

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

Tuesday, August 15, 2017
at 1:00 p.m.

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

Staff: Peter Weeber, Chief Administrative Officer
Mitch Moroziuk, General Manager of Infrastructure
Dana Schmidt, Corporate Officer
Angela Campbell, Controller
Blake Laven, Planning Manager
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

458/2017

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on August 15, 2017 as amended and remove item 13.1.

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 2:11 p.m.

459/2017

It was MOVED and SECONDED

THAT Council amend the Agenda order and include item 9.2 Penticton Curling Club - Ice Plant.

CARRIED UNANIMOUSLY

9. Staff Reports:

9.1 Fees and Charges Amendment Bylaw No. 2017-52

460/2017

It was **MOVED** and **SECONDED**

THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2017-52".

CARRIED UNANIMOUSLY

9.2 Penticton Curling Club – Ice Plant

461/2017

It was **MOVED** and **SECONDED**

THAT Council authorize in principle a loan for the Penticton Curling Club for a new compressor;

AND THAT the draft loan agreement be brought back to a meeting of Council for ratification.

CARRIED UNANIMOUSLY

7. Committee and Board Reports

8. Correspondence

10. Public Question Period

11. Recess to In-Camera Meeting

462/2017

It was **MOVED** and **SECONDED**

THAT Council recess at 2:53 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

(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 following the Public Hearing at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:49 p.m.

6. Adoption of Minutes:

6.1 Minutes of the August 1, 2017 Public Hearing

463/2017

It was **MOVED** and **SECONDED**

THAT Council receive the minutes of the August 1, 2017 Public Hearing as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the August 1, 2017 Regular Council Meeting

464/2017

It was MOVED and SECONDED

THAT Council adopt the minutes of the August 1, 2017 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

13. Reconsideration of Bylaws and Permits

13.2 Zoning Amendment Bylaw No. 2017-50

Re: 1706 Main Street

465/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-50".

CARRIED

Councillors Watt and Picton, Opposed

13.3 Zoning Amendment Bylaw No. 2017-51

Re: 910, 920, 932, 946 Eckhardt Avenue W

466/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-51".

CARRIED UNANIMOUSLY

14. Land Matters

14.1 Zoning Amendment Bylaw No. 2017-53

Development Variance Permit PL2017-7989

Development Permit PL2017-7990

Re: 703 Forestbrook Drive

467/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-53", a bylaw to rezone Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the September 5, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-53", a 2.2m road dedication along the south property line (Forestbrook Drive) is registered with the Land Title Office;

THAT delegations and submissions for "Development Variance Permit PL2017-7989" for Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive, a permit to reduce the minimum rear yard from 6.0m to 3.3m, be heard at the September 5, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-7989" following the adoption of "Zoning Amendment Bylaw No. 2017-53";

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-53", approve "Development Permit PL2017-7990" for Lot 16 District Lot 249 Similkameen Division Yale District Plan 3578, located at 703 Forestbrook Drive, a permit that allows for the construction of a multi-family development.

CARRIED UNANIMOUSLY

- 14.2 OCP Amendment Bylaw No. 2017-54
Zoning Amendment Bylaw NO. 2017-55
Development Variance Permit PL2017-7950
Re: 161 Bassett Street

468/2017

It was MOVED and SECONDED

THAT prior to consideration of "OCP Amendment Bylaw No. 2017-54" and in accordance with Section 475 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 consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "OCP Bylaw No. 2002-20", be amended by changing the OCP designation on Lot 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from LR(Low Density Residential) to MR (Medium Density Residential);

AND THAT "Official Community Plan Amendment Bylaw No. 2017-54" be introduced, read a first time and forwarded to the September 5, 2017 Public Hearing;

THAT "Zoning Amendment Bylaw No. 2017-55", a bylaw to amend Zoning Bylaw 2017-08 to rezone a portion of Lot 23, Block 124, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) (Schedule G: Proposed Parcel B) and RD2 (Duplex Housing: Lane) (Schedule G: Proposed Parcel A), be given first reading and be forwarded to the September 5, 2017 Public Hearing;

THAT delegations and submissions for "Development Variance Permit PL2017-7950" include Lot 23, Block 124 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 161 Bassett Street, a permit varying the following provisions of Zoning Bylaw 2017-08:

- Section 10.8.2.7: To vary the minimum interior side yard setback from 3m to 2.9m
- Section 10.8.2.1: To vary the minimum lot width from 18m to 16.9m

be heard at the September 5, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-7950" following the adoption of "Zoning Amendment Bylaw No. 2017-55".

CARRIED UNANIMOUSLY

- 14.3 Zoning Amendment Bylaw No. 2017-56
Development Variance Permit PL2017-7971
Development Permti PL2017-7972
Re: 597 Ellis Street

469/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-56", a bylaw to rezone Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, from C3 (Mixed Use

Commercial) to RM5 (Urban Residential), be given first reading and forwarded to the September 5, 2017 Public Hearing;

THAT delegations and submissions for "Development Variance Permit PL2017-7971" for Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, a permit to reduce the minimum front yard from 2.5m to 0.9m and to vary Section 12.9 of the City of Penticton Subdivision and Development Bylaw No. 2004-81, to waive the requirement of a driveway to a corner lot being located a minimum of 10m from a flanking street to a minimum of 4.0m from a flanking street, be heard at the September 5, 2017 Public Hearing.

AND THAT Council consider "DVP PL2017-7971" following the adoption of "Zoning Amendment Bylaw No. 2017-56";

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-56", approve "Development Permit PL2017-7972" for Lot 13 Block 19 District Lot 202 Similkameen Division Yale District Plan 269, located at 597 Ellis Street, a permit that allows for the construction of a four-unit townhouse development.

CARRIED UNANIMOUSLY

15. Notice of Motion

16. Business Arising

THAT Council appoint Tracy VanRaes and Matt Hopkins to the Transportation Committee and increase the membership in the terms of reference.

THAT Council appoint Jason Cox as the Chamber of Commerce representative to the Economic Development and Prosperity Committee.

THAT Council appoint Deborah Moore, Lynn Allin, Tim Scott, Cheryl Watts, Jim Meyer, Corinna Netherton, Don Cocar, Nick Vassalakis, Kandace Gee, and Skylar Punnett to the Community Revitalization Committee.

17. Council Round Table

18. Public Question Period

19. Adjournment

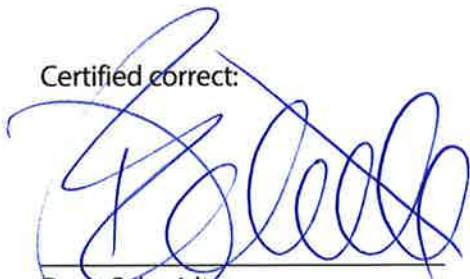
470/2017

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, August 15, 2017 at 7:34 p.m.

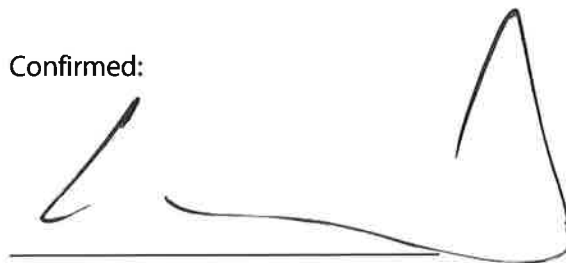
CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor