Act was amended under Section 921(3), A temporary use permit may do one or more of the following(a) allow a use not permitted by a zoning-bylaw, and (b) specify conditions under which the temporary use may be carried on.

The applicant is proposing to locate a mobile food concession on the property described as Lot 1, Plan 14627, District Lot 18, O.D.Y.D.

Summary

This Temporary Use Permit would enhance the services to the area. The Administration recommendation suggests that subject to comments from adjacent landowners, this permit should be issued subject to conditions as outlined.



*Southern Interior Local
Government Association*

January 4, 2012

To: All SILGA Members

Re: SILGA Convention – Call for Nominations

As per the Constitutional Requirements of the Southern Interior Local Government Association, the “Call for Nominations” is now going out to all member Mayors, Councillors, Regional Chairs and Directors who wish to seek a position on the SILGA Executive for the 2012/2013 term. Elections are to be held at the SILGA Convention in Revelstoke during April 26th to 28th.

Offices to be filled are President, 1st Vice President, 2nd Vice President and seven Directors, one of whom must be an Electoral Area Director of a member Regional District. All positions are for one year. Those presently serving may run for another term if they so wish.

Deadline for nominations is Friday, March 2, 2012. You will be asked to complete a biography and submit a photo for the printing of the official Nominating Committee Report to be contained in the Convention Package.

The SILGA nomination committee is chaired by Director Rhona Martin, CSRD.

All those interested in serving are asked to contact Director Martin at 250-836-4509 or by email at rhona@malakwa.ca. All information should be forwarded to both Director Martin and the SILGA office (email alislater@shaw.ca).

Rhona Martin,
Past President, SILGA



*Southern Interior Local
Government Association*

January 4, 2012

To: All SILGA Members

Call for Resolutions for 2012 SILGA Convention

The SILGA Annual General Meeting and Convention is scheduled to be held in Revelstoke from April 26th to 28th, 2012. The SILGA constitution requires that resolutions to be considered at the Annual General Meeting are to be received by the Secretary-Treasurer no later than 60 days prior to this meeting. Friday, February 24, 2012 will be the deadline for receipt of resolutions. The resolutions that are passed at the SILGA convention will receive "Gold Star Status" and will be given higher consideration at the 2012 UBCM convention as they have earned full support from the larger SILGA membership.

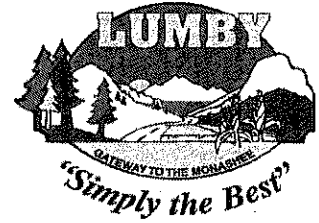
Please note the following rules which were passed at the 2011 AGM:

Resolutions submitted after the normal deadline date (late and emergency resolutions) shall be introduced at the Annual General Meeting [Bylaw s. 10.5] only if:

- a) the resolutions are of a subject matter which could not have been submitted by the normal deadline date;
- b) the resolutions have been received by the Resolutions Committee Chair at least twenty-four (24) hours prior to the commencement of an AGM and enough copies are supplied in order that they may be circulated to all Member Representatives at the Meeting Registration Desk at the time of registration;
- c) consideration has been given to all resolutions submitted by the normal deadline date; and;
- d) a resolution receives an affirmative vote of three-fifths (60%) of the Member Representatives in attendance at the meeting to allow its debate.

If your local government wishes to submit a resolution for consideration at this year's SILGA Convention, please submit one copy to the Association's Secretary-Treasurer, Alison Slater, either by mail to 1996 Sheffield Way, Kamloops BC V2E 2M2 or email: alislater@shaw.ca by that date.

Harry Kroeker,
President, SILGA



To: Tom Kadla, Chief Administrative Officer

From: Lee Elliott, Bylaw Enforcement Officer

Date: January 05 2011

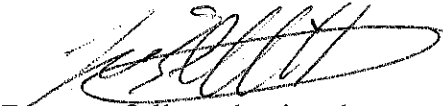
BYLAW ENFORCEMENT REPORT Nov-Dec 2011

As of Sunday Jan 1 2011 I have worked 10 hours per week and dealt with 17 new complaints as well as 13 ongoing complaints, including one awaiting court, over the past 8 weeks. This is an average of 3.75 complaints per week. The complaint breakdown is as follows:

New Complaints:

4 noise complaints	(3 complete 1 ongoing)
1 burning complaint	(1 complete)
5 parking complaint	(4 complete 1 ongoing)
4 unsightly premise	(3 complete 1 ongoing)
7 Zoning complaints	(5 complete 2 ongoing)
4 noise complaints	(3 complete 1 ongoing)
5 Parks & Public Places	(5 complete)

Complaints have continued to be steady. We have not seen the usual winter slow down to the extent of past years. There have been a several business/zoning issues which have been coming up and the recent graffiti all over town has been another current ongoing investigation. There is also a reoccurring issue in the industrial park. It has been our busiest Nov-Dec on record.


Respectfully submitted
Lee Elliott
Bylaw Enforcement Officer



Memo

To: Tom Kadla, Chief Administrative Officer
From: Ken J. Klassen CRM, Director of Finance
Date: January 5, 2012
Re: Benefits Analysis

BACKGROUND

The Village of Lumby (employer) provides a comprehensive benefit package for its employees and those members of Council that wish to participate. Employee premiums are paid by the employer with the exception of Long Term Disability. Council premiums are paid by Council members via payroll deduction.

The Village was approached by Encompass Benefits & HR Solutions Inc. to conduct a no cost Market Survey of our plans and premiums in October 2011. The Village has not conducted a Market Survey of its benefit plans in many years, if ever, since original implementation. The reporting analysis from our current provider is minimal, we suspect because of the very large group we are a part of.

The final report was received in December 2011, summary attached. The new plan provides, in most instances, similar or better coverage than those currently available. There are some instances where the coverage is less; therefore a Health Care Spending Account (HCSA) of \$250 per year per employee is included in the proposal.

A HCSA provides participants with the flexibility to cover health and dental expenses the standard plan may not cover. The HCSA can be used to top up paramedical or vision claims or even to be used to cover deductibles or the remaining amount of prescription drugs after co insurance. The HCSA can also eliminate reverse discrimination. For example, with a vision care benefit, only employees that need glasses or contact lenses see the reward of this benefit. With HCSA, employees can choose to spend their allocated dollars on any approved medical, vision or dental expenses they choose.

The overall result is that the employer/employee will save approximately \$10k annually with a 16 month rate guarantee.

We will be arranging for Encompass to provide an employee orientation enrollment seminar in the very near future with a target conversion date of no later than April 1, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ken Klassen". The signature is written in a cursive style with a large, stylized initial "K".

Ken J. Klassen, CRM
Director of Finance

Summary of Marketing Report Presentation

As you may recall, we had several objectives for reviewing your employee benefits plan. Below are the main objectives along with the results of our analysis and marketing process.

Objective	Results
Find an insurance carrier that will work with your organization for many years in the future.	Several insurance carriers provided strong quotes, however 1 carrier stood out as exceptional and able to support the Village of Lumby's plan design and current/future needs. Based on a variety of factors, Manulife is the top carrier at this time combined with a new EAP provider, Ceridian.
Determine if there are cost savings available with extended rate guarantees.	\$14,000+ is available for annual cost savings for a comparable benefit plan to the current one in place. Rate guarantees of 16 months have been negotiated for continued savings.
Explore the various reports available for analysis of the group benefits plan.	Manulife provides an excellent reporting system which will be helpful for future plan analysis and will support wise decision making.
Discover options for streamlining the current administration of benefits	By ensuring that all benefits are with a single carrier, the Village of Lumby is able to be effective and efficient in the overall administration of the plan. Online administration services are available.
Explore the opportunities for increased service levels from your benefits consultant.	Based on our understanding, the current broker provides limited support and service. ENCOMPASS has a solid track record for providing a more enhanced level overall, plus additional features, such as thorough ongoing plan and claim analysis. In addition, ENCOMPASS is able to provide education to staff and management on how to most effectively use their benefits plan through an open employee enrollment meeting / presentation. Ongoing education sessions are available on a variety of topics.
Identify any gaps or concerns in benefit coverage.	A gap in current LTD coverage was identified that will be addressed at no extra charge if the Village of Lumby moves forward with Manulife. Manulife is also providing increased coverage for parameds (\$250/year/practitioner) and 80% coverage for all EHC expenses (except prescription drugs which remain at 75% reimbursement). In addition, the Village of Lumby can add a Health Care Spending Account (HCSA) and enhanced Employee Assistance Program (EAP) to offer employees more flexibility with their benefits.

There are several significant questions that will need to be answered related to potential future changes in the Village of Lumby's employee benefits program. The following questions and related decisions will impact many areas within the Village of Lumby organization. We are available to assist with the transition in all areas.

1. Who (broker/consultant) will best support the Village of Lumby moving forward?
2. Does it make sense to switch insurance carriers when considering all factors? (cost savings, online systems, reporting, claims administration, service/support from carrier)
3. Is this change a WIN-WIN for all parties involved? (Staff, Council, Administration, Management & Finance Departments)

The following information will summarize some of the key points from our presentation and will help to answer the above questions.

How would life be different with ENCOMPASS?

Our service model is quite different than what the Village of Lumby may have previously experienced. Details are below that outline the added value that we bring to the table even before considering cost savings.

Service / Support

- **Team Approach** - ENCOMPASS is committed to providing **superior customer service** and consulting advice. In addition to our senior consultants, we have highly qualified staff to also assist in the day to day administration details of your group. We have structured our work environment to ensure that someone is always available to assist you during business hours.
- **HR Support** - ENCOMPASS also provides regular Human Resources support and counsel which is included in the fees paid to us by the carrier. No other broker we are aware of has this distinct advantage. We are able to assist you with the many HR issues, whether a quick employment law question or larger projects. Day to day assistance does not generate any additional charges to you. Only larger projects would be billed separately.
- **Ongoing Plan Analysis** - Experience Reports are provided to you quarterly. This allows both us and you to monitor the costs and usage of your plan and ensure there are no surprises at renewal time. At each renewal, we run our own full analysis to ensure that the carriers rates are appropriate based on the year's experience and demographics. If the figures are out of line, we use the positive relationships we have developed with the carriers to renegotiate their rates before making our final presentation to you. We don't just accept the carrier's renewal figures.
- **Regular Plan Marketing** - To keep your plan competitive we aggressively negotiate your renewal rates and conduct a full marketing of your plan every 3-5 years, or upon your request.

- **Industry Information** – We send out regular updates and newsletters keeping you informed about related issues, topics and government changes in the benefits industry. As a part of a large organization like yourself, you need to be informed on a more global scale than from the opinion of just your carrier.

Reporting

Gone are the days when billing statements were the only report you could print!

Reports are available at any time through the Manulife website. They can help you track your plan's performance, can be auto-scheduled or created ad-hoc, and can be downloaded into a spreadsheet program. Having detailed claims assist in enhanced management of your plan. If you are aware of the detailed breakdown of claims, you are better able to address common issues through education and strategic planning.

Is Manulife Financial a good fit for the Village of Lumby?

Cost Savings – Over \$14,000 is available in cost savings with a rate guarantee of 16 months for all benefits.

Reporting - see above

Technology – Manulife's online administration system is quite user friendly. Manulife also provides a comprehensive website for employees to look up their plan information, track claims and print out lost drug cards. Ultimately this would reduce administration for the administration department by allowing employees to have in depth access to their information. Printed information pieces and online training will be available to employees at the time of implementation.

Plan Design – Manulife has included some plan enhancements to their proposal that provide added value to your employees. These enhancements include:

- LTD benefit maximum increased to \$5,000/month (covers salaries up to \$78,000/year)
- Annual maximum for Paramedicals increased to \$250/practitioner/year
(was previously a variety of combined maximums from \$100 - \$250 combined)
- EHC reimbursement is 80% for all expenses except prescription drugs
- Orthotics \$400/3 years
- HCSA and EAP benefits available (see following page for details)

Health Care Spending Account

A Health Care Spending Account (HCSA) provides you and your employees with the flexibility to cover health and dental expenses your standard plan may not cover. The HCSA can be used to top up paramedical or vision claims or even be used to cover deductibles or the remaining amount of prescription drugs after co-insurance.

The HCSA can also eliminate reverse discrimination. For example, with a Vision Care benefit, only employees that need glasses or contact lenses see the reward of this benefit. With a HCSA, employees can choose to spend their allocated dollars on any approved medical, vision or dental expenses they choose.

With the savings that the Village of Lumby is experiencing with choosing Manulife as their preferred provider, there is an opportunity to invest some of the savings into a flexible HCSA. With a 50%/50% cost sharing arrangement, the Village of Lumby would be saving over \$7,000 annually by switching to Manulife and the employees would be experiencing the same cost savings.

The per-employee amount for an HCSA can be set at any value. Below is one scenario for the Village of Lumby to consider when implementing an HCSA.

\$250/year/employee X 14 employees = \$3,500 + \$525 for administration of HCSA = \$4,025/year

Employee Assistance Program

The Village of Lumby currently offers their employees an Employee Assistance Program through Shepell-fgi. The following information is provided as a comparison to another EAP provider.

Provider	Price	Rate Guarantee
Ceridian LifeWorks Services	\$4.25/EE/mo = \$714/year (14 EE's)	28 months

- Unlimited # of sessions for all employees and their dependants.
- Family sessions provided.
- Quarterly & Annual Utilization Reports provided.
- Comprehensive Health and Wellness website.
- Orientation sessions for employees and / or managers.
- Ceridian's Health Assessment Services (identify health risks, reduce health-related benefits costs and increase health and productivity of your workforce).
- Ceridian's Lifeworks Wellness Coaching (one-on-one health coaching).

WIN-WIN-WIN

Change can be difficult and may be faced with some resistance. That's why ENCOMPASS has taken all parties into account when making recommendations for change. We have identified the following benefits for each independent group:



EMPLOYEES

- Comprehensive employee website
- Online claims submission and automatic deposit of claims reimbursement
- Instant adjudication (claims typically reimbursed within 24-48 hours)
- Drug card for all employees
- Better plan for less \$\$
- Flexible plan with Health Care Spending Account

COUNCIL

- RFP process has been completed on the Village of Lumby's behalf
- Thorough analysis performed on the existing plan
- Staff will receive better overall support from the new consultant and systems

MANAGEMENT / FINANCE

- Significant cost savings (\$14,000+)
- Rate guarantees of 16 months for all benefits
- Enhanced support
- Better benefits
- More control of plan (design, carriers, etc.)
- Comfort in knowing that Manulife is a top group benefits provider and has excellent adjudication
- Focus to reduce overall claims through education and enhanced EAP program

ADMINISTRATION

- Instant reporting
- Online access to all information
- Co-branded information for employees
- Better LTD / EAP program
- Enhanced support including HR counsel
- Ongoing analysis of plan including regular claims reporting
- Focus on Health and Wellness to claims

Moving Forward

The Village of Lumby has some significant new information to consider and some important decisions to make. Based on the enhanced level of support, available cost savings and improved plan design, choosing ENCOMPASS makes sense for the Village of Lumby. ENCOMPASS Benefits & HR Solutions is available to assist with the final analysis, presentations and transition in any way possible.

Summary of Rates

The following proposed rates from Manulife will be guaranteed for 16 months. Future rate adjustments will be based primarily on usage of the plan and demographic changes.

	Volume	Current Carrier	Manulife
Group Life per \$1,000	1,613,000	0.23 369.38	0.262 422.61
Basic AD&D per \$1,000	1,613,000	0.040 64.52	0.055 88.72
Dependent Life per member	14	1.50 21.00	1.785 24.99
Long Term Disability per \$100	38,682	4.53 <u>1,752.29</u>	3.031 <u>1,172.45</u>
<i>Sub-Total</i>		<i>2,207.19</i>	<i>1,708.76</i>
Extended Health Care Single	2	59.66	51.87
Family	14	132.50 1,974.32	100.67 1,513.12
Dental Care Single	2	59.97	50.46
Family	14	146.95 <u>2,177.24</u>	130.95 <u>1,934.22</u>
<i>Sub-Total</i>		<i>4,151.56</i>	<i>3,447.34</i>
Total Monthly Premium		6,358.75	5,156.10
Total Annual Premium		76,305.00	61,873.22
Difference from Current			(14,431.78)
As a Percent			-18.9%

Add HCSA at \$250 / employee / year for 14 employees: \$4,025/year
 Add Ceridian Lifeworks EAP for 14 employees: \$714/year
 \$66,612/year

Savings of approximately: \$10,000/year