

THE CORPORATION OF THE DISTRICT OF PEACHLAND

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

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

Administrator Peter Jmaeff
Deputy Clerk/Administrative Assistant Betty Briggs
Planning Technician Heidi Simkins
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.

APPROVAL OF THE AGENDA MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT the Agenda be approved.

CARRIED.

ADOPTION OF THE MINUTES

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

THAT the Minutes of the Regular Council Meeting held February 25, 2003, be adopted as circulated.

CARRIED.

MOVED by Councillor Henderson, SECONDED by Councillor Hallberg:

THAT the Minutes of the Special Open Council Meeting held March 4, 2003, be adopted as circulated.

CARRIED.

PUBLIC HEARING

BYLAW #1670 The Mayor opened the Public Hearing for Zoning Bylaw No. 1375 Amendment Bylaw Number 1670, 2003 at 7:04 p.m.

The Public Hearing closed at 7:26 p.m.

DELEGATIONS AND PRESENTATIONS

CURLING CLUB

Mr. Gary Geiger, President, Peachland Curling Club, gave a brief history of the Curling Club, up to the recent receipt of a letter from Council advising that the District will exercise its option to purchase the property on 6th Street should a four sheet curling rink not be constructed and completed by December 31, 2003. At the Annual General Meeting held last week, the members decided to ask Council for an In Camera Meeting to further discuss this land issue. A Monday or Tuesday evening is preferred, to accommodate the Club's working members.

Regular Council Meeting Minutes
March 11, 2003
Page 2

CURLING CLUB
(CONT.)

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT an In Camera Meeting be held at 6:00 p.m. on Tuesday, March 25, 2003, pursuant to Section 242(2) of the *Local Government Act*.

CARRIED.

P. SPACKMAN

Mr. Peter Spackman addressed Council with his desire to have a wrong from the past corrected, being the loss of beach and beach access from Princeton Avenue to Deep Creek when an extra lane was added to Highway 97. With visual aids, he presented a proposed solution of pilings at a 45 degree angle which would retain sand and gravel and re-build the shoreline. He asked Council to pursue the Provincial and Federal Governments to get assistance.

MOVED by Councillor Moritz, SECONDED by Councillor Hallberg:

THAT Mr. Spackman's request to pursue senior governments regarding the loss of beach and beach access from Princeton Avenue to Deep Creek be referred to the Development Services Committee to pursue.

CARRIED.

Councillor Reid, Chairman of Development Services Committee, advised that the next meeting will be April 1st at 8:30 a.m.

P. RYDER

Mrs. Patricia Ryder had three questions:

1. Friends of the Library asked that an updated copy of the Official Community Plan Bylaw, bylaws and Council minutes be placed at the Library.
2. As a past Trails Committee member, Mrs. Ryder asked if the Trails Committee is active, and is there a trails brochure.
3. On behalf of the Peachland Voters Association, Mrs. Ryder noted that the street light at 13th Street and Hwy. 97 has been out for 3 weeks.

Mayor Harriman advised that the street light will be brought to staff's attention tomorrow, and that with Council's comprehensive review of bylaws just commencing, an updated OCP will be provided soon. Council minutes are also available on the website.

Councillor Hurd noted that the Parks Committee has not been officially struck, and that an ad will be placed in the newspaper asking for community volunteers. A trails brochure will be developed as soon as possible.

MAYOR AND COUNCILLOR'S REPORTS

MAYOR HARRIMAN

Mayor Harriman advised that Mr. John Dunion passed away. A service will be held at First Memorial in Kelowna at 11:00 am Friday, with a gathering following at the Peachland Legion.

Regular Council Meeting Minutes
March 11, 2003
Page 3

MAYOR HARRIMAN (CONT.) Mayor Harriman thanked Norma Elliott for displaying her paintings on the Council Chambers walls for the past three months, and thanked Emmy Put for her paintings, now on display.

Mayor Harriman reported 194 hours of Council-related duties in the month of February. Included were social hours consisting of Peachland Sportsmens Association annual wild game dinner, Chamber of Commerce After Hours, BC Gas dinner for elected officials.

COUNCILLOR HENDERSON Councillor Henderson attended the BC Gas dinner. He thanked Anita McConnell and Phyllis Papineau for organizing the street banner painting project, and the Little Schoolhouse Society for donating the premises. Councillor Henderson attended an Emergency Preparedness workshop in Kelowna on March 6th, and a Senior Citizens Society meeting this morning. He will be investigating illegal suites in Peachland. Councillor Henderson thanked Alan Switzer for his letter regarding the sewer costs model, and Bert Put for providing information on domestic sewer systems.

COUNCILLOR HALLBERG Councillor Hallberg has been working on Canada Day preparations, attended the emergency workshop, BC Gas dinner, Communities In Bloom meetings, thanked Darren at the Signal for promoting Awards Night, attended numerous committee & budget meetings. Councillor Hallberg advised that a memorial service for Tommy McLaughlin will be held this Saturday at the Legion.

COUNCILLOR REID Councillor Reid attended an Emergency Social Services meeting on February 27th, and reported that Peachland's ESS Director is Netta Manning. With Mayor Harriman, Councillor Reid attended a meeting with Minister of Finance Gary Collins. As an executive member of CORD's Economic Development Commission, he attended a meeting yesterday with Telus regarding the company's downsizing.

COUNCILLOR HURD Councillor Hurd stated his thoughts are with the 5 Peachland girls involved in an accident on the Westside, and their families.

COUNCILLOR MORITZ Councillor Moritz attended the emergency workshop, a Rotary lunch with Kelowna Mayor Walter Gray, and a School District breakfast on Tuesday, followed by meetings most of the day.

COUNCILLOR FRASER Councillor Fraser attended the BC Gas dinner, the emergency workshop, and tomorrow will attend an Okanagan Regional Library Board retreat. On Friday, Councillor Fraser will attend a UBCM First Nations Summit Community to Community forum in Vancouver.

COUNCIL COMMITTEE REPORTS

CORPORATE SERVICES Councillor Moritz advised that minutes are available from the meeting held March 4th, and the next meeting will be March 18th at 10:15 a.m.

Regular Council Meeting Minutes
March 11, 2003
Page 4

CORPORATE SERVICES (CONT.)

MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT the minutes of the Corporate Services Committee meeting held March 4th, 2003 be received for information.

CARRIED.

DEVELOPMENT SERVICES

Councillor Reid advised that the next meeting will be held April 1st at 8:30 a.m.

COMMUNITIES IN BLOOM

Mr. Gord Thorne, Co-Chair, advised Council of recent meetings in preparation for this year's competition. Mayor Harriman will mention Communities in Bloom when he speaks to the Newcomers Club tomorrow night.

UNFINISHED BUSINESS

SOUTH BOAT LAUNCH ACCESS

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

WHEREAS concerns exist regarding public safety in entering and exiting the South Boat Launch/Doggy Beach area;

NOW THEREFORE, it is recommended that a coordinated traffic engineering study for this area be conducted, including the District of Peachland, Ministry of Transportation and a yet to be determined engineering firm, to provide a cost effective solution for a viable, safe and reasonable solution to public access into this area.

CARRIED.

MURALS

Councillor Hurd noted that the Beach Avenue Neighbourhood Plan does not permit blank walls to face Highway 97.

MOVED by Councillor Hurd, SECONDED by Councillor Moritz:

WHEREAS the Beach Avenue Neighbourhood Plan recommends that the sides of buildings facing Highway 97 be finished in such a way as to provide a pleasant appearance to the sides of new buildings facing Highway 97;

NOW THEREFORE, it is recommended that Council follow the recommendations of the Beach Avenue Neighbourhood Plan to provide an aesthetic and pleasing appearance to the sides of new buildings facing Highway 97;

AND THAT this aesthetic and pleasing appearance be facilitated by the optional use of murals;

AND THAT the murals' designs be forwarded to Council for approval

AND THAT each building's developer pays for these murals.

DEFEATED.

Mayor Harriman, Councillors Fraser, Hallberg and Reid OPPOSED.

MURALS (CONT.) Councillors Reid, Hallberg and Fraser expressed concerns with traffic safety along the Highway should murals be painted on buildings' walls facing Hwy. 97.

STAFF REPORTS

RESCIND SEWER COSTS RESOLUTION OCT. 22/02 The Administrator presented a report requesting that Council rescind a resolution from October 22, 2002, to financially assist homeowners in the specified sewer area with on-site hook-up costs, as hard costs are not yet known.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT Council rescinds the October 22, 2002 resolution regarding sewer costs:

"WHEREAS the Federal Government of Canada and the Government of British Columbia have combined to grant the residents of Peachland in excess of six million dollars to assist our community in construction of sewer works;

AND FURTHER THAT the cost to some homeowners of Peachland to link their residences to the sewer system may be excessive;

NOW THEREFORE the District of Peachland guarantees Peachland homeowners that an amount not to be exceeded will be established in order to link their properties to the sewer system."

CARRIED.

OTHER BUSINESS

SEWER COSTS MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT the resolution regarding sewer costs, passed by Council at the February 11, 2003 Regular Meeting, be rescinded:

THAT Council selects and approves the sewer cost replacement 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 that its owner would have paid if Option 1 had been adopted.

CARRIED.

**SEWER COSTS
(CONT.)**

MOVED by Mayor Harriman, SECONDED by Councillor Fraser:

THAT for the Phase 2 Sewer Project, Council selects and approves a cost replacement model of 100% flat rate of \$650.84 per parcel;

AND THAT an appropriate Development Cost Charge Bylaw be brought forward for Council's consideration.

CARRIED.

BYLAWS

Bylaw for Second and Third Readings:

**#1670 ZONING
AMEND./ACCURA
HOMES – 5460
CLEMENTS CRES.**

The Contract Planner presented a report recommending Second and Third Readings to Bylaw No. 1670, which will rezone property at 5460 Clements Crescent from A-1 Rural Agricultural zone to R-4 Multiple Family Medium Density Residential zone. The needed variances will be addressed at Development Permit/Development Variance Permit stage.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council gives Second and Third Readings to Zoning Bylaw No. 1375 Amendment Bylaw Number 1670, 2003, to amend Lot 2, Plan KAP67750, DL 220, 5460 Clements Crescent, from the A-1 Rural/Agricultural zone to the R-4 Multiple Family Medium Density Residential zone;

AND THAT final adoption of the zone-amending bylaw be held until such time as the developer has entered into an agreement for the provision of off-site services;

AND THAT final adoption of the zoning-amending bylaw occurs in conjunction with the approval of a Development Permit/Development Variance Permit for new construction on the land.

CARRIED.

It was noted that a concern with this property is the issue of density, and the developers have worked with staff to reduce the density of the project. The concerns expressed by the Society of Hope will be dealt with at Development Permit stage.

Bylaw for First, Second and Third Readings:

**#1672 COUNCIL
PROCEDURE
AMENDMENT**

The Administrator presented a report explaining the wording changes regarding delivery of Special Meeting notices.

MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT Council Procedure Bylaw No. 1599 Amendment Bylaw Number 1672, 2003 be read a First, Second and Third time.

CARRIED.

OTHER BUSINESS (CONT.)

IN CAMERA MTG. MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

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

CARRIED.

QUESTION AND ANSWER PERIOD

G. GEIGER

Regarding Mr. Spackman's presentation, Mr. Geiger asked how much the Lake was affected by construction of the dam in Penticton, and the floating bridge at Kelowna, and can the municipality go after the Federal Government. Councillor Hurd responded that shore spawners were greatly reduced because of the dam.

ADJOURN

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT the Regular Council Meeting adjourn at 8:36 p.m.

CARRIED.

(Original signed by Mayor and Clerk)

Certified Correct.

Mayor

Municipal Clerk

Dated at Peachland, B.C.
This 26th day of March, 2003.