

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, June 14, 2005 at 7:00 p.m.
In the Council Chambers, Peachland, B.C.**

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

CAO Chris Prosser
Corporate Officer Betty Briggs
Treasurer Doug Pryde
Director of Operations Joe Mocilac
Planner Mark Koch

Members of the Public
Members of the Media

ABSENT: Councillor Moritz

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

**AMENDMENTS TO
THE AGENDA** Removed from the Agenda: 6-A

**APPROVAL OF
THE AGENDA** MOVED by Councillor Henderson, SECONDED by Councillor Reid:

THAT the Agenda be approved as amended.

CARRIED.

ADOPTION OF THE MINUTES

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

THAT the Minutes of the Regular Council Meeting held May 10, 2005, be adopted as circulated.

CARRIED.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the Minutes of the Public Hearing held May 31, 2005, for Zoning Amendment Bylaws No. 1763 & 1764, 2005 be adopted as circulated.

CARRIED.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the Minutes of the Special Open Council Meeting held June 7, 2005 be adopted as circulated.

CARRIED.

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT the Minutes of the Committee of the Whole Meeting held June 7, 2005, be adopted as circulated.

CARRIED.

PRESENTATIONS AND DELEGATIONS

CHAMBER OF COMMERCE

Mrs. Janice Hancharuk, Manager, Peachland Chamber of Commerce, expressed the Chamber's appreciation to Council for its support for the Valley-wide Business After Hours held in Cousins Park, and for the use of the Community Centre for the all candidates' forum prior to the provincial election. Ms. Hancharuk presented a Business After Hours display board to Council in appreciation. She also advised of the Peachland Chamber's Business After Hours tomorrow night at the Peach Pit Café, the CORD EDC's seminar on do's and don't of hiring on June 22 at the Little School House, and advised that the Community Forum will be held November 24th.

MAYOR AND COUNCILLORS' REPORTS

MAYOR HARRIMAN

Mayor Harriman reported 219 hours in May on Mayor's duties. Highlights were the Valley-wide Business After Hours, the Arts Fair, the World of Wheels, the Cancer Volunteers Tea. Sad events were Brad Lazar's memorial service and the Legion's VE Day ceremony. The Mayor advised of a wildfire safety tour to be held June 23 at 7:00 pm at the end of Forest Hill Drive, as well as a full day of events on July 1st for Canada Day.

COUNCILLOR HALLBERG

Councillor Hallberg attended the following: CORD EDC, Peachland EDC 2 meetings, Canada Day meeting, Committee of the Whole, In Camera, Chamber of Commerce May 16, Rick Hansen Wheels in Motion. Wellness Centre youth volunteer program wind-up. She advised that Canada Day programs are available at the Community Centre.

COUNCILLOR REID

Councillor Reid attended: Valley-wide Business After Hours, World of Wheels, Brad Lazar memorial, Respectful Workplace Training, chaired Public Hearing and Committee of the Whole, Mount Boucherie Secondary School awards night and presented Council's bursary, Wheels in Motion June 12. He advised that a broad band strategy for the Okanagan Valley is being developed.

COUNCILLOR FRASER

Councillor Fraser attended: Brad Lazar memorial, World of Wheels, Okanagan Regional Library Board meeting, Respectful Workplace Training, Public Hearing, Special Open Council Meeting, Committee of the Whole, In Camera, and PDRS Board meeting.

COUNCILLOR HENDERSON

Councillor Henderson reported on the success of the Art Amble, and thanked the contributing artists. He noted that the Rotary Pavilion will be turned over to the District on Canada Day.

COMMITTEE REPORTS

**REMUNERATION
REVIEW**

Mr. Gordon Aumond, Chair, Council Remuneration Review Committee, presented the Committee's final report, which recommends a CPI increase to Council remuneration. The Committee made no recommendation regarding 'catch-up' increases. Mayor Harriman thanked Mr. Aumond and Committee members for the excellent job done.

MOVED by Councillor Henderson, SECONDED by Councillor Reid:

THAT the report from the Council Remuneration Review Committee be received.

CARRIED.

COTW

The CAO presented a report from the Committee of the Whole meeting which recommends adoption of a new policy, Expansion of Local Service Areas Policy #DEV-125.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Expansion of Local Service Areas Policy #DEV-125 be adopted.

CARRIED.

EDC SURVEY

Councillor Hallberg advised of changes made to the EDC survey, as recommended by Councillors.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the Peachland EDC Survey be accepted as amended;

AND THAT the Peachland EDC be granted permission to distribute the survey.

CARRIED.

STAFF REPORTS

**EXEMPT STAFF
COMPENSATION
POLICY**

The CAO presented a report regarding the proposed Exempt Staff Compensation Policy #PER-090.

MOVED by Councillor Reid, SECONDED by Councillor Henderson:

THAT Council adopts Exempt Staff Compensation Policy #PER-090.

CARRIED.

**RESPECTFUL
WORKPLACE
POLICY**

The CAO presented a report outlining amendments to the Respectful Workplace Policy, which resulted from the recent training session.

Regular Council Meeting Minutes
June 14, 2005
Page 4

**RESPECTFUL
WORKPLACE
POLICY**

MOVED by Councillor Hallberg, SECONDED by Councillor Reid:

THAT the amended Respectful Workplace Policy #PER-180 be adopted.
CARRIED.

PRIMARY SCHOOL

The CAO summarized the lengthy report included in the Agenda package regarding the Primary School. The Mayor advised that the originally, a mail-drop and publication of the report was planned, however, due to its length, it will be available on the District's website and at the District Office, and will be sent to the media.

Councillor Reid noted that he was appointed as Chair of the Peachland Spirit of BC Community Committee by the Province, and membership of the Committee represent interests around town. The Committee considered 3 options for LiveSite grant funding, and recommended the Primary School project.

YACHT CLUB LEASE

The CAO presented a report regarding negotiations resulting in the Peachland Yacht Club Foreshore Sublease agreement for a period of 25 years.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the Mayor and Corporate Officer be authorized to sign the 25 year Foreshore Sublease Agreement between the District of Peachland and the Peachland Yacht Club.

CARRIED.

**DVP #05/10,004
4787 PRINCETON
LEMAY**

The Planner presented a report regarding Development Variance Permit application #05/10,004, for height and size variances for an accessory building at 4787 Princeton Avenue, owner J.N. Lemay. Staff recommend approval of the height variance, but not the 73% increase in size variance. Two letters were received: an uphill neighbour objected to both height and size as excessive, and a downhill neighbour had no objections. Council permitted the owner's contractor to speak; he advised that this is a very steep lot and a level area is needed to build. The Planner confirmed that if the garage was attached to the house, it would no longer be an 'accessory building,' and the variance would not be required.

MOVED by Councillor Fraser, SECONDED by Councillor Reid:

THAT Council approve the Development Variance Permit application #DVP05/10,004 to relax the accessory building height regulations of the R-1 (Single Family Residential) zone from 5 meters (16.5 feet) to 7 meters (23 feet) in height;

AND THAT Council not approve the request to vary the maximum size of an accessory building from 70 sq. m. (753 sq. ft.) to 120.77 sq. m. (1,300 sq. ft.) for the proposed construction of a double garage with lower story workshop and cold storage area.

Regular Council Meeting Minutes
June 14, 2005
Page 5

DEFER DVP 05/10,004 MOVED by Councillor Fraser, SECONDED by Councillor Henderson:

THAT Development Variance Permit Application #DVP #05/10,004, 4787 Princeton Avenue, J.N. Lemay, be deferred to the next Regular Council Meeting.

DEFEATED.

Councillors Hallberg, Hurd and Reid OPPOSED.

DVP#05/10,004
MAIN MOTION

THAT Council approve the Development Variance Permit application #DVP05/10,004 to relax the accessory building height regulations of the R-1 (Single Family Residential) zone from 5 meters (16.5 feet) to 7 meters (23 feet) in height;

AND THAT Council not approve the request to vary the maximum size of an accessory building from 70 sq. m. (753 sq. ft.) to 120.77 sq. m. (1,300 sq. ft.) for the proposed construction of a double garage with lower story workshop and cold storage area.

CARRIED.

Councillors Henderson and Hurd OPPOSED.

The CAO confirmed that the applicant could re-apply with a revised proposal, or could apply to the Board of Variance.

WATER CONSER-
VATION DROUGHT
MANAGEMENT

The Director of Operations presented a lengthy report regarding the Water Conservation Drought Management Study, which included recommendations and proposed work plan.

Discussion took place and the Director of Operations and CAO answered questions from Council.

MOVED by Councillor Hallberg, SECONDED by Councillor Henderson:

THAT Council adopts the Water Conservation Drought Management Study as prepared by Urban Systems Ltd.;

AND THAT the two phase water conservation strategy is adopted by Council and implemented by staff using the funding from the Water Conservation Metering initiative identified in the 2005 Capital budget process;

AND THAT the 2005 workplan include:

- ◆ water conservation education program including doorknockers, brochures, water smart program and educational assistance;
- ◆ review of existing water regulations and restrictions bylaws;
- ◆ implementation of a pilot metering program complete with rate structure development;
- ◆ Request for Proposals for a universal water-metering program.

CARRIED.

CORRESPONDENCE

For Information:

- Petition re: traffic light at Clements Cres. & Hwy. 97
- Central Okanagan Foundation \$2,000 grant to Board for Life Society
- Ombudsman Howard Kushner

PDRS

A letter from Peachland District Retirement Society requested an addendum to its lease agreement to include Directors and Officers Liability Insurance.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT an addendum be included in the lease agreement between the District of Peachland and the Peachland District Retirement Society to include Directors and Officers Liability Insurance.

CARRIED.

OTHER BUSINESS

DEAD TREES

Councillor Henderson asked that the dead trees along Hwy. 97 be discussed with Ministry of Transportation representatives at this week's meeting.

TRAFFIC LIGHTS

Councillor Hurd stated that a traffic light should not be placed at Clements Cres. and Hwy. 97, but at 13th Street and Hwy. 97.

BYLAWS

Bylaw for Third Reading:

**#1764 ZONING
AMENDMENT
4305 12th ST.**

The Planner noted two minor amendments required to Bylaw 1764 prior to Third Reading.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1764, 2005, be amended as follows:

- reference to parcel being rezoned at 4305 12th Street be included;
- signature line for Ministry of Transportation approval be included.

CARRIED.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1764, 2005, be read a Third Time.

CARRIED.

Bylaw for Third Reading and Final Reconsideration & Adoption:

**#1763 ZONING
AMENDMENT
5205 LAW ST.**

MOVED by Councillor Fraser, SECONDED by Councillor Hurd:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1763, 2005, be read a Third Time and be finally reconsidered and adopted.

DEFEATED.

Mayor Harriman, Councillors Hallberg and Reid OPPOSED.

Discussion took place regarding this Zoning Amendment Bylaw and the reasons that staff recommended it not be approved. Although there is a compassionate issue in this case, the Planning Department views every application as to its particular site and uniqueness, and bases recommendations to Council on land uses only. Approval of this rezoning perhaps would set a precedent for adjacent property owners towards rezoning and subdividing.

#1745 DCC

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Development Cost Charge Bylaw Number 1745, 2004 be finally reconsidered and adopted.

CARRIED.

**#1765 LOAN
AUTHORIZATION
AMENDMENT**

The Treasurer presented a report regarding amendments to the Phase 1-D and Phase 2 Sewer System Specified Area Loan Authorization Bylaw Number 1604. Council members expressed concern with the proposal to increase the District-wide environmental levy from \$75 to \$95 per year. The Treasurer advised that this levy is not part of the Bylaw and discussion can be deferred to a later date.

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT Council gives First, Second and Third Readings to Phase 1-D and Phase 2 Sewer System Specified Area Loan Authorization Bylaw No. 1604 Amendment Bylaw Number 1765, 2005;

AND THAT Council selects financing Option 1 for the Phase 1-D and Phase 2 local service area as presented in the report, with an estimated parcel tax in the amount of \$292 per year throughout a 25 year debt servicing period starting in 2006;

AND THAT Council approves a one-time cash commutation payment in the amount of \$2,904, in lieu of paying the \$292 Phase 1-D and Phase 2 local service area parcel tax, as outlined in Option 1 presented in the report.

CARRIED.

MOVED by Councillor Reid, SECONDED by Councillor Fraser:

THAT staff be directing to bring forward discussion on the District-wide levy.

CARRIED.

Regular Council Meeting Minutes
June 14, 2005
Page 8

**DISTRICT-WIDE
LEVY**

Council confirmed that 2006 budget deliberations would be an appropriate time to discuss this levy.

QUESTION PERIOD

L. ROCKSON

Mrs. Lois Rockson, 4032c Lake Avenue, asked when the ramp at the IGA mall would be fixed, as well as the driveway at the north end of the mall and the pathway along the stream under Highway 97. The Director of Operations advised that drawings are being done and the work will be tendered in due course.

R. J. COLDHAM

Mrs. Jean Coldham, San Clemente Avenue, congratulated the Administrator on the in-depth report regarding the Primary School, and asked why the Municipality bought the building if nothing will be done with it. She looks forward to a decision on this soon.

G. AUMOND

Mr. Gordon Aumond, Bradbury Street, asked what the environmental levy is for, and noted that the public is confused over this charge. The Treasurer clarified that it is a parcel tax for sewage transmission and it is legal for the municipality to increase this levy.

T. CONDON

Mr. Terry Condon, 6084 Jackson Crescent, asked about the steep grade from Turner Avenue up to the new development area and whether it meets engineering standards. The CAO advised that additional geotechnical and hydrological information has been requested from the developer. He advised that the subdivision has not received final approval, and the preliminary layout approval will expire in August.

ADJOURNMENT

MOVED by Councillor Reid, SECONDED by Councillor Hallberg:

THAT the Regular Council Meeting adjourn at 9:01 p.m.

CARRIED.

(Original Signed by Mayor and Corporate Officer)

Certified Correct.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 29th day of June, 2005.