

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

Monday, April 20, 2015
Following the Public Hearing at 6:00 p.m.

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

Staff: Chuck Loewen, Acting City Manager
Dana Schmidt, Corporate Officer
Mitch Moroziuk, Director of Operations
Colin Fisher, Chief Financial Officer
Blake Laven, Planning Manager
Simone Blais, Communications Officer
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 7:33 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

222/2015

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on April 20, 2015 as circulated.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the April 7, 2015 Public Hearing

223/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the April 7, 2015 Public Hearing as corrected.

CARRIED UNANIMOUSLY

4.2 Minutes of the April 7, 2015 Regular Council Meeting

224/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the April 7, 2015 Regular Council Meeting as amended to include Councillor Picton declaring a conflict of interest with item 8.14.

CARRIED UNANIMOUSLY

5. **Presentations**

6. **Delegations**

6.1 Okanagan School of the Arts – Visioning Penticton Exhibit

Jane Shaak, Shatford Centre Okanagan School of the Arts, provided Council with an overview of recent events at Shatford Centre. Ms. Shaak introduced Larry Hunter, artist who's work called "Visioning Penticton" is now the exhibit hanging in Council Chambers.

6.2 Bylaw No. 88-76

Rick Hamilton, requested Council revise Bylaw 88-76 to remove drawbow from description list for "Firearms". Drawbows are strictly for competitive sport, not hunting. Events are held in a controlled environment in many other municipalities.

225/2015

It was MOVED and SECONDED

THAT Council direct staff to investigate removing drawbows from the Firearms Bylaw.

CARRIED UNANIMOUSLY

7. **Reconsideration of Bylaws and Permits**

7.1 Zoning Amendment Bylaw No. 2015-020

Re: 1473 Duncan Avenue East

226/2015

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2015-20";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2015-20".

CARRIED UNANIMOUSLY

7.2 Zoning Amendment Bylaw No. 2015-21

Re: 1028 Dynes Avenue

227/2015

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2015-21".

CARRIED UNANIMOUSLY

7.3 Official Community Plan Amendment Bylaw No. 2015-23
Re: SS Sicamous Master Plan

228/2015

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2015-23";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2015-23".

CARRIED UNANIMOUSLY

8. Staff Reports

Councillor Sentes declared a conflict of interest and left the meeting at 8:09 p.m.

8.1 Development Variance Permit PL2015-022
Re: 3957 Lakeside Road

Delegations/Submissions: James Brown, Skaha Lake Road, spoke in support of the Development Variance Permit.

229/2015

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2015-022" for Lot A, District Lot 190, Similkameen Division Yale District, Plan 26789, located at 3957 Lakeside Road, a permit to decrease the minimum required front yard from 6.0m to 5.5m, in order to construct a second storey on an existing home; AND THAT staff be directed to issue "Development Variance Permit PL2015-022".

CARRIED UNANIMOUSLY

Councillor Sentes returned to the meeting at 8:13 p.m.

8.2 Rocky Mountain Ridged Mussel Stewardship Agreement

Lora Nield, Senior Ecosystems Biologist, Ministry of Forests, Lands and Natural Resource Operations provided Council with an overview of the Stewardship Agreement outlining operational best management practices for the protection of Rocky Mountain Ridged Mussels.

230/2015

It was MOVED and SECONDED

THAT Council endorse entering into the 2015-2019 Stewardship Agreement for Rocky Mountain Ridged Mussel, as proposed by the Ministry of Forests, Lands and Natural Resource Operations Resource Management Division (Ecosystems) for Three Mile Beach Area as contained in Attachment "A"; AND THAT the Mayor be authorized to execute the 2015-2019 Stewardship Agreement for Rocky Mountain Ridged Mussel.

CARRIED UNANIMOUSLY

8.3 Section 57 Notice on Title and Injunctive Action
Re: 2385 Barnes Street and 2360 Government Street

The Planning Manager provided Council with an update regarding the meeting that was held with staff, legal counsel and both property owners on April 16, 2015. The two ownership groups agreed to resolve the matter by sharing the cost of a joint retaining wall design review to be completed by April 30th. Retaining wall work based on final design drawings to be commenced by the end of May. It is recommended that the Section 57 Notice on Title and further injunctive action be delayed until the final design and tendering review can be completed.

8.4 Zoning Amendment Bylaw No. 2015-24
Re: 325 Power Street

231/2015

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2015-24", a bylaw to add the use 'tourist accommodation' as a site specific use on Lot 1, Plan KAP58604, District Lot 2, Similkameen Division Yale District, Group 7, located at 325 Power Street;

AND THAT a public open house be held to elicit comment from the public prior to the Public Hearing.

CARRIED UNANIMOUSLY

8.5 Sport and Event Tourism Agreement
Re: Transfer of Funds to Tourism Penticton

232/2015

It was MOVED and SECONDED

THAT Council approve the Sport and Event Tourism Agreement with the Tourism Penticton Society; AND THAT Council approve the transfer of funds of \$55,000 from the 2015 Economic Development budget to the Tourism Penticton Society; AND FURTHER THAT Council authorize the Mayor and Corporate Officer to execute the Sport and Event Tourism Agreement on behalf of the City.

CARRIED UNANIMOUSLY

8.6 2015/2016 Conventional Transit Annual Operating Agreement

233/2015

It was MOVED and SECONDED

THAT Council authorize the Mayor and Corporate Officer to execute the 2015/2016 Annual Operating Agreement for the Conventional Transit System;

AND THAT the 2015 Conventional Transit Budget be amended to decrease the net municipal share by \$29,000 from \$911,675 to \$882,525.

CARRIED UNANIMOUSLY

8.7 2015/2016 Custom Transit Annual Operating Agreement

234/2015

It was MOVED and SECONDED

THAT Council authorize the Mayor and Corporate Officer to execute the 2015/2016 Annual Operating Agreement for the Custom Transit System.

CARRIED UNANIMOUSLY

8.8 Ecole Entre-Lacs Request

235/2015

It was MOVED and SECONDED

THAT Council refer the Ecole Entre-Lacs request to staff to develop a non-SD67 school rate pricing model and options.

CARRIED UNANIMOUSLY

8.9 Quarterly Update for period ending March 31, 2015

236/2015

It was MOVED and SECONDED

THAT Council receive the quarterly update on Council strategic priorities and staff departmental work plans for the period of January 1 to March 31, 2015, for information.

CARRIED UNANIMOUSLY

9. **Correspondence**

10. **Committee and Board Reports**

10.1 SOEC Select Committee Meeting of March 13, 2015

237/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the SOEC Select Committee Meeting of March 13, 2015.

CARRIED UNANIMOUSLY

10.2 Transportation Advisory Committee Meeting of March 24, 2015

238/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Transportation Advisory Committee Meeting of March 24, 2015.

CARRIED UNANIMOUSLY

10.3 Economic Development & Prosperity Task Force Meeting of March 30, 2015

239/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Economic Development & Prosperity Task Force Meeting of March 30, 2015.

CARRIED UNANIMOUSLY

11. **Notice of Motion**

12. **Other Business**

12.1 Revisit Item from the March 16, 2015 Regular Meeting of Council

Re: Item 8.8 Disconnect – Reconnect Fees

13. **RDOS Update**

14. Business Arising from In-Camera

*THAT Council direct staff to negotiate and complete the sale of a 63 m² portion of Lot 34, Plan 32668, municipally know as 285 Green Avenue E. to Cathy & Chris Terris for consolidation with their residential property located at 262 Greenwood Dr. at a transfer price of \$3,000, with survey and legal costs paid by the purchaser and a sales agreement including disclosure and indemnity for potential ground stability and contamination issues;
AND THAT the proposed disposition of City lands be advertised pursuant to Section 26 of the Community Charter;
AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the transfer documents.*

CARRIED

15. Media and Public Question Period

16. Adjournment

240/2015

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Monday, April 20, 2015 at 10:16 p.m.

CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor