

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, October 9th, 2007 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Reid, Councillors Fraser, Hallberg, Moritz and Nielsen

CAO Elsie Lemke
Corporate Officer Betty Briggs
Director of Finance Doug Pryde
Director of Operations Dave Gold
Director of Planning & Development Services David Smith
Planning Technician Heidi Simkins
Planning Assistant Paul Dupuis
Fire Chief Grant Topham (part of meeting)

Members of the Public
Members of the Media

ABSENT: Councillors Condon and Thorne

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

**AMENDMENTS TO
THE AGENDA** None

**APPROVAL OF
THE AGENDA** MOVED by Councillor Nielsen, SECONDED by Councillor Hallberg:
THAT the Agenda be approved as circulated.

CARRIED.

PRESENTATIONS & DELEGATIONS

D. GANSKE Mayor Reid was honoured to present a Certificate of Commendation, on behalf of Governor General Michaëlle Jean, to Mr. Derrick Ganske, in recognition of his actions in rescuing the female driver of a vehicle following an incident at Okanagan Lake in Peachland on March 27, 2006. Fire Chief Topham expressed appreciation to Mr. Ganske for his heroic actions. Mr. Ganske's family joined him for photographs with the Certificate.

**CASCADIA GREEN
BUILDING COUNCIL** Presenter was not in attendance.

ADOPTION OF THE MINUTES

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

THAT the Minutes of the Regular Council Meeting held September 11, 2007, be adopted as circulated.

CARRIED.

UNFINISHED BUSINESS

None.

COMMITTEE & STAFF REPORTS

Committees:

ELUC Councillor Fraser expressed appreciation to Paul Dupuis for his excellent work on re-writing the Sign Bylaw.

Staff:

**DEPARTMENT
SEPT. REPORTS** MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the Department Reports for September be received for information:

- i) Building Permits, August, 2007
- ii) Corporate Services & Recreation
- iii) PFRS
- iv) Planning & Development Services

CARRIED.

**TAX EXEMPTION
BYLAW #1855** Director of Finance Doug Pryde presented a report regarding the 2008 Permissive Tax Exemption Bylaw, which results in \$15,711 in loss of tax revenue to the District for 2008.

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT 2008 Tax Exemption Bylaw Number 1855, 2007, be read First, Second and Third Times.

AMEND MOTION MOVED by Councillor Nielsen, SECONDED by Councillor Moritz:

THAT tax exemption for Maple Springs Bible Camp be considered separately.

CARRIED.

MOVED by Councillor Nielsen, SECONDED by Councillor Moritz:

THAT tax exemption for Maple Springs Bible Camp for 2008 be granted.

CARRIED.

Councillor Nielsen OPPOSED.

MAIN MOTION THAT 2008 Tax Exemption Bylaw Number 1855, 2007 be read First, Second and Third Times.

CARRIED.

**SIGN BYLAW
#1853** Director of Planning & Development Services David Smith noted that the Sign Bylaw review was a 2007 budget priority, and Mr. Paul Dupuis was hired as a summer student to undertake the project.

Mr. Dupuis provided a summary of the research process, highlighted changes, and presented the new Bylaw for consideration of Council.

Council comments included typographical errors to correct, sign inventory, A-frame signs, and bylaw enforcement.

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SIGN BYLAW
(CONT.)

MOVED by Councillor Fraser, SECONDED by Councillor Hallberg:

THAT Sign Bylaw Number 1853, 2007 be read First, Second and Third Times.
CARRIED.

Mayor Reid welcomed Mr. Dupuis to his full time staff position with the District in the Planning & Development Services Department.

EARTHWORKS
CONTROL BYLAW
#1852

Director of Planning & Development Services David Smith presented a report regarding the Earthworks Control Amendment Bylaw Number 1852, 2007.

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT Third Reading of Earthworks Control Bylaw No. 832 Amendment Bylaw Number 1852, 2007 be rescinded;

AND THAT Earthworks Control Bylaw No. 832 Amendment Bylaw Number 1852, 2007 be read a Third Time as amended.

CARRIED.

ZONING AMEND.
#1827 – 5235
BUCHANAN ROAD

Director of Planning & Development Services David Smith noted 3 amendments required in Bylaw 1827 prior to Third Reading:

- i) D-7: xerogscape changed to xeriscape
- ii) D-3: add 'for building heat'
- iii) Schedule 'A' will include a line to define R-1 and CD-6 zones.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1827, 2007 be read a Third Time as amended.

CARRIED.

DVP#07/10,001
5165 TREPANIER
BENCH ROAD -
ISLAND VIEW VILLAS

Planning Technician Heidi Simkins presented a detailed report regarding the variance application for Island View Villas to reduce the final phase from 7 four plex buildings to 8 detached homes. Ms. Simkins presented detailed technical information, noted minutes of the Strata Council meeting which had no objection to the variance, a letter of opposition from Mr. & Mrs. Sezler noting a civil dispute regarding trespass and a private agreement with the developer, and concerns regarding storm sewer on site, a letter from Mr. Dave Charleson expressing no objection to reduction of density but with concerns regarding overall development landscaping, and a letter from Mr. Richard Brown, Mr. Bob McAlpine and Mr. Cliff Alexander with no objection but 3 issues, (1) dust control (2) construction schedule and (3) promises regarding retaining walls, access to sewer, fences.

Ms. Simkins advised of a letter hand-delivered at the start of this meeting from Mr. Doug Ross and summarized as follows: concerns with timeline, access during construction for residents and emergency vehicles, safety regarding slopes, aesthetics and architectural design, heights, materials and handling.

The Planning Technician advised that Planning & Development Services recommend approval of the variance permit subject to the 5 conditions listed. Mayor Reid asked that #6 be added, a modified construction safety plan.

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DVP#07/10,001
(CONT.)

Ms. Simkins answered questions from Council members.

Mayor Reid asked if anyone present had comments regarding the variance permit application.

Mr. Doug Ross, 5165 Trepanier Bench Road:

- is original owner
- Strata Corporation president
- personally is concerned; should be no more building at all
- no confidence in developer
- can't live in construction zone for years longer
- blatant lack of safety
- no screening, fencing
- thought Council was concerned with scarring of landscape
- lack of confidence in hodge-podge of tradesmen

Mayor Reid asked first, second and third and final times for further submissions. There were none.

The Planning Technician clarified that the initial strata declaration showed construction to the end of 2009; no change has been requested. She confirmed that should this variance be denied, the original Development Permit would still be in effect, which allows 7 four plex buildings, totalling 28 units.

MOVED by Councillor Nielsen, SECONDED by Councillor Fraser:

THAT Council approves Development Variance Permit application #07/10,001, for Lot B, Plan KAP78945, DL 449, ODYD, located at 5165 Trepanier Bench Road, to permit the reduction of units of the Phase 4 development from seven 4-plex buildings (28 units) to 8 detached homes;

AND THAT the Permit contains the following conditions:

1. The location of buildings and structures shall be situated on the land in accordance with Schedule 'A-1 to A-4' attached to the Permit;
2. That the development proceeds in accordance with the recommendations contained within the original reports submitted by Golder and Associates, CTQ Consultants, updated geotechnical report provided by Interior Testing Services Ltd. dated September 13, 2007 and any subsequent engineering reports as a result of the requested Development Permit Variance;
3. That revised landscape plan dated February 7, 2007 and provided by Site 360 Consulting Inc. to be attached to the Permit as Schedule 'B-1 to B-3;'
4. That the exterior treatment of the eight detached units to be consistent with the original Development Permit #02/10,006;
5. Interior Testing Services Ltd. will ensure that recommendations in their September 13, 2007 report are in accordance with the storm sewer (ie drywell) design of the site, as designed and constructed in the previous phases;)
6. A modified construction safety plan is required to be submitted.

CARRIED.

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TREPANIER EMERGENCY LANE Director of Operations Dave Gold presented a report outlining tender results for the Trepanier Emergency Lane project. All tenders received are well over budget amount.

CAO Elsie Lemke noted that the tenders are significantly over budget, and that staff could review the project's need further.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT the Trepanier Emergency Lane project be referred back to staff for further review.

CARRIED.

MAYOR & COUNCILLORS' REPORTS

COUNCILLOR HALLBERG Councillor Hallberg attended a Regional Economic Development Commission meeting last Thursday, and the Okanagan Mainline Auxiliary Association convention in Vernon over the weekend.

COUNCILLOR FRASER Councillor Fraser attended a lengthy Okanagan Regional Library Board meeting on September 19.

MAYOR REID Mayor Reid, with Councillor Fraser and CAO Elsie Lemke, attended the UBCM Convention in Vancouver.

CORRESPONDENCE

FOR INFORMATION

- MLA Rick Thorpe re: Single Business Licenses Pilot Project
- CORD Director David Knowles, Regional Air Quality Committee re: Vehicle Engine Anti-idling Signage
- Solicitor General re: amendment to policy regarding population data used to determine responsibility for police service costs
- Minister of Community Services re: Sanitary Sewer Collection System Model Grant \$10,000

OTHER BUSINESS

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

THAT an In Camera Meeting be held at 1:00 p.m. October 23, 2007, pursuant to Sec. 90(1)(a) [personnel] of the *Community Charter*.

CARRIED.

ADJOURNMENT MOVED by Councillor Nielsen:

THAT the Regular Council Meeting adjourn at 8:02 p.m.

CARRIED.

(Original signed by Mayor & Corporate Officer)

Certified Correct.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 24th day of October, 2007.