

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

Tuesday, April 17, 2018  
at 1:00 p.m.

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

**Staff:** Peter Weeber, Chief Administrative Officer  
Dana Schmidt, Corporate Officer  
Laurie Darcus, Director of Corporate Services  
Jim Bauer, Chief Financial Officer  
Ian Chapman, City Engineer  
Ken Kunka, Building and Permitting Manager  
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**

151/2018

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council meeting held on April 17, 2018 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 1:53 p.m.

**6. Adoption of Minutes:**

152/2018 6.1 Minutes of the April 3, 2018 Committee of the Whole  
It was **MOVED and SECONDED**  
THAT Council receive the minutes of the April 3, 2018 Committee of the Whole as presented.  
**CARRIED UNANIMOUSLY**

153/2018 6.2 Minutes of the April 3, 2018 Public Hearing  
It was **MOVED and SECONDED**  
THAT Council receive the minutes of the April 3, 2018 Public Hearing as presented.  
**CARRIED UNANIMOUSLY**

154/2018 6.3 Minutes of the April 3, 2018 Regular Meeting of Council  
It was **MOVED and SECONDED**  
THAT Council adopt the minutes of the April 3, 2018 Regular Meeting of Council as presented.  
**CARRIED UNANIMOUSLY**

7. **Committee and Board Reports**

155/2018 7.1 Agriculture Advisory Committee Minutes of November 14, 2017  
It was **MOVED and SECONDED**  
THAT Council receive the minutes of the Agriculture Advisory Committee meeting of November 14, 2017.  
**CARRIED UNANIMOUSLY**

156/2018 7.2 Agriculture Advisory Committee Minutes of March 2, 2018  
It was **MOVED and SECONDED**  
THAT Council receive the draft minutes of the Agriculture Advisory Committee meeting of March 2, 2018.  
**CARRIED UNANIMOUSLY**

157/2018 7.3 Transportation Advisory Committee Minutes of March 27, 2018  
It was **MOVED and SECONDED**  
THAT Council receive the draft minutes of the Transportation Advisory Committee meeting of March 27, 2018.  
**CARRIED UNANIMOUSLY**

8. **Correspondence**

9. **Staff Reports:**

158/2018 9.1 Smart City Challenge Application  
It was **MOVED and SECONDED**  
THAT Council approve the application for the Smart City Challenge that focuses on a Healthier Penticton for the \$10M prize, with the following challenge statement:  
"Let's build a physically & mentally healthier, strongly-connected Penticton where each person has access and opportunity to maximize their health potential".  
**CARRIED UNANIMOUSLY**

9.2 Property Taxation Distribution Policy

159/2018

**It was MOVED and SECONDED**  
THAT Council approve the Property Taxation Distribution Policy.

**CARRIED UNANIMOUSLY**

9.3 Donation of Proceeds from Paver Sales

160/2018

**It was MOVED and SECONDED**  
THAT Council authorize staff to donate proceeds from the sale of used pavers from revitalization projects to the South Okanagan Similkameen Medical Foundation (SOSMF).

**CARRIED UNANIMOUSLY**

9.4 Hospital Room Naming Contest

161/2018

**It was MOVED and SECONDED**  
THAT Council select "Meadowlark" as the room name in the new David E. Kampe Tower at the Penticton Regional Hospital with the alternates "Peach Blossom" and "Sun-Oka Serenity".

**CARRIED UNANIMOUSLY**

9.5 Study to Review Waste Water Solids Management Options

162/2018

**It was MOVED and SECONDED**  
THAT Council receive into the record the report titled "Study to Review Waste Water Solids Management Options".

**CARRIED UNANIMOUSLY**

9.6 Fire Protection Mutual Aid Agreement with RDOS

163/2018

**It was MOVED and SECONDED**  
THAT Council approve the renewal of the two year Fire Protection Mutual Aid Agreement with the Regional District of Okanagan-Similkameen.

**CARRIED UNANIMOUSLY**

9.7 Fire and Life Safety Amendment Bylaw No. 2018-20

164/2018

**It was MOVED and SECONDED**  
THAT Council give first, second and third reading to "Fire and Life Safety Amendment Bylaw No. 2018-20", a bylaw to amend "Fire and Life Safety Bylaw No. 2004-57" to require a fire safety plan that is acceptable to the Fire Department for wood dust producing operations.

**CARRIED**  
**Councillor Martin, Opposed**

10. **Public Question Period**

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

165/2018

**It was MOVED and SECONDED**  
THAT Council recess at 4:09 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;*
- (c) *labour relations or other employee relations;*
- (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.*

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 6:06 p.m.

**13. Reconsideration of Bylaws and Permits**

13.1 2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-19

166/2018

**It was MOVED and SECONDED**

THAT Council adopt "2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-19".

**CARRIED UNANIMOUSLY**

13.2 OCP Amendment Bylaw No. 2018-21

Zoning Amendment Bylaw No. 2018-22

Re: 175 Cossar Avenue

167/2018

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2018-21"; AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2018-21".

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-22".

**CARRIED UNANIMOUSLY**

13.3 Zoning Amendment Bylaw No. 2017-75

DVP PL2017-8093

Re: 453 Eckhardt Avenue West

168/2018

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2017-75";

AND THAT Council approve "Development Variance Permit PL2017-8093" for 453 Eckhardt Avenue West.

**CARRIED UNANIMOUSLY**

**14. Land Matters**

14.1 Liquor Service – Permanent Change of Hours – Bench 1775 Winery

Re: 1775 Naramata Road

Delegations/Submissions: Mark Ewan, Naramata Road, spoke against extending service hours.

169/2018

**It was MOVED and SECONDED**

THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Bench 1775 Winery (0988081 BC) for the proposed permanent change in hours for exterior lounge from 10:00am to 7:00pm to 10:00am to 10:00pm (9:00pm - service closure), with no amplified music on patio.

**CARRIED UNANIMOUSLY**

14.2 Development Variance Permit PL2018-8139

Re: 2883 and 2895 Partridge Drive

Delegations/Submissions: nil

170/2018

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2018-8139", a permit to increase the permitted height of a retaining wall in a required yard from a maximum height of 1.2m to a maximum height of 4.5m for Lots 4 and 5 of District Lot 2710, Similkameen Division Yale District, Plan EPP28587, located at 2883 and 2895 Partridge Drive; AND THAT staff are directed to issue "Development Variance Permit PL2018-8139".

**CARRIED UNANIMOUSLY**

14.3 Development Variance Permit PL2018-8207

Re: 134 Glen Place

Delegations/Submissions: nil

171/2018

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2018-8207" for Lot 4, District Lot 2710, Similkameen Division Yale District, Plan 27000, located at 134 Glen Place, a permit to vary the following sections of Zoning Bylaw No. 2017-08:

- Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling; and
- Section 10.1.2.5: to reduce the front yard setback from 6.0 m to 4.67 m;

AND THAT staff be directed to issue "DVP PL2018-8207".

**CARRIED UNANIMOUSLY**

Councillor Konanz declared a conflict of interest and left the meeting at 6:33 p.m.

14.4 Zoning Amendment Bylaw No. 2018-23

Re: 249 Westminster Avenue W

172/2018

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2018-23", a bylaw to Rezone Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP92015, located at 249 Westminister Avenue West from CD4 (Comprehensive Development) to C5 (Urban Centre Commercial), and to add Section 11.5.4.8: "In the case of Lot A, DL 4, Group 7, SDYD (Formerly Yale Lytton), Plan KAP92015, located at 249 Westminister Avenue West, a craft brewery/distillery and cidery shall be permitted," be given first reading and be forwarded to the May 8, 2018 Public Hearing.

**CARRIED UNANIMOUSLY**

Councillor Konanz returned to the meeting at 6:41 p.m.

14.5 Zoning Amendment Bylaw No. 2018-24

Re: 468 Lower Bench Road

173/2018

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2018-24", a bylaw to amend "Zoning Bylaw No. 2017-08" by adding Section 9.2.6.10 "In the case of Lot 3, District Lot 187, Similkameen Division Yale District, Plan 23377, located at 468 Lower Bench Road, a 20 suite hotel and operator dwelling unit shall be permitted and, notwithstanding section 9.2.2 Subdivision and Development Regulations, a maximum parcel coverage of 35% for all buildings is permitted" be introduced, read a first time and forwarded to the May 8, 2018 Public Hearing; AND THAT Council, after hearing from the public at the May 8, 2018 Public Hearing, consider sending a positive recommendation to the Agricultural Land Commission in support of the proponents 'non-farm use' application (ALC Application #57103); AND THAT a soil relocation plan be submitted prior to adoption of "Zoning Amendment Bylaw No. 2018-24".

**CARRIED UNANIMOUSLY**

14.6 Housing Agreement (257 Scott Avenue) Bylaw No. 2018-17

174/2018

**It was MOVED and SECONDED**

THAT "Housing Agreement (257 Scott Avenue) Bylaw No. 2018-17", a bylaw authorizing the City of Penticton to enter into a housing agreement with the owner of 257 Scott Avenue, requiring 4 units with the apartment building to be rented to those on the Supported Housing Registry, or equivalent for a 20 year period, be given first, second and third reading and forwarded to the May 8, 2018 Regular Meeting of Council for adoption.

**CARRIED UNANIMOUSLY**

14.7 Urban Deer Update and Recommendations

175/2018

**It was MOVED and SECONDED**

THAT Council direct staff to put out a request for quotes for a wildlife consultant to develop an urban deer management strategy.

**DEFEATED**

**Councillors Sayeed, Watt, Konanz, Sentes and Picton, Opposed**

176/2018

**It was MOVED and SECONDED**

THAT Council direct staff to maintain the status quo approach towards urban deer management in Penticton and re-engage with the Regional District of Okanagan Similkameen and BC Conservation on a regional approach and deal with specific issues on an event by event basis.

**CARRIED**

**Mayor and Councillor Martin, Opposed**

15. **Notice of Motion**

16. **Business Arising**

**Committee Appointments**

THAT Council appoint Judy Richards to the Economic Development Task Force.

THAT Council accept the resignation of Terry Olfert and appoint Doug MacMillan as the Penticton Yacht Club and Marina representative on the Community Revitalization Select Committee.

**Licence to Use**

THAT Council authorize an extension of the Licence to Use Agreement with Penticton & Area Cycling Association (PACA) a non-profit Society, over 332 acres located at 1400 Riddle Road AKA Three Blind Mice Trail Network with a legal description of DL 392s, SDYD, to formalize the existing use of the mountain bike trail network on the property and to allow improvements and development of new trails for a period of 5 years beginning April 1, 2018 at a rate of \$330.00 per year;

AND THAT the administration fee of \$250 be waived for the Penticton & Area Cycling Association licence to use;

AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the PACA LTU.

**Land Disposition**

THAT Council approve the land sale of 703 Pineview Road to South Okanagan Construction Ltd. or their designate for \$223,250;

AND THAT the City will be responsible for all legal costs associated with the sale of the lands and the Purchaser will be responsible for the legal and registration costs associated with the purchase of the land.

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

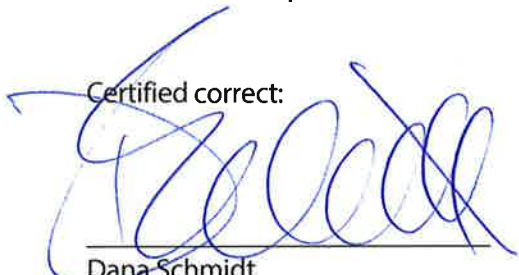
177/2018

**It was MOVED and SECONDED**

THAT Council adjourn the Regular Council meeting held on Tuesday, April 17, 2018 at 7:33 p.m.

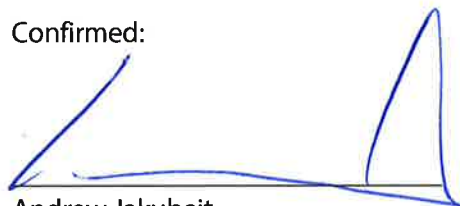
**CARRIED UNANIMOUSLY**

Certified correct:



Dana Schmidt  
Corporate Officer

Confirmed:



Andrew Jakubeit  
Mayor