Minutes

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

Monday, December 7, 2015
at 6:00 p.m.

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

Staff:    Eric Sorensen, Chief Administrative Officer
         Dana Schmidt, Corporate Officer
         Colin Fisher, Chief Financial Officer
         Jules Hall, Director of Development Services
         Lori Mullin, Recreation and Culture Manager
         Mitch Morozziuk, General Manager Infrastructure
         Simone Blais, Communications Officer
         Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 6:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

568/2015

It was MOVED and SECONDED
THAT Council adopt the agenda for the Regular Council meeting held on December 7, 2015
as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the November 16, 2015 Committee of the Whole

569/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the November 16, 2015 Committee of the Whole as
presented.

CARRIED UNANIMOUSLY
4.2  Minutes of the November 16, 2015 Regular Council Meeting

570/2015

It was MOVED and SECONDED
THAT Council adopt the minutes of the November 16, 2015 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

4.3  Minutes of the November 30, 2015 Special Council Meeting

571/2015

It was MOVED and SECONDED
THAT Council adopt the minutes of the November 30, 2015 Special Council Meeting as presented.

CARRIED UNANIMOUSLY

5.  Presentations

5.1  “Vibrant Winter” – holiday card and exhibit

The City of Penticton sends seasonal greeting cards each year, a call for artists was issued this fall seeking artwork depicting the theme of “Vibrant Winter”. Twenty-five submissions from seven artists were received by the deadline. Selection was overseen by Arts, Creative and Cultural Innovations Committee members, who unanimously endorsed a submission called “Garden Beauty” by Brenda Campbell – an image of Penticton’s Rose Garden covered in a lovely layer of snow. All the artists and photographers who submitted pieces will be invited to take part in a “Vibrant Winter” exhibit in Council Chambers at City Hall. The exhibit is organized by the Shatford Centre Okanagan School of the Arts.

6.  Delegations

6.1  Community Foundation of the South Okanagan Similkameen
Re: 2015 Vital Signs Report

Aaron McRann, Community Foundation of the South Okanagan Similkameen, provided Council with an overview of the 2015 Vital Signs Report.

6.2  Dementia Friendly Communities Initiative

Cpt Tim Leslie, Salvation Army, provided Council with an overview of their plans to make Penticton a dementia friendly community.

7.  Reconsideration of Bylaws and Permits

7.1  Development Procedures and Delegation Amendment Bylaw No. 2015-55
Re: Strata Conversion Applications

572/2015

It was MOVED and SECONDED
THAT Council adopt “Development Procedures and Delegation Amendment Bylaw No. 2015-55”.

CARRIED UNANIMOUSLY
8. **Staff Reports**

8.1 **Liquor-Primary Licence Permanent Amendment Application**
Re: Mile Zero Wine Bar – 200 Ellis Street

Delegations/Submissions:
- Nil

573/2015

**It was MOVED and SECONDED**
THAT Council recommends to the Liquor Control and Licensing Branch (LCLB) that it supports the application from Mile Zero Wine Bar located at 200 Ellis Street for a Permanent Amendment (structural change) to increase:
- interior occupant load from 30 to 60 people; and
- hours of service from 11:00am to 11:00pm to 11am to 12:00am (midnight), Sunday to Saturday.

CARRIED UNANIMOUSLY

8.2 **Development Variance Permit PL007557**
Re: 468 Pickering Street

Delegations/Submissions:
- Nil

574/2015

**It was MOVED and SECONDED**
THAT Council approve “Development Variance Permit PL007557”, for Lot 23, Block B, District Lot 202, Similkameen Division Yale District, Plan 1041, located at 468 Pickering Street, a permit to allow for vehicular access from the front of the building, along Pickering Street, in order to build a front-to-back duplex; AND THAT staff be directed to issue “Development Variance Permit PL007557”.

CARRIED UNANIMOUSLY

8.3 **Development Variance Permit PL 2015-087**
Re: 190 Middle Bench Road South

Delegations/Submissions:
- Brad Elenko, agent for applicant, confirmed that Council received the four letters of support.

575/2015

**It was MOVED and SECONDED**
THAT Council approve “Development Variance Permit PL2015-087” for that part of Lot 41 shown red on Plan B3087 District Lot 188 Similkameen Division York District Plan306, located at 190 Middle Bench Road South, a permit to reduce the minimum lot area from 2ha (5acres) to 0.35 ha (0.9 acres), to increase the maximum lot coverage for residential buildings from 10% to 15% and to reduce the minimum interior yard setback for an accessory building from 4.5m to 1.5m; AND as a condition of approval that, a minimum 3m buffer between the property line and the agriculture use, as shown on Attachment ‘G’, be erected; AND THAT staff be directed to issue “Development Variance Permit PL2015-087”.

CARRIED UNANIMOUSLY
8.4 Development Permit PL2015-086 & Development Variance Permit PL2015-085
Re: 265 Orchard Avenue

Delegations/Submissions:
- Nil

576/2015

It was MOVED and SECONDED
THAT Council approve “Development Permit PL2015-086 for Lot 11, Block A, District Lot 4, Group 7 Similkameen Division Yale District, Plan 853, located at 265 Orchard Avenue, a development permit for the construction of a front-to-back duplex with the required parking coming from the lane;
AND THAT Council approve “Development Variance Permit PL2015-085” Lot 11, Block A, District Lot 4, Group 7 Similkameen Division Yale District, Plan 853, located at 265 Orchard Avenue, a development variance permit to allow for a front yard setback reduction from 4.5m to 3.5m; AND THAT staff are directed to issue both the Development Permit and Development Variance Permit, upon Council approval.

CARRIED UNANIMOUSLY

8.5 Zoning Amendment Bylaw No. 2015-61, DVP PL2015-077, DP PL2015-078
Re: 511 Forestbrook Drive

577/2015

It was MOVED and SECONDED
THAT “Zoning Amendment Bylaw No. 2015-61”, a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the January 18, 2016 public hearing; AND THAT prior to adoption of the bylaw, a 3m x 3m road dedication (corner cut) at the intersection of the two lanes adjacent to 511 Forestbrook be registered with the Land Title Office; AND THAT Council provide an opportunity for delegations and submissions at the January 18, 2016 Public Hearing for “Development Variance Permit PL2015-077” for Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, a permit to reduce the required number of parking stalls from eight to four, reduce the rear yard setback from 6.0m to 3.6m, and reduce the interior side yard (east) setback from 3.0m to 1.5m; AND THAT Council support “Development Permit PL2015-078” for Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, a permit to allow for the construction of two duplexes, with a secondary suite per principal unit, for a total of eight units on the lot. AND THAT staff are directed to issue the permit subject to the adoption of “Zoning Amendment Bylaw 2015-61”.

CARRIED UNANIMOUSLY

8.6 Solid Waste and Recycle Collection
Re: Survey Results and Cart Program Update

578/2015

It was MOVED and SECONDED
THAT after reviewing the residential curbside needs and feedback received from the Garbage and Recycling Survey Council approve the proposed design of the Solid Waste & Recycle Collection Cart program as contained in this Council Report; AND THAT it include yard waste collection;
AND FURTHER THAT within the second quarter of 2016, staff prepare the required Fees and Charges and Solid Waste Collection Bylaw changes for Council’s consideration.

CARRIED UNANIMOUSLY

8.7 Backyard Hen Pilot Program Update

It was MOVED and SECONDED
THAT Council extends TUP 2014-026, a permit allowing for backyard hens on 12 properties within the City of Penticton, for an additional 6 months (ending in May 2016);
AND THAT Council direct staff to include regulations for the keeping of ‘urban hens’ on a city wide basis in the next Zoning Bylaw revision, scheduled for early 2016.

CARRIED UNANIMOUSLY

8.8 2016 – 2020 Utility Rate Increases
Re: Fees and Charges Amendment Bylaw No. 2015-60

580/2015

It was MOVED and SECONDED
THAT the November 2015 City of Penticton Utility Rate Review Report as presented by Andrew McLaren of Intergroup Consultants Ltd., whose Executive Summary is included as Attachment “A” and whose entire report is available in the Councilor area and on line be received and accepted;
AND THAT after receiving public comment as contained in this report Council adopt the following recommendations that flow from the Report:
1. Ensure Utility Rates are sufficient to maintain at least minimum reserve balance in each year;
2. Ensure Utility Rates are sufficient to recover full utility revenue requirements including an average annual capital program by 2020;
3. Phase-in changes to Administration Fees and Electric Utility Dividend by 2020;
4. Target Utility Rates for each rate class equal to the cost of service by 2020;
5. Implement a new Sanitary Sewer Rate structure based on treated water use in 2017;
6. Implement monthly billing for water, sanitary sewer and electrical;
7. Do not adopt an Institutional Utility Rate;
8. Do not implement an increasing block rate structure for residential electrical rates and water use;
9. Finance a portion of major expansions and upgrades in Utility Capital Programs with long-term debt in order to smooth out the required rate increases;
10. Accept the 2016 – 2020 Utility Rates as contained in Attachment “B”;
11. Review Utility expenses and revenues in 2019 and make any adjustments as required to ensure rates continue to fairly reflect the cost to serve each customer class;
12. Undertake future detailed rate studies every 3 to 5 years and set forward looking Utility rates to provide customers with some predictability on utility costs;
13. In 2016 examine implementing a second monthly basis charge for all utilities where there are secondary suites; and
14. Rescind the Electric Utility Rate Policy as contained in Attachment “C” and consider changes to Utility Rates as part of the annual budget process.

AND FURTHER THAT Council give 1st, 2nd and 3rd Reading to Bylaw 2015-60, as contained in Attachment “D”, a bylaw to amend Fees and Charges Bylaw 2014-07 to set new Electric, Sanitary Sewer Electric Utility rates and fees.

CARRIED
Councilor Konanz, Opposed
8.9 Amendment to City FortisBC Supply of Electricity Wholesale Service Agreement

581/2015

It was MOVED and SECONDED
THAT Council approve the Amending Agreement as contained in Attachment “A” to remove and replace Appendix A to the December 1, 2013 “Agreement For The Supply of Electricity Wholesale Service” between FortisBC and the City of Penticton; AND THAT Council authorize the Mayor and Corporate Officer to execute the Amending Agreement.

CARRIED UNANIMOUSLY

8.10 Implementing Monthly Water Consumption Reading and Billing Cycles

582/2015

It was MOVED and SECONDED
THAT Council direct Staff to immediately commence a customer notice process with respect to the implementation of monthly water billing; AND THAT Council direct staff to implement a monthly reading and billing cycle for the Water Utility in sync with the current monthly reading and billing cycle of the Electric Utility in the 2016 billing year and endorse the updated Billing Policy.

CARRIED UNANIMOUSLY

8.11 Community Grants Program – Administration by the Community Foundation

583/2015

It was MOVED and SECONDED
THAT Council receive the “Community Grants Program - Administration by the Community Foundation” report for information.

DEFEATED

Mayor Jakubeit and Councillors Konanz, Picton, Martin, Opposed

8.12 Signing Officers and Banker

584/2015

It was MOVED and SECONDED
THAT Council defer discussions outlined in the report titled “Community Grants Program – Administration by the Community Foundation” to the second meeting in January 2016.

CARRIED

Councillors Watt, Sayeed, Sentes, Opposed
as signing officers for memberships 727214 and 1319244 (City of Penticton) for the calendar year ended December 31, 2015 and subsequent years until changed; AND THAT Council approve

- Colin Fisher, Chief Financial Officer, City of Penticton
- Angela Campbell, Controller, City of Penticton
- Eric Sorensen, Chief Administrative Officer, City of Penticton
- Carla Relvas, Director of Finance, South Okanagan Events Centre
- Dean Clarke, General Manager, South Okanagan Events Centre
- Kevin Webb, SOEC Director of Events, South Okanagan Events Centre
- Paul O’Beirn, PTCC Director of Sales, Penticton Trade and Convention Centre

as signing officers for membership 727313 (South Okanagan Events Centre) for the calendar year ended December 31, 2015 and subsequent years until changed.

CARRIED UNANIMOUSLY

9. Correspondence

9.1 BCLC – Proposed relocation of Penticton Casino

9.2 Penticton – Ikeda Sister City Society

10. Committee and Board Reports

10.1 Agriculture Advisory Committee meeting of October 28, 2015

586/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Agriculture Advisory Committee meeting of October 28, 2015.

CARRIED UNANIMOUSLY

587/2015

It was MOVED and SECONDED
THAT Council receive the three recommendations made by the Agriculture Advisory Committee.

CARRIED UNANIMOUSLY

10.2 Community Sustainability Committee meeting of November 4, 2015

588/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Community Sustainability Committee meeting of November 4, 2015.

CARRIED UNANIMOUSLY

589/2015

It was MOVED and SECONDED
THAT Council refer the recommendation from the Community Sustainability Committee to approve allocating $10,000 from the Climate Action Revenue Incentive Program (CARIP) funds to the 2016 budget for urban street tree plantings to the 2016 budget process.

CARRIED UNANIMOUSLY

590/2015

It was MOVED and SECONDED
THAT Council refer the recommendation from the Community Sustainability Committee to allocate sufficient funds to staff to ensure that detailed CARIP reporting and carbon neutral accounting continues to the 2016 budget process.

CARRIED UNANIMOUSLY
10.3 Economic Development & Prosperity Task Force meeting of November 10, 2015

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Economic Development & Prosperity Task Force meeting of November 10, 2015.

CARRIED UNANIMOUSLY

10.4 Arts, Creative & Cultural Innovations Committee meeting of November 12, 2015

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Arts, Creative & Cultural Innovations Committee meeting of November 12, 2015.

CARRIED UNANIMOUSLY

10.5 Transportation Advisory Committee meeting of November 17, 2015

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Transportation Advisory Committee meeting of November 17, 2015.

CARRIED UNANIMOUSLY

10.6 Heritage and Museum Committee meeting of November 19, 2015

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Heritage and Museum Committee meeting of November 19, 2015.

CARRIED UNANIMOUSLY

10.7 Downtown Revitalization Committee meeting of November 26, 2015

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Downtown Revitalization Committee meeting of November 26, 2015.

CARRIED UNANIMOUSLY

**It was MOVED and SECONDED**

THAT Council support the enhanced LED light canopy option and directs staff to address the additional cost of $125,000 within the budget process accordingly.

CARRIED

Mayor Jakubeit and Councillors Konanz, Martin, Opposed

10.8 Tourism Development Task Force meeting of November 26, 2015

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Tourism Task Force meeting of November 26, 2015.

CARRIED UNANIMOUSLY
It wasMOVED and SECONDED
THAT Council approve funding in the amount of $1,800 towards the cost of the fireworks display for the July 1, 2016 Canada Day celebration and support a partnership with the Downtown Penticton Association to raise the additional funds required.

CARRIED UNANIMOUSLY

10.9 Penticton Creek Restoration Committee meeting of November 27, 2015

It wasMOVED and SECONDED
THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of November 27, 2015.

CARRIED UNANIMOUSLY

12. Notice of Motion

13. Other Business

14. RDOS Update

15. Business Arising from In-Camera

The following appointments were made to the City of Penticton Parks and Recreation Master Plan Steering Committee:

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<tr>
<th>Representing</th>
<th>Appointed</th>
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<tr>
<td>Penticton School District</td>
<td>Doug Gorcek</td>
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<td>Penticton Indian Band</td>
<td>Kevin Gabriel</td>
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<td>Organized Field Sport</td>
<td>Ezra Cremers</td>
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<td>Roland Curnow</td>
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<td>Special Event Group</td>
<td>Barb Hoolaeff</td>
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<td>Development Community</td>
<td>Adolf Steffen</td>
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<td>General public with interest in parks</td>
<td>James Palanio</td>
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<td>Peter Dooling</td>
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<td>Ron Ramsay</td>
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<td>Sharon Devlin</td>
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<tr>
<td>Council Representatives</td>
<td>Mayor Jakubeit &amp; Councillor Sentes</td>
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THAT Council reappoint Linda King, Wes Nickel, Ernie Ingles and Connie Redknap to the Penticton Public Library Board for the January 1, 2015 to December 31, 2017 term.

THAT Council appoint Drew Barnes to the Development Services Committee.

16. Media and Public Question Period
17. Adjournment

600/2015

It was MOVED and SECONDED
THAT Council adjourn the Regular Council meeting held on Monday, December 7, 2015 at
9:26 p.m.

CARRIED UNANIMOUSLY

Certified correct:

[Signature]
Dana Schmidt
Corporate Officer

Confirmed:

[Signature]
Andrew Jakubeit
Mayor