

THE CORPORATION OF THE DISTRICT OF PEACHLAND

**Regular Council Meeting Minutes
Held Tuesday, September 9, 2008 at 7:00 p.m.
In the Council Chambers, Peachland Community Center**

PRESENT: Mayor Reid, Councillors Condon, Hallberg, Fraser, Thorne and Moritz
CAO Elsie Lemke
Corporate Officer Polly Palmer
Director of Finance, Doug Pryde
Director of Planning, Dave Smith

Members of the Public
Members of the Media

ABSENT: Councillor Nielsen

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

AMENDMENTS TO THE AGENDA Item 7E – address should read as 4440 5th Street

APPROVAL OF THE AGENDA MOVED by Councillor Moritz, SECONDED by Councillor Thorne:
THAT the Agenda be approved as amended.

CARRIED.

PRESENTATIONS & DELEGATIONS

**CENTRAL
OKANAGAN
MAJOR LAKES
RECREATIONAL
MARINE FACILITIES
STUDYS**

Doris Haas from GDH Solutions gave a presentation on Major Lakes Recreational Marine Facilities Study. The Regional District of Central Okanagan recognized the need to plan for the ever increasing demand for access to marine recreational facilities. In response to these demands the RDCO initiated this study in order to: obtain a comprehensive inventory of current and future projected demands for marine recreational facilities on the Lakes; have in place a comprehensive twenty year plan and implementation strategy for marine recreational facilities; and to explore different structures and types of organizations for future marine recreational facilities service delivery within the Regional District.

It was commented that Peachland is the only municipality that has a foreshore lease of its entire foreshore on Okanagan Lake.

Mayor Reid thanked Doris for her presentation.

ADOPTION OF THE MINUTES

ADOPT MINUTES MOVED by Councillor Condon, SECONDED by Councillor Hallberg:

THAT the minutes of the Regular Council meeting held August 12, 2008 be adopted as circulated.

CARRIED.

COMMITTEE & STAFF REPORTS

**DEPARTMENT
MONTHLY
REPORTS**

MOVED by Councillor Hallberg, SECONDED by Councillor Moritz:

THAT the following Department Reports for August 2008, be received:

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

CARRIED.

**CURLING CLUB
LEASE**

CAO Elsie Lemke presented a report requesting direction for the Peachland Curling Club Lease. June 30, 2008 commencement of construction is required to be underway, in order for the lease to continue. July 31, 2008 Peachland Curling Club requested an extension of 445 days to September 19, 2009, for commencement of construction.

MOVED by Councillor Hallberg, SECONDED by Councillor Fraser:

THAT Council extend the lease Agreement with Peachland Curling Club until September 19, 2009.

Councillor Condon proposed to table the motion and request that The Peachland Curling Club be invited to the September 23, 2008.

MOTION

THAT Council table the motion that Council extend the lease Agreement with Peachland Curling Club until September 23, 2008 Regular Council Meeting; and

THAT the Peachland Curling Club are invited to attend the September 23, 2008 Regular Council Meeting to explain the reasons why the Curling Club requires an extension for commencement of construction.

CARRIED.

**BUILDING CANADA
FUND – BEACH AVE
ROADWAY AND
MULTI- USE
PATHWAY
IMPROVEMENTS**

CAO, Elsie Lemke presented a report recommending Council support the application to the Building Canada Fund Communities Component, Project Number 22708.

The Building Canada Fund-Communities Component (BCF-CC) was announced in late July, and the first intake of applications are due September 30th, 2008 The program provides for 2/3 grants from the Federal and Provincial governments for approved projects.

MOVED by Councillor Condon, SECONDED by Councillor Moritz:

THAT Council supports the application to the Building Canada Fund-Communities Component, Project Number 22708 as presented at the September 9, 2008 Regular Council Meeting; and further

THAT the municipal share of the eligible project costs and all the ineligible costs (\$1.13 million) will be secured partially by reserves (DCC reserves and non-DCC reserves) and partially by borrowing, which if required, will include an Alternate Approval Process or Referendum within 6 months of receiving BCF-CC approval for the project.

CARRIED.

**IN CAMERA
INFORMATION
RELEASE
PROPERTY
ACQUISITION**

CAO Elsie Lemke presented a Council Briefing in regards to In-Camera Information Release – Property Acquisition. Council authorized the purchase of a private property at 4440 – 5th Street in Peachland at their in-camera meeting in July. This property was the last remaining privately owned property in the block bounded by 5th and 6th Street, and Waldo Way and Highway 97. In December 2006, Council approved in principle, to dedicate the municipal land in this block to Seniors' Housing.

August 13, 2008 Peachland Seniors' Support Society met with Rich Coleman, Minister of Housing and Social Development, MLA Rick Thorpe and MLA Bill Barisoff, with regards to moving forward with a pilot project for small communities. The proposed pilot project is for Senior Housing including 50 unit non profit housing facility, a small respite hotel, a primary care facility and bathing facility.

As part of the agreement, the Vendors of the acquired property have the right to name a room in the proposed Seniors Non-Profit Housing Facility after the Oltmanns family name, when it is constructed.

**RESIGNATION
COUNCILLOR
JIM NIELSEN**

CAO Elsie Lemke presented Councillor Jim Nielsen's resignation letter. In accordance to s. 37.(2) of *Local Government Act* a local government may decide that a by-election is not to be held if the vacancy occurs after July 1 in the year of a general local election that will fill the office.

MOVED by Councillor Thorne, SECONDED by Councillor Fraser:

THAT Council accepts the resignation of Councillor Jim Nielsen effective October 1, 2008; and further

THAT a by-election is not to be held to fill the office.

CARRIED.
Councillor Hallberg OPPOSED

**ORDER OF
PROCEEDINGS
AND BUSINESS**

CAO Elsie Lemke presented a report recommending that a resolution be passed to change the order of business of Regular Council meetings, so that Question Period is held after Adjournment, from September 23, 2008 until but not including the inaugural Council meeting on December 2, 2008.

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT Council approve that all Regular Council meeting will not be

televised from September 23, 2008 until but not including the inaugural Council meeting on December 2, 2008; and further

THAT November 25, 2008 Regular Council Meeting be televised.

CARRIED.

**QUARTERLY
REPORT**

MOVED by Councillor Moritz, SECONDED by Councillor Fraser:

THAT Council receive the June 30, 2008 Quarterly report.

CARRIED.

**VARIANCE
PROCEDURES**

Director of Planning Dave Smith presented a report providing clarification regarding the requirements for approving or denying variances, that Council requested at the August 12, 2008 Regular Council meeting.

**DEVELOPMENT
VARIANCE PERMIT
DVP08/10,008**

Director of Planning Dave Smith presented a report that originally went before Council on August 12, 2008 when Council tabled the the recommendation to deny DVP08/10,008 pending more information.

The original report dated July 25, 2008 recommended that Council deny Development Variance Permit DVP08/10,008 for 5385 Buchanan Road, to vary the R1 (Single Family Residential) zone front yard setback regulation from 6.0m (20ft) to 1.5m (5ft) to allow for the extension of the roof on a current carport.

Staff is concerned that allowing a 75% variance to the Zoning Bylaw may be viewed as setting a precedent for future front yard setback variance applications in Peachland. This is a variance from 6.0m (20ft) to 1.5m (5ft).

MOVED by Councillor Hallberg, SECONDED by Councillor Thorne:

THAT Council deny Development Variance Permit DVP08/10,008 for Lot A, Plan 19335, DL 449 located at 5385 Buchanan Road, to vary the R-1 Single Family zone front yard setback regulations from 6.0m (20ft) to 1.5m (5ft) to allow for the extension of the roof on a current carport.

CARRIED.

Councillor Moritz OPPOSED
Councillor Condon OPPOSED

MAYOR & COUNCILLORS' REPORTS

**COUNCILLOR
MORITZ**

Councillor Moritz reported that a new Medical Clinic has opened on Beach Ave. Councillor Moritz announced that he will not be running in 2008 Municipal Election.

COUNCILLOR THORNE Councillor Thorne thanked Councillor Moritz for the past 6 years on Council.

COUNCILLOR FRASER Councillor Fraser also thanked Councillor Moritz for the past 6 years on Council. Councillor Fraser announced that she will be running for Council in the 2008 Municipal Election.

COUNCILLOR HALLBERG Councillor Hallberg was the Acting Mayor at the Fall Fair and reported it was a great success.

COUNCILLOR CONDON No report

MAYOR REID No report

CORRESPONDENCE

TRADE INVESTMENT AND LABOUR MOBILITY AGREEMENT MOVED by Councillor Condon, SECONDED by Councillor Thorne:
THAT the Trade Investment and Labour Mobility Agreement from Lidstone, Young and Anderson Barristers & Solicitors be received for information.

CARRIED.

OTHER BUSINESS

IN CAMERA MTGS. MOVED by Councillor Condon, SECONDED by Councillor Hallberg:
THAT an In Camera Meeting be held Tuesday September 23, 2008 at 1:00 p.m. pursuant to Sec. 90(1)(E) [Land] of the *Community Charter*.

CARRIED.

QUESTION PERIOD

NIL

ADJOURNMENT MOVED by Councillor Condon:
THAT the Regular Council Meeting adjourn at 8:07 p.m.

CARRIED.

(Originals are signed by the Mayor and Corporate Officer)

Certified Correct.

Mayor

Corporate Officer