

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**Regular Council Meeting Minutes  
Held Tuesday, February 11, 2003 at 7:00 p.m.  
In the Council Chambers, Peachland Community Centre**

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

Administrator Peter Jmaeff  
Deputy Clerk/Administrative Assistant Betty Briggs  
Treasurer Doug Pryde  
Director of Operations Joe Mocilac  
Contract Planner Dan Huang

Members of the Public  
Members of the Media

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**CALL TO ORDER:** Mayor Harriman called the Regular Council Meeting to order at 7:00 p.m., and extended a special welcome to former Mayors Harris and Waldo in attendance.

**ADOPTION OF THE MINUTES**

**ADOPT MINUTES** MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT the Minutes of the Regular Council Meeting held January 28, 2003 be adopted as circulated.

**CARRIED.**

**DELEGATIONS AND PRESENTATIONS**

**D. LOAN**

Mr. Des Loan advised Council of his plans to replace an old orchard with grape vines on his property at 6030 Highway 97. This property, unknown to him, has 3 different zones. He held farm status with BC Assessment Authority until 2 years ago, and now has the forms to re-apply. He is meeting the expectations of BCAA for farm status, and has found a purchaser for the crop.

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT Council accepts Mr. Loan's presentation.

**AMEND MOTION**

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the main motion be amended to include: AND THAT the rezoning matter be referred to staff.

**CARRIED.**

**MAIN MOTION AS AMENDED**

THAT Council accepts Mr. Loan's presentation;

AND THAT the rezoning matter be referred to staff.

**CARRIED.**

**DOWNTOWN & OCP**

A delegation of six addressed Council in favour of keeping the OCP as it currently exists.

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**DOWNTOWN & OCP**  
**(CONT.)**

Mr. Terry Condon spoke in favour of the current OCP on behalf of residents who want to see managed development. The current OCP has potential for growth for the community.

Mr. Doug Armitage advised that he has lived through the transformation of a village to a city, and has been both for and against development. He has learned that we can be part of change and shape it. The OCP addresses the needs of a mixed age community, and that having the ability to shape change is leverage. We can be observers of fate or participants of the future.

Mr. Terry Tanner, a participant in the development of the OCP, advised of the two objectives: nobody wanted to see a big lump of development, and to retain maximum views of the lake.. The design guidelines, which become the rule book, reinforce the texture of smallness in the downtown center. The ultimate approving authority for development is Council.

Mrs. Maggie Lovelock noted that in 1992 a developer began purchasing properties in the downtown core but withdrew when it became apparent that development costs would be unreasonable based on the existing OCP. In 1994, she put forward a casino proposal, then a Tuscan style village. No developers came forth. Now, four years since the sewer installation in the downtown, and 2 years of hard work developing the OCP for higher density, it would be a step backwards to change the OCP and result in higher taxes, dwindling shops and services, fewer opportunities for seniors to remain in Peachland, and less services and recreation for children. She urged Council to retain the current OCP.

Mr. Tim Stubbert has been owner of Peachland Ace Hardware for 11 years, and formerly was involved in real estate and development with Genstar, which advised him to seek development opportunities anywhere but Peachland. The cost of operating the District creates the fact that taxes do not go down. If options are closed or limited, it will only get worse. The highest and best use for the downtown center is high density population.

Ms. Barbara Dionne spoke in favour of the process in creating the OCP, a product of collaborative effort involving citizens through public meetings and public hearings. The OCP was amended at the time of downtown revitalization, and again at Phase 1 Sewer, with the aim of increasing residential density between the Highway and the lake, and in the downtown core. This OCP leaves all the controls in the hands of Council and staff, and the Plan is in place to attract developers.

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT Council receives the presentations of the six delegates regarding downtown development and the Official Community Plan.

**CARRIED.**

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**DOWNTOWN & OCP (CONT.)** Mayor Harriman thanked the presenters and noted that none had contacted him prior to this meeting to discuss the issue. The only concern he has is the height of the buildings; he is not against development. Of the letters and e-mails received on this matter, 26 want the OCP kept as is, and 26 want the building heights limited.

**MAYOR AND COUNCILLOR'S REPORTS**

**COUNCILLOR HURD** Councillor Hurd attended the Development Services Committee meeting on February 4<sup>th</sup>, and has been spending many hours reading the Official Community Plan and the Beach Avenue Neighbourhood Plan, which are excellent documents.

**COUNCILLOR MORITZ** Councillor Moritz chaired the Corporate Services Committee meeting on February 4<sup>th</sup>, and attended the UBCM Newly Elected Officials Seminar in Penticton last week.

**COUNCILLOR FRASER** Councillor Fraser attended the UBCM seminar February 5 to 7.

**COUNCILLOR HENDERSON** Councillor Henderson attended a Senior Citizens Housing Society meeting this morning. Both Alexandria and Sutherland Courts are full with waiting lists.

Councillor Henderson will attend a Little Schoolhouse Society meeting on February 17<sup>th</sup>. The Little Schoolhouse is hosting a Business After Hours on Feb. 19<sup>th</sup>.

Councillor Henderson reported that the Communications Society spent time repairing an equipment failure, and will carry out equipment upgrades over the next months.

Councillor Henderson advised that he cannot answer Mrs. Coldham's question regarding a \$4,000 EDC expenditure, and asked that she submit her concerns in detail in writing for further investigation.

**COUNCILLOR HALLBERG** Councillor Hallberg attended a meeting with the Mayor and the Recreation Director regarding Awards Night on January 30<sup>th</sup>.

Councillor Hallberg attended both the Development Services and Corporate Services Committee meetings on Feb. 4<sup>th</sup>.

Councillor Hallberg attended the UBCM seminar in Penticton.

**COUNCILLOR REID** Councillor Reid attended an Air Quality Information Meeting at CORD on January 29<sup>th</sup>.

Councillor Reid chaired the Development Services Committee meeting on February 4<sup>th</sup>, and attended the Corporate Services Committee meeting on the same date.

Councillor Reid attended the UBCM seminar in Penticton.

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**COUNCILLOR  
REID (CONT.)**

Councillor Reid noted the volume of letters and e-mails regarding sewer cost charges and the downtown OCP.

**MAYOR  
HARRIMAN**

Mayor Harriman reported spending 185 hours in January on Mayor duties.

Mayor Harriman and his wife attended the Crimestoppers annual fundraising banquet on January 25<sup>th</sup>.

Mayor Harriman and invited guests attended the Heart & Stroke Foundation breakfast on January 31<sup>st</sup>, at which the Peachland delegation received good coverage on CHBC.

Mayor Harriman advised that Adult Honour In Arts Award nomination papers are available at the District Office.

Mayor Harriman thanked staff and contractors involved in cleaning up the Bulyea mud-slide.

**COUNCIL COMMITTEES**

**DEVELOPMENT  
SERVICES**

Councillor Reid reported on two items discussed at the Feb. 4<sup>th</sup> meeting, the Accura Homes rezoning on Clements Crescent and community signage, which has been referred to Corporate Services Committee.

MOVED by Councillor Moritz, SECONDED by Councillor Hurd:

THAT the report regarding the Development Services Committee meeting be received.

**CARRIED.**

**UNFINISHED BUSINESS**

**DOWNTOWN & OCP**

Mayor Harriman thanked the delegation earlier this evening and all the residents who have submitted letters and e-mails regarding reducing the permitted height of buildings in the downtown center. He stated that the Public Hearing held on May 11, 2002 for the amendment to the OCP which increased the permitted height of buildings to 8 to 10 stories was overcrowded, and of the 13 people who spoke, 11 were opposed. Mayor Harriman stated that while he is pro-development, he is opposed to 8 to 10 story buildings, and feels more public input and another public hearing are required.

MOVED by Mayor Harriman, SECONDED by Councillor Fraser:

THAT Council reduce the number of building stories permitted in the downtown center as approved in Bylaw Number 1639, 2002

**DEFEATED.**

Mayor Harriman IN FAVOUR.

Councillors Fraser, Hallberg, Henderson, Hurd, Moritz and Reid OPPOSED.

**PETROLEUM  
COMPANIES  
PROFIT**

MOVED by Councillor Henderson, SECONDED by Councillor Hurd:

THAT this Council recognizes that the economical development of the north, central and south Okanagan depends greatly on the construction of a new crossing from the Westside to Kelowna. It is recommended that a letter be sent to each of the petroleum product suppliers that supply the Okanagan with their product and that they make a donation towards the new bridge construction;

AND THAT the funding be provided from the profits that they have made in the last few years from the price of gasoline in the area that greatly exceeded the prices in the lower mainland and on Vancouver Island;

AND THAT this resolution be forwarded to all of the local governments in the Okanagan for their support;

AND FURTHERMORE THAT all the local governments be requested to forward letters to the petroleum product suppliers supporting the District of Peachland's resolution.

**CARRIED.**

**PHASE 2 SEWER  
COSTS**

The Administrator presented a detailed report regarding Phase 2 Sewer Costs Repayment Options. The first two options, prepared by staff, had been presented to Council previously. The third option was suggested by a resident, and the fourth was suggested by Councillor Moritz. Each option was reviewed by the Administrator.

MOVED by Councillor Reid, SECONDED by Councillor Hurd:

THAT Council selects and approves the sewer cost repayment model set out as Option 2 (100% flat rate levy, \$650.84 per parcel) in this report, on the condition that an appropriate bylaw be adopted so that parcels over 1/3 acre in the area served that are subdivided within the term of this program be assessed all or part, as determined in the bylaw, of the amount of the acreage parcel tax that its owner would have paid if Option 1 had been adopted.

**CARRIED.**

Councillor Moritz OPPOSED.

**STAFF REPORTS**

**CHAMBER OF  
COMMERCE**

The Administrator presented a report regarding a request from the Chamber of Commerce for a letter of recognition.

MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

THAT Council provides a letter of recognition that the Peachland Chamber of Commerce is the sole sponsor of the community's Visitor Information Centre.

**CARRIED.**

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**ROTARY PAVILLION  
PROJECT**

The Contract Planner presented a report detailing a review of the Rotary Club's proposed Centennial Pavillion project conducted by the Development Services Committee on February 4<sup>th</sup>. Councillor Reid noted that it was a wonderful presentation by Rotary, and public input will be received over the next few months. Rotary will pay for the project, which will become the property of the District upon completion.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Council approves the Rotary Club Centennial Pavillion Project in principle, subject to the normal development approval process;

AND THAT the Rotary Club work with the Director of Operations regarding details including, but not limited to, electrical, water supply, lighting, pathway construction, and siting;

AND THAT the District of Peachland pays the permit fees.

**CARRIED.**

Mr. Chris Scowen, on behalf of the Rotary Club, thanked Council for the vote of confidence, and promised to keep Council informed as the project progresses.

**BYLAWS**

**Bylaws for First, Second and Third Readings:**

**WATER & SEWER  
RATES BYLAWS  
#1669 & #1671**

The Treasurer presented a report regarding an increase to user rates in Water System No. 1, and increases to sewer user rates as set by the Regional District. As well, the payment due date is changed from December 31 to September 30 in each year.

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

THAT Water Rates Bylaw Number 1669, 2003 and Sewer Rates Bylaw Number 1671, 2003 be read a First, Second and Third Time.

**CARRIED.**

**OTHER BUSINESS**

**IN CAMERA MTG.**

MOVED by Councillor Henderson, SECONDED by Councillor Hallberg:

THAT an In Camera Meeting be held on February 25, 2003 at 1:00 pm, pursuant to Section 242(2) of the *Local Government Act*.

**CARRIED.**

**BYLAWS**

**Bylaw for Final Reconsideration and Adoption:**

**COUNCIL INDEMNITY #1665** MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Council Indemnity Bylaw Number 1665, 2003 be finally reconsidered and adopted.

**CARRIED.**

**QUESTION AND ANSWER PERIOD**

**M. LOVELOCK** Ms. Maggie Lovelock asked for clarification on the 26% of property owners who do not take advantage of the 10% discount on utility bills. The Treasurer explained that the number is 26% across the board, however, only residential properties receive the 10% discount.

**R. J. COLDHAM** Mrs. Jean Coldham congratulated Mayor Harriman on wanting another public hearing for the downtown center, and asked Council members to remember their responses to the 8 to 10 story buildings when asked at the All Candidates' Forum prior to the election.

**G. HARRIS** Mr. Gordon Harris supported Mrs. Coldham's statements, and asked what happened. He stated that all Council members opposed 8 to 10 stories. Councillor Reid noted that he entered into discussions with Mr. Fielding regarding the definition of 'highrise,' and did not oppose 8 story buildings. Mr. Harris advised Council that the Chamber of Commerce has very few votes; votes are in the mass.

**MS. FIELDING** Ms. Fielding asked if Council had considered sending out a questionnaire regarding 8 to 10 stories, as a referendum is expensive. A large percentage of residents are concerned and opposed to tall buildings. Her father organized the Keep Peachland a Village group, but is away at this time.

Mayor Harriman responded that it was too late for a questionnaire, that this is a zoning question that needs to be answered, and the vote was not successful. He could not convince Councillors of his views.

**T. TANNER** Mr. Terry Tanner noted that the model on display has 8 levels, plus parking under and a roof over, totaling 10 stories. He stated that this model contributed to the people's understanding tonight of how good a taller building can look, and thanked the Mayor.

**T. CONDON** Mr. Terry Condon pointed out that not one person from the earlier delegation focused on 10 stories; every speaker stressed that the OCP not be changed, as that would send a poor message about Peachland.

**MS. FIELDING** The second Ms. Fielding asked why all Councillors voted against amending the OCP.

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**MS. FIELDING**  
**(CONT.)**

Councillor Henderson responded that the OCP gives Council control over developments, and that he has no intention of preserving a vacant parking lot in a back alley as the future of Peachland.

Councillor Hurd advised that at the All Candidates' Forum, Council candidates were expected to comment without information, and some responses were given based on emotion, not information.

Councillor Reid noted that he was part of the committee that assisted the previous Council with changes to the OCP. Throughout his election campaign, visiting 800 to 1,000 houses, many people he spoke with felt that the downtown would die without increased density. He was elected to make decisions that are best for Peachland, and has done that.

Mayor Harriman noted that including tonight, 26 residents have spoken against 8 story buildings and 29 have spoken for.

**S. GEIGER**

Mrs. Shirley Geiger, President, Chamber of Commerce, advised that the Chamber had no input into meetings, however, it did support the last Council to change the OCP for more density downtown.

**L. HETHERINGTON**

Mrs. Linda Hetherington, a resident since 1979, asked what kind of consideration has this Council given to people on fixed incomes who have lived here for a long time and simply cannot afford the costs associated with the sewer project.

The Administrator responded that neighbourhood meetings will be held as the sewer progresses, staff are looking at alternatives to pumping or assistance with pumping, engineers are checking on eliminating a pump station to save money, and small, narrow easements are hoped for in order to reduce costs, thereby reducing the overall cost of the project and the cost to property owners.

**G. THORNE**

Mr. Gord Thorne asked what the impact of 700-800 new residents will have on policing costs. He asked if there will be any savings on taxes due to new development.

**G. HARRIS**

Mr. Gordon Harris asked Councillor Hurd how he has become so enlightened in under two months, going from emotional to thoughtful decisions.

**D. SECORD**

Mr. Del Secord chaired the All Candidates' Forum and noted that only the Mayor opposed 8 story buildings. He asked where will we get the water from for development, and where will we get a ladder truck for the Fire Department.

Mayor Harriman noted that the new fire truck on order will only cover 2 to 3 stories, which is what we have now. We will have to rely on Westbank to provide a ladder truck.



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**COUNCILLOR  
FRASER**

Councillor Fraser noted that the Province is changing the formula for policing costs, so reaching 5,000 population is no longer relevant.

**ADJOURN**

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT the Regular Council Meeting adjourn at 8:52 p.m.

**CARRIED.**

(Original signed by Mayor and Clerk)

**Certified Correct.**

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**Mayor**

\_\_\_\_\_  
**Municipal Clerk**

Dated at Peachland, B.C.  
This 26<sup>th</sup> day of February, 2003.