

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

Monday, April 4, 2016
Following the Public Hearing at 6:00 p.m.

Present:	Mayor Jakubeit Councillor Konanz Councillor Martin Councillor Sayeed Councillor Sentes
Absent:	Councillor Watt Councillor Picton
Staff:	Eric Sorensen, Chief Administrative Officer Mitch Moroziuk, General Manager Infrastructure Dana Schmidt, Corporate Officer Colin Fisher, Chief Financial Officer Jules Hall, Director of Development Services Lori Mullin, Recreation and Culture Manager Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 8:45 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

143/2016

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on April 4, 2016 as amended and remove SILGA presentation.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the March 21, 2016 Committee of the Whole

144/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the March 21, 2016 Committee of the Whole meeting as presented.

CARRIED UNANIMOUSLY

4.2 Minutes of the March 21, 2016 Public Hearing

145/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the March 21, 2016 Public Hearing as presented.

CARRIED UNANIMOUSLY

4.3 Minutes of the March 21, 2016 Regular Council meeting

146/2016

It was MOVED and SECONDED

THAT Council adopt the minutes of the March 21, 2016 Regular Council meeting as presented.

CARRIED UNANIMOUSLY

5. Presentations

6. Delegations

7. Reconsideration of Bylaws and Permits

7.1 Zoning Amendment Bylaw No. 2016-09

Re: BC Wines in Grocery Stores

147/2016

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2016-09".

CARRIED

Councillors Sayeed and Sentes, Opposed

7.2 OCP Amendment Bylaw No. 2015-13

Re: 630 Munson Mountain Road (BMX)

148/2016

It was MOVED and SECONDED

THAT Council give second and third reading to "OCP Amendment Bylaw No. 2015-13";

AND THAT Council adopt "OCP Amendment Bylaw No. 2015-13".

CARRIED

Mayor Jakubeit, Opposed

7.3 Zoning Amendment Bylaw No. 2015-14

Re: 630 Munson Mountain Road (BMX)

149/2016

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2015-14";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2015-14".

CARRIED

Mayor Jakubeit, Opposed

7.4 Zoning Amendment Bylaw No. 2016-18

Re: 2959 Skaha Lake Road

150/2016

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2016-18".

CARRIED UNANIMOUSLY

8. Staff Reports

8.1 Development Variance Permit PL2016-7614 Re: 966 Vernon Avenue

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

- Robert Johnson, owner of 966 Vernon Avenue, thank you for consideration, won't cause interruptions to neighbourhood.

151/2016

It was MOVED and SECONDED

THAT Council approve Development Variance Permit 2016-7614, for Lot 10, District Lot 366, Similkameen Division Yale District, Plan 5419, located at 966 Vernon Avenue, a permit to decrease the minimum side yard setback for a carriage house from 1.5m to 1.35m, in order to support the conversion of a pre-existing garage into a carriage house;
AND THAT staff be directed to issue Development Variance Permit PL2016-7614.

CARRIED UNANIMOUSLY

8.2 Development Variance Permit PL2016-7618 Re: 1277 Commercial Way

Delegations/Submissions: Grant White, owner 1277 Commercial Way, asking for variance, was not told of water line upgrade requirement before purchasing property.

- John Green, realtor, spoke in support of the variance.

152/2016

It was MOVED and SECONDED

THAT Council approve the request to waive the requirement to upgrade the water line in Carmi Avenue along the frontage of the property (1277 Commercial Way) from 150mm to 200mm.

CARRIED UNANIMOUSLY

153/2016

It was MOVED and SECONDED

AND THAT Council approve Development Variance Permit PL2016-7618, a permit to reduce the required front yard setback on Carmi Avenue from 6.0m to 0.0m for the placement of metal storage containers and an electrical building, which is not to exceed 100m²;
AND THAT as a condition of approval, no containers are permitted to be placed in areas that will obstruct clear sightlines for vehicles entering or exiting the property; AND FURTHER THAT staff are directed to issue the permit.

CARRIED UNANIMOUSLY

8.3 Liquor-Primary Permanent Change Re: Fraternal Order of Eagles (4281) – 1197 Main Street

154/2016

It was MOVED and SECONDED

THAT Council recommends to the Liquor Control and Licensing Branch (LCLB) that it supports the application for a Liquor-Primary permanent change to include a licenced exterior patio for the Fraternal Order of Eagles (4281) located at 1197 Main Street with:

- hours of service from 12:00 pm (noon) to 10:00 pm (22:00hrs), and
- no music to be played on the patio.

CARRIED UNANIMOUSLY

8.4 Vacant Building Registration Permit Renewal

Re: 555 Wade Ave. E

155/2016

It was MOVED and SECONDED

THAT Council deny the request to renew the Vacant Building Registration Permit for 555 Wade Ave East, Lot 1, Plan 7142;

AND THAT Council declare, pursuant to the "Good Neighbour Bylaw No. 2012-5030", that the building alone on the Property is a hazard to the community within the meaning of the Good Neighbour Bylaw;

AND THAT Council declare, pursuant to Division 12 of Part 3 of the *Community Charter* that the Property as a whole (building, retaining wall, etc.) is a nuisance and/or in a hazardous condition and requires remedial actions to be completed by May 9, 2016;

AND THAT Council order the owners and any other owner or occupant of the Property with notice of this Order to remove the building, obtain an engineer's report on the retaining wall and remediate it accordingly, all in accordance with Division 12 — Remedial Action Requirements of the *Community Charter* as well as the concurrently running 30 days' notice requirement set out in the "Good Neighbour Bylaw No. 2012-5030" with respect to the building demolition;

AND THAT Council authorize staff to commence a proceeding in the British Columbia Supreme Court after the time for the owners' compliance has expired, to enforce the "Good Neighbour Bylaw No. 2012-5030" and the remedial action Orders by way of civil injunction.

CARRIED UNANIMOUSLY

8.5 Licence to Use – Greyback Construction

Re: 99 Lakeshore Drive West (Martin Street Extension)

156/2016

It was MOVED and SECONDED

THAT Council authorize a Licence to Use Agreement with Greyback Construction Ltd. for a 455 m² portion of the Martin Street Extension Parking Lot located at 99 Lake Shore Drive West for construction staging from April 1, 2016 to June 30, 2017 at a rate of \$750.00/month.

CARRIED UNANIMOUSLY

8.6 Summerland to Penticton Lakeshore Pathway Planning Study

157/2016

It was MOVED and SECONDED

THAT Council support the City of Penticton participating in a planning study for a Summerland to Penticton Multi-Use Lakeshore Pathway together with the District of Summerland, the RDOS, and the Ministry of Transportation;

AND THAT the maximum contribution from the City of Penticton to this study shall be \$13,333 representing the City's share of local governments financial contribution to this planning study to be shared equally with the District of Summerland and the RDOS;
AND THAT the 2016 Budget be amended to include the project at \$13,333 with funding coming from general capital reserves.

CARRIED UNANIMOUSLY

8.7 2016-2020 Five Year Financial Plan Amendment Bylaw No. 2016-17

158/2016

It was MOVED and SECONDED

THAT Council give first, second and third reading to "2016-2020 Five Year Financial Plan Amendment Bylaw No. 2016-17".

CARRIED UNANIMOUSLY

9. Correspondence

10. Committee and Board Reports

10.1 Community Sustainability Committee meeting of March 2, 2016

159/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Community Sustainability Committee meeting of March 2, 2016.

CARRIED UNANIMOUSLY

10.2 Transportation Advisory Committee meeting of March 15, 2016

160/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Transportation Advisory Committee meeting of March 15, 2016.

CARRIED UNANIMOUSLY

10.3 Heritage & Museum Committee meeting of March 17, 2016

161/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Heritage & Museum Committee meeting of March 17, 2016.

CARRIED UNANIMOUSLY

162/2016

It was MOVED and SECONDED

THAT Council direct staff to create a Street Naming Policy to include the policy recommendations and the Name Reserve List from the Heritage & Museum Committee as attached to the March 17, 2016 minutes.

CARRIED UNANIMOUSLY

10.4 Penticton Creek Restoration Committee meeting of March 18, 2016

163/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of March 18, 2016.

CARRIED UNANIMOUSLY

10.5 Agriculture Advisory Committee meeting of March 23, 2016

164/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Agriculture Advisory Committee meeting of March 23, 2016.

CARRIED UNANIMOUSLY

11. Notice of Motion

12. Other Business

13. RDOS Update

14. Business Arising from In-Camera

THAT Council appoint Paul Gardiner to the Agricultural Advisory Committee for the remainder of the term.

THAT Council appoint Camille Rivard-Sirous as the ONA representative to the Penticton Creek Restoration Committee.

THAT Council appoint Gary Denton to the Parks and Recreation Masterplan Steering Committee.

15. Media and Public Question Period

16. Adjournment

165/2016

It was MOVED and SECONDED

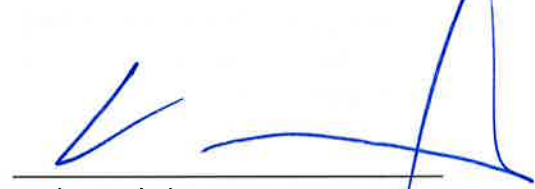
THAT Council adjourn the Regular Council meeting held on Monday, April 4, 2016 at 10:28 p.m.

CARRIED UNANIMOUSLY

Certified correct:


Dana Schmidt
Corporate Officer

Confirmed:


Andrew Jakubeit
Mayor