



**TOWN OF CRESTON
REGULAR COMMITTEE OF THE WHOLE MEETING AGENDA
HELD IN ACCORDANCE WITH MINISTERIAL ORDER NO. M139**

Tuesday, June 16, 2020, 4:00 P.M.

Council Chambers, 238-10th Avenue North, Creston, BC

1. CALL TO ORDER

2. ADOPTION OF AGENDA (and additional items if necessary)

3. DELEGATIONS

None

4. BUSINESS

- a. Council Direction Request from the Chief Administrative Officer, regarding the Employee Benefits Policy
- b. Verbal Report from the Chief Administrative Officer, regarding the Wildfire Mitigation Team and Firesmart Program
- c. Council Direction Request from the Director of Community Services, regarding OCP/Zoning Amendment Application 01/20

5. QUESTION PERIOD

6. ADJOURNMENT

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston

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ACTION DATE: June 16, 2020

File: 1910.10

SUBJECT: Employee Benefits Policy

SUGGESTED FOLLOW-UP ACTION: THAT the Council Direction Request from the Chief Administrative Officer regarding existing Employee Benefits Policy, be received; AND FURTHER, THAT Council directs staff to provide an updated Employee Benefits Policy at a future Council meeting that reflects current practice.

CAO COMMENTS: This report is submitted by the CAO.

BACKGROUND

Staff Briefing Note:

Attached ☐

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: The existing Employee Benefits Policy has not been updated since March 2004. The existing policy is attached and has text in red that is not consistent with current practices.

RELEVANT OBSERVATIONS: Current policy does not align with current practices.

STRATEGIC QUESTIONS: Does Council wish to improve organizational effectiveness through up to date policies?

ESSENTIAL QUESTION: Does Council wish to align the employment benefits policy with current practice?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: Updated policy provides clarity to current practices for benefits.

DESIRED BENEFITS OF KEY RESULT: Improved transparency to Council for employee benefits that allow for more efficient periodic review.

REQUISITES: N/A

UNINTENDED OUTCOMES: N/A

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1.	Council may recommend to Staff to present draft policy for consideration.
2.	Council may recommend changes to the draft policy.
3.	Council may recommend not changing existing policy.

Submitted by:


Michael Moore, CAO

Reviewed by:

CAO


Michael Moore, CAO



Town of Creston COUNCIL POLICY

DRAFT POLICY:**HUM-001-006**

Employee Benefits Policy

PURPOSE	To inform Town of Creston employees about benefits provided.
SCOPE	Town of Creston full-time and part-time employees (excluding paid-on call firefighters).
POLICY	Employee health is important to the Town of Creston.

The Town of Creston believes that a comprehensive and competitive package of health / medical insurance in concert with other employee benefits, are a key component of the municipality's compensation strategy and support employee and family health and wellbeing.

In keeping with the goal of being an employer of choice, although there is no legal requirement, the Town of Creston provides benefits as a supplement to government benefit programs.

Town of Creston is committed to:

- Offering a balanced benefit program to help support employees and their families during times of unexpected illness or accident;
- Providing the best value for the dollars spent;
- Supporting workplace health; and
- Remaining competitive relative to market position and attracting and retaining qualified and experienced employees of choice.

The Town of Creston does not discriminate against people with disabilities or health conditions, but as an employer, the Town of Creston wants to assist employees in staying healthy.

The Town of Creston will ensure that all benefits meet or exceed the requirements of the *Employment Standards Act*.

The Town of Creston wants to ensure consistency across all of its municipal departments. The intent of this policy is to encourage and promote good employer-employee relations through fair, equitable and transparent application.

Given the wide variety of occupational groups employed by Town of Creston, the terms and conditions of this policy may be modified from time to time to meet the uniqueness of particular occupational categories. These modifications will occur in consultation with the affected employees (or Union), but are subject to the final approval of the employer.

Town of Creston COUNCIL POLICY

POLICY NO. HUM-001-006

DEFINITIONS

Exempt staff – non-union staff members with individual employment agreements. Examples of exempt staff may include executive assistant, technicians, program supervisors, and assistants. These employees will have individual employment agreements and typically have some manager or executive duties.

Manager / Director – The *Employment Standards Regulation* defines a "manager" as:

"A person whose principal employment responsibilities consist of supervising or directing, or both supervising and directing, human or other resources, or a person employed in an executive capacity".

Typically, managers have the ability to act independently and make decisions using their own discretion. This may include things such as:

- Ensuring company policies are followed
- Authorizing overtime, time off or leaves of absence
- Calling employees in to work
- Altering work processes
- Establishing or altering work schedules
- Training employees
- Committing or authorizing the use of company resources

A Director works in an executive capacity when he or she makes key decisions or provides recommendations to Council which are critical to the organization, such as:

- How many employees are to be employed;
- What products should be purchased;
- What services should be provided;
- How a service should be provided;
- From whom should supplies be purchased; and
- At what cost recovery should services be recovered at.

Unionized staff – unionized staff that are part of a collective bargaining agreement between the Town of Creston and a trade union as defined in the *Labour Relations Code*.

GUIDELINES

Overtime

1.0 Exempt employees paid hourly;

- a) Accumulated overtime is calculated at one and one-half times the employees regular wages for any time worked over an employee's regular scheduled day of seven (7) hours or eight (8) hours, and is calculated at double time for the employees regular wages for any time worked over eleven (11) hours.

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COUNCIL POLICY

POLICY NO. HUM-001-006

- b) Part-time employees who normally work less than seven (7) hours per day will be paid straight time up to seven (7) hours and overtime is calculated in accordance with 2.1.1 after seven (7) hours of work.
- 2.0 Unionized staff will be paid overtime in accordance with the current collective agreement.
- 3.0 Exempt staff positions defined as “Manager” (excluding the Chief Administrative Officer) and paid a salary shall be granted five (5) paid days off per year in lieu of extra hours worked required to discharge duties, in addition to regular paid vacation time:
 - a) The time off shall be subject to the approval of the Chief Administrative Officer or designate;
 - b) Unless an alternative is agreed to by Council in advance, these days must be taken and scheduled in the year in which they are earned and cannot be banked;
 - c) The Chief Administrative Officer may recommend to Council to increase the amount of paid days off to a maximum of ten (10) days for individual exempt staff based on unique circumstances related to the position. For example; after hours emergency call-outs.
- 4.0 The Chief Administrative Officer shall be granted ten (10) paid days off per year in lieu of any extra hours worked required to discharge duties, in addition to regular paid vacation time. Unless an alternative is agreed to by Council in advance, these days must be taken and scheduled in the year in which they are earned and cannot be banked.

Banked Time

- 5.0 Banked time shall not be allowed to accumulate in excess of the equivalent of ten (10) working days at any one time.
- 6.0 A pay-out of banked time shall be allowed for at the end of December each year, at the discretion of the department Director.
- 7.0 Unionized Employees will have all banked time cleared annually as per the current collective agreement.
- 8.0 Banked time shall (additions or subtractions) be recorded through the payroll system and approved by the department Director.

Vacation, Statutory Holidays, Special Leaves

- 9.0 Subject to operational requirements, the Director or Chief Administrative Officer shall make every reasonable effort to grant vacation leave as requested by staff.
- 10.0 Time off for vacation or use of banked time can be taken in either one-week blocks or split at the discretion of the employee, subject to approval of the Department Director or the Chief Administrative Officer.

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- 11.0 Vacation and/or use of banked time, can be scheduled up to a maximum of twenty (20) consecutive business days (4 weeks), other than extraordinary circumstances and with the approval of the Chief Administrative Officer.
- 12.0 In the case of the Chief Administrative Officer, Council would approve any vacation or leave extending beyond twenty (20) consecutive business days.
- 13.0 Vacation accrual for Unionized Staff will accrue as per the current collective agreement.
- 14.0 Vacation accrual for Exempt Staff:

Years of Service	Earned Vacation Days
1 to 5 years	15 working days
6 to 10 years	20 working days
11 to 15 years	25 working days
16 years of service and more	30 working days

- 15.0 Unused vacation days may be paid out or carried over past the anniversary date, at the discretion of the Chief Administrative Officer but not to exceed ten (10) working days.
- 16.0 All full-time employees shall receive a paid day off at their normal wage on the following statutory holidays:
- New Year's Day;
 - Family Day (third Monday of February);
 - Good Friday;
 - Easter Monday;
 - Victoria Day;
 - Canada Day;
 - British Columbia Day;
 - Labour Day;
 - Thanksgiving Day;
 - Remembrance Day;
 - Christmas Day;
 - Boxing Day; and,
 - Any other day proclaimed or declared by the Federal, Provincial or local municipal government as a statutory holiday.
- 17.0 Part-time employees are entitled to the day off work with pay on statutory holidays and shall receive a prorated amount based on the number of hours worked prior to the holiday in conformance with the *Employment Standards Act*.

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POLICY NO. HUM-001-006

Group Benefits

- 18.0 Medical Services Plan (MSP) for the employee and immediate family will be paid by the Town of Creston.
- 19.0 Group Benefits for Unionized Staff are negotiated and agreed upon within the current collective agreement.
- 20.0 Group Benefits for Exempt Staff are:
- a) Life Insurance – 200% of annual salary (\$300,000 maximum)
 - b) Accidental death, dismemberment and specific loss (\$300,000 maximum)
 - c) Long-term disability - 60% of wages to a maximum of \$7,500 month
 - d) Extended health care (paramedical and basic medical expense coverage)
 - e) 100% Dental (basic and accidental) and 50% major coverage
 - f) 50% Orthodontics to \$2,500 lifetime
 - g) 100% Vision care for eye examinations only
 - h) Out of country coverage
- 21.0 The Town of Creston reserves the right to change benefit providers from time to time.
- 22.0 The Town of Creston shall review group benefit maximums for Exempt Staff every five (5) years for inflationary cost adjustments.
- 23.0 Short-Term disability benefits for Exempt Staff are self-insured by the Town of Creston and will be 100% of monthly earnings for a maximum of 26 weeks.
- 24.0 Vision care benefits for Exempt Staff are self-insured by the Town of Creston and include:
- a) \$400 every two years per employee and dependent for eyewear; and
 - b) Can be carried over to a maximum of \$1000 to be utilized for laser eye surgery

Sick Leave

- 25.0 Paid days off for sick leave for Unionized Staff are negotiated and agreed upon within the current collective agreement.
- 26.0 Paid days off for sick leave for Exempt Staff shall be six (6) paid sick days per year, renewed in January of each year, with the option to carry-over unused sick days to a maximum of twelve (12) days (the current year and carry-over maximum).
- 27.0 A part time Exempt Staff shall earn sick leave credits according to that employee's full-time equivalency ratio.

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Compassionate Leave

- 28.0 All employees shall be granted three (3) days leave with pay and an additional two (2) days without pay to attend the funeral of a spouse, common-law spouse, grandparent, mother, father, brother, sister, son, daughter, father-in-law, mother-in-law, sister-in-law or brother-in-law. (Common-law, step, in-law, and foster shall apply where appropriate when considering relationship).
- 29.0 If the employee travels to and from the funeral located more than 500 km from Creston, the additional two (2) days noted above shall be with pay.
- 30.0 At the discretion of the Chief Administrative Officer, additional days may be reasonably granted to any employee based on extenuating or special individual circumstances.

Leave of Absence Without Pay

- 31.0 Leave of absence without pay, may be granted to an employee at the discretion of the Chief Administrative Officer.

Municipal Pension Plan

- 32.0 All municipal full-time employees are enrolled in BC's Municipal Pension Plan, a defined benefit pension plan and the Town of Creston agrees to pay employer contributions required under the pension plan.
- 33.0 Full-time fire department employees enrolled in BC's Municipal Pension Plan are enrolled in Group 5. Group 5 provides enhanced pensions for police officers and firefighters; members in this group have a higher benefit accrual rate and earlier retirement age.

POLICY RECORD

Date Approved by Council:	March 26, 2001	Resolution No.	#273-01
	March 10, 2003		#208-03
	March 24, 2003		#253-03
	March 8, 2004		#58-04
	March 22, 2004		#74-04
Next Review Date:	June 2025	Policy No:	
Last Review Date:	June 2020	Replaces:	
Administrative Review:	June 2022		



Town of Creston COUNCIL POLICY

**CURRENT
POLICY:**

HUM-001-006

Employee Benefits Policy

PURPOSE To establish guidelines with respect to banked time, vacation, statutory holidays, sick and compassionate leave, leave of absences (without pay) and group benefits.

SCOPE This policy applies to all Town of Creston employees.

POLICY Banked Time

Banked time for staff members is as follows:

- (a) accumulated overtime is calculated at one and one-half times the employees regular wages for any time worked over an employee's regular scheduled day of seven (7) hours, seven and one half hours (7.5) or eight (8) hours, and is calculated at double time for the employees regular wages for any time worked over eleven (11) hours.; (RM March 24, 2003 - Res. #253-03)
- (b) such time off shall be subject to the approval of the Chief Administrative Officer; and
- (c) in the last five (5) years of employment, prior to retirement, staff may accumulate two (2) weeks per year to a total of ten (10) weeks, banked overtime.

Notwithstanding subsection (c) above, banked time shall not be allowed to accumulate in excess of the equivalent to ten working days at any one time and a pay-out of banked time shall be allowed for staff members at the end of December each year, at the discretion of the Chief Administrative Officer.

- (d) Employment agreements for all management positions (Administrative Assistant position exempt), for use in future position vacancies, include the following provisions with respect to banked time:

- i) Management Staff Positions (excluding Chief Administrative Officer):

In lieu of overtime, exempt staff positions defined as "Manager" in accordance with the Employment Standards Regulations (namely Director of Financial Services, Director of Corporate Administration, Fire Chief, Director of Municipal Services, Works Superintendent, Utilities Supervisor, Municipal Services Co-ordinator) shall be granted five (5) paid days off per year in lieu of extra hours worked, in addition to regular paid vacation time; such time off shall be subject to the approval of the Chief Administrative Officer; banked time shall not be allowed to accumulate in excess of the equivalent of ten (10) working days at any one time, and a pay-out of banked time shall be allowed for staff members at the end of December each year, at the discretion of the Chief Administrative Officer; and in the last five (5) years of employment, prior to retirement, staff may accumulate

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POLICY NO. HUM-001-006

up to two (2) weeks per year to a total of ten (10) weeks, banked overtime.

ii) Chief Administrative Officer's Position:

The Chief Administrative Officer shall be granted ten (10) paid days off per year in lieu of any extra hours worked, in addition to regular paid vacation time; these extra paid days may be taken as paid time off or paid out during, or at the close of, the year earned, or may be banked to a maximum of fifty (50) days, to be reclaimed in subsequent years or at retirement/termination as time off only.

- e) All additions and subtractions to overtime and banked time shall be reported to and recorded by the Payroll Clerk, during the pay period that such action is taken.

Group Benefits Package (Life; Accidental Death and Dismemberment; Short Term/Long Term Disability Income; Weekly Indemnity; Extended Health; Dental; and BC Medical)

The non-union staff shall be covered by the Benefits Package as per the agreement entered into with the Union of B.C., Municipalities in 1983, with benefits paid in full by the Town, following a successful completion of the probationary period.

Vacation

Subject to operational requirements, the Chief Administrative Officer shall make every reasonable effort to grant vacation leave as requested by staff and staff members are encouraged to take their annual holidays in one block consisting of not less than three weeks. Remaining holidays are to be taken in either one-week blocks or split at the discretion of the employee, subject to approval by the Chief Administrative Officer.

The following vacation accrual applies to non-union staff:

1-5 years of service	21 working days
6-10 years of service	26 working days
11-15 years of service	31 working days
16 years of service and more	36 working days

Unused vacation days may be paid out or carried over past the anniversary date, at the discretion of the Chief Administrative Officer.

Statutory Holidays

Employees shall receive paid holidays at their normal wage on the following days:

New Year's Day; Good Friday; Easter Monday; Victoria Day; Dominion Day; British Columbia Day; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day;

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POLICY NO. HUM-001-006

Boxing Day; and any other day proclaimed or declared by the Federal, Provincial or local municipal government.

Sick Leave

Full time permanent employees, including those on probation, shall earn sick leave credits at the rate of eighteen (18) working days per year, non-cumulative. A part time employee shall earn sick leave credits according to that employee's full-time equivalency ratio.

Compassionate Leave

Employees shall be granted three (3) days leave with pay to attend the funeral of a spouse, common-law spouse, grandparent, mother, father, brother, sister, son, daughter, father-in-law, mother-in-law, sister-in-law or brother-in-law.

One (1) additional day with pay will be granted to an employee when the above noted funeral service is held at a location at least four hundred (400) kilometres from the Town of Creston; with the above time subject to extension, without pay, at the discretion of the Chief Administrative Officer

Leave of Absence Without Pay

Leave of absence without pay, may be granted to an employee at the discretion of the Chief Administrative Officer.

POLICY RECORD

	March 26, 2001		#273-01
	March 10, 2003		#208-03
Date Approved by Council:	March 24, 2003	Resolution No.	#253-03
	March 8, 2004		#58-04
	March 22, 2004		#74-04
Next Review Date:		Policy No:	
Last Review Date:		Replaces:	
Administrative Review:			

Kirsten Dunbar

Subject: FW: 2020 Wildfire Mitigation Team**From:** Joel Hamilton <JHamilton@rdck.bc.ca>**Sent:** June 9, 2020 2:37 PM**To:** GRP_Fire_Chiefs <GRP_Fire_Chiefs@rdck.bc.ca>; GRP_RDCKHeadOfficeStaff <GRP_RDCKHeadOfficeStaff@rdck.bc.ca>; GRP_Directors <GRP_Directors@rdck.bc.ca>; GRP_CrestonOffice <GRP_CrestonOffice@rdck.bc.ca>; GRP_NakuspOffice <GRP_NakuspOffice@rdck.bc.ca>; Anne Williams <cao@salmo.ca>; Cheryl Martens <cao@nakusp.com>; 'Ian Dunlop (CAO Kaslo)' <cao@kaslo.ca>; Chris Barlow <cbarlow@castlegar.ca>; Mike Moore <Mike.Moore@creston.ca>**Subject:** 2020 Wildfire Mitigation Team

Good Afternoon,

I would like to introduce and welcome Garrett Fishlock, to the RDCK's Wildfire Mitigation Team. He will be dedicated to supporting the City of Castlegar's FireSmart program and our regional wildfire mitigation work for the 2020 operational season.

Garrett lives in the Slocan Valley and is a long term resident of the region working at Whitewater Ski Resort as an avalanche forecaster in the winter. He adds an incredible wealth of knowledge to our team joining us with many years experience from BC Wildfire Service on the Valhalla Unit Crew, his work on Structure Protection Units, and structural fire fighting experience gained from Merritt Fire Rescue.

Please welcome Garrett to the team and also our great team from last year; **Andrew Doran, Bree Lillies, David Hearn, Karen May and Kevin Smith.**

With a late start to our season, we are also looking to you for program support in order keep our at-risk communities resilient to Wildfire. Spread the word to your friends, family and neighbors, that we are again providing **Free Home Assessments** throughout the RDCK including our great municipal partners; **Salmo, Kaslo, Nakusp, Creston and Castlegar.**

Lastly, just to reinforce this, taking appropriate mitigation actions to the built fuels of your home, as well as the immediate vegetation surrounding them, is the single most important factor in a home surviving a wildfire of any size or magnitude. This has been proven by numerous studies and confirmed/tested regularly by catastrophic wildfires. For more information or to book an assessment please call **250-352-1539** or go to

RDCK.CA/FIRESMART: <https://rdck.ca/EN/main/services/emergency-management/firesmart.html>

Thank you again and your help is greatly appreciated!

Joel Hamilton*Wildfire Mitigation Supervisor**EOC Planning Section Chief***Cell:** (250) 505-3544**Regional District of Central Kootenay**

333 Victoria Street, Suite 103, Nelson, BC V1L 4K3

Phone: (250) 352-8177 **Fax:** (250) 229-4422

FREE FireSmart Assessments

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With a Wildfire Mitigation Specialist

A PROFESSIONAL ASSESSMENT OF YOUR PROPERTY

FireSmart Home Partners assessments are available throughout the RDCK and participating municipalities



To schedule an assessment or find out more please visit:

[RDCK.CA/FIRESMART](https://rdck.ca/firesmart)

250-352-1539

firesmart@rdck.bc.ca

COUNCIL DIRECTION REQUEST (CDR)

Town of Creston

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ACTION DATE: June 16, 2020

SUBJECT: OCP/Zoning Amendment Application 01/20 (1640 – 1st Avenue Northwest)

SUGGESTED FOLLOW-UP ACTION: THAT the Council Direction Request from the Director of Community Services regarding an amendment to Zoning Bylaw No. 1123, 1989, be received; AND FURTHER, THAT Council does not authorize the application for an amendment to Zoning Bylaw No. 1123 to rezone a portion of 1640 1st Avenue Northwest from Single Family Residential (R-1) to Community Use (P-1).

CAO COMMENTS: Staff recommend not supporting the application as the re-zoning does not align with the OCP and accelerated road deterioration due to higher volumes of traffic on a low quality road base and surface.

BACKGROUND

Staff Briefing Note:

Attached ☒

Available ☐

Nil ☐

1. DEFINE THE TOPIC

KEY INFORMATION: Heartland Mennonite Brotherhood (the owner) requests consideration of amending *Zoning Bylaw No. 1123, 1989*, to rezone the southern portion of 1640 - 1st Avenue Northwest, legally described as Lot 6, District Lot 892, Kootenay District, Plan 8044 (PID: 013-396-285) from Single Family Residential (R-1) to Community Use (P-1), and to amend the Land Use Designation of the subject area from Rural Residential to Institutional in *Official Community Plan Bylaw No. 1854, 2017, Schedule "A"*. These amendments would allow renovation of the existing dwelling and shop as a church and private school.

RELEVANT OBSERVATIONS: The proposal does not align with the Institutional Land Use Policies of the OCP.

STRATEGIC QUESTIONS: Does Council consider the subject area to be an appropriate location for a church, private school, and / or other future institutional use?

ESSENTIAL QUESTION: Does Council want Staff to draft the relevant bylaw amendments for Council's consideration?

2. DETERMINE DESIRED OUTCOMES if the essential question is addressed.

KEY RESULT: Rezone the southern portion of 1640 - 1st Avenue Northwest from R-1 to P-1.

DESIRED BENEFITS OF KEY RESULT: A stable location for the Heartland Mennonite Brotherhood church/private school.

REQUISITES: Informal Public Informational Meeting, Public Hearing, adoption of relevant bylaws.

UNINTENDED OUTCOMES: Accelerated road deterioration, reduced property taxation and reduced land for future residential use.

3. EXPLORE RESPONSE OPTIONS to achieve the key result (Pros & Cons)

1.	Council direct staff to draft the relevant Zoning Amendment Bylaw and Official Community Plan Amendment Bylaw to be presented for Council's consideration and 1 st and 2 nd readings.
2.	Council refer to staff for further information (to be specified).
3.	Council reject the application.
4.	Other, as per Council direction.

Submitted by:

Ross Beddoes, DMS

Reviewed by:

CAO

Michael Moore, CAO

STAFF BRIEFING NOTE

Town of Creston

DATE: 6/23/2020

TO: Michael Moore, Chief Administrative Officer

CC: Joel Comer, Municipal Services Coordinator

FROM: Ross Beddoes, Director of Community Services

DEPARTMENT: Community Services

SUBJECT: OCP/Zoning Amendment Application 01/20 (1640 – 1st Avenue Northwest)

APPENDIX: ☒ ATTACHED ☐ OTHER DOCUMENT ☐ NOT APPLICABLE

PURPOSE / ISSUE:

This briefing note evaluates an application from Heartland Mennonite Brotherhood (the owner), requesting Council's consideration of amending Zoning Bylaw No. 1123, 1989 and Official Community Plan Bylaw No. 1854, 2017 to allow for renovation of the existing single family dwelling and shop as a private school and church. The proposal would affect only the southern portion (see below) of the property located at 1640 - 1st Avenue Northwest, legally described as Lot 6, District Lot 892, Kootenay District, Plan 8044 (PID: 013-396-285). The proposal would amend the OCP Land Use Designation from Rural Residential to Institutional, and rezone the property from Single Family Residential (R-1) to Community Use (P-1).

BACKGROUND:

The 1.6ha (3.9ac) subject property is located on the southeast corner of 1st Avenue North and Collis Street. The property has 168m of frontage on 1st Avenue North, and 82m of frontage on Collis Street. Photos of the property are found in Appendix "A".

The current OCP Land Use Designation is Rural Residential, and the current Zone is Single Family Residential (R-1). The property is not located within the Residential Growth Containment Boundary.

Structures on the property include a single-family dwelling, a shop, and a pole-shed. The northern portion of the property appears to have been utilized for hay production in past years. The southwest corner of the property features a steep vegetated gully. The property is currently serviced by Town water, and utilizes an on-site septic system for sewage. Municipal sanitary sewer is not available to the subject property.

Direction from Subject Property	Land Use Designation	Zone
North	Industrial	Industrial (M-1)
South	Rural Residential	Single Family Residential (R-1)
East	Rail Corridor / Commercial – Highway Service	Highway Service Commercial (HSC)
West	Rural Residential	Rural Residential (R-5)

Fig 1. Land Use Designation and Zoning of neighbouring properties.

STAFF BRIEFING NOTE

Town of Creston

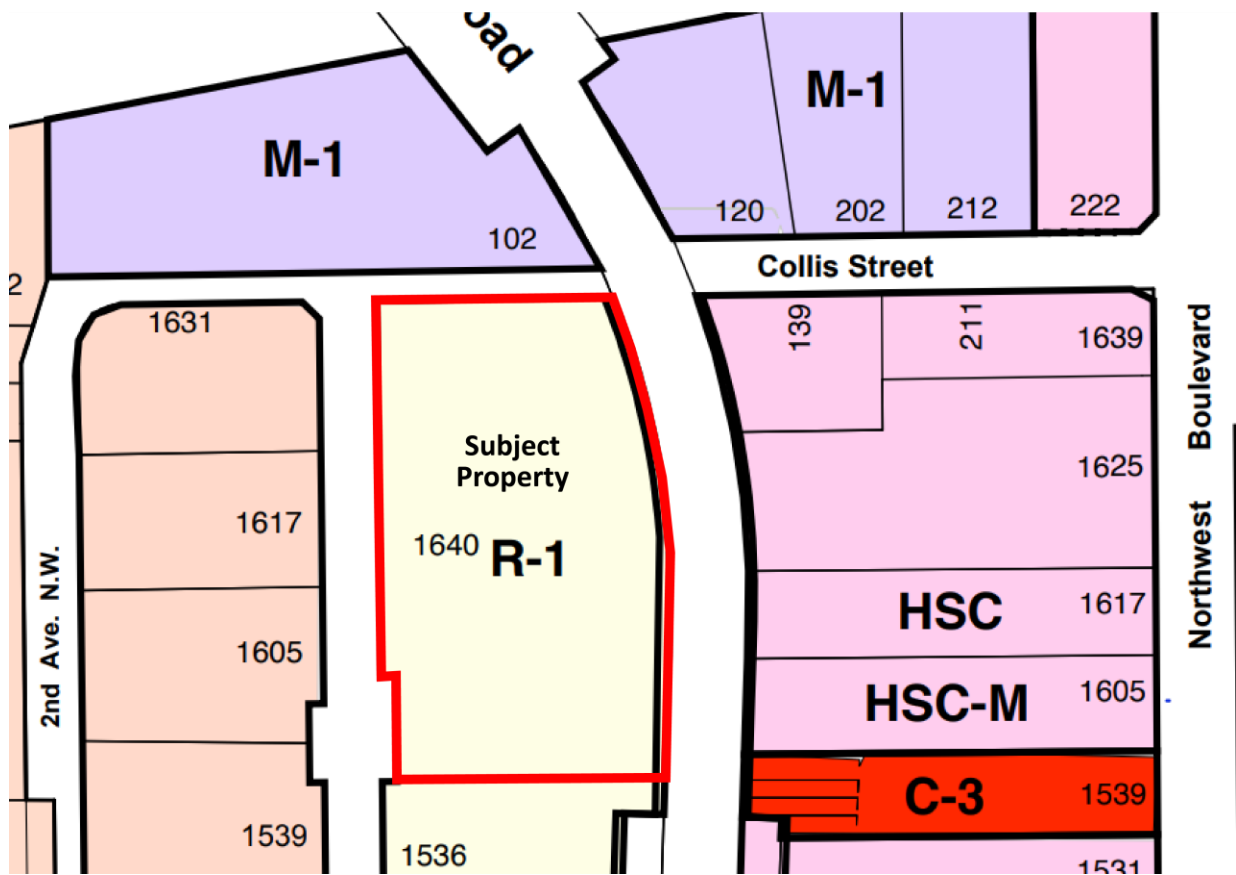


Fig 2. Zoning of Subject Property and surrounding area.

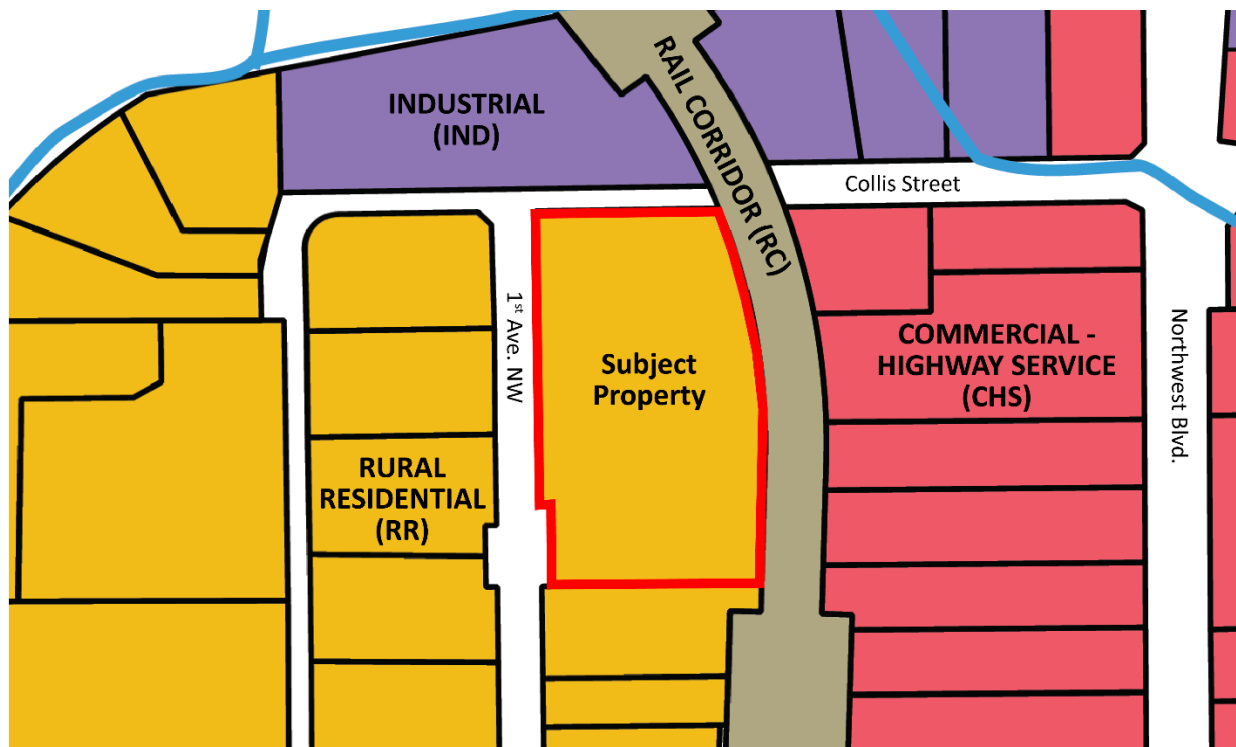


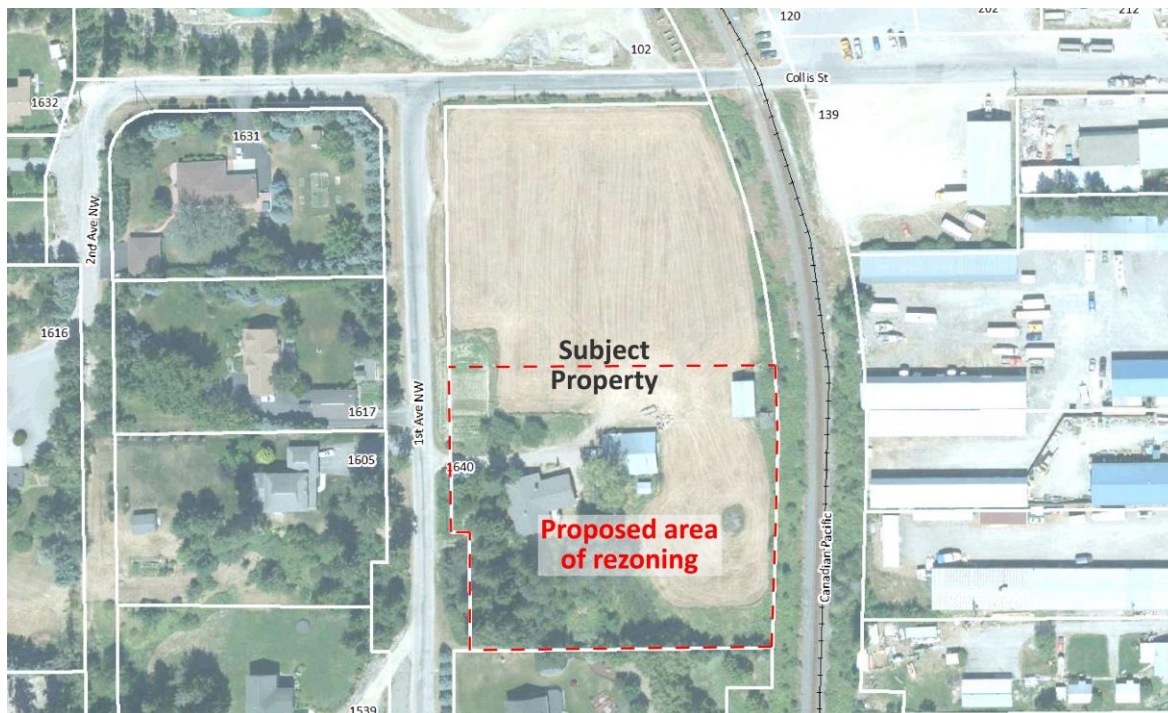
Fig 3. Land Use Designation of Subject Property and surrounding area.

STAFF BRIEFING NOTE

Town of Creston

CURRENT SITUATION:

The owner has applied for an Official Community Plan and Zoning Amendment to allow for the renovation of the existing buildings as a church and private school. This would result in split-zoning for the property, where the northern portion would remain Single Family Residential (R-1), and the southern portion would be rezoned to Community Use (P-1). The owner has indicated that they would develop the northern portion of the property into a playground/ball field.



KEY CONSIDERATIONS:

Official Community Plan Bylaw No. 1854, 2017

V. Land Use Policies, E. Institutional, 1.1 – Consider Religious Institutional uses in areas designated as Residential within the Residential Growth Containment Area (RGCA).

Note: The subject area is designated as Residential, however is not located within the RGCA.

V. Land Use Policies, E. Institutional, 1.2 – Encourage Institutional development to be compatible with the surrounding neighbourhood, particularly in Residential Areas.

V. Land Use Policies, E. Institutional, 1.4 – Encourage the grouping of Institutional uses within walking distance of the Downtown Core or the Creston Valley Mall.

Zoning Bylaw No. 1123, 1989

Assembly use (including churches) and schools are permitted uses in the P-1 Zone. Playgrounds and public recreation facilities are permitted uses in all zones.

STAFF BRIEFING NOTE

Town of Creston



Comments of the Manager of Engineering

The constructed road structure and driving surface of Collis Street and 1st Avenue Northwest is not adequate for the increased traffic volumes that institutional zoning might attract. At this time, Infrastructure Services does not support a zoning amendment to permit a use other than low density residential.

Applicant reasons and comments in support of the application (see Appendix "B")

"A church and it's activities add value to the community, the property is centrally located in the valley. The property borders Industrial and Commercial space on 2 sides so it will act as a buffer to the residential properties on the opposite sides. The entire property will be utilized versus sitting unused. As only the southern half of the property will be rezoned, the remainder could be subdivided if future needs dictate. The playground could be used by the neighborhood children."

OPTIONS FOR FOLLOW-UP ACTION:

1. Council direct staff to draft the relevant Zoning Amendment Bylaw and Official Community Plan Amendment Bylaw to be presented for Council's consideration and 1st and 2nd readings.
2. Council refer to staff for further information (to be specified).
3. Council reject the application.
4. Other, as per Council decision.

Ross
Beddoes

Submitted by:

Ross Beddoes, DCS

Reviewed by:

CAO

Michael Moore, CAO

Appendix 'A' – Site Photos



Photo of property from North facing South



Photo of property from Northwest facing Southeast



Photo of property from West facing Southeast



Photo of property from West facing East



Photo of property from West facing East



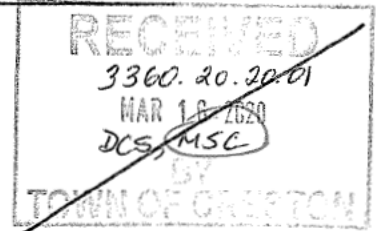
Photo of property from West facing Northeast

Appendix "B" - Application

Schedule "A-3"
to Bylaw No. 1388
Page 1 of 4

TOWN OF CRESTON
OFFICIAL COMMUNITY PLAN AND
ZONING AMENDMENT APPLICATION

APPLICATION NO. R- 01/20



THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION. PERSONAL INFORMATION CONTAINED ON THIS FORM IS COLLECTED UNDER THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT AND WILL BE USED ONLY FOR THE PURPOSE OF PROCESSING YOUR APPLICATION.

This form is to be completed in full and submitted with all requested information to the Town of Creston, P.O. Box 1339, 238 10th Avenue, North, Creston, BC V0B 1G0 (Phone: 250.428.2214 or Fax: 250.428.9164)

Registered Owner(s):

Registered Owners' Name(s) Heartland Mennonite Brotherhood

Address [REDACTED] Postal Code [REDACTED]
Telephone: Business [REDACTED] Home [REDACTED] Fax [REDACTED]

Applicant:

Applicant's Name Heartland Mennonite Brotherhood

Address [REDACTED] Postal Code [REDACTED]
Telephone: Business [REDACTED] Home [REDACTED] Fax [REDACTED]

Owner Authorization of Applicant:

As owner(s) of the land described in this application, I/we hereby authorize _____
_____ to act as applicant in regard to this Official Community Plan Bylaw and
Zoning Amendment Application.

Owners' Signatures:

Eldon Mast
[Signature]
Eve York

NOTE:

- (1) A copy of a State of Title Certificate, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as a proof of ownership.
- (2) An Application Fee as set out in Schedule 'C' (applicable section of which is attached) shall be made payable to the Town of Creston and shall accompany the Application.
- (3) Where the applicant is not the sole registered owner of the land described in this application, the authorization clause, noted above, must be completed and signed by the owner(s).
- (4) A dimensional Sketch Plan drawn to scale showing the parcel(s) or part of the parcel(s) to be redesignated and the location of existing and proposed buildings, structures, uses, access roads, parking, driveways and any screening, landscaping and fences must accompany this application.

We Heartland Mennonite Brotherhood hereby apply for:

1. An amendment to the text of the Town of Creston Official Community Plan Bylaw, as follows:

N/A

2. An amendment to the text of the Town of Creston Zoning Bylaw, as follows:

N/A

3. An amendment of the community plan/zoning designation of:

- a) Current Legal Description of the Land in Full:

LOT 6 PLAN NEP8044 DISTRICT LOT 892 KOOTENAY LAND DISTRICT

- b) Location of the Land (Street Address):

1640 1st Ave NW

- c) From Present Community Plan Designation of the Land: Rural Residential

- d) From Proposed Community Plan Designation of the Land: Institutional

- e) From Present Zoning of the Land: ~~R-1 Rural Residential~~ Single Family

- f) To Proposed Zoning of the Land: P-1 Community Use

- g) Description of the Existing Use/Development of the Land:

Currently used as a residence with shop space in a separate building

Proposed changes
apply only to
southern portion
of Lot as shown
on attached plan.

h) Description of the Proposed Use/Development of the Land:

Repurpose the existing buildings for church and private school useDevelop the unused area into playgroundZoning and OCP change would only apply on the southern half of the property

4. Reasons and comments in support of the application (use separate sheet if necessary)

A church and it's activities add value to the community, the property is centrally located in the valley.The property borders Industrial and Commercial space on 2 sides so it will act as a buffer to the residential properties on the opposite sides. The entire property will be utilized versus sitting unused. As only the southern half of the property will be rezoned, the remainder could be subdivided if future needs dictate. The playground could be used by the neighborhood children

5. General Information

a) Services Currently Existing or Readily Available to the Land (check as applicable)

Services	Currently Existing		Readily Available *	
	YES	NO	YES	NO
Road Access	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Water Supply	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Sewage Disposal	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Storm Drainage	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Hydro	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>
Telephone	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>

** Readily Available means existing services can be easily extended to the subject property.*b) Proposed Water Supply Method: Town waterc) Proposed Sewage Disposal Method: On site septic system

d) Do any buildings currently exist on the land?

Yes X No —

If yes, please provide a set of scaled drawings including site plans, floor plans, facade (if required), indicating building locations, sizes, heights and other information.

- e) If applicable, please provide plans for the proposed building(s) or addition including site plans, floor plans, facades, indicating location of all buildings, parking layout, facade, size of building and other information that may be required.

6. Neighbouring Tenants

The Municipal Act requires that owners and 'tenants in occupation' of the subject parcel and of neighbouring parcels be notified of the application for a community plan amendment. As it is not possible for the Town to be aware of the names and mailing addresses of all tenants, the applicant shall supply, at the time of submission of this application, a full list of all tenants of each parcel any part of which lies within 60 metres (197 feet) of any parcel involved in the permit application not currently owned by the applicant.

For most purposes, "tenant" means one who is qualified to maintain an action for trespass, but it can also mean a person who occupies publicly owned land. Please print the tenants names and their mailing addresses on a separate sheet and attach to this application. It is not necessary to supply names of owners of property currently occupied by someone else, this will be done by the Town.

I/We hereby declare that all statements and information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

Applicant's Signature _____ and/or Owner's Signature *Eric Jock*
Dated this 16th day of March, 2020.

PLEASE ENCLOSE OCP AMENDMENT AND REZONING APPLICATION FEE AS PER THE CURRENT TOWN OF CRESTON'S FEES AND CHARGES BYLAW.

FOR OFFICE USE ONLY	
Folio No. <u>5079.000</u>	Certificate of Title No.
Conforming Use?	Non-Conforming Use?
Conforms to Official Community Plan?	
Comments of Technical Planning Committee: _____	

