

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, August 26, 2003 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Harriman, Councillors Fraser, Hallberg, Henderson, Hurd, Moritz and Reid

Administrator Peter Jmaeff
Deputy Clerk Betty Briggs
Treasurer Doug Pryde
Contract Planner Dan Huang

Members of the Public
Members of the Media

CALL TO ORDER: Mayor Harriman called the Regular Council Meeting to order at 7:00 p.m., and noted that Shaw Cable is not filming the meeting tonight. Mayor Harriman lead all present in a standing ovation for all the firefighters and volunteers involved in the Okanagan Mountain Park fire. Mayor Harriman then lead all present in singing Happy Birthday to Councillor Jean Fraser.

AMENDMENTS TO THE AGENDA Added to the Agenda:
9-H: On/Off Ramp
10-A: Notice of Motion – Councillor Fraser
7-C: Parks Committee Report – Councillor Hurd

APPROVAL OF THE AGENDA MOVED by Councillor Reid, SECONDED by Councillor Henderson:
THAT the Agenda be approved as amended.

CARRIED.

ADOPTION OF THE MINUTES

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

THAT the Minutes of the Regular Council Meeting held July 22, 2003 be adopted as circulated.

CARRIED.

MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT the Minutes of the Special Open Council Meeting held August 6, 2003 be adopted as circulated.

CARRIED.

DELEGATIONS AND PRESENTATIONS

CHAMBER OF COMMERCE

Chamber of Commerce President Shirley Geiger presented an update on Chamber activities, which always 'promote Peachland first.' She reviewed visitor numbers, computer training opportunities, satellite employment centre to begin mid-September, and advised that the Board of Directors prefers Option #2, the Pashniak residence, for a new office and Tourist Info Centre. President Geiger requested a meeting with

Regular Council Meeting Minutes
August 26, 2003
Page 2

CHAMBER OF COMMERCE (CONT.) Mayor and Council, the Chamber Board of Directors, and Mr. & Mrs. Pashniak, as soon as possible, to discuss this issue.

Mayor Harriman thanked Mrs. Geiger for the presentation.

PFRS The Fire Chief and Deputy Fire Chief have responded to a call-out and are not present to make their presentation. Mayor Harriman advised that Peachland Fire & Rescue Service and District staff have been assisting with the Okanagan Mountain Park fire since day one, and expressed appreciation for this assistance.

MAYOR AND COUNCILLOR'S REPORTS

MAYOR HARRIMAN Mayor Harriman reported 185 hours spent on Mayor's duties in July. He explained that the Water System 1 breakdown was due to mechanical failure, and staff worked as fast as possible to repair it. This event was similar to the current forest fire, in that it was out of man's control.

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT Council instructs the Mayor to send a letter of appreciation thanking Kelowna Fire Chief Gerry Zimmerman, and through him, all of the firefighters under his command, for their valiant and tireless efforts to subdue the Okanagan Mountain Provincial Park and area fires.

CARRIED.

Mayor Harriman advised of the formation of a Seniors Committee, to address seniors' concerns, with Councillor Fraser appointed Chairman.

PRESENTATIONS AND DELEGATIONS (CONT.)

PFRS A standing ovation was given to Fire Chief Wilson and Deputy Fire Chief Topham.

Fire Chief Wilson noted that support has been overwhelming towards the firefighters involved in fighting the Okanagan Mountain Provincial Park fire. The Peachland Fire & Rescue Service men and equipment are highly respected in Kelowna.

Fire Chief Wilson advised that PFRS has been providing fire protection to Brent Road since last Friday, for a two week period, due to the extreme fire hazard conditions.

Fire Chief Wilson invited Council to attend a meeting at the Fire Hall next Tuesday at 9:30 a.m. to discuss fire concerns and issues.

Deputy Chief Topham thanked Council and citizens for the support, and noted that this has been a team effort. The Deputy Chief went through a chronology of PFRS members' involvement in the Okanagan Park fire since it started, and noted that 2 members were hospitalized overnight

Regular Council Meeting Minutes
August 26, 2003
Page 3

PFRS (CONT.) for smoke inhalation, but have since returned to firefighting duties. He thanked Mayor and Council for allowing PFRS to assist in Kelowna.

Mayor Harriman thanked Mr. Wilson and Mr. Topham for their excellent reports, and the fantastic job by PFRS firefighters.

MAYOR AND COUNCILLOR'S REPORTS (CONT.)

COUNCILLOR HENDERSON Councillor Henderson reported attending the following: Regional District on August 6th; Development Services Committee August 19th; Economic Development August 21st; Corporate Services Committee August 25th; Crystal Mountain agreement signing ceremony August 25th. He reported that the Little Schoolhouse Society is collecting donations to the Kelowna Fire Disaster Relief Fund, and that the Communications Society is working on solving problems created by the fire.

COUNCILLOR HALLBERG Councillor Hallberg thanked PFRS and ESS for work on the fire. She reported on attending the following: Volunteer Support Review Committee and meetings with different organizations; Peachland Triathlon and Rattle Snake Island Swim; In Camera and Special Open Council meetings, as Acting Mayor, on August 6th; Ministry of Transportation regarding the on/off ramp on August 12th; Business After Hours at Hainle Winery on August 13th, at which a bottle of wine with the new Deep Creek label was presented, and which Councillor Hallberg now presented to the Mayor; Development Services and Corporate Services Committee meetings on August 19th; Corporate Services Committee meeting on August 25th.

COUNCILLOR REID Councillor Reid praised firefighters, volunteers, staff and citizens for work on the forest fire. He reported the following: Bylaw Review Committee meeting regarding signage on July 14th; Corporate Services and Development Services Committee meetings on July 14th; vacation to Alaska July 23 to August 17; Business After Hours August 13th; Bylaw Review Committee meeting August 18th; Development Services and Corporate Services August 19th; Peachland Realty pig roast August 23rd; Corporate Services Committee meeting August 25th.

Councillor Reid, along with the Mayor, Councillor Henderson and the Administrator, attending the signing ceremony for the Crystal Mountain Master Development Agreement with the Province.

Councillor Reid advised that the wild ruminant study from 1999 relating to Brenda Mine has been received and read by himself and Del Secord. A tour of the site will be held mid to late September.

Councillor Reid continues work on the new Community Charter.

COUNCILLOR FRASER Councillor Fraser extended accolades to the fire fighters. Councillor Fraser reported on attending the following: Rattle Snake Island Swim; Peachland Realty pig roast; Corporate Services Committee meeting on

Regular Council Meeting Minutes
August 26, 2003
Page 4

**COUNCILLOR
FRASER (CONT.)**

August 25th. Councillor Fraser noted the next Bylaw Review Committee meeting will be held tomorrow at 7:00 p.m.

**COUNCILLOR
MORITZ**

Councillor Moritz reported the Primary School Committee has met one time, and will meet again, tentatively, next Thursday, September 4th at 9:00 a.m. The Community Public Facilities Committee will meet in September. Councillor Moritz reported on attending: Valley Music Festival; Corporate Services Committee meeting on August 25th; Rattle Snake Island Swim; Triathlon. He expressed appreciation to the Fire Chief and all firefighters.

COUNCILLOR HURD

Councillor Hurd was concerned that not enough fire fighting apparatus had remained in Peachland, but after discussions with Fire Chief and Deputy Fire Chief, learned that in a Provincial Emergency, apparatus can be ordered, and that Peachland was still protected. He noted that Peachland is not immune to forest fires, and asked all residents to take a proactive approach to reduce the risks.

COMMITTEE REPORTS

**CORPORATE
SERVICES**

Councillor Hallberg noted that the minutes of the Corporate Services Committee meeting held August 19th are attached for information.

**DEVELOPMENT
SERVICES**

Councillor Hurd noted that the minutes of the Development Services Committee meeting held August 19th are included, and some items are listed later on this Agenda.

PARKS

Councillor Hurd reported that trail markers will be colour-coded and numbered, and will be explained in detail in the brochure insert. Markers will not be installed until the fire hazard rating is lowered.

The Parks Committee will begin reviewing the Parks Master Plan in the near future.

ADMINISTRATOR

The Administrator commended PFRS, Superintendent Ken Chilton, the Director of Operations, Brian MacKinnon, and all staff, for the efforts put forward to assist with the Okanagan Mountain Park fire.

UNFINISHED BUSINESS

**WATER USE
RESTRICTIONS**

The Administrator presented a report regarding the draft Water Use Restrictions Policy #PRO-305.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Water Use Restrictions Policy #PRO-305 be adopted.

CARRIED.

CEMETERY FEES

The Treasurer presented a detailed report regarding current and proposed cemetery fees. Concerns were expressed regarding the non-resident rate proposed; Council would like to ensure that people who were residents of Peachland but have moved elsewhere for care, etc., will be allowed the resident rate. Concerns also were expressed regarding space and preserving the incentive related to weekday vs. weekend fees.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council authorizes staff to proceed with amending the Cemetery Bylaw to update the rates and charges included in Schedule C-2 of this Bylaw.

CARRIED.

STAFF REPORTS

2010 VISION

The Contract Planner presented a report regarding a request from the City of Vancouver to support the development of a 2010 Vision for British Columbians with Disabilities.

MOVED by Councillor Henderson, SECONDED by Councillor Moritz:

THAT Council endorses the creation of a 2010 Vision for British Columbians with Disabilities, as requested by the City of Vancouver.

CARRIED.

Mayor Harriman noted that Councillor Reid will Chair.

**B.C. RIVERS &
FISHERIES DAY**

The Contract Planner presented a report regarding the request to participate in the BC Rivers & Fisheries Awareness Day from the City of Kelowna.

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT the Peachland Sportsmens' Association be approached to participate in BC Rivers and Fisheries Awareness Day on behalf of the District;

AND THAT the District of Peachland supports the PSA's participation.

CARRIED.

**WELLNESS CENTRE
BUSINESS PLAN**

The Treasurer presented a reported regarding the Wellness Centre Business Plan. Council members expressed disappointment that the Business Plan submitted is for a one year period only, when the Council resolution requested a two year plan, which is less than a standard requirement from a funding agency.

Regular Council Meeting Minutes
August 26, 2003
Page 6

**WELLNESS
CENTRE (CONT.)**

MOVED by Councillor Fraser, SECONDED by Mayor Harriman:

THAT the report regarding the Wellness Centre Business Plan be received for informational purposes only.

CARRIED.

The Administrator noted that the previous Council resolution's July 15th deadline for submission of the Business Plan requires an extension.

MOVED by Councillor Henderson, SECONDED by Councillor Fraser:

THAT the deadline for submission of a two year Business Plan by the Wellness Centre be extended to September 15, 2003.

CARRIED.

**SEC. 700 NOTICE
5903 EHLERS RD.**

The Contract Planner presented a report regarding a building violation at 5903 Ehlers Road.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT the Council of the Corporation of the District of Peachland directs that notice be filed on the title of Lot 2, Plan 30581, ODYD, DL 1185, 5903 Ehlers Road, 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 carport enclosure, built under the authority of Building Permit #7107/99, has not been finalized, which is a violation of District of Peachland Building Bylaw #1574. The permit cannot be closed until the exterior finish is completed and final inspection has been done;

AND THAT Council directs the Central Okanagan Regional District to file the notice on title as of December 31, 2003, if Building Permit #7107/99 is not finalized by that date.

CARRIED.

**SEC. 700 NOTICE
5906 SOMERSET**

The Contract Planner presented a report regarding a building violation at 5906 Somerset Avenue.

MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT the Council of the Corporation of the District of Peachland directs that notice be filed on the title of Lot 2, Plan KAS1713, ODYD, 1-5906 Somerset Avenue, 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 dwelling, built under the authority of Building Permit #8681/01, has not been finalized, which is a violation of the District of Peachland Building Bylaw #1574. The

Regular Council Meeting Minutes
August 26, 2003
Page 7

SEC. 700 NOTICE
5906 SOMERSET
(CONT.)

permit cannot be closed until a surveyor's certificate has been submitted.
CARRIED.

TODD ROAD/HWY.
97

The Contract Planner presented a report regarding the intersection of Todd Road and Highway 97. This issue was sparked by the rezoning and development applications for the former Peachland Trailer Inn property. Development Services Committee discussed this issue and recommends discussing with Ministry of Transportation allowing only right turns on and off of Todd Road, as a compromise to increase safety at this intersection.

Braemar's traffic report recommended closing and cul-de-sacing Todd Road, and Ministry of Transportation is asking if Council is prepared to do this. Left turns are dangerous at this location, both off the Highway onto Todd Road, and off Todd Road onto the Highway.

Mayor Harriman suggested a simple solution of making Todd Road one way to the west, eliminating left turns from the Highway.

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT Council authorizes the Mayor and staff to initiate dialogue with the Ministry of Transportation to suggest appropriate signage for Todd Road to accommodate right turns only on and off, with no left turns from Highway 97;

AND THAT staff investigate the future long-term intersections in the Todd Road area, including the feasibility of utilizing the old highway right-of-way.

CARRIED.
Councillor Moritz OPPOSED.

PUBLIC PIER
3RD STREET

The Contract Planner presented a report regarding the request received to consider constructing a public pier at the foot of 3rd Street.

MOVED by Councillor Henderson, SECONDED by Councillor Moritz:

THAT Council authorizes staff to research the opportunities of putting a pier project together at the foot of 3rd Street;

AND THAT a Committee be struck to investigate the concept, prepare a conceptual drawing and an estimate of the work, and establish a preliminary financial arrangement with the various partners;

AND THAT the information be brought back to Council for consideration.
CARRIED.

ON-OFF RAMP
CONNECTOR

The Administrator presented a report advising of funding commitments towards the construction of an on/off ramp at the Coquihalla Connector.

Regular Council Meeting Minutes
August 26, 2003
Page 8

**ON/OFF RAMP
(CONT.)**

MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

THAT Council authorizes the Administrator to proceed with the construction of the on/off ramp at the Coquihalla Connector;

AND THAT the cost to the District not exceed \$135,000.

CARRIED.

NOTICE OF MOTION

**COUNCILLOR
FRASER**

Councillor Fraser made a notice of motion for the next meeting that an amendment will be proposed to the Standing Committee Structure Policy. The current Policy states, "each Council member shall serve on two Committees during a one year period, January to December inclusive." With 6 Council members and 3 Standing Committees, this is not possible.

OTHER BUSINESS

IN CAMERA MTG.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT an In Camera Meeting be held September 9, 2003 at 1:00 p.m., pursuant to Section 242(2) of the *Local Government Act*.

CARRIED.

**BRENT ROAD FIRE
PROTECTION**

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT Council ratifies the provision of fire protection services to Brent Road residents, effective August 21 to September 4, 2003, due to the extreme fire hazard rating.

CARRIED.

PARK CLOSURES

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council ratifies the posting of closure notices, as of August 21, 2003, at Mountain View Park and the access to Pincushion Park due to the extreme fire hazard rating.

CARRIED.

**TELUS CELL
TOWER**

MOVED by Councillor Henderson, SECONDED by Councillor Hallberg:

THAT Council ratifies the approval given to Telus August 21, 2003 to install an emergency cell tower at Telus property on 3rd Street.

CARRIED.

The Administrator advised that towers have been erected at Greata Ranch Winery property and at the Communications Society site. The 3rd Street location most likely will not be used.

BYLAWS

Bylaw for Final Reconsideration and Adoption:

#1667 OCP AMEND MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1667, 2003 be finally reconsidered and adopted.

CARRIED.

Bylaw for First, Second and Third Readings:

**#1691 BUSINESS
LICENSE AMEND**

The Contract Planner presented a report noting the amendments to the Business License Bylaw, as requested by Council at the July 22, 2003 Regular Meeting, as well as one typographical error.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT Business License Bylaw No. 1637 Amendment Bylaw Number 1691, 2003 be read a First, Second and Third Time.

Council members expressed concern with the definition of 'concession' included in the amending bylaw, and requested staff do more research.

TABLE #1691

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT Council tables First, Second and Third Readings of Bylaw Number 1691 to the September 9, 2003 Regular Council Meeting.

CARRIED.

Bylaws for First Reading:

**#1692 ZONING
AMENDMENT**

The Contract Planner presented a detailed report regarding the rezoning application for Lot 2, Plan KAP45090 and Lot 50, Plan KAP44215, 5156 Trepanier Bench Road, from R-3 to CD-5 zone.

MOVED by Councillor Hurd, SECONDED by Councillor Hallberg:

THAT Bylaw Number 1692, 2003, to amend Zoning Bylaw Number 1375, 1996, by changing the zoning designation of Lot 2, Plan KAP49050 and Lot 50, Plan KAP44215, DL 449, ODYD, from the R-3 (Low Density Multiple Family Residential) to the CD-5 (Comprehensive Development – Island View Villas) zone, be given First Reading;

AND THAT Council forward Bylaw #1692 to a Public Hearing on September 9, 2003.

CARRIED.

Concerns expressed were alternate fire access, green space, landscape plan. These will be addressed at the Public Hearing.

Bylaws for First Reading (Cont.):

**#1693 ZONING
AMENDMENT**

The Contract Planner presented a detailed report regarding the application to rezone Lot 5, Plan 177, DL 221, ODYD, 6460 Renfrew Road, by changing the zoning designation from RR-1 zone to R-1 zone.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Bylaw Number 1693, 2003, to amend Zoning Bylaw Number 1375, 1996, by changing the zoning designation of Lot 5, Plan 177, DL 221, ODYD, from the RR-1 (Rural Residential) zone to the R-1 (Single Family Residential) zone, be given First Reading;

AND THAT Council forward Bylaw #1693 to a Public Hearing on October 14, 2003.

CARRIED.

Concerns expressed included Renfrew Road improvements costs, increased traffic, water supply, natural gully for park area.

Bylaw for Repeal:

**#939 SPECIAL
EVENTS**

The Treasurer presented a report requesting the repealing of Special Events Bylaw Number 939, 1985, as the Community Recreation Policy now covers these items and the Bylaw is redundant.

Council members expressed concern that the Bylaw deals with private property as well as public, and the Policy only deals with public property.

MOVED by Councillor Reid, SECONDED by Councillor Moritz:

THAT the repealing of Special Events Bylaw Number 939, 1985 be tabled.

CARRIED.

QUESTION PERIOD

J. COLDHAM

Mrs. Jean Coldham asked if Renfrew and Trepanier Roads will be upgraded and at whose cost? She asked if there is room for fire trucks and emergency vehicles to turn around in the Trepanier development proposal. The Contract Planner responded that the roads will be upgraded at the developers' cost, and there will be emergency vehicle turn-arounds.

Mrs. Coldham asked what comes next regarding the Corporate Services Committee and the recommendations of the Volunteer Support Review Committee. Councillor Hallberg advised that Corporate Services Committee will consider all submissions received.

Regular Council Meeting Minutes
August 26, 2003
Page 11

J. COLDHAM (CONT.) Mrs. Coldham asked when Council agreed with the Crystal Mountain development, as the previous Council opposed it. Mayor Harriman advised that Peachland's concerns with water and sewer have been raised at Regional District Board meetings. Councillor Reid noted that the Master Development Agreement signed is between the owner and the Province; the District of Peachland and CORD are not involved with the MDA. CORD will deal with water, sewer, and other concerns through rezoning, etc.

Mrs. Coldham noted water system troubles and asked if the reservoirs are satisfactory and are any studies being done. The Administrator responded that engineering studies are not being done, however, staff are looking at raising dam levels, etc.

Mrs. Coldham asked if any consideration is being given to halting development until water supply issues are solved.

D. SECORD

Mr. Del Secord asked what happened to the PVA's request of March, 2003, for a professional engineering study on water supply to be done. The PVA is concerned that there is proper infrastructure to support all the new development. Where is the water going to come from? The PVA reiterates its request for a professional engineering study on water supply.

Mr. Secord attended a BCUC meeting regarding Heritage Contract and stepped rates, and was concerned that Central Okanagan Regional District was not represented. He asked why. Mayor Harriman will look in to this matter.

R. ADDERLY

Mr. Robert Adderly expressed concerns about water supply and urged Council to give development serious thought. He noted the problems in Summerland and Naramata, and advised that Okanagan Lake is down 1 meter right now.

Councillor Reid suggested staff could do a presentation on the issue of water supply sometime this fall.

ADJOURN

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT the Regular Council Meeting adjourn at 10:00 p.m.

CARRIED.

(Original signed by Mayor and Clerk)

Certified Correct.

Mayor

Municipal Clerk

Dated at Peachland, B.C.
This 10th day of September, 2003.