

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, September 11, 2007 at 7:00 p.m.
In the Council Chambers, Peachland Community Centre**

PRESENT: Mayor Reid, Councillors Condon, Fraser, Moritz, Nielsen and Thorne

CAO Elsie Lemke
Corporate Officer Betty Briggs
Director of Finance Doug Pryde
Director of Planning & Development Services David Smith

Members of the Public
Members of the Media

ABSENT: Councillor Hallberg

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

AMENDMENTS TO THE AGENDA Removed: 7-E: Foreshore Sub-lease Agreement 3520 Drought Road
Added: 7-F-(i): BC Climate Action Council

APPROVAL OF THE AGENDA MOVED by Councillor Thorne, SECONDED by Councillor Condon:

THAT the Agenda be approved as amended.

CARRIED.

PRESENTATIONS & DELEGATIONS

AIR QUALITY MGMT. PLAN Mr. Corey Davis presented the Central Okanagan Air Quality Management Plan, which has been adopted by CORD Board in May, 2007. The Board requests that all member municipal Council's adopt the Plan, as well. With a power-point presentation, Mr. Davis outlined the details and goals of the Plan. He acknowledged the contributions of Councillor Condon, a member of the Regional Air Quality Committee.

MOVED by Councillor Condon, SECONDED by Councillor Fraser:

THAT the presentation time be extended by five minutes.

CARRIED.

Mr. Davis concluded his presentation and was thanked by Mayor Reid.

MOVED by Councillor Condon, SECONDED by Councillor Thorne:

THAT the Central Okanagan Air Quality Management Plan be referred to Environment and Land Use Committee.

CARRIED.

M. IRVING RE: YOUTH PROGRAMS Mrs. Marion Irving presented a proposal for Saturday use of the Community Centre for youth and young teen oriented programs. She requested that Council donate the use of the Community Centre and provide \$500 for supplies.

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M. IRVING (CONT.) MOVED by Councillor Moritz, SECONDED by Councillor Thorne:

THAT Mrs. Irving's request for use of the Community Centre on Saturdays for youth oriented programs be referred to Parks, Recreation & Culture Committee.

CARRIED.

ADOPTION OF THE MINUTES

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

THAT the Minutes of the Regular Council Meeting held August 14, 2007 be adopted as circulated.

CARRIED.

UNFINISHED BUSINESS

**TEMP. COM. USE
PERMIT HAINLE
WINERY – TREPAN-
IER MANOR**

Director of Planning David Smith presented a report requesting Council's consideration to bring back the Temporary Commercial Use Permit application for Hainle Winery for a real estate showroom for Trepanier Manor, which was defeated by Council at the August 14, 2007 meeting. Mr. Smith explained that erroneous information regarding issuance of Building Permit was given to Council at the previous meeting.

MOVED by Councillor Fraser, SECONDED by Councillor Thorne:

THAT Council reconsider the matter of a Temporary Commercial Use Permit for Hainle Winery.

CARRIED.

Councillor Condon OPPOSED.

In response to questions from members of Council, Mr. Smith provided the following information:

- Office space is less than 400 sq. ft., resulting in no impact on parking and traffic

MOVED by Councillor Thorne, SECONDED by Councillor Moritz:

THAT the applicants be permitted to speak.

CARRIED.

Mr. Scott Wilshaw advised Council that Trepanier Manor homes will not be sold from this office; the office contains 4 seats for meeting with people; 50-60% of the winery business is conducted from this office; he was clear on his intentions when the Building Permit was applied for.

Council members discussed with Mr. Wilshaw the timing of application for Building Permit for office renovations, Temporary Commercial Use Permit, and use of the office. Mayor Reid clarified that the Building Permit was issued, then the Temporary Commercial Use Permit application was submitted.

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**TEMP. COM. USE
HAINLE (CONT.)**

MOVED by Councillor Nielsen, SECONDED by Councillor Thorne:

THAT Council approve a Temporary Commercial Use Permit for Hainle Vineyard Estates on Lot 1, Plan 39089, DL 1174, located at 5355 Trepanier Bench Road, allowing for an administrative office and showroom for the proposed Trepanier Manor Development, for a period of one year, to September 1, 2008.

CARRIED.

Councillors Condon & Fraser OPPOSED.

COMMITTEE & STAFF REPORTS

Committee Reports:

ADVISORY PLANNING COMMITTEE Minutes of the Advisory Planning Committee meeting held August 15, 2007 were included for information.

Staff Reports:

**DEPARTMENTAL
REPORTS – AUG.**

MOVED by Councillor Condon, SECONDED by Councillor Moritz:

THAT the Departmental Reports for August be received for information:

- i) Peachland Fire & Rescue Service
- ii) Planning & Development Services
- iii) Bylaw Enforcement
- iv) Corporate Services & Recreation
- v) Operations & Public Works.

CARRIED.

**BYLAW #1826
CONTROLLED
SUBSTANCES**

MOVED by Councillor Thorne, SECONDED by Councillor Condon:

THAT Controlled Substances Property Remediation Bylaw Number 1826, 2007 be finally reconsidered and adopted.

CARRIED.

**SWIM BAY
CONCESSION**

CAO Elsie Lemke presented a report requesting authorization to enter into a five year agreement for operation of the Swim Bay Concession. Council members discussed this item.

MOVED by Councillor Fraser, SECONDED by Councillor Condon:

THAT Council approves extending the Swim Bay Concession Contract with Brenda Pawlyszyn for a 5 year term on the same terms and conditions except for the following:

Monthly Rate:

2008	\$700
2009	\$750
2010	\$800
2011	\$850
2012	\$900

subject to no objections being received from other potential bidders.

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**SWIM BAY (CONT.)
AMEND MOTION**

MOVED by Councillor Moritz, SECONDED by Councillor Thorne:

THAT the main motion be amended to change the contract term to 3 years, and the objection period to 6 weeks.

DEFEATED.

Mayor Reid, Councillors Condon, Fraser & Nielsen OPPOSED.

MAIN MOTION

THAT Council approves extending the Swim Bay Concession Contract with Brenda Pawlyszyn for a 5 year term on the same terms and conditions except for the following:

Monthly Rate:

2008 \$700

2009 \$750

2010 \$800

2011 \$850

2012 \$900

subject to no objections being received from other potential bidders.

CARRIED.

Councillors Moritz & Thorne OPPOSED.

**JUNE 30/07
QUARTERLY
REPORT**

MOVED by Councillor Thorne, SECONDED by Councillor Fraser:

THAT the June 30, 2007 Quarterly Report, submitted by Director of Finance Doug Pryde, be received for information.

CARRIED.

**BC CLIMATE ACTION
CHARTER**

CAO Elsie Lemke presented a report regarding accepting and signing on to the BC Climate Action Charter, which will be dealt with at the UBCM Convention.

MOVED by Councillor Thorne, SECONDED by Councillor Condon:

THAT the District of Peachland accept and sign on the British Columbia Climate Action Charter;

AND THAT the Appendix outlining our commitments, with the addition of the Air Quality Management Plan, be attached.

CARRIED.

**BYLAWS 1847 &
1848 6633 HWY. 97
REFLECTIONS ON
THE LAKE, R.
STEWART**

Director of Planning David Smith presented a detailed report regarding the proposed development at 6633 Highway 97 South, Reflections on the Lake, R. Stewart applicant. He outlined the Official Community Plan and Zoning bylaw amendments required, as well as further information required prior to a Public Hearing being held.

Mr. Smith answered questions from Council members.

MOVED by Councillor Nielsen, SECONDED by Councillor Thorne:

THAT Official Community Plan Bylaw No. 1600 Amendment Bylaw Number 1847, 2007 be read First and Second Times.

CARRIED.

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**BYLAWS 1847 &
1848 (CONT.)**

MOVED by Councillor Fraser, SECONDED by Councillor Moritz:

THAT Zoning Bylaw No. 1375 Amendment Bylaw Number 1848, 2007 be read First and Second Times;

AND THAT the applicant be advised that the following will be required by the applicant before a Public Hearing:

- completed engineering design and costing
- geo-technical and hydro-geotechnical reports
- storm water management plan for the site
- concept landscape plan for the site
- elevation drawings showing exterior design including reference to colour palette and materials
- previous application reports (updating not required) to be filed along with the application.

CARRIED.

**BYLAW #1852
GRAVEL EXTRAC-
TION**

Director of Planning & Development Services David Smith presented a report regarding an amendment to the Earthworks Control Bylaw. The amendment adjusts the permit fees and caps volume extracted per calendar year. A comprehensive new bylaw will come to Council at a future date.

MOVED by Councillor Thorne, SECONDED by Councillor Fraser:

THAT Earthworks Control Bylaw No. 832 Amendment Bylaw Number 1852, 2007 be read First, Second and Third Times.

CARRIED.

Councillor Moritz OPPOSED.

**DP#Z07/1,004
4026 BEACH AVE.
DUPUIS**

Director of Planning & Development Services David Smith presented a report regarding Development Permit for a 4 unit residential development at 4026 Beach Avenue, B. Dupuis applicant.

MOVED by Councillor Nielsen, SECONDED by Councillor Thorne:

THAT Development Permit #Z07/1,004, respecting a four-plex Multiple Family Residential Dwelling on Lot 2, Plan KAP72040, DL 220, 4026 Beach Avenue, B. Dupuis, be approved.

CARRIED.

Councillor Moritz OPPOSED.

MAYOR & COUNCILLORS' REPORTS

MAYOR REID

Mayor Reid opened and attended the 88th Annual Fall Fair over the past weekend. He and CAO Elsie Lemke attended a meeting with MLA Rick Thorpe regarding the single business license initiative, and noted that the 3 Okanagan regional districts have been requested to do a pilot project. He advised that due to strong support, the Province will commence studying single regional structure for the Valley.

CORRESPONDENCE

- FOR INFORMATION**
- (i) City of Armstrong re: Regional Governance Structure
 - (ii) Westbank First Nation re: Forest Development Plan Amendment
 - (iii) BC Chamber of Commerce re: Single Business License
 - (iv) Minister of Community Services re: Asia Pacific Initiative

OTHER BUSINESS

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

THAT an In Camera Meeting be held at 1:00 p.m. October 9, 2007, pursuant to Sec. 90(1)(e) [land] of the *Community Charter*.

CARRIED.

QUESTION PERIOD

B. TEED

Mr. Bill Teed, 6417 Bulyea Avenue, followed up on behalf of neighbour Vicky Warner, who asked about uranium testing of drinking water at the last meeting.

Mayor Reid advised that testing of Deep Creek and Trepanier Creek water is done, and results are well below Canadian standards for uranium. Ms. Warner is welcome to contact the CAO or Director of Operations to view the test results.

ADJOURNMENT MOVED by Councillor Nielsen:

THAT the Regular Council Meeting adjourn at 8:46 p.m.

CARRIED.

(Original signed by Mayor & Corporate Officer)

Certified Correct.

Mayor

Corporate Officer

Dated at Peachland, B.C.
This 10th day of October, 2007.