

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

Tuesday, March 19, 2019
at 1:00 p.m.

Present: Acting Mayor Regehr
Councillor Bloomfield
Councillor Kimberley
Councillor Sentes
Councillor Watt

Absent: Mayor Vassilaki
Councillor Robinson

Staff: Donny van Dyk, Chief Administrative Officer
Laurie Darcus, Director of Corporate Services
Angie Collison, Corporate Officer
Jim Bauer, Chief Financial Officer
Anthony Haddad, Director of Development Services
Ian Chapman, City Engineer (left the meeting at 4:37 p.m.)
Bregje Kozak, Director Recreation & Facilities (left the meeting at 4:37 p.m.)
Caitlyn Anderson, Deputy Corporate Officer

1. Call to Order

The Acting Mayor called the Regular Council Meeting to order at 1:02 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on March 19, 2019 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:03 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:43 p.m.

6. Adoption of Minutes:

6.1 Minutes of the February 26, 2019 Special Meeting of Council

152/2019

It was MOVED and SECONDED

THAT Council adopt the minutes of the February 26, 2019 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the February 27, 2019 Special Meeting of Council

153/2019

It was MOVED and SECONDED

THAT Council adopt the minutes of the February 27, 2019 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the February 28, 2019 Special Meeting of Council

154/2019

It was MOVED and SECONDED

THAT Council adopt the minutes of the February 28, 2019 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.4 Minutes of the March 5, 2019 Regular Meeting of Council

155/2019

It was MOVED and SECONDED

THAT Council adopt the minutes of the March 5, 2019 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

156/2019

It was MOVED and SECONDED

THAT Council approve the Consent Agenda.

CARRIED UNANIMOUSLY

8. Committee and Board Reports

9. Correspondence

10. Staff Reports:

10.1 Community Events – Downtown Penticton Association/Shatford Centre

157/2019

It was MOVED and SECONDED

THAT Council deny the grant request of \$1,190 to the Downtown Penticton Association – Live at Lunch Series for 2019;

AND THAT Council approve the allocation of \$33,990 to the Sport and Event Program from the Municipal Grants Program for 2019.

CARRIED UNANIMOUSLY

Main Motion:

THAT Council direct staff to request that the Downtown Penticton Association share their financial information for events.

Amendment:

It was MOVED, no seconder

THAT the Downtown Penticton Association provide the financial statements should they wish to reapply for any funding.

158/2019

It was MOVED and SECONDED

THAT Council direct staff to request that the Downtown Penticton Association share their financial information for events.

DEFEATED

Councillors Sentes, Watt and Bloomfield, Opposed

159/2019

It was MOVED and SECONDED

THAT Council approve a grant request of \$47,000 for the Okanagan School of the Arts for operating and utilities and that staff undertake further investigation and report back to Council.

CARRIED UNANIMOUSLY

10.2 2019-2023 Five Year Financial Plan Bylaw No. 2019-10

160/2019

It was MOVED and SECONDED

THAT Council give first, second and third reading to the "2019-2023 Five Year Financial Plan Bylaw No. 2019-10".

CARRIED UNANIMOUSLY

10.3 Clean BC Funding Opportunity
Re: Electric Charging Stations

161/2019

It was MOVED and SECONDED

THAT Council support the application to the Clean BC Community Fund (CCF) for funding assistance for the purchase and installation of two dual pedestal Level II electric vehicle charging stations to be installed at the new public pay parking lot at 313 Ellis Street.

CARRIED UNANIMOUSLY

162/2019

It was MOVED and SECONDED

THAT Council direct staff to investigate the cost and options to charge fees for the use of electric vehicle charging stations.

CARRIED UNANIMOUSLY

10.4 ALC Non-Adhering Residential Use Application PL2019-8488
Re: 1150 Corbishley Avenue

Councillor Bloomfield declared a conflict of interest at 3:04 p.m. as the application is a client.

163/2019

It was MOVED and SECONDED

THAT Council support "ALR Non-Adhering Residential Use Application PL 2019-8488", for Lot 1 District Lot 187 Similkameen Division Yale District Plan EPP77908, located at 1150 Corbishley Avenue, an application for a non-adhering residential use to construct a residence for farm help; AND THAT staff be directed to forward the application to the ALC (Agricultural Land Commission) with support from Council.

CARRIED UNANIMOUSLY

Councillor Bloomfield returned to the meeting at 3:12 p.m.

10.5 Zoning Amendment Bylaw No. 2019-12
Re: 434 Lakeshore Drive West

164/2019

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2019-12", a bylaw to add the following section to the R2 (Small Lot Residential) zone: 10.2.4.3 – "In the case of Lot 1 District Lot 4 Group 7 SDY (Formerly Yale-Lytton) District Plan 3508, located at 434 Lakeshore Drive West, a Bed and Breakfast Home shall be permitted", be given first reading and be forwarded to the April 2, 2019 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2019-12", a 3.0m x 3.0m lane dedication corner cut be registered with the Land Title Office at the south west corner of the property.

CARRIED UNANIMOUSLY

The meeting recessed at 3:18 p.m. and reconvened at 3:25 p.m.

10.6 Arena Development Strategy Update

165/2019

It was MOVED and SECONDED

THAT Council direct staff to decline the \$6M Strategic Priorities Fund (SPF) grant from UBCM by March 31, 2019 as the conditions of the grant cannot be met.

CARRIED UNANIMOUSLY

166/2019

It was MOVED and SECONDED

THAT Council direct staff to plan base building repairs for McLaren and Memorial Arenas, as required to keep the buildings operational for the short term (up to 10 years);

AND THAT Staff will develop a long-term funding plan for replacement or upgrade of the facilities in the next 10+ years.

CARRIED UNANIMOUSLY

10.7 Economic Development & Community Prosperity & Development Services Advisory Committee Amalgamation

167/2019

It was MOVED and SECONDED

THAT Council direct staff to amalgamate the Economic Development and Community Prosperity Advisory Committee and the Development Services Advisory Committee;

AND THAT the proposed new Terms of Reference for the Economic Prosperity & Development Services Advisory Committee be approved.

CARRIED UNANIMOUSLY

10.8 Water Conservation Plan

168/2019

It was MOVED and SECONDED

THAT Council endorse the Water Conservation Plan prepared by AECOM dated March 11, 2019, as contained in Attachment "A" of this Council Report, as a document to be submitted as part of final reporting requirements for the grant provided by the Ministry of Community, Sport and Cultural Development Infrastructure and Finance Branch under the Clean Water and Wastewater Fund for the Carmi Reservoir Expansion project;
AND THAT Council directs staff to re-visit the Water Conservation Plan following completion of the Drought Management Plan later in 2019 and implement any changes required to ensure conformity between the plans.

CARRIED UNANIMOUSLY

10.9 Council Priorities/Key Issues – Q1 Quarterly Report

169/2019

It was MOVED and SECONDED

THAT Council receive into the record the report titled "Council Priorities/Key Issues – Q1 Quarterly Report" dated March 19, 2019.

CARRIED UNANIMOUSLY

10.10 RCMP Priorities, 2019 through 2020

170/2019

It was MOVED and SECONDED

THAT Council receive the information in this report as a summary of the priorities for the Penticton RCMP from April 2019 through to May 2020;
AND THAT Council approve the adoption of the Community Active Support Table (CAST) as an operational intervention model for the prioritization of social chronic behaviors requiring police resources and partner agencies.

CARRIED UNANIMOUSLY

11. Public Question Period

12. Recess to Closed Meeting

171/2019

It was MOVED and SECONDED

THAT Council recess at 4:37 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;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

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

Council reconvened the Regular Council Meeting at 6:01 p.m.

14. Bylaws and Permits

14.1 Smoking Regulations Bylaw No. 2018-68

172/2019

It was MOVED and SECONDED

THAT Council adopt "Smoking Regulations Bylaw No. 2018-68".

CARRIED UNANIMOUSLY

14.2 Electric Utility Services Bylaw No. 2017-44

Subdivision and Development Amendment Bylaw No. 2018-08

Fees and Charges Amendment Bylaw No. 2018-09

173/2019

It was MOVED and SECONDED

THAT Council adopt "Electric Utility Services Bylaw No. 2017-44";

AND THAT Council adopt "Subdivision and Development Amendment Bylaw No. 2018-08";

AND THAT Council adopt "Fees and Charges Amendment Bylaw No. 2018-09".

CARRIED UNANIMOUSLY

14.3 Zoning Amendment Bylaw No. 2019-05

Official Community Plan Amendment Bylaw No. 2019-06

Re: 484 Eckhardt Avenue West

174/2019

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2019-05";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2019-06".

CARRIED UNANIMOUSLY

15. Land Matters

15.1 Development Variance Permit PL2019-8482

Re: 1302 Government Street

Delegations/Submissions:

- Scott Nelson, on behalf of applicant, would like to acknowledge helpful staff. Applicant Stan Brevick, is present to answer any questions.

175/2019

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2019-8482", for Lot 7 District Lot 250

Similkameen Division Yale District Plan 5498 Except Plan KAP57867, located at 1302

Government Street, a permit to decrease the minimum rear yard from 6.0m to 1.5m, to allow for the construction of a garage;

AND THAT staff be directed to issue "Development Variance Permit PL2019-8482".

CARRIED UNANIMOUSLY

15.2 Development Variance Permit PL2019-8489

Re: 313 Ellis Street (303, 307, 313, 317 and 319 Ellis Street)

Delegations/Submissions:

- No one spoke.

176/2019

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2019-8489", a permit that reduces the parking lot constructions standards for a public parking lot on Lots 1-5, Block 27, SDYD, Plan 479, located at 303, 307, 313, 317 and 319 Ellis Street;
AND THAT staff be directed to issue DVP PL2019-8489.

CARRIED UNANIMOUSLY

15.3 Development Variance Permit PL2019-8442

Re: 4513 Lakeside Road

Delegations/Submissions:

- Lynn Allin, Lakeside Road, with Daryl Eshelman, got notice late on Sunday. Official Community Plan (OCP) hasn't been presented, why this variance now. Developer didn't talk to neighbours. Tall building which has blind and dangerous corners and putting landscape and security fence will add to the blind corner. Parking an issue, unsafe uses of the driveway south of property. Dangerous area for cycling and runners. Short and long term rental over the years and think rental housing will continue. Don't see how community benefits, only out of town developer.
- Steve McIntyre, owner, met Daryl Eshelman and other neighbour, sightlines safer for parking, family house for myself and family. No landscape plan yet, adding a rolling gate.

177/2019

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2019-8442" for Lot 3 District Lot 190 Similkameen Division Yale District Plan 8200, located at 4513 Lakeside Road, a permit to vary the following sections of Zoning Bylaw 2017-08:

- Section 8.2.3.3: to increase the maximum building height for a carriage house in the R1 zone, where no lane exists from 5.0m and one floor to 6.4m and two floors; and
- Section 8.2.3.5: to allow the siting of a carriage house in the R1 zone to be located closer to the front lot line than the principal dwelling.

AND THAT staff be directed to issue "DVP PL2019-8442".

DEFEATED

Acting Mayor Regehr, Councillors Kimberley and Sentes, Opposed

15.4 Development Variance Permit PL2019-8455

Re: 175 Cossar Avenue

Delegations/Submissions:

- Mick Giroux, Drew Design Group, representing applicant, in attendance to answer any questions.

178/2019

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2019-8455" for Lot 5, District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3223, located at 175 Cossar Ave, a permit to vary Zoning Bylaw Section 10.8.2.3, to increase the maximum lot coverage from 40% to 43%;

AND THAT staff be directed to issue "DVP PL2019-8455".

CARRIED UNANIMOUSLY

16. Notice of Motion

16.1 From Councillor Watt on March 5, 2019

179/2019

It was MOVED and SECONDED

THAT Council direct staff to investigate the options, costs and necessity for monitoring vehicle speed along municipal roadways.

CARRIED

Acting Mayor Regehr, and Councillor Sentes, Opposed

16.2 From Councillor Kimberley on March 5, 2019

180/2019

It was MOVED and SECONDED

THAT Council refer the following to the Parks and Recreation Advisory Committee for review of suitability and costs and provide comments/recommendations back to Council:

- The potential for adding lights (e.g. motion) and outdoor fitness equipment at Gyro Park.

CARRIED UNANIMOUSLY

17. Business Arising

18. Council Round Table

19. Public Question Period

20. Adjournment

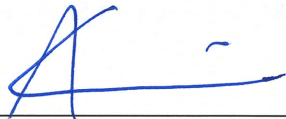
181/2019

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, March 19, 2019 at 7:20 p.m.

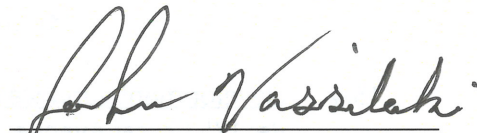
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor