

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

**Monday, October 6, 2014**  
**Following the Public Hearing at 6:00 p.m.**

**Present:** Mayor Litke  
Councillor Sentes  
Councillor Konanz  
Councillor Jakubeit  
Councillor Vassilaki  
Councillor Robinson

**Staff:** Annette Antoniak, City Manager  
Chuck Loewen, General Manager Recreation Services  
Dana Schmidt, Corporate Officer  
Mitch Moroziuk, Director of Operations  
Anthony Haddad, Director of Development Services  
Colin Fisher, Chief Financial Officer  
Simone Blais, Communications Officer  
Angie Collison, Deputy Corporate Officer

**1. Call to Order**

The Mayor called the Regular Council meeting to order at 6:19 p.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

421/2014

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council meeting held on October 6, 2014 as amend and remove item 7.1.

**CARRIED**

**Councillors Jakubeit and Konanz, Opposed**

**4. Adoption of Minutes**

4.1 Minutes of the September 16, 2014 Committee of the Whole Meeting

422/2014

**It was MOVED and SECONDED**

THAT Council receive the minutes of the September 16, 2014 Committee of the Whole Meeting as circulated.

**CARRIED UNANIMOUSLY**

4.2 Minutes of the September 16, 2014 Regular Council Meeting

423/2014

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the September 16, 2014 Regular Council Meeting as circulated.

**CARRIED UNANIMOUSLY**

**5. Presentations**

5.1 Proclamation – Foster Family Month October 2014

October was proclaimed as Foster Family Month in Penticton.

**6. Delegations**

6.1 Electronic Voting Machines in Penticton – Kevin Proteau and Vicki Lightfoot

Council heard a presentation from Kevin Proteau and Vicki Lightfoot regarding electronic voting machines and scrutineers.

6.2 Election/Mine/Speed Enforcement – Ken Johnston

Council heard concerns from Ken Johnston about the lack of addresses on city buildings and parks, the need for more speed enforcement and improved security at the mine on Lawrence Avenue.

6.3 BC Transit Vicinity Bus Trial Review – Daniel Pizarro

Daniel Pizarro provided Council with the BC Transit Vicinity Bus Trial Review.

**7. Reconsideration of Bylaws and Permits**

7.2 Zoning Amendment Bylaw No. 2014-40

Re: 801 Ontario Street

Council would like staff to look into existing traffic issues and the possibility of resident only parking on Ontario Street.

424/2014

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2014-40";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2014-40".

**CARRIED UNANIMOUSLY**

## 8. Staff Reports

- 8.1 Sun Country Bowling Liquor Licence  
Re: Structural Change Application

425/2014

**It was MOVED and SECONDED**

THAT Council recommends to the Liquor Control and Licensing Branch to approve the application from Sun Country Holdings Ltd (Sun Country Bowling) located at 1035 Westminster Ave W., Penticton, BC for the Permanent Change to their Liquor Primary Licence (Structural Change Application).

**CARRIED UNANIMOUSLY**

- 8.2 Development Variance Permit PL2014-064  
Re: 556 Gahan Avenue

Delegations: nil

426/2014

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit 2014-064", for Lot 35, District Lot 202, Similkameen Division Yale District, Plan 1122, located at 556 Gahan Avenue, a permit to decrease the minimum rear-yard setback from 6.0m to 4.5m, for the construction of a home addition;

AND THAT staff be directed to issue "Development Variance Permit PL2014-064".

**CARRIED UNANIMOUSLY**

- 8.3 Development Variance Permit PL2014-066  
Re: 2983 and 2985 Partridge Drive

Delegations: nil

427/2014

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2014-066" a permit to reduce the required front yard setback from 6.0m to 4.5m for Lots 5 and 6, District Lot 2710, Similkameen Division Yale District, Plan KAP84202, located at 2983 and 2985 Partridge Drive, to accommodate a single detached dwelling on each lot;

AND THAT staff be directed to issue "Development Variance Permit PL2014-066".

**CARRIED UNANIMOUSLY**

- 8.4 Development Variance Permit PL2014-076  
Re: 120-1675 Penticton Avenue

Delegations: Developer for Bridgewater spoke in favor of the variance.

428/2014

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2014-076", a permit to reduce the required rear yard setback from 4.5m to 1.2m for Strata Lot 20, District Lot 2710, Similkameen Division Yale District, Strata Plan EPS59, located at 120 – 1675 Penticton Avenue, to accommodate a single detached dwelling on an irregular shaped lot;

AND THAT staff be directed to issue "Development Variance Permit PL2014-076"

**CARRIED UNANIMOUSLY**

8.5 Zoning Amendment Bylaw No. 2014-45  
Re: 273 Scott Avenue

429/2014

**It was MOVED and SECONDED**

THAT Council close and abandon "Zoning Amendment Bylaw 2012-19";

AND THAT "Zoning Amendment Bylaw 2014-45" a bylaw to rezone Lot 1, District Lots 202 and 250, Similkameen Division Yale District, and of District Lots 1 and 4, Group 7, Similkameen Division Yale (Formerly Yale-Lyttton) District, Plan 8161, located at 273 Scott Avenue, from RD1 (Duplex Housing) to RM3 (Medium Density Residential), be given first reading and be forwarded to the October 20, 2014 Public Hearing;

THAT Council approve "Development Variance Permit PL2011-091" for Lot 1, District Lots 202, and 250, Similkameen Division Yale District, and of District Lots 1 and 4, Group 7, Similkameen Division Yale (Formerly Yale-Lyttton) District, Plan 8161, located at 273 Scott Avenue, a permit to vary the following development requirements of Zoning Bylaw 2011-23:

- Section 10.9.2.3: Increase the maximum permitted lot coverage from 50% to 56%;
- Section 10.9.2.7.(ii): Decrease the side yard (west) from 4.5m to 3.5m;
- Section 10.9.2.7.(ii): Decrease the side yard (east) from 4.5m to 3.2m;
- Section 7.1.1.4: Reduce the required parking from 17 spaces to 16 spaces;

Subject to adoption of "Zoning Amendment Bylaw 2014-45";

THAT Council approve "Development Permit PL2011-090" for Lot 1, District Lots 202 and 250, Similkameen Division Yale District, and of District Lots 1 and 4, Group 7, Similkameen Division Yale (Formerly Yale-Lyttton) District Plan 8161, located at 273 Scott Avenue, a permit for a three storey, 13-unit multi-family residential development, subject to adoption of "Zoning Amendment Bylaw 2014-45".

**CARRIED UNANIMOUSLY**

8.6 Zoning Amendment Bylaw No. 2014-43 & DP PL2014-61, 62, 63  
Re: 564, 576 and 580 Ellis Street

430/2014

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2014-43" a bylaw to rezone the southerly ½ of Lot 9 and Lots 10 and 11 of Block 20, District Lot 202, Similkameen Division Yale District, Plan 269, located at 564, 576 and 580 Ellis Street, from R2 (Small Lot Residential) to RM5 (Urban Residential), be given first reading and be forwarded to the October 20, 2014 Public Hearing;

THAT Council support "Development Permit DP PL2014-061", "Development Permit DP PL2014-062" and "Development Permit DP PL2014-063" for the southerly ½ of Lot 9 and Lots 10 and 11 of Block 20, District Lot 202, Similkameen Division Yale District, Plan 269, located at 564, 576, 580, permits which allow for the construction of a duplex with flex unit on each of the properties;

AND THAT staff are directed to issue the permits once "Zoning Amendment Bylaw 2014-43" is adopted.

**CARRIED UNANIMOUSLY**

8.7 Downtown West Revitalization Local Area Service Parcel Tax Bylaw 2014-41  
Re: Martin/Westminster Revitalization Project

431/2014

**It was MOVED and SECONDED**

THAT Council give three readings to "Downtown West Revitalization Local Area Service Parcel Tax Bylaw No. 2014-41".

**CARRIED UNANIMOUSLY**

8.8 Downtown Plan Implementation – Main Street Project

432/2014

**It was MOVED and SECONDED**

THAT Council support the proposed concept plan for the 'North Green' downtown Park Redesign;

AND THAT Council support the 100 and 200 block for the first phase of the Main Street Revitalization Project;

AND THAT Council forward the first phase of the Main Street Revitalization project for consideration during the 2015 Budget Process.

**CARRIED UNANIMOUSLY**

8.9 Phase 1 – Main Street Local Area Service Bylaw No. 2014-42  
Re: 100 and 200 Blocks of Main Street

433/2014

**It was MOVED and SECONDED**

THAT "Phase 1 – Main Street Local Area Service Bylaw No. 2014-42", a bylaw under section 211(1)(b) of the *Community Charter*, to impose a local area service tax to offset the cost of street improvements on Main Street, be given first and second reading;

AND THAT in accordance with Section 213 of the *Community Charter*, approval of the Bylaw be subject to a petition against the bylaw by property owners who would be subject to the bylaw;

AND FURTHER THAT notice of Council's proposal to proceed with the local area service be carried out in accordance with Section 213 of the *Community Charter*.

**CARRIED UNANIMOUSLY**

8.10 Zoning Amendment Bylaw No. 2014-46  
Re: 550 Carmi Avenue – Hospital Patient Care Tower

434/2014

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2014-46", a bylaw that amends the P1 (Public Assembly) zone of Zoning Bylaw 2011-23 as follows:

Add: Section 13.1.4 Site Specific Provisions  
In addition to the uses and regulations listed above:

.1 In the case of Lot A, District Lots 1997S, 3237S and 3429S, Similkameen Division Yale District, Plan KAP62140, located at 550 Carmi Avenue, the maximum height of a principal building is 45m.

Be given first reading and forwarded to the November 3, 2014 Public Hearing.

**CARRIED UNANIMOUSLY**

8.11 Industrial Sector Economic Investment Zone Bylaw No. 2014-44

435/2014

**It was MOVED and SECONDED**

THAT the proposed "Industrial Sector Economic Investment Zone Bylaw No. 2014-44", be introduced, given first, second, and third reading;

AND THAT prior to adoption of the bylaw, notification and consultation be carried out in accordance with Section 226(6)(a) of the *Community Charter*;

AND FURTHER THAT in accordance with Section 226(6)(b) of the *Community Charter*, Council considers the bylaw in conjunction with the objectives and policies set out under section 165 (3.1) (c) [use of permissive tax exemptions] in the City's financial plan.

**CARRIED UNANIMOUSLY**

8.12 KISU Swim Club Licence to Use

436/2014

**It was MOVED and SECONDED**

THAT Council approve the Licence to Use Agreement between the City and the KISU Swim Club (KISU);

AND THAT Council direct staff to execute that Licence to Use Agreement with KISU;

AND THAT Council authorize the Mayor and Corporate Officer to sign the agreement on the City's behalf.

**CARRIED UNANIMOUSLY**

8.13 Naramata May Pole Sculpture

437/2014

**It was MOVED and SECONDED**

THAT Council approve the request from the Naramata Community School PAC/Centennial Committee to install a public art display celebrating the school's 100<sup>th</sup> anniversary, within the Front Street Round About;

AND THAT Council direct staff to work and finalize with the NCSPAC and or the Regional District of Okanagan Similkameen, any requirements in the displays specifications and installation;

AND FURTHER THAT Council direct staff to enter into an agreement with NCSPAC and or the Regional District of Okanagan Similkameen, as per the Public Art Policy for the temporary installation of said art display with a term ending September 30, 2015.

**CARRIED UNANIMOUSLY**

**9. Correspondence**

**10. Committee and Board Reports**

10.1 Downtown Revitalization Select Committee Minutes of September 17, 2014

438/2014

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Downtown Revitalization Select Committee meeting of September 17, 2014.

**CARRIED UNANIMOUSLY**

10.2 Agriculture Advisory Committee Minutes of September 22, 2014

439/2014

**It was MOVED and SECONDED**

THAT Council receive the minutes of the Agriculture Advisory Committee meeting of September 22, 2014.

**CARRIED UNANIMOUSLY**

440/2014

**It was MOVED and SECONDED**

THAT Council refer the recommendation from the Agriculture Advisory Committee regarding establishing a dedicated Irrigation Reserve Fund to the Fiscal Review Advisory Committee.

**CARRIED UNANIMOUSLY**

441/2014

**It was MOVED and SECONDED**

THAT Council refer to staff the recommendation from the Agriculture Advisory Committee regarding Homesite Severance at 3330 Valleyview Road and subdivision of 1571 Naramata Road.

**CARRIED UNANIMOUSLY**

**11. Notice of Motion**

**12. Other Business**

442/2014

**It was MOVED and SECONDED**

THAT Council enter into an agreement with BC Hydro for the installation of a Direct Current Fast Charge (DCFC) electrical vehicle charging station in Penticton;

AND THAT the three sites identified on Schedule 'B' are forwarded to BC Hydro as candidate sites for the installation of the DCFC station;

AND THAT the 2014 budget be amended to accommodate the City's portion of the installation and operation of the DCFC station.

**CARRIED UNANIMOUSLY**

**13. RDOS Update**

**14. Business Arising from In-Camera**

THAT Council direct staff to enter into an agreement that will bind the City to enter into a Sub-licence agreement with Okanagan Lake Boat Company over a portion of the water lot west of Kiwanis Pier for the purpose of moorage and operation of the Fintry Queen at a rate of \$5,000, \$10,000, \$15,000/yr. for years one through three and \$20,000/yr. for years four and five;

AND THAT the Mayor and Corporate Officer be authorized to sign all necessary documents including the Agreement to enter into the sub-licence, the Head licence with the Province and the Sub-Licence with Okanagan Lake Boat Company once the condition precedents are satisfied.

**15. Media and Public Question Period**

**16. Adjournment**

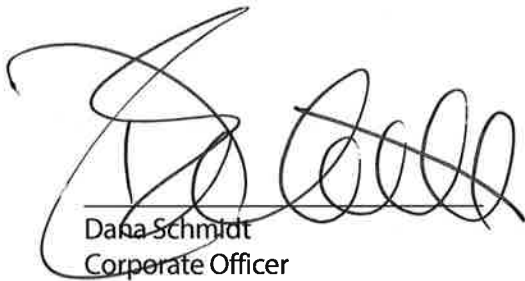
443/2014

**It was MOVED and SECONDED**

THAT Council adjourn the Regular Council meeting held on Monday, October 6, 2014 at 9:37 p.m.

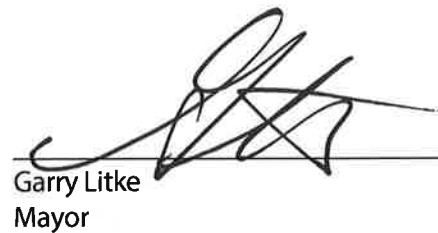
**CARRIED UNANIMOUSLY**

Certified correct:



Dana Schmidt  
Corporate Officer

Confirmed:



Garry Litke  
Mayor