

## Parks & Recreation Master Plan Steering Committee Meeting

Held at City of Penticton, Committee Room A  
171 Main Street, Penticton, B.C.

Monday, April 30, 2018  
at 6:00 p.m.

**Present:** Andrew Jakubeit, Mayor  
Judy Sentes, Councillor  
Ron Ramsay, Chair  
Doug Gorcak, Penticton School District Representative  
Ezra Cremers, Organized Field Sport Representative  
Roland Curnow, Organized Field Sport Representative  
Adolf Steffen, Development Community Representative  
Peter Dooling, Member at Large  
Gary Denton, Member at Large

**Staff:** Len Robson, Public Works Manager  
Anthony Haddad, Director of Development Services  
Peter Weeber, Chief Administrative Officer  
Laurie Darcus, Director of Corporate Services  
Lorraine Witowski, Corporate Committee Secretary

**Guest:** Colin Stewart, Barrister & Solicitor

### 1. Call to Order

The Parks & Recreation Master Plan Steering Committee was called to order by the Chair at 6:02 p.m.

### 2. Adoption of Agenda

It was **MOVED** and **SECONDED**

THAT the Parks & Recreation Master Plan Steering Committee adopt the agenda for the meeting held on April 30, 2018 as amended (refer to Item 5.1)

**CARRIED UNANIMOUSLY**

### 3. Adoption of Minutes

3.1 Minutes of the February 7, 2018 Parks & Recreation Master Plan Steering Committee Meeting

**It was MOVED and SECONDED**

THAT the Parks & Recreation Master Plan Steering Committee adopt the minutes of the March 5, 2018 meeting as amended.

**CARRIED UNANIMOUSLY**

#### **4. Business Arising from prior meetings**

The Director of Development Services provided an overview of the process and the work the committee has done to date and reviewed the changes to zoning and policy.

##### **4.1 Park Dedication Bylaw Review**

The City's solicitor provided information on how municipalities can dedicate land or remove dedicated land pursuant to the *Community Charter*. Sections 29 and 30 of the *Community Charter* appear to serve two different purposes and would typically apply in two distinct situations:

- Section 29 Land dedicated by plan – Park land acquired directly from private property owners as a result of subdivision and is dedicated by plan; and
- Section 30 Land dedicated by bylaw – Real property owned by the municipality provides Council authority to dedicate land for park.

Section 27 of the Community Charter speaks to the disposal of park land. To remove dedicated land, it must go through the electoral process requiring approval of the electors by way of "referendum" or alternative approval process if land is dedicated by Section 29. The City's solicitor noted the definition of the term dispose is broad enough to include lease. A lease would require an electoral process and Council through the bylaw would establish a process to deal with the lease.

Discussion and questions followed. A question was asked on how this bylaw will change an outcome similar to what happened to Skaha Lake Park. The City's solicitor stated that under the proposed bylaw, Council would create an additional process that requires electoral approval.

Peter Dooling brought forth concerns regarding the definition of a 'public park' and 'unencumbered' and the lack of park protection in perpetuity. Mr. Dooling stated that he is strongly against lease and leaseholds on park land. Further discussion and questions ensued regarding sections of the proposed bylaw. Questions were addressed and amendments to the bylaw schedules were noted by staff.

Questions arose pertaining to LocoLanding and the Penticton golf course. The Mayor commented these additional parks need to be dealt with separately and noted there are recommendations in the master plan pertaining to these parks.

Discussion continued on the process for removing LocoLanding from designated park land to commercial. The City's solicitor stated if you are removing or dedicating a parcel of park land, it must go through an electoral process. LocoLanding has already been dedicated so it must go through the elector approval process. Following extensive discussion, the following motion was made:

**It was MOVED and SECONDED that the Parks & Recreation Master Plan Steering Committee recommend:**

**THAT Council adopt the Park Dedication Bylaw as presented.**

**CARRIED  
Adolf Steffen and Peter Dooling, Opposed**

#### 4.2 Park Land Protection and Use Policy

The Director of Development Services presented the proposed policy for recommendation and provided a review of the process involved in the development of the policy. The Chair requested that the policy and land classifications be added to the master plan as an appendix. Staff agreed to add that information to the master plan. Questions arose regarding where, in the policy, it deals with the procedure for existing lease renewals. Staff noted the sections contained in the policy regarding existing lease renewals. Peter Dooling suggested the definition of a lease be included in the policy and suggested the definition to read: A lease brings about entitlement interest in the land. Staff commented the definition of a lease could be added to the policy and the City solicitor recommended the following description: "A lessee would be entitled to an interest in the land". Staff agreed to add the definition to the policy. After the discussion, the following motion was made:

**It was MOVED and SECONDED that the Parks & Recreation Master Plan Steering Committee recommend:**

**THAT Council adopt the Park Land Protection and Use Policy as amended.**

**CARRIED UNANIMOUSLY**

#### 4.3 Master Plan Recommendation

The Director of Development Services reviewed the process to date. The Public Works Manager stated the consultant has met the contracted obligation.

Roundtable discussion followed on the proposed Parks and Recreation Master Plan. Mr. Dooling requested the definition of a public park (currently within the Plan) also be included in the Executive Summary stating the summary will be the most read portion of the master plan and should be well considered and fully descriptive. The committee was in agreement that the definition of a public park be inserted into the executive summary. Mr. Dooling requested additional time to review the master plan and made the following motion:

It was MOVED, No Seconder

That the Parks and Recreation Master Plan committee recommendation be deferred to the next meeting.

Mr. Dooling further suggested each committee members may wish to consider signing off on each page and section of the master plan. Following roundtable discussion, members were not in favor of that suggestion.

The Chair asked the committee if another meeting was necessary to review the final amendments to the master plan. It was suggested a sub-committee could review the final amendments. Ron Ramsay, Peter Dooling and Gary Denton volunteered to review the final master plan. It was unanimously agreed by the committee to authorize the sub-committee to review and approve the changes in the Executive Summary.

It was **MOVED** and **SECONDED** that the Parks & Recreation Master Plan Steering Committee recommend:

**THAT Council adopt the Parks and Recreation Master Plan as amended, those amendments to include editing of the Executive Summary by Ron Ramsay, Peter Dooling and Gary Denton.**

**CARRIED UNANIMOUSLY**

5. **New Business**

5.1 **LocoLanding Lease**

Gary Denton made the following statement to the committee:

“Although I personally approve of LocoLanding’s operation in this location and have stated my support both at the Parks & Recreation Master Plan Steering Committee and in a letter to City Council, I believe that any lease extension, in a park should at least be referred to the parks committee. The City Council should respect the intention of the Parks and Recreation Master Plan that they and the Steering Committee have been working on since the process began in March 2016. There are ways to process and eventually approve this request without creating a significant precedent of allowing commercial use of public park land. LocoLanding must be recognized as an exception and/or the land they occupy be rezoned for commercial use.”

Roland Curnow asked the question if the business were to shut down, what would happen to the land designation. The City solicitor stated the land would remain park.

6. **Council Outcome**

2018 Council Outcome was received for information.

7. **Next Meeting**

No further meeting to be scheduled.

8. **Adjournment**

The Chair thanked staff and council for the past three years of work and support including all committee members and public. The Chair acknowledged all the hard work from the previous Parks Supervisor and Recreation Manager and Sharon Devlin for her extensive work on the committee.

**It was MOVED and SECONDED**

**That the Parks & Recreation Master Plan Steering Committee adjourn the meeting held on Monday, April 30, 2018 at 7:53 p.m.**

**CARRIED UNANIMOUSLY**

Certified Correct:



Lorraine Witowski  
Corporate Committee Secretary