



REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of a **REGULAR** meeting of the **ELECTORAL AREA "D" ADVISORY PLANNING COMMISSION** of the **REGIONAL DISTRICT OF NORTH OKANAGAN** held at the Whitevalley Community Centre on Tuesday, January 29, 2013

Members:	Butch Mindnich Dennis Richardson Joe Deuling	Chair Vice Chair
Staff:	Ashley Bevan	Executive Assistant (taking minutes)
Other:	Rick Fairbairn	Electoral Area "D" Director

CALL MEETING TO ORDER

The meeting was called to order at 7:04 p.m.

ELECTION OF ELECTORAL AREA "D" ADVISORY PLANNING COMMISSION CHAIR

The Electoral Area "D" Director called three times for nominations for the office of Chair of the Electoral Area "D" Advisory Planning Commission.

Butch Mindnich was nominated for position of Chair. There being no further nominations, Butch Mindnich was declared elected, by acclamation, Chair of the Electoral Area "D" Advisory Planning Commission.

ELECTION OF ELECTORAL AREA "D" ADVISORY PLANNING COMMISSION VICE CHAIR

The Electoral Area "D" Director called three times for nominations for the office of Vice Chair of the Electoral Area "D" Advisory Planning Commission.

Dennis Richardson was nominated for position of Vice Chair. There being no further nominations, Dennis Richardson was declared elected, by acclamation, Vice Chair of the Electoral Area "D" Advisory Planning Commission.

ADOPTION OF MINUTES

Advisory Planning Commission Electoral Area "D" – Regular Meeting of November 27, 2012

Moved and seconded by Joe Deuling and Dennis Richardson
That the minutes of the November 27, 2012 regular meeting of the Advisory Planning Commission Electoral Area "D" be adopted as circulated.

CARRIED

NEW BUSINESS

Development Variance Permit Application and Waiver of Lot Frontage Request D & A FINCH c/o JR SHORTT

[File No. 11-0638-D-DVP / 11-0337-D-WVR]

Discussion ensued regarding access to Lot 1 and remainder from Lumby Mabel Lake Road or Schwartz Road.

The Commission noted the following concerns:

- Emergency vehicle access
- Proper access off Schwartz Road for the remainder lot
- House built without first obtaining a building permit

Moved and seconded by Dennis Richardson and Joe Deuling

That the Advisory Planning Commission Electoral Area "D" support the recommendations contained in the Planning Department Information Report dated January 10, 2013 that a Lot Frontage Waiver be granted for the property legally described as District Lot 1628, ODYD and located at 265 Lumby Mabel Lake Road, Electoral Area "D" to waive Section 802.7 of the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by reducing the lot frontage requirement related to the subdivision of the property from 93.31 m to 85.72 m for proposed Lot 1 and 279.31 m to 82.4 m for the proposed Remainder Lot as shown on the site plan attached to the Planning Department Report dated January 10, 2013; and further,

That upon consideration of input from adjacent landowners, a Development Variance Permit be issued for the property legally described as District Lot 1628, ODYD and located at 265 Lumby Mabel Lake Road, Electoral Area "D" to vary:

1. Section 402.4 of the Regional District of North Okanagan Subdivision Servicing Bylaw No. 725, 1986 by waiving the proof of water requirement for the well that is proposed to service proposed Lot 1 as shown on the site plan attached to the Planning Department Report dated January 10, 2013 subject to the registration of a Section 219 covenant on the title of the subject property that indemnifies the Regional District from any claims associated with waiving the proof of water requirements; and
2. Section 310 of the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by waiving the private driveway access requirement for the driveway that is proposed to service the proposed Remainder Lot as shown on the site plan attached to the Planning Department Report dated January 10, 2013 subject to:
 - a) driveway construction modifications being made to the satisfaction of the Fire Chief; and
 - b) an easement plan and agreement for on-going maintenance being registered concurrent with final subdivision approval; and
 - c) a Restrictive Covenant being registered on the title of the Remainder Lot concurrent with final subdivision approval that incorporates and advises the property owner of the ongoing responsibility to manage the land and buildings in accordance with the recommendations of a Wildfire Hazard Assessment Report which assesses the current wildfire hazard and indemnifies the Regional District in the event of a wildfire event; and
 - d) a Building Permit being issued for the single family dwelling located on the proposed Remainder Lot; and further,

That upon consideration of input from adjacent landowners, a Development Variance Permit not be issued for the property legally described as District Lot 1628, ODYD and located at 265 Lumby Mabel Lake Road, Electoral Area "D" to vary:

3. Section 402.4 of the Regional District of North Okanagan Subdivision Servicing Bylaw No. 725, 1986 by waiving the proof of water requirement for the well that is proposed to service the proposed Remainder Lot as shown on the site plan attached to the Planning Department Report dated January 10, 2013.

CARRIED

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:06 p.m.

Certified Correct:



Chair



Recording Secretary