

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

Tuesday, October 17, 2017
at 1:00 p.m.

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

Staff: Peter Weeber, Chief Administrative Officer
Dana Schmidt, Corporate Officer
Blake Laven, Planning Manager
Mitch Moroziuk, General Manager of Infrastructure
Jim Bauer, Chief Financial Officer
Michael Hodges, Development Infrastructure Manager
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 1:23 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

552/2017

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on October 17, 2017 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:23 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 2:03 p.m.

6. Adoption of Minutes:

- 553/2017 6.1 Minutes of the October 3, 2017 Committee of the Whole
It was **MOVED** and **SECONDED**
THAT Council receive the minutes of the October 3, 2017 Committee of the Whole as presented.
CARRIED UNANIMOUSLY
- 554/2017 6.2 Minutes of the October 3, 2017 Public Hearing
It was **MOVED** and **SECONDED**
THAT Council receive the minutes of the October 3, 2017 Public Hearing as presented.
CARRIED UNANIMOUSLY
- 555/2017 6.3 Minutes of the October 3, 2017 Regular Council Meeting
It was **MOVED** and **SECONDED**
THAT Council adopt the minutes of the October 3, 2017 Regular Council Meeting as presented.
CARRIED UNANIMOUSLY

7. Committee and Board Reports

- 556/2017 7.1 Penticton Creek Restoration Committee Minutes of September 13, 2017
It was **MOVED** and **SECONDED**
THAT Council receive the draft minutes of the Penticton Creek Restoration Committee meeting of September 13, 2017.
CARRIED UNANIMOUSLY
- 557/2017 7.2 Official Community Plan Task Force Minutes of October 4, 2017
It was **MOVED** and **SECONDED**
THAT Council receive the draft minutes of the Official Community Plan Task Force meeting of October 4, 2017.
CARRIED UNANIMOUSLY

8. Correspondence

- 558/2017 8.1 Correspondence from Sharon and G. Christopher Robins
Re: Inclusion of family name (ROBINS) to be added to Street Name Reserve List
It was **MOVED** and **SECONDED**
THAT Council refer the correspondence from Sharon and G. Christopher Robins regarding the inclusion of family name (ROBINS) to the Street Name Reserve List to the Museum Manager.
CARRIED UNANIMOUSLY

Councillor Martin declared a conflict of interest and left the meeting at 2:08 p.m.

- 8.2 Correspondence from Scotties Tournament of Hearts
Re: Free Transit for Volunteers

559/2017

It was MOVED and SECONDED

THAT Council approve the request for free transit for the volunteers of the Scotties Tournament of Hearts, January 26 – February 4, 2018.

CARRIED UNANIMOUSLY

Councillor Martin returned to the meeting at 2:09 p.m.

8.3 Correspondence from Climate Leadership Institute
Re: Training November 1-3, 2017

560/2017

It was MOVED and SECONDED

THAT Council receive the correspondence regarding the Climate Leadership Institute training, November 1 – 3, 2017 for information.

CARRIED UNANIMOUSLY

8.4 Correspondence from Chase Valley Group
Re: Front Street Project

561/2017

It was MOVED and SECONDED

THAT Council refer the correspondence dated October 10, 2017 from Chase Valley Group regarding the extension of the EIZ program for the Front Street project to staff and that a staff report is presented at the next meeting of Council.

CARRIED UNANIMOUSLY

9. Staff Reports:

9.1 Permissive Tax Exemption Amendment Bylaw No. 2017-61

562/2017

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions to all applicants as listed in Schedule B at 100% of the applied for exemption; AND THAT Council direct Staff to review the Permissive Tax Exemption Policy in preparation for the 2019 application cycle.

DEFEATED

Mayor Jakubeit, Councillors Sayeed, Watt, Konanz, Sentes, Martin, Picton, Opposed

563/2017

It was MOVED and SECONDED

THAT Council replace Schedule B of the "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions with 'Attachment 2' to the report at 100% of the applied for exemption;

AND THAT Council give first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions to all applicants as listed in Schedule B at 100% of the applied for exemption;

AND THAT Council direct staff to review the Permissive Tax Exemption Policy in preparation for the 2019 application cycle.

CARRIED UNANIMOUSLY

9.2 Flood Recovery Requirements and Expenditures

564/2017

It was MOVED and SECONDED

THAT Council authorizes staff to proceed in 2017 with design and permitting for the major works associated with the repair of the sheet pile wall and the installation of lost beach sand and that \$50,000 be allocated for this from general surplus; AND THAT Council authorizes staff to proceed in 2017 with the repair of the works for which only minor design and approvals are required and that \$110,222 be allocated for this from general surplus; AND THAT Council will consider funding for the remaining repair work in the 2018 budget process.

CARRIED UNANIMOUSLY

9.3 UBCM Asset Management Program Grant Application – Park GIS

565/2017

It was MOVED and SECONDED

THAT Council endorses a grant application to the UBCM Asset Management Program to create a Parks GIS Database; AND THAT the Parks GIS Database project be included in the 2018 budget; AND FURTHER THAT the General Manager of Infrastructure and or the Chief Financial Officer be authorized to sign any required forms related to the grant application.

CARRIED UNANIMOUSLY

9.4 Asset Management Policy Development Grant Funding

566/2017

It was MOVED and SECONDED

THAT Council support the Asset Management Policy Development project; AND THAT Council approves the request to reallocate \$10,000 from the current Asset Management budget towards this project.

CARRIED UNANIMOUSLY

9.5 2017/2018 Amended Annual Operating Agreement Conventional & Custom Transit

567/2017

It was MOVED and SECONDED

THAT Council authorize the Mayor and Corporate Officer to execute the 2017 / 2018 AMENDED 2017 09 05 Annual Operating Agreement for the Conventional and Custom Transit System as contained in Attachment "A" of the 2017/2018 Amended Annual Operating Agreement Conventional and Custom Transit report to Council dated October 17, 2017.

CARRIED UNANIMOUSLY

9.6 Licence to Use – Penticton Tennis Society

568/2017

It was MOVED and SECONDED

THAT Council approve a 5-year sub-license renewal with a 3 month escape clause over the four Tennis Courts located at 675 Marina Way to the Penticton Tennis Society, a non-profit Society, at a licence rate of \$4,000/year (\$6,000 below estimated market rate) plus the estimated utilities for the court lighting;
AND THAT Council direct staff to advertise the intention to provide certain kinds of assistance pursuant to Section 24 of the *Community Charter*;
AND FURTHER THAT Council authorize the Mayor and Corporate Officer to execute the Licence to Use Agreement.

CARRIED UNANIMOUSLY

- 9.7 Zoning Amendment Bylaw No. 2017-71
Re: 223/227 Conklin Avenue

569/2017

It was MOVED and SECONDED

THAT Council "Zoning Amendment Bylaw No. 2017-71", a bylaw to Rezone Lot A and Lot B District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP70414, located at 223 and 227 Conklin Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), be given first reading and be forwarded to the November 7, 2017 Public Hearing.

CARRIED UNANIMOUSLY

- 9.8 Committee Terms of Reference

570/2017

It was MOVED and SECONDED

THAT Council remove the language to appoint a Chair and Vice – Chair at the first meeting and approve the amendments to the Terms of Reference for the Affordable Community Task Force, Agriculture Advisory Committee, Arts, Creative & Cultural Innovations Committee, Community Revitalization Committee, Development Services Advisory Committee, Economic Development Task Force, Penticton Creek Restoration Committee, and the Transportation Advisory Committee as attached to the Committee Terms of Reference report dated October 17, 2017.

CARRIED UNANIMOUSLY

10. Public Question Period

11. Recess to In-Camera Meeting

571/2017

It was MOVED and SECONDED

THAT Council recess at 3:31 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (a) *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (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.*

CARRIED UNANIMOUSLY

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

Council reconvened the Regular Council Meeting at 6:50 p.m.

13. Reconsideration of Bylaws and Permits

- 13.1 Zoning Amendment Bylaw No. 2017-64
Re: 168 Kirkpatrick Avenue

572/2017

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2017-64".

CARRIED UNANIMOUSLY

13.2 Zoning Amendment Bylaw No. 2017-65
Re: 461 Eckhardt Avenue

573/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-65".

CARRIED UNANIMOUSLY

13.3 OCP Amendment Bylaw No. 2017-66
Zoning Amendment Bylaw No. 2017-67
Re: 641 Winnipeg Street

574/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2017-66";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2017-66".

CARRIED UNANIMOUSLY

575/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-67".

CARRIED UNANIMOUSLY

13.4 OCP Amendment Bylaw No. 2017-68
Zoning Amendment Bylaw No. 2017-69
Re: 681 Winnipeg Street

576/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2017-68";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2017-68".

CARRIED UNANIMOUSLY

577/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-69".

CARRIED UNANIMOUSLY

13.5 Zoning Amendment Bylaw No. 2017-70
Re: 1273 Government Street

578/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-70".

CARRIED UNANIMOUSLY

14. Land Matters

14.1 Development Variance Permit PL2017-8080
Development Permit PL2017-8066
Re: 270 Hastings Avenue

Delegations/Submissions:

- Sheldon Fall, project manager, agent for Interior Health, available to answer any questions. Project won't block the existing sidewalk along property.
- Nadia Bird, Eckhardt Avenue West, look at OCP and build to proposed heights that we can build to in our city, need for seniors housing, can we build higher?

- Lynn Kelsey, Oakville Street, age of Penticton 65 plus, need for senior housing and family homes.

579/2017

It was MOVED and SECONDED

THAT delegations and submissions for "Development Variance Permit PL2017-8080" on Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080, located at 270 Hasting Avenue, a permit to reduce the interior setback from 4.5m to 3.5m, be heard at the October 17, 2017 Regular Council meeting;

AND THAT Council approve DVP PL2017-8080;

THAT Council, subject to approval of DVP PL2017-8080, approve DP PL2017-8066, a permit to allow the addition of 18 units on Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080, located at 270 Hasting Avenue.

CARRIED UNANIMOUSLY

14.2 Zoning Amendment Bylaw No. 2017-72

Re: 1760 Carmi Avenue

580/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-72", a bylaw that rezones "Proposed Lot 2" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850" (1760 Carmi Avenue), as shown on Schedule 'A' of the bylaw, from RC (Country Residential Housing) to RM1 (Bareland Strata Housing) and includes a site specific provision to the RM1 zone prohibiting townhouses on the subject lands, be given first reading and be forwarded to the November 7, 2017 Public Hearing.

CARRIED UNANIMOUSLY

14.3 Zoning Amendment Bylaw No. 2017-73

Re: 216 Westminster Avenue West

581/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-73" a bylaw that rezones "Lots 1-5, District Lot 4, Similkameen Division Yale District, Plan 871, located at 216 Westminster Avenue West from C8 (Vehicle Service Station) to C5 (Urban Centre Commercial), be given first reading and be sent to the November 7, 2017 Public Hearing;

AND THAT a 1.0m portion of the property along Westminster Avenue and a 1.0m portion along Winnipeg Street as well as a 4.5m X 4.5m corner cut be dedicated to the City prior to final adoption of Zoning Amendment Bylaw No. 2017-73;

AND FURTHER THAT the City participate in the upgrading of the streetscape adjacent to the subject lots by providing street trees funded from the City's Amenity Reserve Fund for a total project contribution not exceeding \$2,000.

CARRIED UNANIMOUSLY

15. **Notice of Motion**

16. **Business Arising**

THAT Council Direct Staff to proceed with the land purchase for a corner cut and encroaching city sidewalk and rear lane, totaling ~154 m² from the owners of 2307 Skaha Lake Road, 377299 B.C. Ltd., at an agreed upon purchase price of \$85,000, with the City responsible for survey, legal costs and restoring the rock work and garden after the corner cut is completed;

AND THAT the Mayor and Corporate Officer be authorized to sign the required documents.

- 17. Council Round Table
- 18. Public Question Period
- 19. Adjournment

582/2017

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

THAT Council adjourn the Regular Council meeting held on Tuesday, October 17, 2017 at 7:40 p.m.

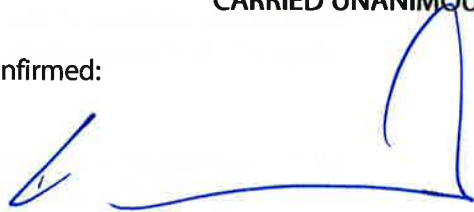
CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor