Minutes

Regular Council Meeting
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, September 8, 2015
Following the Public Hearing at 6:00 p.m.

Present: Mayor Jakubeit
         Councillor Konanz
         Councillor Martin
         Councillor Picton
         Councillor Watt
         Councillor Sayeed
         Councillor Sentes

Staff:   Eric Sorensen, City Manager
         Dana Schmidt, Corporate Officer
         Colin Fisher, Chief Financial Officer
         Blake Laven, Planning Manager
         Lori Mullin, Acting GM Recreation Services
         Mitch Morozuk, Director of Operations
         Simone Blais, Communications Officer
         Angie Collison, Deputy Corporate Officer

1. Call to Order

   The Mayor called the Regular Council meeting to order at 6:51 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

   442/2015
   It was MOVED and SECONDED
   THAT Council adopt the agenda for the Regular Council meeting held on September 8, 2015
   as presented.
   CARRIED UNANIMOUSLY

4. Adoption of Minutes

   4.1 Minutes of the August 17, 2015 Public Hearing

   443/2015
   It was MOVED and SECONDED
   THAT Council receive the minutes of the August 17, 2015 Public Hearing as presented.
   CARRIED UNANIMOUSLY
4.2 Minutes of the August 17, 2015 Regular Council Meeting

444/2015

It was MOVED and SECONDED
THAT Council adopt the minutes of the August 17, 2015 Regular Council Meeting as amended.

CARRIED UNANIMOUSLY

5. Presentations

5.1 Proclamation – Prostate Cancer Awareness Month
Re: September 2015

Mayor Jakubeit proclaimed September 2015 as “Prostate Cancer Awareness Month” in the City of Penticton.

6. Delegations

6.1 Lee Keller
Re: Wine in Grocery Stores

Mr. Keller and other local liquor store owners requested that Council pass a bylaw that regulates the proximity of liquor outlets.

Council agreed by consensus that staff will meet with concerned parties and report back with options.

6.2 James Palanio
Re: Speed Control on Lee Avenue

Mr. Palanio presented a neighbourhood petition requesting speed controls on Lee Avenue.

Council agreed by consensus that staff bring back options to address speeding on Lee Avenue.

7. Reconsideration of Bylaws and Permits

7.1 Zoning Amendment Bylaw No. 2015-45
Re: 2922 Wilson Street

445/2015

It was MOVED and SECONDED
THAT Council approve changing the zoning from RD1 to RM2 and deny the variances for 2922 Wilson Street.

DEFEATED
Mayor Jakubeit, Councillors Konanz, Sentes, Martin, Opposed

446/2015

It was MOVED and SECONDED
THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2015-45”.

CARRIED
Councillors Sayeed, Watt, Picton, Opposed
447/2015

It was MOVED and SECONDED  
THAT Council adopt “Zoning Amendment Bylaw No. 2015-15”.  
CARRIED UNANIMOUSLY

8. Staff Reports

8.1 Development Variance Permit PL2015-034  
Re: 163 – 321 Yorkton Avenue (Garage)

Delegations/Submissions:
- Marilyn Bishop, Yorkton Avenue, originally spoke against the DVP, has since found out more information and is no longer opposed.

448/2015

It was MOVED and SECONDED  
THAT Council approve “Development Variance Permit PL2015-034” for Lot 1, District Lot 189, Similkameen Division Yale District, Plan 9211 located at #163-321 Yorkton Avenue, a permit to vary the following provisions of Mobile Home Park Bylaw 92-21:  
- Decrease the minimum side yard setback of 1.5m to 0.8m for the location of a garage  
- Increase the number of accessory buildings from one to two  
- Increase the height of an accessory building from 2.5m to 3.7m and increase the size of an accessory building from 10m² to 32m²;  
AND THAT staff be directed to issue “Development Variance Permit PL2015-034”.  
CARRIED UNANIMOUSLY

8.2 Budget Transfer – Cast Iron Water Main Cleaning and Inspection to Geographic Information System Development of the Water Infrastructure

449/2015

It was MOVED and SECONDED  
THAT Council amend the 2015 budget to reallocate the balance of $233,933.37 from work order CAP40014-001 Cast Iron Water Main Cleaning and Inspection to a new work order for the purpose of implementing a Water Utility GIS.  
CARRIED UNANIMOUSLY

8.3 Downtown Economic Incentive Zone (EIZ) Amendment Bylaw No. 2015-47

450/2015

It was MOVED and SECONDED  
THAT Council approve a textual amendment to Schedule A of the Downtown Economic Investment Zone Bylaw No. 2014-04 to correct a typographical error in the original drafting and replace the “Term of Tax Exemption” for Grocery Store from 20 years to 10 years;  
AND THAT Council gives first, second and third reading to the “Downtown Economic Investment Zone Amendment Bylaw No. 2015-47”.  
CARRIED UNANIMOUSLY
8.4 OCP Amendment Bylaw No. 2015-48 and Zoning Amendment Bylaw No. 2015-49
Re: 476 Lakeshore Drive West

451/2015

It was MOVED and SECONDED
THAT prior to consideration of the bylaw and in accordance with Section 879 of Local Government Act, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies.

AND THAT it is determined that the Public Hearing is sufficient consultation; AND THAT “OCP Amendment Bylaw No. 2015-48”, being a bylaw to amend “OCP Bylaw 2002-20” changing the OCP designation on Lot 1, District Lot 4, Group 7, Similkameen Division Yale District, Plan 2689, located at 476 Lakeshore Drive W, shown as Attachment ‘C’ of this report, from LR (Low Density Residential) to MFLD (Multi Family Low Density) be given first reading and be forwarded to the September 28, 2015 Public Hearing;

THAT “Zoning Amendment Bylaw No. 2015-49”, a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 1, District Lot 4, Group 7, Similkameen Division Yale District, Plan 2689, located at 476 Lakeshore Drive W, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) with a site specific zoning amendment to increase the maximum density from 0.75 FAR to 0.85 FAR, be given first reading and be forwarded to the September 28, 2015 Public Hearing;

THAT Council support “Development Variance Permit PL2015-047” for Lot 1, District Lot 4, Group 7, Similkameen Division Yale District, Plan 2689, located at 476 Lakeshore Drive W, a permit to reduce the minimum interior yard setback from 3.0m to 2.2m for the principal building and from 3.0m to 1.5m for an accessory building, to reduce the minimum rear yard setback from 6m to 1.5m for an accessory building and to increase the maximum lot coverage on the site from 40% to 42%;

AND THAT delegations and submissions be heard for “Development Variance Permit PL2015-047” during the September 28, 2015 Public Hearing;

AND THAT staff are directed to issue DVP PL2015-047, subject to adoption of “Zoning Amendment Bylaw No. 2015-49”.

CARRIED UNANIMOUSLY

8.5 Zoning Amendment Bylaw No. 2015-50 and DVP PL2015-051
Re: 619 & 631 Burns Street

452/2015

It was MOVED and SECONDED
THAT “Zoning Amendment Bylaw No. 2015-50”, a bylaw to amend Zoning Bylaw 2011-23 to rezone a portion of Lot 18, Block 29, District Lot 202, Similkameen Division Yale District, Plan 755, located at 619 Burns Street, from RD2 (Duple Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the September 28, 2015 Public Hearing;

THAT Council approve “Development Variance Permit PL2015-051” for Lot 18, Block 29, District Lot 202, Similkameen Division Yale District, Plan 755, located at 619 Burns Street, a
permit to reduce the lot width from 13m to 9.5m and to reduce the lot area from 390m2 to 290m2; 
AND THAT Council approve “Development Variance Permit PL2015-051” for Lot 17, Block 29, 
District Lot 202, Similkameen Division Yale District, Plan 755, located at 631 Burns Street, a 
permit to reduce the interior setback from 3.0m to 1.2m and to reduce the lot area from 
670m2 to 565m2, in order to facilitate a lot line adjustment, while retaining one developable 
lot for duplex housing, 
AND THAT staff are directed to issue “DVP PL2015-051”, subject to adoption of “Zoning 
Amendment Bylaw No.2015-50”.

CARRIED UNANIMOUSLY

8.6 Municipal Insurance Association (MIA) of BC 
Re: Appointment of Voting Delegates

453/2015

It was MOVED and SECONDED 
THAT Council appoint Mayor Andrew Jakubeit as the Voting Delegate for the Municipal 
Insurance Association of BC;

AND THAT Council appoints Councillor Helena Konanz and Chief Administrative Officer 
Eric Sorensen as Alternate Delegates for the Municipal Insurance Association;

AND THAT Council appoints Colin Fisher, Chief Financial Officer for the City of Penticton, as 
primary contact with the Municipal Insurance Association.

CARRIED UNANIMOUSLY

8.7 City Audit Proposals

454/2015

It was MOVED and SECONDED 
THAT Council appoint BDO Canada LLP as the City’s Auditor for a 3 year term with the option 
to extend the Service Agreement for up to two (2) additional years, on one-year increments.

CARRIED UNANIMOUSLY

8.8 Banking Services Agreement

455/2015

It was MOVED and SECONDED 
THAT Council approve the renewal of the current Banking Services Agreement with 
Valley First Credit Union;

AND THAT Council authorize the Mayor and Corporate Officer to execute the 
renewal.

CARRIED UNANIMOUSLY

9. Correspondence

9.1 RDOS 
Re: Prevention of Quagga/Zebra Mussels entering Waterways

456/2015

It was MOVED and SECONDED 
THAT Council receive the letter dated August 20, 2015 from the RDOS requesting member 
municipalities consider endorsement and provide inventories to be included in overall South 
Okanangan inventory of Quagga/Zebra signage; AND THAT Council direct staff to provide 
signage inventory.

CARRIED UNANIMOUSLY
9.2 Petition – 500 block of Braid Street  
Re: Resident Parking Permit Program

457/2015  
It was MOVED and SECONDED  
THAT Council refer to staff the petition requesting residential parking permit program for the 500 block of Braid Street.  
CARRIED UNANIMOUSLY

10. Committee and Board Reports

10.1 Arts, Creative and Cultural Innovations Committee meeting of August 13, 2015

458/2015  
It was MOVED and SECONDED  
THAT Council receive the minutes of the Arts, Creative and Cultural Innovations Committee meeting of August 13, 2015.  
CARRIED UNANIMOUSLY

10.2 Heritage and Museum Committee meeting of August 20, 2015

459/2015  
It was MOVED and SECONDED  
THAT Council receive the minutes of the Heritage and Museum Committee meeting of August 20, 2015.  
CARRIED UNANIMOUSLY

460/2015  
It was MOVED and SECONDED  
THAT Council direct staff to include $8,000 for consideration in the 2016 Parks Capital Budget for four (4) historical information signs to be located at the Three Mile Log Chute, KVR Trail by Riddle Road, Poplar Grove trail head and the Rose Garden.  
CARRIED UNANIMOUSLY

10.3 Tourism Development Task Force meeting of August 20, 2015

461/2015  
It was MOVED and SECONDED  
THAT Council receive the minutes of the Tourism Development Task Force meeting of August 20, 2015.  
CARRIED UNANIMOUSLY

Councillor Sayeed declared a conflict of interest and left the meeting at 8:11 p.m.

462/2015  
It was MOVED and SECONDED  
WHEREAS the City was incorporated on April 30, 1948; AND WHEREAS the City celebrates Canada Day and BC Family Day; NOW THEREFORE BE IT RESOLVED THAT Council support the Festival & Events Committee’s recommendations to celebrate Penticton’s birthday in the month of April in partnership with local nonprofits such as the Downtown Penticton Association, Rotary Club and the South Okanagan Immigrant and Community Services; AND THAT Canada Day and BC Family Day events continue in the previous format.  
CARRIED

Councillor Martin, Opposed

Councillor Sayeed returned to the meeting.
It was MOVED and SECONDED
THAT Council direct staff to amend the grant application process for the 2017 grant cycle to prepare applicants for the addition and completion of the STEAM questionnaire in order to provide valuable economic and tourism information to the Penticton Hospitality Association and Tourism Penticton.

CARRIED UNANIMOUSLY

10.4 Waterfront Revitalization Sub-committee meeting of August 25, 2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Waterfront Revitalization Sub-Committee meeting of August 25, 2015.

CARRIED UNANIMOUSLY

10.5 Downtown Revitalization Sub-committee meeting of August 27, 2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Downtown Revitalization Sub-Committee meeting of August 27, 2015.

CARRIED UNANIMOUSLY

11. Notice of Motion

12. Other Business

Notice of Motion presented by Mayor Jakubeit at the August 17, 2015 Council Meeting:

It was MOVED and SECONDED

WHEREAS, the time has come to renew our vision for parks in the City of Penticton;

WHEREAS, a Parks Master Plan is a guiding document that helps articulate how to achieve the vision for parkland and green space;

WHEREAS, master plans are best founded on significant consultation with the community:

NOW, THEREFORE BE IT RESOLVED:

THAT Council direct staff to initiate a Parks and Recreation Master Plan process;

THAT Council direct staff to develop terms of reference for the master plan process;

THAT Council direct staff to undertake broad-based public engagement as part of the Parks and Recreation Master Plan process; and

THAT Council direct staff to draft terms of reference for the proposed Parks Master Plan Select Committee.

CARRIED UNANIMOUSLY
13. RDOS Update

14. Business Arising from In-Camera

15. Media and Public Question Period

16. Adjournment

468/2015

It was MOVED and SECONDED
THAT Council adjourn the Regular Council meeting held on Tuesday, September 8, 2015 at 8:44 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Dana Schmidt
Corporate Officer

Confirmed:

Andrew Jakubelt
Mayor