

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Regular Council Meeting Minutes  
Held Tuesday, July 23<sup>rd</sup>, 2002 at 7:00 p.m.  
In the Council Chambers, Peachland Community Centre**

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

Administrator Peter Jmaeff  
Deputy Clerk/Administrative Assistant Betty Briggs  
Director of Operations Joe Mocilac

Members of the Public  
Members of the Media

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**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 Papineau, SECONDED by Councillor Dionne:

THAT the Minutes of the Regular Meeting held June 25, 2002 and the Special Open Council Meeting held July 8, 2002 be adopted as circulated.

**CARRIED.**

**DELEGATIONS AND PRESENTATIONS**

**PAT & CINDY FORTIN** Mr. and Mrs. Pat Fortin addressed Council regarding a neighbour who appeared before Council at an earlier meeting. They have resided at 3976 Trepanier Ave. for 16 years. They thanked Council for not demolishing their boulevard garden to date. The motivation for the complaint from Ms. Biglow was anger because she lost a court case. There is no problem with the road allowance, just use common sense and good driving. To remove their boulevard garden only punishes the victim and appeases the perpetrators. It is important to note that since Ms. Biglow received a ticket from the RCMP last October, and the Administrator spoke with her, she has not once backed her vehicle onto the lawn or into the garden. Mrs. Fortin showed photos of the properties in question and displayed a graphic which showed that Ms. Biglow's garden ties are 80' long on the boulevard, while the Fortin's is 22' long. The Fortins suggested a compromise of removing the lower garden tie if Ms. Biglow would turn her vehicle wheels while backing out of her driveway.

Councillors spoke to the issue, and suggested the neighbours meet to discuss a compromise, possibly with a District staff member as mediator.

Council decided to wait to enforce the previous decision to remove the Fortin's boulevard garden, and encouraged the neighbours to meet to resolve this issue by the next Regular Council Meeting August 27<sup>th</sup>.

**MAYOR AND COUNCILLOR'S REPORTS**

**COUNCILLOR PAPINEAU** Councillor Papineau expressed thanks to Recreation Director Pelma Haffenden, the outside staff and the community for the July 1<sup>st</sup> activities.

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**COUNCILLOR** Councillor Papineau thanked the Communities In Bloom Committee and

**PAPINEAU** Sharon Chilton and Darlene Hartford for providing refreshments at the coffee breaks during the judges' tour.

Councillor Papineau advised of performances coming at Fourth Street Place.

Councillor Papineau advised that the Queen cannot attend Jubilee celebrations in Peachland, however the Queen's Jubilee Tea will go ahead on Saturday, August 3<sup>rd</sup> at the Little Schoolhouse from 1:00 to 3:30 p.m.

**COUNCILLOR  
NIELSEN** Councillor Nielsen and the Administrator attended a meeting with Kelowna Mayor Walter Grey and former Premier Bill Bennett to discuss the downtown redevelopment plans. Mayor Grey will assist in any way possible.

**COUNCILLOR  
DIONNE** Councillor Dionne, the Administrator and Graham Reid attended a meeting with business columnist John Thompson, who wrote an excellent article on the downtown redevelopment following the meeting.

Councillor Dionne advised of an Economic Development Strategy Task Force Meeting tomorrow night at 7:00 p.m. Reports will be forthcoming.

**COUNCILLOR  
GOUGH** Councillor Gough advised of an excellent brochure titled "Warning: You're In Bear Country" and suggested the District obtain 2500 copies for distribution.

**COUNCILLOR  
FRASER** Councillor Fraser attended the Fire Department's appreciation barbeque for those who donated towards the night vision goggles and the external defibrillator.

**COUNCILLOR  
WHITELEGG** Councillor Whitelegg has attended several meetings, including an Economic Development Strategy Task Force meeting.

**MAYOR WALDO** Mayor Waldo reported extensive vandalism problems in the vicinity of the Primary School and Swim Bay, with broken glass on the beach every morning. He announced a 0 tolerance for alcohol on the beach.

Mayor Waldo thanked pet owners for picking up after their dogs while out walking.

Mayor Waldo reported that the Administrator is very close to finalizing a new 30 year Foreshore Lease.

Mayor Waldo thanked Recreation Director Pelma Haffenden and the lifeguards for providing a safe swimming beach for residents and visitors.

#### **STAFF REPORTS**

**C.O.F. FUNDING** The Administrator presented a report regarding draft funding agreements between the Central Okanagan Foundation and the District.

Councillor Papineau withdrew from this item due to a conflict of interest.

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**C.O.F. FUNDING  
(CONT.)** MOVED by Councillor Dionne, SECONDED by Councillor Fraser:

THAT Council authorizes the Administrator to sign the funding agreements with the Central Okanagan Foundation:

- i) Flow-through Fund Agreement; and
- ii) Peachland Community Fund – A Deed of Gift.

**CARRIED.****PROPERTY PURCHASES**

The Administrator presented a report advising of recent property purchases at 13<sup>th</sup> Street and Highway 97 for a new fire hall location.

MOVED by Councillor Papineau, SECONDED by Councillor Dionne:

THAT Council receives the report regarding two property purchases at 13<sup>th</sup> Street and Highway 97:

- i) San Clemente Avenue \$208,000
- ii) Hwy. 97 & 13<sup>th</sup> Street 30,000

**CARRIED.**

**MARINA PROPOSAL** The Administrator presented a report on a proposed marina development north of the intake station on Beach Avenue, in Unit #10 of the Foreshore Plan, submitted by the Peachland Yacht Club. With visual displays, a concept plan was shown. For off-street parking, a berm would be filled in the lake, and a low level clubhouse would be constructed in order to not affect the views from above. Extensive landscaping will be required. The marina would be constructed with untreated pilings as the lake is shallow enough in this location to not require floating docks. A pump out station will be included. There will be no gas docks, as one exists already at Pentowna Marina.

Councillor Dionne noted that the recommendation to proceed with a review of this proposal came from the Development Services Committee.

Councillor Fraser noted that there has been previous opposition to a marina proposal at Unit #10, and stated that public input and access to the information is mandatory.

Councillor Gough stated several concerns to be investigated, including financing for the project, traffic control, road widening, the water intake, and the wishes of Peachland residents.

Councillor Whitelegg stated that this is a good area for a marina development, and that yacht clubs are well kept and well attended.

Councillor Nielsen pointed out that this is a preliminary proposal from the Yacht Club and Braemar Developments; there is nothing formal or written.

Councillor Dionne reiterated that this is very preliminary and that many checks and balances will be undertaken, including public meetings and hearings.

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**MARINA PROPOSAL (CONT.)** Mayor Waldo stated that past Councils have been reluctant to put any developments on the foreshore, and that more definitive information is required for this proposal.

MOVED by Councillor Nielsen, SECONDED by Councillor Dionne:

THAT Council receives the report on the proposed marina development for information purposes;

AND THAT Council directs staff to proceed with a review of a marina proposal on Unit #10 of the Foreshore Plan.

**CARRIED.**

Councillor Fraser OPPOSED.

Councillor Gough noted that Council members have not voted "for it", but just to begin the review process.

**BUILDING  
VIOLATION**

The Administrator presented a report requesting a Section 700 notice be placed on the title of Lot 3, Plan 25074, DL 912, due to building violations. The owner has been notified of this meeting date and time.

MOVED by Councillor Fraser, SECONDED by Councillor Dionne:

THAT Council directs that a notice be filed on the title of Lot 3, Plan 25074, DL 912, ODYD, pursuant to Section 700(3) of the *Local Government Act*, and pursuant to that section of the *Act*, further information regarding the notice be limited to the fact that:

1. The building permit for the subject garage, built under authority of Building Permit #7268/99, has not been finalized, which is a violation of District of Peachland Building Bylaw Number 1574. The permit cannot be closed as no final inspection has been done.

**CARRIED.**

**MARKETING PLAN  
FUNDING**

The Administrator presented a report regarding funding for marketing purposes for the downtown redevelopment project. Some costs will be recovered from developers.

MOVED by Councillor Dionne, SECONDED by Councillor Papineau:

THAT Council authorizes the Administrator to expend a maximum of \$10,000 on the downtown redevelopment marketing plan.

**CARRIED.**

**OTHER BUSINESS**

**IN CAMERA MTG.**

MOVED by Councillor Papineau, SECONDED by Councillor Fraser:

THAT an In Camera Meeting be held on August 27, 2002 at 10:00 a.m., pursuant to Section 242(2) of the *Local Government Act*.

**CARRIED.**

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**COUNCILLOR  
WHITELEGG**

Councillor Whitelegg reported that the Ambassadorial Committee attempted to raise funds over the July 1<sup>st</sup> long weekend by charging \$2 for parking in the District-owned lot behind the Edgewater Inn. In a written report submitted by Mrs. Ricky Morin, it was noted that the group collected only \$84, and massive amounts of verbal abuse. The Ambassadorial Committee recommends that the parking lot remain as free parking and other groups not try to fund raise in this manner.

**BYLAWS**

**#1650**

The Administrator presented a report advising that the Official Community Plan Bylaw requires amending on the recommendation of the Provincial Government. It was noted, through review of the District's sewer grant application, that the O.C.P. provided an opportunity for interim sewer disposal system proposals, which the Ministry found too lenient.

MOVED by Councillor Nielsen, SECONDED by Councillor Whitelegg:

THAT Council gives First Reading to Official Community Plan Bylaw Number 1600

Amendment Bylaw Number 1650, 2002;

AND THAT pursuant to Section 890(4)(b) of the *Local Government Act*, Council waives the holding of a Public Hearing for Official Community Plan Bylaw Number 1600 Amendment Bylaw Number 1650, 2002, as the proposed bylaw is consistent with the Plan;

AND THAT Council gives Second and Third Readings to Official Community Plan Bylaw Number 1600 Amendment Bylaw Number 1650, 2002.

**CARRIED.**

**#1651**

The Administrator presented a report requesting First Reading for the Curling Club zoning amendment bylaw.

MOVED by Councillor Fraser, SECONDED by Councillor Dionne:

THAT Council gives First Reading to Zoning Bylaw Number 1375 Amendment Bylaw Number 1651, 2002;

AND THAT a Public Hearing be scheduled for August 27, 2002.

**CARRIED.**

**COUNCILLOR  
WHITELEGG**

Councillor Whitelegg announced that bus passes and tickets can now be purchased at Coffee Worx and Javorama.

**QUESTION AND ANSWER PERIOD**

**MAYOR WALDO**

Prior to commencing Question and Answer Period, Mayor Waldo assured citizens that the marina process will proceed with great caution, and will include open houses and opportunities for public input.

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**N. GLUSHENKO**

Resident of 3862 Beach Avenue. View will look down onto proposed clubhouse. 9 to 10 years ago, when a marina was proposed at Unit #10, Mrs. Glushenko attended a highly charged public meeting and presented a petition which was overwhelmingly against the proposal. At that time, she understood that Council voted to remove Unit #10 as potential marina use. Mrs. Glushenko stated that she will fight this proposed marina, not because of a "nimby" approach, but because it is a special area.

**J. COLDHAM**

Mrs. Coldham agreed with Mrs. Glushenko regarding the marina. Braemar units will not sell if they don't have berths in a marina. She is against it. Mrs. Coldham asked where the Crystal Mountain development proposal is at, and Mayor Waldo advised that it is stalled at the Regional District at present and will not proceed until issues such as water and sewer are addressed. Mrs. Coldham advised that she viewed a TV interview with Recreation Director Pelma Haffenden regarding lifeguards. Mrs. Coldham asked for clarification that the property purchases at 13<sup>th</sup> Street and Hwy. 97 were for the purpose of constructing a new fire hall, and was advised in the affirmative.

**P. RYDER**

Mrs. Ryder asked if written records were found releasing the Curling Club from providing parking. The answer was 'no.'

**COUNCILLOR  
NIELSEN**

Councillor Nielsen noted that spectators could be running in the fall election and requested that Question Period not be abused.

**D. HARTFORD**

Mrs. Hartford represents the Beach Avenue North Neighbourhood Association and stated

that frustration has already started regarding the proposed marina. A 53 car parking lot, expanded to 100 cars, is not conducive to safety. 140 boats is not conducive to safe swimming areas. This association did several clean-ups along north Beach Avenue for Communities In Bloom and provided and stock the bag dispensers. They are still monitoring the effectiveness of the traffic calming speed bumps. Will Council continue working with the group on safety issues; more speed bumps may be required, and one street light is still to be installed. The group has environmental concerns with the marina. Will the developer be asked to support 40 berths at a marina located at the foot of Princeton Avenue.

Mayor Waldo advised that Council will continue to work with the group, and that the developer will be asked to consider the Princeton Avenue location.

**G. TODD**

Mr. Todd asked why a marina would be considered for north Beach Avenue when the Princeton location has already been identified. Traffic and parking concerns exist at the north Beach Avenue end.

**ADJOURN**

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT the Regular Council Meeting adjourn at 8:58 p.m.

**CARRIED.**

(Original signed by Mayor & Clerk)

**Certified Correct.**

**Mayor**

**Municipal Clerk**

Dated at Peachland, B.C.

This day of , 2002.