

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

Tuesday, September 5, 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
Dana Schmidt, Corporate Officer
Anthony Haddad, Director of Development Services
Jim Bauer, Chief Financial Officer
Ian Chapman, City Engineer
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 1:01 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

474/2017

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

THAT Council adopt the agenda for the Regular Council meeting held on September 5, 2017 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:02 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:49 p.m.

6. Adoption of Minutes:

6.1 Minutes of the August 15, 2017 Committee of the Whole

475/2017

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

THAT Council receive the minutes of the August 15, 2017 Committee of the Whole as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the August 15, 2017 Public Hearing

476/2017

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

THAT Council receive the minutes of the August 15, 2017 Public Hearing as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the August 15, 2017 Regular Council Meeting

477/2017

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

THAT Council adopt the minutes of the August 15, 2017 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

6.4 Minutes of the August 22, 2017 Special Council Meeting

478/2017

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

THAT Council adopt the minutes of the August 22, 2017 Special Council Meeting as presented.

CARRIED UNANIMOUSLY

7. Committee and Board Reports

7.1 Parks & Recreation Master Plan Steering Committee Minutes of June 8, 2017

479/2017

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

THAT Council receive the minutes of the Parks & Recreation Master Plan Steering Committee meeting of June 8, 2017.

CARRIED UNANIMOUSLY

7.2 Parks & Recreation Master Plan Steering Committee Minutes of June 22, 2017

480/2017

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

THAT Council receive the minutes of the Parks & Recreation Master Plan Steering Committee meeting of June 22, 2017.

CARRIED UNANIMOUSLY

7.3 Community Revitalization Select Committee Minutes of August 10, 2017

481/2017

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

THAT Council receive the draft minutes of the Community Revitalization Select Committee meeting of August 10, 2017.

CARRIED UNANIMOUSLY

7.4 Economic Development & Prosperity Task Force Minutes of August 14, 2017

482/2017

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

THAT Council receive the draft minutes of the Economic Development & Prosperity Task Force meeting of August 14, 2017.

CARRIED UNANIMOUSLY

7.5 Penticton Creek Restoration Committee Minutes of August 16, 2017

483/2017

It was **MOVED and SECONDED**

THAT Council receive the draft minutes of the Penticton Creek Restoration Committee meeting of August 16, 2017.

CARRIED UNANIMOUSLY

8. **Correspondence**

9. **Staff Reports:**

9.1 Penticton District Community Resources Society (PDCRS) Cash Grant Request

Councillor Sayeed declared a conflict of interest and left the meeting at 1:55 p.m.

484/2017

It was **MOVED and SECONDED**

THAT Council approve a \$5,000 cash grant to Penticton District Community Resources Society to be funded out of the remaining unallocated municipal grants budget for 2017.

CARRIED UNANIMOUSLY

Councillor Sayeed returned to the meeting at 1:57 p.m.

9.2 Signing officers and banker for 2017 and subsequent years

485/2017

It was **MOVED and SECONDED**

THAT Council approve signing authorities at VALLEY FIRST CREDIT UNION as follows:

A signers

- Peter Weeber, Chief Administrative Officer
- Jim Bauer, Chief Financial Officer
- Angela Campbell, Controller
- Mitch Moroziuk, General Manager of Infrastructure

B Signers

- Andrew Jakubeit, Mayor
- Helena Konanz, Councilor
- Judith Sentes, Councilor
- Tarik Sayeed, Councilor
- Andre Martin, Councilor
- Maxwell Picton, Councilor
- Campbell Watt, Councilor

Signing officers for memberships 727214 and 1319244 (City of Penticton) will be for the calendar year ended December 31, 2017 and subsequent years until changed.

AND THAT Council approve:

- 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
- Peter Weeber, Chief Administrative Officer
- Jim Bauer, Chief Financial Officer, City of Penticton
- Angela Campbell, Controller, City of Penticton

as signing officers for membership 727313 (South Okanagan Events Centre) for the calendar year ended December 31, 2017 and subsequent years until changed.

CARRIED UNANIMOUSLY

9.3 Penticton Trade & Convention Centre (PTCC) Skylight and Roof Replacement

486/2017

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

THAT Council direct staff to proceed with the 2017 PTCC Skylight and Roof replacement project at an estimated cost of \$190,000;

AND THAT Council approve budget transfers from within 2017 Facilities capital budget to fund the project as follows:

Work Order to Transfer Funds From	Amount to Transfer
CAP45051-001 – PTCC project 123 renovations	42,578.71
CAP45053-001 - PTCC replace electrical service	19,754.49
CAP45077-005 – SOEC LED lighting	48,660.29
CAP45078-002 – PTCC Carpet replacement	27,958.33
CAP45078-005 - PTCC LED lighting	15,000.00
CAP45003-001 – City Yards Roof Replacement	35,868.18

CARRIED UNANIMOUSLY

9.4 Carmi Reservoir Expansion Project Funding Change

487/2017

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

THAT Council approves the funding of \$1,174,450 for the Carmi Reservoir Expansion Project as per the Clean Water and Wastewater Fund Agreement # C40128, with the additional required funds of \$325,550 to be transferred from the water surplus account.

CARRIED UNANIMOUSLY

10. **Public Question Period**

11. **Recess to In-Camera Meeting**

488/2017

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

THAT Council recess at 2:17 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;*

90(2)(b) *the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

CARRIED UNANIMOUSLY

12. **Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.**

Council reconvened the Regular Council Meeting at 6:41 p.m.

13. **Reconsideration of Bylaws and Permits**

13.1 Fees and Charges Amendment Bylaw No. 2017-52

489/2017

It was MOVED and SECONDED

THAT Council adopt "Fees and Charges Amendment Bylaw No. 2017-52".

CARRIED UNANIMOUSLY

13.2 Zoning Amendment Bylaw No. 2017-53

Re: 703 Forestbrook Drive

490/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-53".

CARRIED UNANIMOUSLY

13.3 OCP Amendment Bylaw No. 2017-54

Zoning Amendment Bylaw No. 2017-55

Re: 161 Bassett Street

491/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2017-54";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2017-54".

CARRIED UNANIMOUSLY

492/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-55".

CARRIED UNANIMOUSLY

13.4 Zoning Amendment Bylaw No. 2017-56

Development Variance Permit PL2017-7971

Re: 597 Ellis Street

493/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-56";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2017-56".

CARRIED UNANIMOUSLY

494/2017

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-7971", a permit to reduce the minimum front yard from 2.5m to 0.9m and to vary the Subdivision Bylaw 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.

CARRIED UNANIMOUSLY

13.5 Zoning Amendment Bylaw No. 2017-43

Development Variance Permit PL2017-7969

Re: 602/640 Eckhardt Avenue W

495/2017

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2017-43";
AND THAT Council approve "Development Variance Permit PL2017-7969", a permit to increase the maximum height from 12.0m to 13.5m and to waive the requirement for bicycle parking.

CARRIED UNANIMOUSLY

14. Land Matters

14.1 Development Variance Permit PL2017-7975
Re: 402 Orchard Avenue

Delegations/Submissions: nil

496/2017

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-7975" for Parcel "A" (See KM48616) Block G District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 853, located at 402 Orchard Avenue, a permit to reduce the minimum lot area from 275m² to 263m² to facilitate a two-lot subdivision; AND THAT staff be directed to issue "Development Variance Permit PL2017-7975."

CARRIED UNANIMOUSLY

14.2 Development Variance Permit PL2017-7992
Re: 541 Papineau Street

Delegations/Submissions: Tony Giroux, Giroux Design Group, Developer went door to door, all positive feedback.

497/2017

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-7992" for Lot 2 District Lot 202 Similkameen Division Yale District Plan 10464, located at 541 Papineau Street, a permit to decrease the minimum lot width from 9.1m to 8.95m and to decrease lot area from 275m² to 273m² to facilitate a 2-lot subdivision, and to decrease the minimum interior side yards between the duplexes on Proposed Lot 1 and Proposed Lot 2 from 1.5m to 1.3m; AND THAT staff be directed to issue "Development Variance Permit PL2017-7992."

CARRIED UNANIMOUSLY

14.3 Zoning Amendment Bylaw No. 2017-59
Re: 342/346 Van Horne Street

498/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-59," a bylaw to rezone Lot 8 Block 29 District Lot 202 Similkameen Division Yale District Plan 479, located at 342 Van Horne Street and The North ½ of Lot 9 Block 29 District Lot 202 Similkameen Division Yale District Plan 479, located at 346 Van Horne Street from RD2 (Duplex Housing: Lane) to RM5 (Urban Residential), be given first reading and forwarded to the September 19, 2017 Public Hearing; AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-59," the subject lots are consolidated and registered with the Land Title Office.

CARRIED UNANIMOUSLY

- 14.4 Official Community Plan Amendment Bylaw No. 2017-57
Zoning Amendment Bylaw No. 2017-58
Development Variance Permit PL2017-8013
Re: 68 & 76 Roy Avenue

499/2017

It was MOVED and SECONDED

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2017-57" 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 conducted to date is sufficient;

AND THAT "OCP Amendment Bylaw No. 2017-57", being a bylaw to amend "OCP Bylaw No. 2002-20" changing the OCP designation on Lot 9 District Lot 115 Similkameen Division Yale District Plan 9176, located at 68 Roy Avenue and Lot 10 District Lot 115 Similkameen Division Yale District Plan 9176, located at 76 Roy Avenue, shown as Attachment 'B' of this report, from LR (Low Density Residential) to MR (Medium Density Residential) and to amend Schedule 'H' Development Permit Area Map of the City's OCP, to include the subject property in the General Multiple Family Development Permit Area; be introduced, given first reading and forwarded to the September 19, 2017 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2017-58," being a bylaw to rezone Lot 9 District Lot 115 Similkameen Division Yale District Plan 9176, located at 68 Roy Avenue and Lot 10 District Lot 115 Similkameen Division Yale District Plan 9176, located at 76 Roy Avenue, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the September 19, 2017 Public Hearing.

THAT delegations and submissions for "Development Variance Permit PL2017-8013" for Lot 9 District Lot 115 Similkameen Division Yale District Plan 9176, located at 68 Roy Avenue and Lot 10 District Lot 115 Similkameen Division Yale District Plan 9176, located at 76 Roy Avenue, a permit to reduce the minimum lot width of Proposed lot A, B and C from 18.0m to 12.0m, to waive the requirements to provide trees and shrubs in the landscape buffer area, and to reduce the minimum interior side yard of a principal building from 3.0m to 1.5m, be heard at the September 19, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-8013" following the adoption of "Zoning Amendment Bylaw No. 2017-58."

CARRIED UNANIMOUSLY

15. Notice of Motion

16. Business Arising
17. Council Round Table
18. Public Question Period
19. Adjournment

500/2017

It was **MOVED** and **SECONDED**
THAT Council adjourn the Regular Council meeting held on Tuesday, September 5, 2017 at
7:16 p.m.

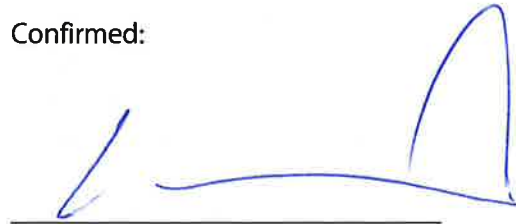
CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor