

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, April 9th, 2002 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Waldo, Councillors Dionne, Fraser, Gough, Nielsen, Papineau and Whitelegg

Administrator Peter Jmaeff
Deputy Clerk/Administrative Assistant Betty Briggs
Treasurer Doug Pryde
Public Works Superintendent Ken Chilton

Members of the Public
Members of the Media

CALL TO ORDER Mayor Waldo called the Regular Council Meeting to order at 7:00 p.m.

ADOPTION OF THE MINUTES

ADOPT MINUTES MOVED by Councillor Fraser, SECONDED by Councillor Dionne:

THAT the Minutes of the Regular Council Meeting held March 26th, 2002 be adopted as circulated.

CARRIED.

PUBLIC HEARING MINUTES MOVED by Councillor Nielsen, SECONDED by Councillor Papineau:

THAT the Minutes of the Public Hearing held February 12, 2002, March 12, 2002, and March 26, 2002, for Official Community Plan Bylaw Number 1600 Amendment Bylaw Number 1634, 2002 and Zoning Bylaw Number 1375 Amendment Bylaw Number 1635, 2002 be adopted as circulated.

CARRIED.

DELEGATIONS AND PRESENTATIONS

LITTLE SCHOOL-HOUSE SOCIETY Gord and Doreen Thorne, in period dress, invited all to attend the grand opening of the 1898 Little Schoolhouse on April 27th at 2:00 p.m. It will be a fun and historic day and the Little Schoolhouse Society is looking forward to the ceremonies.

2001 FINANCIAL STATEMENTS Mr. Chris Limberger, Senior Auditor with BDO Dunwoody, presented the Auditor's Report for the year ended December 31, 2001. The auditors have no concerns to bring to Council's attention; in effect, the Municipality has received straight 'A's' for the 2001 year.

MOVED by Councillor Papineau, SECONDED by Councillor Dionne:

THAT Council receives the Auditor's Report for 2001.

CARRIED.

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MAYOR AND COUNCILLOR'S REPORTS

COUNCILLOR PAPINEAU

Councillor Papineau reported on a recent Communities In Bloom Committee meeting, chaired by Mr. Ken Chilton, at which good ideas were put forward. The next meeting will be April 16th at 2:30 p.m. in the Council Chambers, and all interested are invited to attend.

Councillor Papineau announced that April is Arts and Culture Month, and April 14th at 2:00 p.m. at the Community Centre will be the Okanagan Songfest, with choirs from the whole Okanagan Valley performing.

Councillor Papineau advised that a Gazebo Committee has been formed. Interested persons can leave their names at the Municipal Office.

Councillor Papineau commended the Sowers and Growers for the excellent Garden Fair at 4th Street Place. Money raised will go towards the Communities in Bloom program. For assistance with fixing up yards, call Linda at 767-6476.

COUNCILLOR DIONNE

Councillor Dionne advised of upcoming garage sales to support the Parrot Island Sanctuary.

COUNCILLOR FRASER

Councillor Fraser attended an Inter-Municipal Workshop regarding Dogs In Parks. A specific committee is being formed and Councillor Fraser recommends that Peachland's Bylaw Enforcement Officer be requested to be a member.

Councillor Fraser advised that the Okanagan Regional Library has received a CAP Sustainability Grant in the amount of \$60,000, or \$5,000 for each CAP site operated. This includes the Peachland Branch Library.

MAYOR WALDO Mayor Waldo commended the Sowers and Growers Club for the excellent Garden Fair.

Mayor Waldo advised that the Administrator travelled to Kamloops for meetings with government regarding the foreshore lease, primary school, refuse site, etc., with very favourable results. More to come later.

STAFF REPORTS

DEVELOPMENT VARIANCE PERMIT W. ROSS

The Administrator presented a report regarding a Development Variance Permit application submitted by Mr. W. Ross for a rear yard setback variance at 4610 Ponderosa Drive. The reason for the request is because of a rock wall at the rear of the property. No other residences will be impacted by the variance.

MOVED by Councillor Papineau, SECONDED by Councillor Nielsen:

THAT Council approves Development Variance Permit #DVP02-10,001, a variance of the rear yard setback regulations of the R-1 (Single Family Residential) zone from 7.5 meters (25 feet) to 5.5 meters (18 feet) to allow for the compliance with building regulations.

CARRIED.

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OTHER BUSINESS

IN CAMERA MEETING

MOVED by Councillor Fraser, SECONDED by Councillor Nielsen:

THAT an In Camera Meeting be held April 23, 2002 at 10:00 a.m. pursuant to Section 242.2 of the *Local Government Act*.

CARRIED.

BYLAWS AND BYLAW REPORTS**Bylaw for First Reading:**

#1639

The Administrator presented a report outlining public meetings held regarding the proposed amendments to the Official Community Plan Bylaw for the Downtown Centre.

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT Council gives First Reading to Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1639, 2002;

AND THAT Council directs staff to schedule a Public Hearing for Bylaw 1639 for April 23, 2002 at 7:00 p.m. and post the required notices;

AND THAT the amending Bylaw be sent to the following agencies for comment: B.C. Assessment Authority, B.C. Gas, B.C. Hydro, Telus Communications, B.C. Transit, Canada Post, Central Okanagan Regional District, Peachland Fire and Rescue Services, Kelowna Fire Department, Ministry of Health, Ministry of Environment, Ministry of Transportation, Peachland/Shaw Cable, R.C.M.P. and School District No. 23.

CARRIED.**Bylaw for Final Reconsideration and Adoption:**

#1638

MOVED by Councillor Fraser, SECONDED by Councillor Nielsen:

THAT Council Procedure Bylaw No. 1599 Amendment Bylaw Number 1638, 2002 be finally reconsidered and adopted.

CARRIED.**QUESTION AND ANSWER PERIOD**

J. COLDHAM

Mrs. Jean Coldham stated that the Official Community Plan amendment bylaw does not cover people with restricted or low incomes as far as housing goes. Mrs. Coldham asked why Peachland Council does not get publicity similar to the City of Kelowna and the Regional District.

Councillor Gough advised that the Peachland Signal could probably sell the District the space for Council news.

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A. SIM

Mr. Alec Sim noted the vote at the last Council meeting regarding the Huber rezoning application, and the fact that the minutes are now adopted. He advised that an engineer estimated over \$125,000 to fix the drainage problems in the area. The Huber's lawyer was contacted by City Hall with a price of \$65,000. He asked which Councillor will change his vote for \$65,000? The water problems will still not be solved.

J. MOONEY

Mr. Jim Mooney, Highway Lane, stated that he understood the Huber land was to remain residential following the failure of the rezoning bylaw. However, work continues towards planting grapes; what's next, noise guns? He asked what is going on? He stated that 100 trees were removed without permits; why isn't the tree cutting bylaw being enforced? He advised that his property is experiencing water problems for the very first time.

Councillor Gough stated that we will see whether or not the bylaw gets enforced.

Mr. Mooney stated that he thought it was up to Council or the City Manager to look after these issues.

The Administrator advised that a letter will be sent within the next 2 days advising the property owner that the Zoning Bylaw is being violated. If the work continues, the District will go to court to get an injunction.

MS. FISCHER

Ms. Fischer stated that she is a close neighbour to the Huber property and is in to organic gardening and now her freedom is being taken away without her choice.

Councillor Whitelegg stated that following the vote at the last meeting, he was extremely surprised that the work continued.

Mayor Waldo advised that this has been difficult from the beginning; there has been no regard for the community or bylaws.

ADJOURN

MOVED by Councillor Nielsen, SECONDED by Councillor Whitelegg:

THAT the Regular Council Meeting adjourn at 7:38 p.m.

CARRIED.

(Original signed by Mayor & Clerk)

Certified Correct.

Mayor

Municipal Clerk

Dated at Peachland, B.C.
This 24th day of April, 2002.