

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

Tuesday, December 6, 2016
at 1:00 p.m.

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

Absent: Councillor Sayeed (with notice)

Staff: Mitch Moroziuk, Acting Chief Administrative Officer
Dana Schmidt, Corporate Officer
Jim Bauer, Chief Financial Officer
Blake Laven, Acting Director of Development Services
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 1:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

521/2016

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on December 6, 2016 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:01 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:45 p.m.

6. Adoption of Minutes:

6.1 Minutes of the November 15, 2016 Committee of the Whole Meeting

522/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the November 15, 2016 Committee of the Whole meeting as presented.

CARRIED UNANIMOUSLY

- 523/2016 6.2 Minutes of the November 15, 2016 Regular Council Meeting
It was MOVED and SECONDED
THAT Council adopt the minutes of the November 15, 2016 Regular Council Meeting as presented.
CARRIED UNANIMOUSLY
- 524/2016 6.3 Minutes of the November 23, 2016 Special Council Meeting
It was MOVED and SECONDED
THAT Council adopt the minutes of the November 23, 2016 Special Council Meeting as presented.
CARRIED UNANIMOUSLY
- 525/2016 6.4 Minutes of the December 1, 2016 Special Council Meeting
It was MOVED and SECONDED
THAT Council adopt the minutes of the December 1, 2016 Special Council Meeting as presented.
CARRIED UNANIMOUSLY
- 7. Committee and Board Reports**
- 526/2016 7.1 Arts Creative & Cultural Innovations Committee Minutes of October 20, 2016
It was MOVED and SECONDED
THAT Council receive the minutes of the Arts Creative & Cultural Innovations Committee Meeting of October 20, 2016.
CARRIED UNANIMOUSLY
- 527/2016 7.2 Downtown Revitalization Sub-Committee Minutes of October 26, 2016
It was MOVED and SECONDED
THAT Council receive the minutes of the Downtown Revitalization Sub-Committee Minutes of October 26, 2016.
CARRIED UNANIMOUSLY
- 528/2016 7.3 SOEC Select Committee Minutes of November 4, 2016
It was MOVED and SECONDED
THAT Council receive the minutes of the SOEC Select Committee Minutes of November 4, 2016.
CARRIED UNANIMOUSLY
- 529/2016 7.4 Heritage & Museum Committee Minutes of November 10, 2016
It was MOVED and SECONDED
THAT Council receive the minutes of the Heritage & Museum Committee Minutes of November 10, 2016.
CARRIED UNANIMOUSLY
- 530/2016 **It was MOVED and SECONDED**
THAT Council support the name Hawthorn Drive for the new street being created from the subdivision of 2740 Evergreen Drive.
CARRIED UNANIMOUSLY

7.5 Arts Creative & Cultural Innovations Committee Minutes of November 17, 2016

531/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Arts Creative & Cultural Innovations Committee Minutes of November 17, 2016.

CARRIED UNANIMOUSLY

8. Correspondence

9. Staff Reports:

9.1 Fees and Charges Amendment Bylaw No. 2016-70

Re: Tag a Bag Coupons

532/2016

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2016-70", a bylaw to amend Fees and Charges Bylaw No. 2014-07 to set a new bulk rate fee of \$62.50 including tax for 25 Tag a Bag coupons.

CARRIED UNANIMOUSLY

9.2 Municipal and Regional District Tax (MRDT) Bylaw No. 2016-64

Mayor Jakubeit declared a potential conflict of interest and excused himself at 1:58 p.m.

533/2016

It was MOVED and SECONDED

THAT Council give first, second, and third reading to Municipal and Regional District Tax (MRDT) Bylaw No. 2016-64, providing the City of Penticton with the authority to impose a 2% Municipal and Regional District Tax (MRDT) and requesting the Province levy the tax on its behalf.

CARRIED UNANIMOUSLY

Mayor Jakubeit returned to the meeting at 2:01 p.m.

9.3 Council Meeting Schedule

534/2016

It was MOVED and SECONDED

THAT Council select the following dates for the 2017 Regular Meetings of Council: January 10, 17, February 7, 21, March 7, 21, April 4, 18, May 2, 23, June 6, 20, July 4, 18, August 1, 15, September 5, 19, October 3, 17, November 7, 21, and December 5, 19.

CARRIED UNANIMOUSLY

9.4 Records Management and Retention Bylaw No. 2016-61

535/2016

It was MOVED and SECONDED

THAT Council give first, second and third readings to Records Management and Retention Bylaw No. 2016-61.

CARRIED UNANIMOUSLY

9.5 Street Naming (Hawthorn Drive) Bylaw No. 2016-66

536/2016

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Street Naming (Hawthorn Drive) Bylaw No. 2016-66", a bylaw to name the new road created by the subdivision of 2740 Evergreen Drive "Hawthorn Drive".

CARRIED UNANIMOUSLY

9.6 Section 57 Notice on Title – Introduction
Re: 144 Williamson Place

537/2016

It was MOVED and SECONDED

THAT the owner of 144 Williamson Place be notified that Council will consider passing a resolution to place a Notice on Title under Section 57 of the Community Charter on Lot 18, DL2710, KAP48093 located at 144 Williamson Place, stating the following:

“Failure to complete building permit (expired), which is a violation of City of Penticton Building Bylaw 94-45 and provide final Registered Professional (Engineer) approval to ensure installation meets engineered design. Further information may be inspected at City Hall”;

AND THAT further injunctive action be commenced by staff within 60 days of Section 57 Notice on Title being registered if outstanding deficiencies are not completed to close off permit;

AND FURTHER THAT the owner be notified of the proposed Notice on Title and injunctive action report and be given an opportunity to speak to the matter at the December 20, 2016 Council meeting.

CARRIED UNANIMOUSLY

9.7 Complimentary Parking Downtown

538/2016

It was MOVED and SECONDED

THAT Council approve no charge for on-street parking in the downtown area on the five (5) Saturdays in December 2016 which includes: December 3, 10, 17, 24, and 31, 2016 and for the Saturdays in December 2017.

CARRIED UNANIMOUSLY

10. Public Question Period

11. Recess to In-Camera Meeting

539/2016

It was MOVED and SECONDED

THAT Council recess at 2:24 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;

CARRIED UNANIMOUSLY

12. Reconvene the Regular Council Meeting at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:00 p.m.

13. Reconsideration of Bylaws and Permits

14. Land Matters:

14.1 Development Variance Permit PL2016-7771
Re: 376 Braid Street

Delegations/Submissions:

- Doug Maxwell, Norton Street, expressed concerns on behalf of the neighbour to the south. Looks like deck, no windows but if a deck will be looking into property.
- Tony Henchmen, working on the development, no deck, just the roof line.

540/2016

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2016-7771" for LOT 2, PL KAP71761 DL 202 SDYD, located at 376 Braid Street, a permit to increase maximum lot coverage from 40% to 46%, decrease the minimum front yard from 4.5m to 2.5m and decrease the minimum interior side yard (south) from 1.5m to 1.1m;
AND THAT staff be directed to issue Development Variance Permit PL2016-7771.

CARRIED

Councillor Sentes, Opposed

14.2 Section 57 Notice on Title
Re: 329 Upper Bench Road S

Owner: John Holland, Upper Bench Road South, explained medical history. Ordered siding for house today. Not sure what safety issues are, no railings on steps, plumbing, toilet. Looking into subdividing lot.

541/2016

It was MOVED and SECONDED

THAT Council support a Section 57 Notice on Title for 329 Upper Bench Road South but not support the 60 day injunctive action.

DEFEATED

Mayor Jakubeit, Councillors Picton, Watt and Konanz, Opposed

Councillor Watt left the meeting at 6:35 p.m.

542/2016

It was MOVED and SECONDED

THAT Council direct staff to work with the property owner of 329 Upper Bench Road South to resolve building permit issues and report back at the January 10, 2017 Regular Council meeting.

CARRIED UNANIMOUSLY

Councillor Watt returned to the meeting at 6:38 p.m.

14.3 Temporary Use Permits for Marijuana Dispensaries
Fees and Charges Amendment Bylaw No. 2016-67

543/2016

It was MOVED and SECONDED

THAT Council include signage restrictions to prohibit promotion of cannabis culture as a condition of the temporary use permits.

CARRIED UNANIMOUSLY

1: Okanagan Cannabinoid Therapy
Re: 101-351 Westminster Avenue West

Delegations/Submissions:

- Kevin Adams, West Kelowna, applicant, spoke in support of the application, supreme court justice announcement, adults need to provide medical documentation,
- Elaine Nuesler, co-founder of Kyla's Quest, medical dispensary helped granddaughter, family and friends ask her for advise, safe natural product that can help them, licenced producers not allowed to give advice, until doctors are more educted left up to dispensaries, endorse lab tested products and have controls.
- Lindsey Hall, Penticton, don't smoke, friends and family do, understand fentanyl increasing issue, illegality has not deterred usage, not in business that competes with dispensaries, a permit is a document tool that permits activities within community, no regulatory body over looking sale of cannabis, would not give my blessing to adopt that liability on my behalf.
- Teresa Chapman, huge technique required to grow plant, this establishment knows what its selling, regulate and we'll be safer.
- Daryl Myers, Ridgeale Avenue, concerns, had son go in to a dispensary and all he had to do was sign a paper, no medical history asked, how are you going to supervise?
- Leigh Follestad, Penticton, don't have problem with people that consume in free time, support legal use of cannabis, as DPA President cannot support while illegal. There are ways to get it through federal government. Has this business filled out 60 page application? Homework? City prepared to do enforcement in the place of the provincial government? Has the CRA had any imput? Do dispensaries pay taxes?
- Lynn Allin, Executive Director DPA, survey to membership went out December 2. Cannot endorse or support illegal use in downtown Penticton. 108 of 350 responded, 62% not in support, 38% in favor of permits.
- Sal Roy, Naramata Bench, patient since 2010, hodgkin lymphoma, take cannabis, dealt with licensed producers, only order online with master card or visa, patients don't have the proper access or knowledge base, vital we have someone with knowledge and products we need, want quality product, good safe access, market will dictate.
- Teresa Chapman, license fee, \$5000 doesn't make sense, liquor establishments are just as horrible, they should pay more.
- Lindsey Hall, regulations for alcohol, going to adopt liability for their products safety, we don't have ability to regulate product they are selling.
- Leigh Follestad, Penticton, do dispensaries pay GST and PST?
- Kevin Adams, applicant, file taxes, pay GST, CPP and EI, submit records of employment, use a local accountant and lawyer.
- Teresa Chapman, don't give a permit to each of those dispensaries, not all have the right info or quality, we need a dispensary that knows what they are doing applicable to our medical needs.
- Lindsey Hall, prison reference, let citizen grow their own for their consumption, accepting liability for business we cannot regulate.
- Nathan Roy, son is a medical user since age of 12, caught behind 8 ball, pull it out of shadows, would not have my son purchase off of street, need options, be forward thinking.

544/2016

It was MOVED and SECONDED

THAT Council approve 6 month "Temporary Use Permit PL2016-7767", a permit permitting the use 'marijuana dispensary' in the CD4 zone on Lot A, District Lot 4, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan KAP81153, located in Unit 101 of 351 Westminster Avenue W, subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
 - b) No cannabis products visible from outside of the store;
 - c) Ventilation system must be in place;
 - d) Hours are limited to 8 AM – 10 PM seven days a week;
 - e) Two staff are present at all times during business operation;
 - f) Those persons 21 years and under are prohibited from entering the dispensary;
 - g) No smoking or consuming product on-site is permitted;
 - h) Must have a security plan in place;
 - i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
 - j) Dispensary not to be combined with any other business retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
 - k) Prohibit promotion of cannabis culture on signage.
- AND THAT Staff are directed to issue the permit.

DEFEATED

Councillors Watt, Konanz, Sentes, Opposed

IT was MOVED no Seconder

That Council defer issuing permits another 90 days.

545/2016

It was MOVED and SECONDED

THAT Council defer issuing a permit for a marijuana dispensary until federal regulation are in place.

DEFEATED

Mayor Jakubeit, Councillors Martin, Picton, Opposed

546/2016

IT was MOVED and SECONDED

THAT Council reconsider and approve 6 month "Temporary Use Permit PL2016-7767" , a permit permitting the use 'marijuana dispensary' in the CD4 zone on Lot A, District Lot 4, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan KAP81153, located in Unit 101 of 351 Westminster Avenue W, subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
 - b) No cannabis products visible from outside of the store;
 - c) Ventilation system must be in place;
 - d) Hours are limited to 8 AM – 10 PM seven days a week;
 - e) Two staff are present at all times during business operation;
 - f) Those persons 21 years and under are prohibited from entering the dispensary;
 - g) No smoking or consuming product on-site is permitted;
 - h) Must have a security plan in place;
 - i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
 - j) Dispensary not to be combined with any other business retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
 - k) Prohibit promotion of cannabis culture on signage.
- AND THAT Staff are directed to issue the permit.

CARRIED

Councillors, Watt and Konanz, Opposed

- 2: Power Greens
Re: 288 Westminster Avenue W

Delegations/Submissions:

- David Gosslin, West Kelowna, applicant, operate transparently, medical cannabis can help patients. Follow guidelines of council, new applicant, feel fair to allow us a chance to prove will abide by rules.
- Colleen Tar, Winnipeg Street, noticed applicant said West Kelowna, do they have businesses in West Kelowna?
- David Gosslin, want to be in Penticton because you are the first city in Okanagan to do this in the most legal fashion we can, in contact with West Kelowna, Vernon, Princeton, all over, first city with foresight to get head start to allow people to open business for medical marijuana.

547/2016

It was MOVED and SECONDED

THAT Council deny "Temporary Use Permit PL2016-7782", a permit permitting the use 'marijuana dispensary' in the C6 zone on Parcel A (KE103216), District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton), District, Plan 871, located at 288 Westminster Avenue W subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
- b) No cannabis products visible from outside of the store;
- c) Ventilation system must be in place;
- d) Hours are limited to 8 AM – 10 PM seven days a week;
- e) Two staff are present at all times during business operation;
- f) Those persons 21 years and under are prohibited from entering the dispensary;
- g) No smoking or consuming product on-site is permitted;
- h) Must have a security plan in place;
- i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
- j) Dispensary not to be combined with any other business, retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
- k) Prohibit promotion of cannabis culture on signage.

CARRIED UNANIMOUSLY

- 3: Herbal Green
Re: 256 Westminster Avenue W

Delegations/Submissions: nil

548/2016

It was MOVED and SECONDED

THAT Council deny "Temporary Use Permit PL2016-7748", a permit permitting the use 'marijuana dispensary' in the C6 zone on Lot 7, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 871, located at 256 Westminster Avenue W subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
- b) No cannabis products visible from outside of the store;
- c) Ventilation system must be in place;
- d) Hours are limited to 8 AM – 10 PM seven days a week;
- e) Two staff are present at all times during business operation;
- f) Those persons 21 years and under are prohibited from entering the dispensary;
- g) No smoking or consuming product on-site is permitted;
- h) Must have a security plan in place;

- i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
- j) Dispensary not to be combined with any other business, retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
- k) Prohibit promotion of cannabis culture on signage.

CARRIED UNANIMOUSLY

4: Green Essence
Re: 409 Martin Street

Delegations/Submissions: Melissa Osiowi, owner, there are insurance companies, product has produced results, 75% of clients are seniors, dozens of doctors refer patients to us.

549/2016

It was MOVED and SECONDED

THAT Council approve 6 month "Temporary Use Permit PL2016-7751", a permit permitting the use 'marijuana dispensary' in the C5 zone on Lot 6, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) Plan 437, located at 409 Martin Street subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
 - b) No cannabis products visible from outside of the store;
 - c) Ventilation system must be in place;
 - d) Hours are limited to 8 AM – 10 PM seven days a week;
 - e) Two staff are present at all times during business operation;
 - f) Those persons 21 years and under are prohibited from entering the dispensary;
 - g) No smoking or consuming product on-site is permitted;
 - h) Must have a security plan in place;
 - i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
 - j) Dispensary not to be combined with any other business, retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
 - k) Prohibit promotion of cannabis culture on signage.
- AND THAT Staff are directed to issue the permit.

CARRIED
Councillors Watt and Konanz, Opposed

5: Buds Medical Cannabis Products
Re: 456 Main Street

Delegations/Submissions: Bud Lackie and Robin Lackie, Kelowna, operate in Kelowna, online, waiting for Kelowna or West Kelowna to accept us, stand alone buiding in downtown pentiction, chose for location, size of building and retail area. Given from what seen tonight, understand existing businesses will be given opportunity. This has been a great learning experience.

550/2016

It was MOVED and SECONDED

THAT Council deny "Temporary Use Permit PL2016-7766", a permit permitting the use 'marijuana dispensary' in the C5 zone on Lot 9, Block 15, District Lot 202. Similkameen Division Yale District, Plan 269, located at 456 Main Street subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
- b) No cannabis products visible from outside of the store;
- c) Ventilation system must be in place;
- d) Hours are limited to 8 AM – 10 PM seven days a week;
- e) Two staff are present at all times during business operation;
- f) Those persons 21 years and under are prohibited from entering the dispensary;
- g) No smoking or consuming product on-site is permitted;
- h) Must have a security plan in place;
- i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
- j) Dispensary not to be combined with any other business, retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
- k) Prohibit promotion of cannabis culture on signage.

CARRIED UNANIMOUSLY

- 6: Okanagan Cannabis Solutions Society
Re: 104-575 Main Street

Delegations/Submissions: Celina Low, Regional Manager, non profit society, open in West Kelowna, asked by customers to open here, would like to conduct business in Penticton.

551/2016

It was MOVED and SECONDED

THAT Council deny "Temporary Use Permit PL2016-7773", a permit permitting the use 'marijuana dispensary' in the C5 zone on Lot A, District Lot 202, Similkameen Division Yale District, Plan 9283, located at 104 575 Main Street subject to the following conditions:

- a) Must have a business licence issued by the City of Penticton;
- b) No cannabis products visible from outside of the store;
- c) Ventilation system must be in place;
- d) Hours are limited to 8 AM – 10 PM seven days a week;
- e) Two staff are present at all times during business operation;
- f) Those persons 21 years and under are prohibited from entering the dispensary;
- g) No smoking or consuming product on-site is permitted;
- h) Must have a security plan in place;
- i) Criminal record checks for license holders showing no drug related offences within the past 10 years; and
- j) Dispensary not to be combined with any other business, retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
- k) Prohibit promotion of cannabis culture on signage.

CARRIED UNANIMOUSLY

- 7: Avitas Pharmacos/Be Kind Okanagan
Re: 150-1636 Main Street

Delegations/Submissions:

- Daniel Pritchard, opert in Kelowna for eight years, Vernon for six years, open in Penticton because we have large clientel base in southern Okanagan. Working with staff, helpful, thank you Council for dealing with this. Spoke with the principal from Carmi elementary school, he has no issues. Need hold parent meeting to see what other thoughts are. Buffer zone, large building in the way, hope that this will play some part in decision.

- Daryl Myers, on behalf of Pathways Resource Centre, need to be at least 200 m from school, children think marijuana is legal and ok to use, take hard stance.
- Doug Maxwell, Norton Street, they say stores in Kelowna and Vernon, by mail?
- Daniel Pritchard, don't do mail order, try to comply best we can with what little regulation exists, keep private, chose location because discreet.
- Grant Bushue, Fairford Drive, not in favor of wide spread approval, impossible to regulate on municipal level.

552/2016

It was MOVED and SECONDED

THAT Council Deny "Temporary Use Permit PL2016-7760", a permit permitting the use 'marijuana dispensary' in the C4 zone on Lot 2, District Lot 3237S, Similkameen Division Yale District, Plan 36801, located at 150 1636 Main Street subject to the following conditions:

- Must have a business licence issued by the City of Penticton;
- No cannabis products visible from outside of the store;
- Ventilation system must be in place;
- Hours are limited to 8 AM – 10 PM seven days a week;
- Two staff are present at all times during business operation;
- Those persons 21 years and under are prohibited from entering the dispensary;
- No smoking or consuming product on-site is permitted;
- Must have a security plan in place;
- Criminal record checks for license holders showing no drug related offences within the past 10 years; and
- Dispensary not to be combined with any other business, retail or otherwise, other than minor associated products comprising of less than 20% of retail display area.
- Prohibit promotion of cannabis culture on signage.

CARRIED UNANIMOUSLY

553/2016

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2016-67", a bylaw that amends Fees and Charges Bylaw 2014-07 to include an annual \$5,000 fee for a business license to operate a marijuana dispensary or a non-profit licence to operate a marijuana dispensary.

CARRIED

Councillors Watt and Konanz, Opposed

- 14.4 Housing Agreement Authorizing Bylaw No. 2016-68
Re: 175 Kinney Avenue

554/2016

It was MOVED and SECONDED

THAT "Housing Agreement (175 Kinney Avenue) Bylaw No. 2016-68" a bylaw authorizing the City of Penticton to enter into a housing agreement with the owners of 175 Kinney Avenue, requiring any development on the property to remain rental housing for a 10 year period, be given first, second and third reading and be forwarded to the December 20, 2016 Regular Meeting of Council for adoption;

AND THAT staff are authorized to execute and register the agreement once Bylaw No. 2016-68 has been adopted.

CARRIED UNANIMOUSLY

14.5 Zoning Amendment Bylaw No. 2016-69 & DVP PL2016-7758
Re: 1786 Fairford Drive

555/2016

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2016-69," being a bylaw to amend City of Penticton Zoning Bylaw 2011-23 by adding Section 10.1.3.6: "In the case of Lot 2, District Lot 115, SDYD, Plan 14604, located at 1786 Fairford Drive, a carriage house with vehicular access from a street is permitted in conjunction with a secondary suite in the principal dwelling," be given first reading and forwarded to the December 20, 2016 Public Hearing;
AND THAT delegations and submissions be heard at the December 20, 2016 Public Hearing for "Development Variance Permit PL2016-7758" for Lot 2, District Lot 115, SDYD, Plan 14604, located at 1786 Fairford Drive, a permit to increase the maximum building footprint for a carriage house from 90m², or 60% of the building footprint area of the principal residence, whichever is less to 120m² and to decrease the minimum north interior side yard from 1.5m to 0.92m;
AND THAT "DVP PL2016-7758", be considered after adoption of "Zoning Amendment Bylaw No. 2016-69".

CARRIED UNANIMOUSLY

556/2016

It was MOVED and SECONDED

THAT Council direct staff to bring back a report with changes to the zoning bylaw to allow secondary suites and carriage houses on the same property in low density residential neighbourhoods.

DEFEATED

Councillors Watt, Picton, Sentes, Opposed

15. **Notice of Motion**
16. **Business Arising from In-Camera**
17. **Public Question Period**
18. **Adjournment**

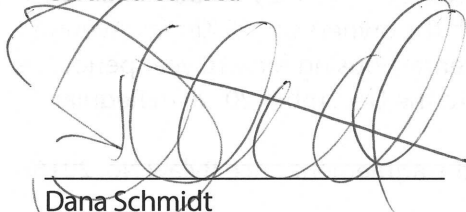
557/2016

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, December 6, 2016 at 9:50 p.m.

CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor