Regular Council Meeting

to be held at
City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, August 17, 2015
Immediately following the Public Hearing at 6:00 p.m.

1. **Call Regular Council Meeting to Order**
2. **Introduction of Late Items**
3. **Adoption of Agenda**
4. **Adoption of Minutes:**
   4.1 Minutes of the August 4, 2015 Public Hearing
   4.2 Minutes of the August 4, 2015 Regular Council Meeting
5. **Presentations:**
6. **Delegations:**
   6.1 Don Kendall, President, Peachfest Society
       Re: Peachfest Wrap-up Report
   6.2 Hilma Labelle
       Re: Edible Gardens
7. **Reconsideration of Bylaws and Permits:**
   7.1 Zoning Amendment Bylaw 2015-43
       Re: 3388 Skaha Lake Road
   7.2 Traffic Amendment Bylaw No. 2015-38
       Re: Sidewalk Cafes
   7.3 Zoning Amendment Bylaw 2015-44
       Re: 864 Government Street
8. **Staff Reports:**
   DDS  8.1 Development Variance Permit PL2015-039
       Re: 4732 Lakeside Road
Staff Recommendation: THAT Council approve “Development Variance Permit PL2015-039” for Lot 2, District Lot 196, Similkameen Division Yale District, Plan 26577, located at 4732 Lakeside Road, a permit to decrease the minimum required front yard from 6.0m to 1.5m and the southern side yard from 1.5m to 1.0m, in order to construct an attached garage on the property; AND THAT staff be directed to issue “Development Variance Permit PL2015-039”.

DDS 8.2 Development Variance Permit PL2015-054 29-38 Del/Sub
Re: Pay parking lot on 341, 347, 353, 357, 359, 363 Main Street
Staff Recommendation: THAT Council approve “Development Variance Permit PL2015-054”, a permit to waive the requirement that a parking lot shall have a dust free hard surface of concrete, asphalt, grasscrete or a similar material and to waive the requirement to incorporate irrigation and landscaping into the parking area; AND THAT as a condition of the permit the following standards be maintained:

☐ Parking area must be graded, levelled and treated with an appropriate top coat;
☐ All parking spaces must be clearly delineated with signage and wheel stops; and
☐ A landscape area of a minimum of 3.0m must be maintained along the Main Street frontage;
AND THAT staff are directed to issue the permit.

DDS 8.3 Zoning Amendment Bylaw No. 2015-45 and DVP PL2015-044 39-58
Re: 2922 Wilson Street
Staff Recommendation:
#1 Zoning Amendment
THAT “Zoning Amendment Bylaw No. 2015-45”, a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with a site specific zoning amendment to increase the maximum density from 0.75 FAR to 0.92 FAR, be given first reading and be forwarded to the September 8, 2015 Public Hearing; AND THAT prior to adoption of the bylaw, a road dedication of 0.6m along Wilson Street frontage be registered with the land title office.
#2 Development Variance Permit
THAT Council support “Development Variance Permit PL2015-044” for Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, a permit to reduce the minimum interior yard setback from 3.0m to 1.5m and to reduce the minimum rear yard setback from 6m to 1.5m; AND THAT delegations and submissions be heard for “Development Variance Permit PL2015-044” during the September 8, 2015 Public Hearing; AND THAT staff are directed to issue DVP PL2015-044, subject to adoption of “Zoning Amendment Bylaw No. 2015-45”.

DDS 8.4 Temporary Use Permit PL2015-037 59-77 Del/Sub
Re: 1758 and 1802 Camrose Street
Staff Recommendation: THAT Council receive the ‘Pedestrian Crosswalk Warrant Analysis for the proposed parking lot at 1748 / 1802 Camrose Street’ prepared by IBI group; AND THAT after considering the contents of the report decide upon the following alternatives:
Alternative 1
Support “Temporary Use Permit PL2015-037” without the requirement for a crosswalk; or
Alternative 2
Support “Temporary Use Permit PL2015-037”, with the requirement to install a crosswalk, as originally recommended by staff.

DDS 8.5 ALR Application 78-88
Re: 127 Upper Bench Road
Staff Recommendation: THAT Council support the property owner of 127 Upper Bench Road and provide a letter of support as part of an application to the ALC to allow a house to be built on the property.

CO 8.6 City Inclusiveness 89
Staff Recommendation: THAT Council direct staff to develop options to demonstrate inclusivity throughout the City of Penticton.
9. **Correspondence**

9.1 Ramada Penticton
Re: North Entrance to the City 90-94

9.2 Sharon McIntyre
Re: Construction of sound barrier fence 95-96

9.3 Petition – Granby Avenue
Re: Speed bumps to deter traffic 97

9.4 Petition – 1300 block of Balfour Street
Re: Resident only parking 98-104

10. **Committee and Board Reports**

10.1 Penticton Creek Restoration Committee meeting of July 30, 2015 105-106
Recommendation: THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of July 30, 2015.

10.2 Agriculture Advisory Committee meeting of August 6, 2015 107-108
Recommendation: THAT Council receive the minutes of the Agriculture Advisory Committee meeting of August 6, 2015.

10.3 Affordable Community Task Force meeting of August 10, 2015 109-111
Recommendation: THAT Council receive the minutes of the Affordable Community Task Force meeting of August 10, 2015.

11. **Notice of Motion**

12. **Other Business**

13. **RDOS Update**

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

15. **Media and Public Question Period**

16. **Adjournment**
Public Hearing
City of Penticton, Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, August 4, 2015
at 6:00 p.m.

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

Staff:
Eric Sorensen, City Manager
Mitch Moroziuk, Director of Operations
Dana Schmidt, Corporate Officer
Jules Hall, Director of Development Services
Lori Mullin, Acting GM Recreation Services
Colin Fisher, Chief Financial Officer
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:00 p.m. for the “Zoning Amendment Bylaw No. 2015-39”. He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaw. She then explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the Local Government Act.

“Zoning Amendment Bylaw No. 2015-39”

The purpose of the Zoning Amendment Bylaw is to amend “Zoning Bylaw 2011-23” as follows:

- Add ‘cluster housing’ as a permitted use in the RM2 zone and add a definition for ‘cluster housing’ into the definitions section.
The Corporate Officer advised that no written correspondence has been received after the printing of the agenda.

The Director of Development Services provided Council with an overview of the zoning amendment.

DELEGATIONS

Mayor Jakubeit asked the public for the first time if anyone wished to speak to the application.
  • No one spoke.

Mayor Jakubeit asked the public for the second time if anyone wished to speak to the application.
  • No one spoke.

Mayor Jakubeit asked the public for the third and final time if anyone wished to speak to the application.
  • No one spoke.

The public hearing for “Zoning Amendment Bylaw No. 2015-39” was terminated at 6:04 p.m. and no new information can be received on this matter.

2. Call to order

Mayor Jakubeit called the public hearing to order at 6:05 p.m. for the “OCP Amendment Bylaw No. 2015-42” and “Zoning Amendment Bylaw No. 2015-43”. He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the Local Government Act.

The following bylaws for consideration are for a portion of Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254 located at 3388 Skaha Lake Road.

“OCP Amendment Bylaw No. 2015-42”

The purpose of the Official Community Plan Amendment is to amend Official Community Plan Bylaw No. 2002-20 as follows:

1) ‘Schedule B: Future Land Use’ to change the OCP designation on that portion of Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254, located at 3388 Skaha Lake Road from TC (Tourist Commercial) to HR (High Density Residential), and 2) ‘Schedule H: Development Permit Area
Map’ to remove it from the General Tourist Commercial Development Permit Area and include it in the High Density Residential Development Permit Area.

“Zoning Amendment Bylaw No. 2015-43”

The purpose of the Zoning Amendment is to amend Zoning Bylaw No. 2011-23 as follows:

1) Add a new a zone ‘14.5 CD5 – Comprehensive Development (3388 Skaha Lake Road)’ and 2) rezone that portion of Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254, located at 3388 Skaha Lake Road from CT3 (Hotel Resort) to CD5 – Comprehensive Development (3388 Skaha Lake Road).

The Corporate Officer advised that written correspondence has been received after the printing of the agenda and distributed to Council.

The Director of Development Services provided Council with an overview of the OCP and Zoning amendments.

DELEGATIONS

Mayor Jakubeit asked the public for the first time if anyone wished to speak to the application.
- Applicant, Anthony Vant Geloof and Bill Vant Geloof, Star-Line Enterprises Ltd, have been in Penticton for 25 years, positive feedback from neighbours in areas of other completed projects.
- Lynn Kelsey, Oakville Street, Affordable Housing, $340,000 is not what affordable housing looks like, suggest partner with non-profit groups to build appropriate housing for citizens of Penticton;
- Cheryl Ann Wilson, Haines Street, Penticton needs more low cost housing;
- Rusty Balk, Skaha Lake Road, will lose the view; concern is what is Council doing to protect me as a home owner.
- James Plano, Lee Avenue, support development, concern with congestion and parking in the area.

Mayor Jakubeit asked the public for the second time if anyone wished to speak to the application.
- No one spoke.

Mayor Jakubeit asked the public for the third and final time if anyone wished to speak to the application.
- Susan Tinning, Skaha Lake Road, put focus on walkways.
- Applicant, walkway will go in, affordable housing has to be addressed as city and other levels of government, not just individuals. Traffic flow, two entrances, Main Street and Yorkton Avenue. Have not had a profession review of the traffic flow. Feel one parking stall per unit is sufficient. Investing idea of a shared car owned by building and used by multiple residents.
- Bridgit Kemp, Warren Ave West, live across from Athens Creek towers, believe Skaha Lake Road will be as pleasant, concerned with the three towers and height as Penticton is built on bog land.
The public hearing for “Official Community Plan Amendment Bylaw No. 2015-42 and “Zoning Amendment Bylaw No. 2015-43” was terminated at 6:52 p.m. and no new information can be received on this matter.

Certified correct: Dana Schmidt
Corporate Officer

Confirmed: Andrew Jakubeit
Mayor
Minutes

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

Tuesday, August 4, 2015
Following the Public Hearing at 6:00 p.m.

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

Staff: Eric Sorensen, City Manager
Mitch Morozuk, Director of Operations
Dana Schmidt, Corporate Officer
Colin Fisher, Chief Financial Officer
Jules Hall, Director of Development Services
Lori Mullin, Acting General Manager of Recreation Services
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 6:53 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

406/2015

It was MOVED and SECONDED
THAT Council adopt the agenda for the Regular Council meeting held on August 4, 2015 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the July 20, 2015 Committee of the Whole Meeting

407/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the July 20, 2015 Committee of the Whole Meeting as presented.

CARRIED UNANIMOUSLY
4.2 Minutes of the July 20, 2015 Regular Council Meeting

408/2015

It was MOVED and SECONDED
THAT Council adopt the minutes of the July 20, 2015 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

4.3 Minutes of the July 29, 2015 Special Council Meeting

409/2015

It was MOVED and SECONDED
THAT Council adopt the minutes of the July 29, 2015 Special Council Meeting as presented.

CARRIED UNANIMOUSLY

5. Presentations

6. Delegations

7. Reconsideration of Bylaws and Permits

7.1 Bow and Arrow and Firearms Regulations Bylaw No. 2015-37

410/2015

It was MOVED and SECONDED
THAT Council adopt “Bow and Arrow and Firearms Regulations Bylaw No. 2015-37”.

CARRIED UNANIMOUSLY

7.2 Zoning Amendment Bylaw No. 2015-39
Re: Cluster Housing

411/2015

It was MOVED and SECONDED
THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2015-39”;
AND THAT Council adopt “Zoning Amendment Bylaw No. 2015-39”.

CARRIED UNANIMOUSLY

7.3 Five Year Financial Plan Amendment Bylaw No. 2015-41

412/2015

It was MOVED and SECONDED
THAT Council adopt “Five Year Financial Plan Amendment Bylaw No. 2015-41”.

CARRIED UNANIMOUSLY

7.4 Official Community Plan Amendment Bylaw No. 2015-42
Re: 3388 Skaha Lake Road

413/2015

It was MOVED and SECONDED
THAT Council give second and third reading to “Official Community Plan Amendment Bylaw No. 2015-42”;
AND THAT Council adopt “Official Community Plan Amendment Bylaw No. 2015-42”.

CARRIED UNANIMOUSLY

7.5 Zoning Amendment Bylaw No. 2015-43
Re: 3388 Skaha Lake Road

414/2015

It was MOVED and SECONDED
THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2015-43”.

CARRIED
Councillors Picton and Sayeed, Opposed
8. **Staff Reports**

8.1 **Development Variance Permit PL2015-034**
Re: 163-321 Yorkton Avenue

Delegations/Submissions:
- Gale Bay, Yorkton Avenue, applicant was made aware of the rules and he should have to abide by them.
- Marilyn Bishop, Yorkton Avenue, was told that couldn’t have a garage and live four houses away.

415/2015

**It was MOVED and SECONDED**
THAT Council refer “Development Variance Permit PL2015-034” back to staff for further work with the applicant.

CARRIED

Councillor Watt, Opposed

8.2 **Traffic Amendment Bylaw No. 2015-38**
Re: Sidewalk Cafes

416/2015

**It was MOVED and SECONDED**
THAT “Traffic Amendment Bylaw No. 2015-38” being a bylaw to amend Traffic Bylaw No. 94-39, be given first, second and third reading and forwarded to the August 17th Council meeting for adoption.

CARRIED UNANIMOUSLY

8.3 **Zoning Amendment Bylaw No. 2015-44 and DP PL2015-050**
Re: 864 Government Street

417/2015

**It was MOVED and SECONDED**
THAT “Zoning Amendment Bylaw No. 2015-44”, a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 14, District Lot 249, Similkameen Division Yale District, Plan 3578, Except Plan KAP68054, located at 864 Government Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the August 17, 2015 Public Hearing;
AND THAT Council support “Development Permit PL2015-050” for Lot 14, District Lot 249, Similkameen Division Yale District, Plan 3578, Except Plan KAP68054, located at 864 Government Street, a permit to approve the construction of a “Cluster Housing” development in the form of two duplexes, one of which will face Government Street and the other facing the lane;
AND THAT staff are directed to issue “DP PL2015-050”, subject to adoption of “Zoning Amendment Bylaw No.2015-44”.

CARRIED UNANIMOUSLY

9. **Correspondence**

10. **Committee and Board Reports**
10.1 Heritage and Museum Committee meeting of July 16, 2015

418/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Heritage and Museum Committee meeting of July 16, 2015.

CARRIED UNANIMOUSLY

10.2 Tourism Development Task Force meeting of July 16, 2015

419/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Tourism Development Task Force meeting of July 16, 2015.

CARRIED UNANIMOUSLY

10.3 Downtown Revitalization Sub-Committee meeting of July 23, 2015

420/2015

It was MOVED and SECONDED
THAT Council receive the minutes of the Downtown Revitalization Sub-Committee meeting of July 23, 2015.

CARRIED UNANIMOUSLY

11. Notice of Motion

12. Other Business

13. RDOS Update

14. Business Arising from In-Camera

THAT Council direct staff to reject proposals submitted as Expressions of Interest for the 2015-EOI-01 to construct and operate a hotel at the South Okanagan Event Centre (SOEC) site located at 325 Power Street.

15. Media and Public Question Period

16. Adjournment

421/2015

It was MOVED and SECONDED
THAT Council adjourn the Regular Council meeting held on Tuesday, August 4, 2015 at 7:51 p.m.

CARRIED UNANIMOUSLY

Certified correct: Confirmed:

____________________________________  ______________________________________
Dana Schmidt  Andrew Jakubeit
Corporate Officer  Mayor
Request to Appear as a Delegation

Preferred Council Meeting Date: **August 17**

Second choice(s): 

Subject matter: **PeachFest Wrap-up Report**

Name of person(s) making presentation:

[Signature]

Don Kendall - President PeachFest Society

Address: 138 Uplands A

Penticton

Phone: 

Email: 

Please provide details of your presentation:

- Wrap-up Report on Event Held
  August 5-9/15

Please note:

- This form and its content is part of the public record.
- Written copies of your submission must be presented to the Corporate Officer by 9:30 a.m. on the Wednesday before the meeting either by email, fax or in person.
- PowerPoint presentations must be emailed no later than 9:30 a.m. the date of the meeting. We recommend you bring backup PowerPoint files with you on a memory stick.
- Delegations are limited to 5 minutes.

Corporate Office
Dana Schmidt, Corporate Officer
171 Main Street, Penticton, B.C., V2A 5A9

Phone: 250-490-2405
Fax: 250-490-2402
dana.schmidt@penticton.ca
Request to Appear as a Delegation

Preferred Council Meeting Date: August 17th, 2015

Second choice(s): Next meeting in June

Subject matter: Edible Gardens

Name of person(s) making presentation:

Hilma Labelle

Address: 9600 Redlands Rd

Penticton, BC

Phone: Email: 

Please provide details of your presentation:

Request for Council to consider making space for edible gardens at Pickleball site on South Wall

Please note:

- This form and its content is part of the public record.
- Written copies of your submission must be presented to the Corporate Officer by 9:30 a.m. on the Wednesday before the meeting either by email, fax or in person.
- PowerPoint presentations must be emailed no later than 9:30 a.m. the date of the meeting. We recommend you bring backup PowerPoint files with you on a memory stick.
- Delegations are limited to 5 minutes.

Corporate Office
Dana Schmidt, Corporate Officer
171 Main Street, Penticton, B.C., V2A 5A9

Phone: 250-490-2405
Fax: 250-490-2402
dana.schmidt@penticton.ca
WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the Local Government Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2011-23;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

   This bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 2015-43”.

2. **Amendment:**

   Zoning Bylaw 2011-23 is hereby amended as follows:

   2.1 Add the following:

   **14.5 CD5 – Comprehensive Development (3388 Skaha Lake Road)**

   **14.5.1 PURPOSE**

   This zone provides for the comprehensive development of three (3) residential towers with ground floor garden apartments, on Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254, located at 3388 Skaha Lake Road.

   **14.5.2 PERMITTED USES**

   .1 apartment
   .2 congregate housing
   .3 day care centre, minor
   .4 day care centre, major
   .5 extended care residence
   .6 minor home occupation (subject to specific use regulation 8.4)
   .7 vacation rental
   .8 accessory use, building or structure

   **14.5.3 DEVELOPMENT REGULATIONS**

   Minimum parcel size: 4000 m²
   Maximum lot coverage: 60%
   Maximum density (without density bonus): 2.0 FAR
   Minimum height of residential tower: 20 m and 6 storeys
   Maximum height: 45 m and 14 storeys
   Minimum front yard: 4.5 m
   Minimum side yard: 0.0 m
   Minimum rear yard: 3.0 m
14.5.4 OTHER REGULATIONS

.1 Notwithstanding Section 7.1.1.4 in the case of the use ‘apartment’ vehicle parking shall be provided at the following rate:

i. 1 space per dwelling unit
ii. 1 shared vehicle space per building
iii. 5 guest spaces per residential building

.2 Amenity space shall be provided at the following rate:

i. 5.0 m2 per unit

14.5.5 DENSITY BONUS

.1 Notwithstanding Section 14.5.3.4, the maximum density on this property may be increased to 3.05 FAR, with a contribution of $15.00 per square meter for any density above 2.0 FAR, to be deposited into a fund to support housing affordability in the City of Penticton.

.2 The density bonus will be applied at the time of building permit issuance for each individual tower, with 1/3 of the total density of the project allocated to each tower.

2.2 Rezone a portion of Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254, located at 3388 Skaha Lake Road, from CT3 (Hotel Resort) to CD 5 (Comprehensive Development Zone 5) as shown in Schedule A.

2.3 Schedule ‘A’ attached hereto forms part of this bylaw.

READ A FIRST time this 20 day of July, 2015
A PUBLIC HEARING was held this 4 day of August, 2015
READ A SECOND time this 4 day of August, 2015
READ A THIRD time this 4 day of August, 2015
RECEIVED the approval of the 6 day of August, 2015
Ministry of Transportation on the
ADOPTED this day of , 2015

Notice of intention to proceed with this bylaw was published on the 24 day of July, 2015 and the 29 day of July, 2015 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer
3388 Skaha Lake Road
(Area of Proposed Lot 1)

1. To add a new zone, which will be called 14.5 CD5 – Comprehensive Development (3388 Skaha Lake Road)

2. To rezone a portion of the site from CT3 (Hotel Resort) to CD 5 – Comprehensive Development (3388 Skaha Lake Road)
The Corporation of the City of Penticton

Bylaw No. 2015-38

A bylaw to amend the Traffic Bylaw No. 94-39

WHEREAS the of the City of Penticton has adopted a Traffic Bylaw pursuant to the Community Charter and the Motor Vehicle Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Traffic Bylaw No. 94-39;

NOW THEREFORE BE IT RESOLVED THAT the Council in open meeting assembled enacts as follows:

1. **Title:**

   This Bylaw may be cited as the “Traffic Amendment Bylaw No. 2015-38”.

2. **Amendment:**

   Traffic Bylaw 94-39 is hereby amended as follows:

   2.1 Amend Section 10A – SIDEWALK CAFÉ PERMITS AND LICENCE AGREEMENTS by deleting and replacing TYPE 1 CAFES with:

   4. A Type 1 Sidewalk Café must not occupy more than one-half the width of the sidewalk abutting the premises of which it forms a part, or leave less than 1.5 metres (4.9 feet) of clear, unobstructed sidewalk for pedestrian use, except that in the case of a Sidewalk Café that was constructed prior to March 21, 2011 leaving a lesser sidewalk with, the unobstructed width of Sidewalk may be such lesser width, but not less than 1.21 metres (4 feet) up to the point in time that the 100 to 400 Blocks of Main Street are reconstructed, saving and excepting that all safety related items must be addressed to the satisfaction of the Building and Permitting Manager.

   2.2 Amend Section 10A – SIDEWALK CAFÉ PERMITS AND LICENCE AGREEMENTS by deleting and replacing STANDARDS with:

   6. The design and construction of sidewalk cafes that may be authorized by permit under this section must comply with the standards and specifications set out in Schedule L, except that in the case of a sidewalk café that was constructed prior to March 21, 2011 with a sidewalk deflection geometry greater than 45 degrees or width of less than 1.5 metres (4.9 feet), the existing geometry and unobstructed width of a temporary sidewalk may be such lesser width, but not less than 1.21 metres (4 feet), up to the point in time that the 100 to 400 Blocks of Main Street or August 1, 2020, whichever comes sooner, are reconstructed, saving and excepting that all safety related items must be addressed to the satisfaction of the Building and Permitting Manager.
READ A FIRST time this 4 day of August, 2015
READ A SECOND time this 4 day of August, 2015
READ A THIRD time this 4 day of August, 2015
ADOPTED this day of , 2015

________________________
Andrew Jakubeit, Mayor

________________________
Dana Schmidt, Corporate Officer
The Corporation of the City of Penticton

Bylaw No. 2015-44

A Bylaw to Amend Zoning Bylaw 2011-23

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the Local Government Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2011-23;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

   This bylaw may be cited for all purposes as “Zoning Amendment Bylaw 2015-44”.

2. **Amendment:**

   2.1 Zoning Bylaw 2011-23 Schedule ‘A’ is hereby amended as follows:

   Rezone Lot 14, District Lot 249, Similkameen Division Yale District, Plan 3578, except Plan KAP68054, located at 864 Government Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

   2.2 Schedule ‘A’ attached hereto forms part of this bylaw.

READ A FIRST time this 4 day of August, 2015
A PUBLIC HEARING was held this 17 day of August, 2015
READ A SECOND time this day of 2015
READ A THIRD time this day of 2015
ADOPTED this day of 2015

Notice of intention to proceed with this bylaw was published on the 7 day of August, 2015 and the 12 day of August, 2015 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer
864 Government Street
Rezone From R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing)
Staff Recommendation

THAT Council approve “Development Variance Permit PL2015-039” for Lot 2, District Lot 196, Similkameen Division Yale District, Plan 26577, located at 4732 Lakeside Road, a permit to decrease the minimum required front yard from 6.0m to 1.5m and the southern side yard from 1.5m to 1.0m, in order to construct an attached garage on the property;

AND THAT staff be directed to issue “Development Variance Permit PL2015-039”.

Background

The subject property (Attachment ‘A’) is a two-storey home located in a low-density, residential area of the city. The frontage of the property is situated along Lakeside Road; the house is setback from the property line approximately 8m with another 12m to the shoulder line of the road (Attachment ‘B’).

The site has a limited building area due to serious geotechnical hazards in the rear of the property and access thereto. The site is further constrained due to a road widening on the property, which reduces the front yard by approximately 2m, compared with most of the neighbouring properties. These restrictions have limited the owner’s ability to place a garage at the front of the property; as such, the applicant is applying to reduce the front yard setback as well as the side yard, allowing him to build a structure large enough for boat and vehicular storage.

Proposal

The applicant is requesting a development variance permit to vary the following section of Zoning Bylaw 2011-23:

- Section 10.1.2.5: Decrease the minimum front yard setback from 6.0m to 1.5m
- Section 10.1.2.6: Decrease the minimum side yard setback from 1.5m to 1.0m

Financial implication

N/A
Technical Review

This application was forwarded to the City’s Technical Planning Committee and reviewed by the Engineering and Public Works Departments. No conditions prior to variance permit approval were identified through this referral process. If the application for variance is successful, the applicant will have to show conformance to the requirements of the BC Building Code prior to building permit approval.

Analysis

Approve

The applicant is in the process of renovating and improving the exterior of the home. The approval of this variance application will enable him to move forward with his renovations and provide storage in the same area that a boat and vehicle are currently stored. Arguably, the construction of a new, modern garage will provide a more attractive frontage.

Due to topographical and siting challenges, the applicant’s buildable area is significantly constrained. Although the garage could be built without the need for a side yard variance, allowing for the projection into the side yard will create better architectural articulation of the building. Additionally, due to a mature row of cedars along the side yard, there will not be any visual impact to the neighbor.

Given the above, staff feel that the request is reasonable and recommend that Council support the variance and direct staff to issue the permit.

Deny

Council may feel that the variance is not justified and that the property owner should follow the bylaw. If that is the case, council should deny the variance. Alternatively, Council may wish to refer the application back to staff to work with the applicant in alternative designs.

Alternate recommendations

1. THAT “DVP PL2015-039” be referred back to staff.
2. THAT “DVP PL2015-039” be approved with conditions.

Attachments

Attachment A – Subject property location map
Attachment B – Images of subject property
Attachment C – Letter from applicant
Attachment D – Draft DVP
Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

<table>
<thead>
<tr>
<th>Director</th>
<th>City Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>JGHI</td>
<td>ES</td>
</tr>
</tbody>
</table>
Attachment A – Subject Property Location Map

Figure 1: Subject property highlighted in blue
Attachment B – Images of Subject Property

Figure 2: Close-up image of subject property

Serious geotechnical challenges at back of property, with no access

Approx. 8 m

Approx. 12 m
Figure 3: Front of property looking north east from Lakeside Road
Letter of Intent

The garage I am proposing to build at 4732 Lakeside rd. is strictly for storage and security for personal vehicles. In the past 6 years I have been living at this residence there has been multiple thefts from vehicles in the driveway and surrounding areas. Also, the existing driveway slopes into the garage causing flooding and drainage issues. The neighbor to the south of me will not be affected in any way due to the mature cedar hedge that divides our property. The height of the garage will not impede any view from their residence. There is no dwelling to the north of the property except for two garages that service the homes on the lake and they are seasonal summer rentals. The proposed garage will still be 28 ft from the finished exterior to the road which also leaves ample parking and does not encroach visually onto Lakeside rd.

Scott Woolley
June 25/2015
Development Variance Permit

Permit Number: DVP PL 2015-039

Name
Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:

   Legal: Lot 2, District Lot 196, Similkameen Division Yale District, Pian 26577
   Civic: 4732 Lakeside Road
   P/L: 005-999-137

3. This permit has been issued in accordance with Section 922 of the Local Government Act, to vary the following sections of Zoning Bylaw 2011-23 to allow for the construction of a garage, as shown in the plans attached in Schedule A.

   - Section 10.1.2.5: reduce the front yard setback from 6.0 to 1.5m
   - Section 10.1.2.6: reduce the side yard setback from 1.5m to 1.0m

General Conditions

4. In accordance with Section 928(2) of the Local Government Act, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

5. In accordance with Section 926 of the Local Government Act, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC’s), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.
Authorized by City Council, the _____ day of _________, 2015

Issued this _____ day of _________, 2015

__________________________
Dana Schmidt,
Corporate Officer
Council Report

Date: August 17, 2015  File No: DVP PL2015-054
To: Eric Sorensen, City Manager  
From: Blake Laven, Planning Manager

Subject: DVP PL2015-054 for a pay parking lot on 341, 347, 353, 357, 359, 363 Main Street

Staff Recommendation

THAT Council approve “Development Variance Permit PL2015-054”, a permit to waive the requirement that a parking lot shall have a dust free hard surface of concrete, asphalt, grasscrete or a similar material and to waive the requirement to incorporate irrigation and landscaping into the parking area;

AND THAT as a condition of the permit the following standards be maintained:

☐ Parking area must be graded, levelled and treated with an appropriate top coat;
☐ All parking spaces must be clearly delineated with signage and wheel stops; and
☐ A landscape area of a minimum of 3.0m must be maintained along the Main Street frontage;

AND THAT staff are directed to issue the permit.

Background

The subject property is currently vacant, and has been since the Three Gables Hotel burned down in 1999. Since that time, the site has been used informally as parking. The lot though has never been properly graded and developed into parking and currently features a rocky and uneven surface with exposed concrete in places. In 2009 the Downtown Penticton Association installed some semi-formal park infrastructure on a portion of the property fronting Main Street, in the form of mulch ground cover and picnic tables.

Staff have met with the property owner several times over the past few years with regard to the state and use of the property. The owner has wanted to charge for parking but to do so, a business licence is required and to achieve a business licence the lot needs to be brought up to Zoning Bylaw standards for a public pay parking lot. The bylaw requires the site to be engineered for drainage, paved and have landscape islands and lighting. As the site is deemed to be a future development site, the property owner has not wanted to make the required investment to bring the property up to that standard.

Over the past few years, the parcel has had every appearance of a parking lot (including informal vehicle parking) and this has created confusion with the community. Recently, the owner has said that they would be willing to level and surface the lot to a minimum standard if he could operate a proper parking lot. This is
a similar approach that has been used on other potential development sites downtown (for example the City owned parking lot on Backstreet Boulevard and Nanaimo Street Hall as well as what was done at 450 Martin Street – P2 development site). To operate the lot as contemplated, a variance to the zoning bylaw is required. The final topcoat would be either an asphalt ‘millings mixture’ or a soft crush material, both of which are permeable.

Proposal

The applicant is proposing to waive the following provisions of Zoning Bylaw 2011-23:

- Section 7.3.1.3 Every off-street parking or loading area accommodating five or more vehicles shall consist of a durable, dust free, hard surface of concrete, asphalt, grasscrete or similar material
- Section 7.3.3 Every outdoor off-street parking space accommodating ten or more spaces shall incorporate landscaping within the parking area calculated on the basis of 2.0m² of landscaped island per parking space. This shall be landscaped in accordance with Chapter 6.

Financial implication

N/A

Analysis

Support

The current way that this parking area is operating has created a situation of confusion for users. By creating a legitimate parking lot, the public will not be confused over the operation of the property.

By keeping the parking area in a semi-permanent state (ie: no paving, irrigation or landscaping) the chances that it will be redeveloped are thought to be higher.

Other benefits of legitimizing the parking lot will be that it will clean up a site that is currently in an unkempt state. The parking lot will be levelled with a softer crush being installed. All individual parking stalls will be delineated with wheel stops and signs and signage will be installed. The landscaping that was installed by the DPA will either be retained in its current state or improved.

For these reasons staff recommend that Council support the variance request.

Deny

Council may feel that this property should be developed into a proper parking lot with paving and landscape islands. If that is the case, Council should deny the variance request. Alternatively, Council may wish to see some improvements to the land beyond what the land owner is willing to do, but not quite what is required by the bylaw. If that is the case, Council could refer the application back to staff with instructions to work with the developer on refining the plans.

Alternate recommendations

THAT Council deny support to DVP PL2015-054.

THAT Council refer DVP PL2015-054 back to staff for further work.
Attachments

Attachment A – Aerial Location Map
Attachment B – Permit for Issuance

Respectfully submitted,

Blake Laven,
Planning Manager

Approvals

<table>
<thead>
<tr>
<th>Director</th>
<th>City Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>JGH</td>
<td>ES</td>
</tr>
</tbody>
</table>
Attachment A
Property Location Map
Attachment B
Photos of Subject Lands

Figure 1: Image of subject properties from Main Street looking north-west

Figure 2: Image of subject properties from Main Street looking south-west
Attachment C
Permit for Issuance

Development Variance Permit

Permit Number: DVP PL2015-054

Malvinder (Raj) Randhawa
0888739 BC Ltd. Inc No. BC0888739
360 Martin Street
Penticton BC V2A

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:

   Legal: Lots 27, 28, 29 30, 31 and 32 of Block 9 District Lot 202, Similkameen Division Yale District and of District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lyton) District, Plan 269
   Civic: 341, 347, 353, 357, 359 and 363 Main Street
   PIDs: 012-458-741; 012-458-759; 012-458-767; 012-458-775; 012-458-783 and 012-540-196

3. This permit has been issued in accordance with Section 922 of the Local Government Act, to waive the following sections of Zoning Bylaw 2011-23, to allow for a public pay parking lot:

   • Section 7.3.1.3: That every off-street parking or loading area accommodating five or more vehicles shall consist of a durable, dust free, hard surface of concrete, asphalt, grasscrete or similar material; and
   • Section 7.3.3 That every outdoor off-street parking space accommodating ten or more spaces shall incorporate landscaping within the parking area calculated on the basis of 2.0 m² of landscaped island per parking space.

General Conditions

4. In accordance with Section 928(2) of the Local Government Act, the lands subject to this permit shall be developed in general accordance with this permit.

5. A landscape buffer of a minimum of 3.0m must be maintained along the main street frontage of the property.

6. Each stall must be clearly delineated with signage and wheel stops.

7. In accordance with Section 926 of the Local Government Act, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
8. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

9. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

10. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the **17th** day of *August*, 2015

Issued this _____ day of __________, 2015

_____________________________
Dana Schmidt,
Corporate Officer

Page 2 of 2
With regard to the proposed Zoning Bylaw Parking Lot Variation for the old Gables Hotel lot/ lots 341-363 west face of Main St.

Tim Scott

424 Heather Rd Penticton, Doing Business at 342 Main St.

I am excited to see some improvements planned for this lot, although temporary. This empty lot is front and center in the heart of downtown, and although the condition has been visually poor the largest problem comes from what was a well-intentioned idea, which was unfortunately unsuccessful. The biggest detractor to this property is not brought about by the dirt lot, but the make shift park to the front. This area, through its layout attracts a social element which not only does not make the public feel less like spending money on themselves, but is a real safety concern. Operating a business across the street I am forced to make numerous calls to the RCMP to deal with the people who congregate there and openly drink and use & sell drugs. These people when intoxicated have assaulted people on my patio, each other and those just walking by, even if the situation does not develop to such a level, just having openly intoxicated people openly drinking and acting out is enough to provide concern for those with small children from shopping in the downtown core. 95% of the calls to RCMP in this block relate to or stem from events in this park. The layout of the park attract an element of vagrants, and street thugs, with these people present it is unlikely most of the general public will enjoy the park benches. I recommend the parking lot be allowed, but that the developer be instructed to alter the landscaped area to be the required depth (3m) Xeriscaped and the park benches be positioned up to, adjacent and parallel to the sidewalk, to provide the convenience for the elderly to sit down, yet take away the feeling of a congregation area away from the main travel path and on private property. This will minimize this unwanted daily gathering, the one or two which might sit there will not feel the “Power in Numbers” and feel front and center encouraging shorter stays. I have also witnessed how the RCMP basically letting it happen, lead to youth feeling comfortable drinking in this park at night. There is power on the lot so lighting could easily be improved by the land owners in tandem with better lighting from his other existing property, as well the city should consider installing flood lights from the 3 current light poles in the interest of public safety.

To be clear I am very aware that this social problem is a symptom of a much larger problem which I strongly urge City Council to partner with community groups to find suitable and attractive alternatives for those with few options, reducing these numbers will also help disperse the street thugs which feed on this environment. There is a much larger social problem at play, but let’s convert this property away from an area which supports and promotes a visible detractor to Downtown and promotes open lawlessness.

The things I have suggested have minimal extra expense, yet can have an impact in this area, increase safety and perhaps increase the sale ability of the property for the land owner.

[Signature]
AUGUST 13, 2015

City of Penticton
171 Main Street
Penticton, BC
V2A 5A9

RE: Public Notice for Development Variance Permit PL2015-054

Attention: Corporate Officer; City of Penticton,

With respect to the above noted request for variance, as representative of the owners of KAP 57839 we strongly oppose. As the adjoining property, this will negatively impact the building with the increase of dust from the traffic and it will deter the image on the building. This variance defeats the goal to beautify the downtown core. Leasing has proven to be a challenge in the Penticton market and if you allow the use of land without guidelines this will further deter our ability to attract tenancy.

If you require any further information please don’t hesitate to contact me.

Respectfully,

Greg Appelt
PRESIDENT
AMD
**Date:** August 17, 2015  
**To:** Eric Sorensen, City Manager  
**From:** Audrey Tanguay, Senior Planner  
**Address:** 2922 Wilson Street  
**Subject:** Zoning Amendment Bylaw No. 2015-45 and Development Variance Permit PL2015-044

---

**Staff Recommendation**

**#1 Zoning Amendment**

THAT “Zoning Amendment Bylaw No. 2015-45”, a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with a site specific zoning amendment to increase the maximum density from 0.75 FAR to 0.92 FAR, be given first reading and be forwarded to the September 8th, 2015 Public Hearing;

AND THAT prior to adoption of the bylaw, a road dedication of 0.6m along Wilson Street frontage be registered with the land title office.

**#2 Development Variance Permit**

THAT Council support “Development Variance Permit PL2015-044” for Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, a permit to reduce the minimum interior yard setback from 3.0m to 1.5m and to reduce the minimum rear yard setback from 6m to 1.5m;

AND THAT delegations and submissions be heard for “Development Variance Permit PL2015-044” during the September 8th, 2015 Public Hearing;

AND THAT staff are directed to issue DVP PL2015-044, subject to adoption of “Zoning Amendment Bylaw No. 2015-45”.

**Strategic priority objective**

N/A
Background

The subject property (Attachment ‘A’) is designated by the Official Community Plan (OCP) as MR (Medium Density Residential) and is currently zoned RD1 (Duplex Housing). Photos of the site are included in Attachment ‘D’. The property is also identified as being in the “General Multiple Family Development Permit Area” under OCP Bylaw 2002-20. The 769 m² (0.19 acre) property currently features a single detached dwelling that will be removed from the property.

The property is located in a neighbourhood with a mix of single family, duplex and multi-family housing. Residential intensification has been happening over time, with the redevelopment of single family lots into multi-family housing along Green Avenue and Wilson Street.

The applicant intends to develop a strata, multi-family project with one duplex building facing Wilson Street and one single family dwelling and a duplex facing the lane (Attachment ‘F’). The proposed development consists of 5 units in total, with each unit having an approximate floor area of 138 m² (1486 sq.ft). Each dwelling comprises 3 bedrooms and an enclosed garage.

Proposal

The applicant is requesting that the subject property be rezoned from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) and that a site specific zoning amendment be supported to increase the maximum density from 0.75 FAR to 0.92 FAR.

The applicant is also requesting a development variance permit to vary the following sections of Zoning Bylaw 2011-23:

- Section 10.8.2.7 i.: reduce the minimum interior yard setback from 3.0m to 1.5m
- Section 10.8.2.8: reduce the minimum rear yard setback from 6m to 1.5m

Project Specifications

The following table outlines the proposed development statistics on the plans submitted with the rezoning application:

<table>
<thead>
<tr>
<th>Item</th>
<th>Requirement RM2 Zone</th>
<th>Provided on Plans</th>
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</thead>
<tbody>
<tr>
<td>Maximum Lot Coverage:</td>
<td>40 %</td>
<td>36.62 %</td>
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<tr>
<td>Maximum Density:</td>
<td>0.75 FAR</td>
<td>0.92 FAR(Site Specific)</td>
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<tr>
<td>Vehicle Parking:</td>
<td>1 space per unit (5 spaces)</td>
<td>5 spaces</td>
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<tr>
<td>Required Setbacks</td>
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<tr>
<td>Front yard (Wilson St)</td>
<td>3m</td>
<td>3m</td>
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<tr>
<td>Rear yard</td>
<td>6m</td>
<td>1.5m(variance required)</td>
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<tr>
<td>Interior Side yard (North)</td>
<td>3m</td>
<td>1.5m(variance required)</td>
</tr>
<tr>
<td>Side Yard(South)</td>
<td>3m</td>
<td>3m</td>
</tr>
<tr>
<td>Maximum Building Height:</td>
<td>12m</td>
<td>10m</td>
</tr>
<tr>
<td>Other Information:</td>
<td>Property is in the General Multiple Development Permit Area</td>
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</tbody>
</table>
Development Engineering Review

This application was forwarded to the City’s Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Road widening is suggested as part of this application. Prior to approval of the rezoning, staff recommend a 0.6m dedication along the Wilson Street frontage to achieve a future 20m right-of-way. The road widening on Wilson Street would allow for the placement of sidewalks. The applicant has been notified of the requirements and has placed the building accordingly to the new property line. Typically, the City pays the legal and survey costs for the road widening acquired as part of a rezoning. Usual frontage upgrade and servicing requirements have been identified for and will form part of the building permit stage of the project. These items have been communicated to the applicant. The applicant will be responsible for the construction of the sidewalk along Wilson Street and paving of the lane.

Financial implication

The City will incur some legal and survey costs with the transfer of the road dedication, but the property is needed to have room for the installation of sidewalks.

Analysis

Support zoning amendment

The subject property is designated for Medium Density Residential under OCP Bylaw 2002-20. The MR designation encourages a wide range of housing forms including cluster housing. The proposed RM2 zone is intended for this OCP designation. The OCP has criteria for staff and Council to consider when reviewing applications in this area. The development meets the following objectives of the OCP:

- Encourage residential intensification near commercial activities and institutional facilities
- Encourage a diversified range of housing, types, tenures and densities
- Encourage densification in areas where existing services can accommodate higher densities.
- Largely, new development should be accommodated through infill development
- Encourage a wide range of Medium Density Residential housing, including cluster housing and compact housing
- Require a high standard of architectural building design and landscaping for development in the Medium Density Residential designation

It is also important to note that Council recently approved a Zoning Amendment for the inclusion of cluster housing in the RM2 zone to respond to developers demand for multiple duplex and single detached dwellings on a single parcel.

The plans submitted in support of the rezoning application show that the proposed development meets the guidelines for this multiple housing designation as outlined in the OCP. As such, staff recommend that
Council support the application to rezone the property and refer the application to the September 8th Public Hearing.

Deny/Refer

Council may feel that the proposed amendment is not suitable for this site. If this is the case, Council should deny the bylaw amendment. If the zoning amendment does not go forward, the property will be restricted to the duplex or single family uses. Alternatively, Council may refer the application back to staff with further instructions.

Support Variance

When considering a variance to a City bylaw, staff encourages Council to consider whether there is a hardship on the property that makes following the bylaw difficult or impossible, whether approval of the variance would cause a negative impact on neighbouring properties, and if the variance request is reasonable.

Section 10.8.2.7 i. to vary the minimum side yard setback from 3m to 1.5m

The applicant is requesting a 1.5m interior setback reduction along the north property line. Only one unit will be closer to the property line at 1.5m as the other units are located 7.8m from the north property line. A new 6 feet pressure treated wood fence will be installed along with communal garden alongside the fence. Staff do not feel the 1.5m variance will have a negative effect as this is a minor variance.

Section 10.8.2.8 to vary the minimum rear yard setback from 6m to 1.5m

Building 3 (duplex on the lane) is proposed to be located at 1.5m from the west property line. As with other infill projects throughout the City, it is often difficult to build within required setbacks on lots that were originally intended for single family housing. The variance to the required rear yard, although quite large, still allow for adequate landscaping between the proposed buildings and neighbouring developments.

Considering the above, it is recommended that Council support the application and direct staff to issue the permit.

Deny/Refer

Council may consider that the number of variances requested demonstrate that the development will negatively affect the residential neighborhood. If this is the case, Council can deny all or one of the proposed variances. Alternatively, Council may want to refer the application back to staff for further work with the applicant.

Alternate Recommendations

1. THAT Council support “Zoning Amendment Bylaw No.2015-45” but denies support to “Development Variance Permit PL2015-044”.
2. THAT Council support “Zoning Amendment Bylaw No.2015-45” without any conditions.
3. THAT Council support “Development Variance Permit PL2015-012” with conditions.
**Attachments**

Attachment A: Subject Property Location Map  
Attachment B: OCP Map  
Attachment C: Zoning Map  
Attachment D: Images of Subject Property  
Attachment E: Letter of Intent  
Attachment F: Site Plan  
Attachment G: Elevations  
Attachment H: DVP  
Attachment I: Zoning Amendment Bylaw No. 2015-45

Respectfully submitted,

Audrey Tanguay, MCIP  
Senior Planner

**Approvals**

<table>
<thead>
<tr>
<th>Director</th>
<th>City Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>JGH</td>
<td>ES</td>
</tr>
</tbody>
</table>
Attachment A - Subject Property

Figure 1: Location Map
Figure 2: OCP Map
Figure 3: Zoning Map
Attachment D - Images of the Subject Property

Figure 4: View from Wilson St

Figure 5: View from Lane
Figure 6: Looking West onto the subject property

Figure 7: Looking North East onto the subject property
Rezoning and Development Rationale

2922 Wilson Street, Penticton, BC

The attached application for Rezoning and Development Permit is submitted by Radeq Group Inc. on behalf of Joseph Walters, the future owner of the subject property. Radeq Group has discussed the development with the City of Penticton’s Planning Department and the preliminary concept was supported. The proposed development is targeted to meet the growing demand for affordable housing for Penticton’s families.

The subject property’s Future Land Use designated by the Official Community Plan as Medium Density Residential (MR). This includes cluster housing, townhomes, and condominiums. Bareland Strata developments are permitted in properties designated MR. Radeq Group proposes to rezone the subject property from RD 1 (Duplex Housing) to RM-2 (Low-Density Multiple Housing). The purpose of RM-2 is to provide a zone for low density multiple housing up to three stories above grade on urban services. RM-2 is consistent with the Medium Density Residential Future Land Use designation. The area features a mix of single-family, duplexes, multi-family and commercial uses. Several properties in the immediate vicinity are zoned RM-2. The subject located one block from Princess Margaret Secondary School and Skaha Lake Middle School, which makes the subject property an ideal location for families.

The subject property is 20,528 m x 36,576 m (67’-4” x 120’-0”). The front of the property abuts Wilson Street, with the length of the property along a lane. The intention is to demolish the existing house, which was built in 1970, and construct 2 duplexes and 1 single-family home. Each 3-storey residence will have a well-defined entrance, 3 bedrooms on the upper floor, an open-concept living area on the second floor, and a ground level featuring a single-car garage and flex area at the rear with a total net living area of 1,485.6 SF. Radeq is proposing increasing the FAR from 0.75 to 0.92, consistent with low to medium density. Each dwelling unit will also feature generous decks with privacy screens facing a communal yard, with planters for gardens. Design elements include board & batten cladding painted subdued hues of blue, green and taupe, windows placed in interesting configurations, and steel roofing. The proposed homes evoke a ‘cottage-like’ character with contemporary design lines.

A duplex will face Wilson St, while the single family home and a second duplex will have access from the lane. The front yard setback of 3.0 m (9-3”) will be maintained along the side-yard abutting the lane. The intention is to continue the character and landscaping of the front yard along the side yard, creating inviting and ground-oriented access with the provisions for a new sidewalk along Wilson and a pedestrian pathway along the lane. We are proposing a relaxation of the minimum side yard from 3.0 m to 1.5 m along the north property line, and a relaxation of the minimum rear yard from 6.0 m to 1.5 m along the east property line. A Japanese Pagoda tree will be planted for shade and was selected because

Radeq Group Inc.
of its rapid growth rate, broad crown, and tolerance for city conditions, heat, and drought. Xeriscaping techniques will reduce the need for supplemental water, and innovative wastewater technologies such as low-consumption fixtures, grey waste water systems, and storm water irrigation are further strategies for water conservation. Permeable driveways and walkways will be installed to mitigate a higher water table, and storm water will be managed and maintained as required by Building By-Law 04-45 and Subdivision Development Bylaw 2004-51.

As part of our proposal, we enclose a preliminary perspective, rendered context elevations, site plan, landscape plan, floor plans and elevations. Key features of this development are the provision of ground-oriented three bedroom residences with a high standard of liveability, thoughtful architecture and design, densification, and affordable homeownership for Penticton’s families. Therefore, we respectfully request a site-specific rezoning to RM2 (Low Density Multiple Housing) and a variance to the setback and FAR requirements.
Figure 8: Elevation on Wilson Street

Figure 9: Elevation on the Lane
Figure 10: Perspective on Wilston Street

Figure 11: Perspective on the Lane
Figure 12: Rear Yard Perspective
Attachment G: Site Plan

Figure 13: Site Plan
Attachment H: DVP

Development Variance Permit

Permit Number: DVP PL2015-044

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:
   
   Legal: Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696
   Civic: 2922 Wilson Street
   PID: 001-687-115

3. This permit has been issued in accordance with Section 922 of the Local Government Act, to vary Section 10.2.2.1 of Zoning Bylaw 2011-23 to reduce Section 108.2.7 i: to reduce the minimum interior yard setback from 3.0m to 1.5m and vary Section 108.2.8: to reduce the minimum rear yard setback from 6m to 1.5m as shown in the plans attached in Schedule A.

General Conditions

4. In accordance with Section 928(2) of the Local Government Act the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

5. In accordance with Section 926 of the Local Government Act, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electrical Utility at (250) 490-2535.

Authorized by City Council, the of 2015

Issued this _____ day of __________, 2015

__________________________
Dana Schmidt,
Corporate Officer
The Corporation of the City of Penticton

Bylaw No. 2015-45

A Bylaw to Amend Zoning Bylaw 2011-23

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the Local Government Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2011-23;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

   This bylaw may be cited for all purposes as “Zoning Amendment Bylaw 2015-45”.

2. **Amendment:**

   2.1 Zoning Bylaw 2011-23 Schedule ‘A’ is hereby amended as follows:

      Rezone Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

   2.2 Add 10.8.4 Site Specific Provisions

      .2 In the case of Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, the maximum density shall be 0.92 FAR.

   2.3 Schedule ‘A’ attached hereto forms part of this bylaw.

READ A FIRST time this day of , 2015
A PUBLIC HEARING was held this day of , 2015
READ A SECOND time this day of , 2015
READ A THIRD time this day of , 2015
RECEIVED the approval of the Ministry of Transportation on the day of , 2015
ADOPTED this day of , 2015

Notice of intention to proceed with this bylaw was published on the __ day of ____, 2015 and the __ day of ____, 2015 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

______________________________
Andrew Jakubeit, Mayor

______________________________
Dana Schmidt, Corporate Officer
2922 Wilson Street
Rezone from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) with a site specific zoning amendment to increase the maximum density from 0.75 FAR to 0.92 FAR
Council Report

Date: August 17, 2015
To: Eric Sorensen, City Manager
From: Blake Laven, Planning Manager

Subject: TUP PL2015-037 (for a temporary parking lot at 1748 and 1802 Camrose Street)

Staff Recommendation

THAT Council receive the ‘Pedestrian Crosswalk Warrant Analysis for the proposed parking lot at 1748 / 1802 Camrose Street’ prepared by IBI group;

AND THAT after considering the contents of the report decide upon the following alternatives:

Alternative 1
Support “Temporary Use Permit PL2015-037” without the requirement for a crosswalk; or

Alternative 2
Support “Temporary Use Permit PL2015-037”, with the requirement to install a crosswalk, as originally recommended by staff.

Strategic priority objective
N/A

Background

This report follows from a previous report presented to Council on July 6th, 2015 in regard to an application for a temporary parking lot at 1748 / 1802 Camrose Street. The parking lot is intended to be operated during the construction of the new Patient Care Tower at Penticton Regional Hospital. Council, at that meeting, postponed decision until further information could be provided.

In the original report to Council, attached for reference as Attachment B, staff recommended that, as a condition of Council’s approval, a crosswalk would be installed across Industrial Avenue from the proposed parking lot to the hospital property. The recommendation proposed that a warrant analysis be conducted to determine the most appropriate location and type of crosswalk to install.

During the meeting on July 6th, Council heard from a member of the Penticton Industrial Development Association (PIDA) who indicated that PIDA was opposed to a controlled pedestrian crossing. The reasons
given for their opposition was that Industrial Avenue is one of only two main truck routes into and out of Penticton’s industrial park and further impeding industrial traffic would have a negative impact on industrial business. It was noted that there were already numerous stops from the Channel Parkway to the industrial park.

Furthermore, Council also had questions regarding the use of the parking lot. Specifically, who would be using the parking lot: construction and / or hospital staff, or patients and visitors?

With those considerations in mind, Council made a resolution to postpone its decision until a warrant analysis could be conducted; and that confirmation could be received from Interior Health on who the proposed users of the parking lot would be.

Results of warrant analysis

The conclusion of the warrant analysis is that a crosswalk is not warranted at all given the observed traffic volumes on Industrial Avenue and the limited number of parking spaces in the parking lot. The conclusion was that there is ample opportunity for pedestrians to cross without a controlled crossing.

The report goes on to state that it is the desire of Interior Health to have a crosswalk installed regardless. The report proposes a suggested crossing location and design, including a curb extension, a painted crosswalk, signage and proper paved walkways leading to and from the crosswalk.

Staff have confirmed that it is the desire of Interior Health to have a crosswalk even though the warrant analysis does not support the need for one.

The report also confirms that the parking lot will be used exclusively by construction and hospital workers and not patients or hospital visitors.

Analysis

Given the findings of the warrant analysis, staff are proposing two alternatives for Council’s consideration:

Alternative 1

☐ Support the Temporary Use Permit without the requirement for a crosswalk

Given that the warrant analysis has concluded that a crosswalk is not necessary and that PIDA is not in favour of having an additional controlled crossing on one of the dedicated truck routes to the city’s Industrial area, Council may decide to approve the temporary use permit without the requirement for a crosswalk.

If Council were to choose this option, other improvements to the pedestrian environment would still be available such as installing paved sidewalks and lighting. Pedestrians, however, would have to navigate across the street deferring right-of-way to vehicle traffic.

The warrant analysis suggests that this should not be a problem.

Alternative 2

☐ Support “Temporary Use Permit PL2015-037” as originally recommended by staff with the requirement to install a crosswalk.
Notwithstanding the fact that the warrant analysis determines that a crosswalk is not necessary, Interior Health is still hoping that the City will approve the installation of one. When originally reviewing the file staff advocated a controlled crossing and still feel that, despite the impact on industrial traffic, a crosswalk provides additional safety measures for the protection of the pedestrian environment. The proposed curb extension and signage identified in the report will further ensure pedestrian safety.

There may still be some deficiencies with the design outlined in the report. The City’s Engineering Department staff would like to see consideration to locating the crosswalk at Camrose Street to minimize the amount of traffic interruption. Staff also notes that some of the parking spaces that are shown on the proposed plan may impede vehicular sight lines. These issues are relatively minor considerations that would be refined once direction from Council on the crosswalk and approval of the Temporary Use Permit is given.

Alternate recommendations

Council may feel that this property is not suitable for a parking lot. If that is the case, Council should deny the application. Alternatively, Council may wish to give direction to staff or the applicant not contemplated in this report.

Attachments

Attachment A: Pedestrian crosswalk warrant analysis for the proposed parking lot at 1748 / 1802 Camrose Street prepared by IBI group

Attachment B: Previous staff Council Report, dated July 06, 2015

Respectfully submitted,

Blake Laven,
Planning Manager

Approvals

<table>
<thead>
<tr>
<th>Director</th>
<th>City Manager</th>
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<td>JGH</td>
<td>ES</td>
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</table>
Attachment A
Pedestrian crosswalk warrant analysis for the proposed parking lot at 1748 / 1802 Camrose Street

Memorandum

To/Attention: Corinne Gillman, Interior Health Authority
From: Miladen Pecanac
cc: Doug McLachlan, Homayoun Vahidi

Date: August 10, 2015
Project No: 35007

Subject: Penticton Regional Hospital - Options for a pedestrian crossing between the Penticton Regional Hospital and the temporary parking lot

Purpose:
The City of Penticton requested Interior Health Authority staff to report back with options regarding a pedestrian crossing between the Penticton Regional Hospital and the Temporary Parking Lot on 1748/1802 Camrose Street during construction work to the new Patient Care Tower and Parking Garage (see Exhibit 1).

The purpose of this memorandum is to summarize our findings as to whether a pedestrian crossing is appropriate at this location. Interior Health Authority retained IBI Group to undertake an analysis to assess the potential need of provide pedestrian crossing control devices.

Exhibit 1: Proposed Crossing Location

IBI Group is a group of firms providing professional services and is affiliated with IBI/HE Architects
Council Report  Page 5 of 19

IBI GROUP MEMORANDUM

Corinne Gillman, Interior Health Authority – August 19, 2015

Background

During construction work, parking spaces near the pedestrian crossing will be allocated as follows:
- Temporary Parking Lot – approximately 35 spaces reserved for construction workers
- Temporary Parking Lot – approximately 234 spaces reserved for Hospital staff
- Existing South Hospital Parking Lot, which is accessed off of Industrial Avenue – reserved for public (visitors)

The following presents the typical shift change times for Temporary Parking Lot users:
- Hospital staff, 6:30am to 5:30pm and 6:30pm to 7:30pm.
- Construction workers, 7:00am to 9:00am and 7:00pm to 9:00pm (assuming 8 to 12-hr shift)

Based on the above and traffic counts collected by IBI Group in October 2014, the critical one (1) hour assessment period for this memorandum is 8:00am to 9:00am (the “AM peak Hour”).

Warrant Analysis

The current Pedestrian Crossing Control Manual for British Columbia was used as a basis for assessing the installation of pedestrian traffic control devices.

This warrant model, derived empirically from gap data collected throughout the Lower Mainland and Greater Victoria areas of British Columbia, allows an estimation to be made of the number of crossing opportunities given vehicular volume, road cross section and traffic flow pattern.

The following provides input parameters for this warrant analysis:

- Pedestrian Volumes converted into equivalent adult units (EAUs), See Exhibit 2.

  Exhibit 2: Total EAUs Crossing Industrial Avenue during the AM Peak Hour

<table>
<thead>
<tr>
<th></th>
<th># per Hour</th>
<th>Factor</th>
<th>EAUs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children (≤12 years)</td>
<td>0</td>
<td>x 2</td>
<td>0</td>
</tr>
<tr>
<td>Seniors (&gt;65 years)</td>
<td>0</td>
<td>x 1.5</td>
<td>0</td>
</tr>
<tr>
<td>Physically Challenged</td>
<td>1.8</td>
<td>x 2.0</td>
<td>0</td>
</tr>
<tr>
<td>Adults(1)</td>
<td>138</td>
<td>x 1.0</td>
<td>138</td>
</tr>
<tr>
<td>Total EAUs</td>
<td></td>
<td></td>
<td>138</td>
</tr>
</tbody>
</table>

Note (1) :
- 21 construction workers (based on 35 parking spaces allocated to construction workers, assuming 50% [16 cars] arrive during the AM Peak Hour and typical vehicle occupancy of 1.2 persons per vehicle)
- 117 hospital staff (based on turning volumes using the south parking lot as per the Original TIA report, November 17, 2014 [27 cars, 2-way] and typical vehicle occupancy of 1.2 persons per vehicle)
Council Report  Page 6 of 19

- Calculate Crossing Opportunities - COs (See Exhibit 5)
  - The following tabulates traffic volume in the one hour assessment period based on the 2014 TIA report and considering a new parking circulation plan.

  **Exhibit 3: Number of vehicles passing through the crosswalk**

<table>
<thead>
<tr>
<th>Movement</th>
<th>(veh/hr)</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EB through Industrial Ave</td>
<td>152</td>
<td>Including 1 heavy truck</td>
</tr>
<tr>
<td>WB through Industrial Ave</td>
<td>142</td>
<td></td>
</tr>
<tr>
<td>NB right at Camrose St/Industrial Ave</td>
<td>33</td>
<td>Staff exiting temp parking</td>
</tr>
<tr>
<td>WB left at Camrose St/Industrial Ave</td>
<td>9</td>
<td>Staff entering temp parking</td>
</tr>
<tr>
<td>WB left at Camrose St/Industrial Ave</td>
<td>9</td>
<td>Const. workers entering temp parking</td>
</tr>
<tr>
<td>WB right at Industrial Ave/South Parking</td>
<td>70</td>
<td>Visitors entering south parking</td>
</tr>
<tr>
<td>SB left at Industrial Ave/South Parking</td>
<td>49</td>
<td>Visitors exiting south parking</td>
</tr>
<tr>
<td><strong>Total traffic</strong></td>
<td><strong>484</strong></td>
<td></td>
</tr>
</tbody>
</table>

- Based on the existing signal timing sheets provided in the 2014 TIA, we assumed the traffic signals on either side of the study location are uncoordinated. Thus, "Pattern curve B" is selected to determine traffic arrival pattern.

- Approximately 210 crossing opportunities are between the Penticton Regional Hospital and the Temporary Parking Lot.

- Select Warranted Device

  The appropriate traffic control device was selected from the warrant chart using COs and EAUs (refer to Exhibit 6).

  EAUs threshold has been adjusted as shown in Exhibit 4. The pedestrian volume base threshold level is decreased for the City of Penticton so that a traffic control device is recommended sooner than would otherwise be considered.

  **Exhibit 4: EAU Adjustment**

<table>
<thead>
<tr>
<th>Community Size</th>
<th>Adjustment To EAU Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;10,000</td>
<td>- 10</td>
</tr>
<tr>
<td>10,000-250,000 (City of Penticton)</td>
<td>- 5</td>
</tr>
<tr>
<td>&gt;250,000</td>
<td>0</td>
</tr>
</tbody>
</table>
Exhibit 6: Estimated Crossing Opportunities for Industrial Avenue

Two Lane Cross-section

- Pattern A
- Pattern B
- Pattern C

- 7.5 m cross-section
- 9 sec crossing time
- 3 sec per. react. time

Crossing Opportunities Per Hour vs Traffic Volume (veh/hr)
Exhibit 6: Pedestrian Crossing Control Warrant Chart

- Not Warranted
- 0 to 35
- 35 to 60
- 60 to 120
- 120 to 210

- Pedestrian Signal
- Special Crosswalk
- Signed and Marked Crosswalk

Number of Pedestrians Per Hour (E/AU)

Crossing Opportunities/Hour

135
55
35
15
0
Summary

Based on the above analysis, pedestrian crossing control devices are not warranted, including:
- Signed and marked crosswalk
- Flashing Amber pedestrian crossing
- Red/Amber/Green pedestrian half-signal
- Pedestrian overpass

However, to enhance crossing opportunities, the Interior Health Authority, through their P3 partner, is planning to implement the following measures (civil engineering design to confirm feasibility):
1. A sidewalk on the south side of Industrial Avenue fronting the temporary parking
2. New Crosswalk with pedestrian crossing signs and pavement markings (Exhibit 7)
3. Curb extension with "No Parking" areas on each approach of the crosswalk (Exhibit 8)
4. A sidewalk will be added to the bridge over Ellis Creek on the north side of Industrial Ave

Appendix A illustrates the proposed measures.
Appendix A

Proposed Measures
Council Report

Date: July 06, 2015
To: Mitch Morozuk, Acting City Manager
From: Blake Laven, Planner
Address: 1748 / 1802 Camrose Street
Legal: Lots 1 and 2, District Lot 19975, Similkameen Division Yale District, Plan KAP72995

Subject: Temporary Use Permit to permit public parking for the Penticton Regional Hospital during construction of the new Patient Care Tower

Staff Recommendation

THAT Council issue “Temporary Use Permit No. PL2015-037”, being a permit to allow for public parking on Lots 1 and 2, District Lot 19975, Similkameen Division Yale District, Plan KAP72995, located at 1748 and 1802 Camrose Street, for a period of three years, subject to the following conditions:

That at the time of building permit issuance the following is provided:

a) Adequate lighting to illuminate the site safely;
b) Wheel stops and signage be installed delineating individual stalls;
c) A crosswalk from the new parking lot to Industrial Avenue in a location determined through a warrant analysis; and
d) A 3.0m landscape buffer along Industrial Avenue at the rate of one (1) deciduous tree per ten meters of linear frontage and 10 shrubs per linear meter of frontage

AND THAT the permit be valid for a period of three years, commencing January 2016.

Strategic priority objective

N/A

Financial implication

N/A

Background

The subject property (Attachment 'A') is located across Industrial Avenue from the Penticton Regional Hospital. The property is currently vacant, most recently being used as an RV storage operation. The intention of the applicant is to utilize the property as parking for Penticton Regional Hospital staff and visitors during the construction of the new Patient Care Tower, which is scheduled to begin in early 2016.
and continue to 2019. Three firms are currently going through a bidding process for the design, build and on-going management of the new facility. The successful proponent should be identified in the fall of this year. The successful proponent will also be constructing and operating the parking lot on the subject property, if this application is approved.

Because public parking is not a permitted use in the M1 zone, an application to Council is required to allow the use. Rather than rezone the property at this time, the applicants are applying for a Temporary Use Permit to allow the use for a specified period of time. Temporary use permits can be granted for any period that Council wishes, up to a maximum of three years, at which time an extension can be applied for. The property owners have not indicated what the property will be used for after the new hospital building is constructed, but have indicated that it will most likely be used for hospital operations.

Proposal

The applicants are requesting that a temporary use permit be issued to permit public parking for 270 spaces on the subject lands for the three years 2016 – 2019.

Technical Review

Building Department and Engineering Department staff have reviewed the plans and identified several concerns with the temporary parking. First, the property is located across a busy collector street and main truck route into the Industrial area of the city. The intention is to have staff and visitors use the temporary lot. This situation presents the potential for hundreds of people crossing this busy street every day. There is currently no crosswalk from Camrose Street across Industrial Avenue. Secondly, with the temporary lot, there is no lighting currently shown on the plans. As this lot will be used by so many people for a three year period, lighting should be provided. Last, appropriate landscaping of the site is necessary, in order to soften the edges of a surface parking lot when viewed from the street for the duration of the proposed use.

Given the above, staff are recommending that at the time of building permit issuance for the parking lot, that lighting, wheel stops and signage be installed, together with appropriate landscape planting; and that a crosswalk be installed from Camrose Street across Industrial Avenue. The location of the cross walk will have to be determined through a warrant analysis, to be provided at the time of building permit application and approved by the City's Engineering Department.

Analysis

Support

When considering an application for a temporary use permit, the OCP has established a set of guidelines for Council and staff to follow. The OCP states that temporary use permits may only be issued provided that the proposed use:

- is not noxious or undesirable;
- does not have a negative impact on adjacent lands;
- does not create a significant increase in demand for City services;
- complies with the DPA guidelines for the area;
- operates at hours that do not disturb the surrounding neighbourhood;
- will not permanently alter the site; and
• complies with council conditions and other provincial and federal enactments

Staff do not feel that the proposal is in conflict with any of the guidelines listed above. The property is located in an industrial area on a busy collector street. While it will create additional traffic, staff do not feel that the traffic will have a negative impact on neighbouring uses. As the site will not be paved, it will not create any permanent alterations to the site. Staff are also recommending that some landscaping be installed to help improve the aesthetics of the lot. This is a typical requirement for parking lots. The landscaping will only be required along Industrial Avenue.

The use of this lot as temporary parking is necessary to assist the construction of the new Patient Care Tower, which has enormous community benefit. With the technical recommendations noted above included in the permit, staff feel that the use can be installed safely and effectively. And as such, recommend that Council support the request.

Deny/Refer for Public Comment

Council may feel that the proposed use of the property for parking is not an appropriate use of the land or that if parking is to be installed, it should be done in a more permanent manner. If that is the case, Council should deny the application and direct staff to work with the property owners in bringing forward a zoning amendment application.

Alternatively, Council may support the permit with additional conditions not identified by staff, such as the installation of landscaping and/or proper paving of the site.

Alternate Recommendations

1. THAT “Temporary Use Permit No. TUP PL2015-037” be denied.

2. THAT TUP application No. PL2015-037 be referred back to staff for further review as directed by Council.

Attachments

Attachment A: Subject property location map
Attachment B: Images of property
Attachment C: Draft permit

Respectfully submitted,

Blake Laven, RPP, MCIP
Planning Manager

Approvals

[Signature]
Director

[Signature]
City Manager

Council Report
Page 3 of 9
Attachment B
Images of Subject Property

Figure 1: Image of subject property from Camrose Street, looking north towards the Penticton Hospital

Figure 2: Image of subject property from the corner of Industrial Avenue and Camrose Street
Temporary Use Permit

Permit Number: TUP PL2015-037

South Okanagan Similkameen Medical Foundation
Inc. No. 516244
520 Casati Avenue
Penticton BC V2A 3G6

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:
   - Legal: Lots 1 and 2, District Lot 19975 Similkameen Division Yale District, Plan KAP72995
   - CSIC: 1749 and 1800 Carrao Street
   - PIDs: 025-609-726 and 025-609-742

3. This permit has been issued in accordance with Section 921 of the Local Government Act to allow for the temporary use of the above noted lands for public parking, as shown in the plans attached in Schedule A.

4. In accordance with Section 921(2) of the Local Government Act the following conditions apply to the permitted temporary use and all works must be installed as a condition of building permit approval:
   - Adequate lighting to illuminate the site safely.
   - Curbs stops and signage be installed delineating individual stalls and
   - A sidewalk from the new parking lot to Industrial Avenue in a location determined through a warrant analysis
   - A minimum of a 2.0m landscape buffer installed along Industrial Avenue at the rate of 1 deciduous tree per linear meter of frontage and 10 shrubs per meter

General Conditions

5. In accordance with Section 928(2) of the Local Government Act the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

6. In accordance with Section 921(11) of the Local Government Act this permit shall expire on December 31, 2013.

7. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.
8. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

9. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements, please contact the Development Engineering Department at (250) 490-2591. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ______ day of _________, 20

Issued this ___ day of ________, 20

_________________________
Dana Schmidt,
Corporate Officer
Date: August 17, 2015
To: Eric Sorensen, City Manager
From: Blake Laven, Planning Manager

Subject: ALR application

Staff Recommendation

THAT Council support the property owner of 127 Upper Bench Road and provide a letter of support as part of an application to the ALC to allow a house to be built on the property.

Strategic priority objective N/A

Background

Council in 2012 passed a resolution sending a letter of support to the ALC with the same purpose. The ALC denied the request. The property owner is now applying again to the ALC to have a house constructed on the vacant land (Attachment A).

A full overview of the background of the issue is contained in a briefing note prepared for the Agricultural Advisory Committee in 2012 and is attached for Council’s reference as Attachment B. However, here are the highlights:

- In 2009 a lot line adjustment subdivision application was made to the City and the ALC
- The City’s Agricultural Advisory Committee nor staff supported the subdivision application as it was not seen to be in the interest of agriculture and did not meet City policy with regard to agricultural land
- Council, nevertheless, supported the request
- The ALC also supported the request, but put a stipulation on their support that stated a covenant would need to be placed on the property not allowing any buildings for ‘human habitation’ to be built on the property without approval from the Commission
- The property was subdivided and planted with grapes, but the land turned out not to be suitable for grape production
- The property owner was seeking the construction of a house on the property and requested support from the City to have the covenant removed from the title of the property
- The City provided a letter of support, but the ALC denied the request
• The property owner then made another request to have a house placed on the property, but to keep the covenant on. Another letter of support was given, but again the ALC denied that request
• The property owner is making another request for a dwelling on the property, which is before Council now

Financial implication N/A

Analysis

Staff originally did not support the creation of this lot through the original subdivision application process. But now that the lot is created, the zoning does allow for a house to be constructed on the land. The ALC allowed for the creation the lot and staff consider that, given the zoning would permit a residential dwelling, it is now unfair not to permit a house on the parcel. The ALC’s own regulations allow for one non-farm residence on a property.

This was the opinion staff had in 2012 and continues to be held.

For these reason’s staff are recommending that Council again support the request and direct staff to prepare a letter as supporting documentation for the property owner’s application.

Alternate recommendations

THAT Council refer the application to the Agricultural Advisory Committee for their consideration and recommendation prior to making a decision on the matter.

THAT Council not support the request.

Attachments

Attachment A – Subject Property Location Map
Attachment B - Previous briefing note to the Agricultural Committee from 2012.

Respectfully submitted,

Blake Laven
Planning Manager

Approvals

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<th>Director</th>
<th>City Manager</th>
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<tbody>
<tr>
<td>JGH</td>
<td>ES</td>
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</table>
Attachment ‘A’
Subject Property Location Map
THE CORPORATION OF THE CITY OF PENTICTON
BRIEFING NOTE

TO: Agricultural Advisory Committee       DATE: October 18, 2012
FROM: Blake Laven, Planner
CIVIC: 127 Upper Bench Road
LEGAL: Lot 1, Plan KAP91714, SDYD       PID: 028-458-125
RE: Request for support of amendment to no build covenant
APPLICANT: Charlie Utz (Giardino of Penticton)

Background:
An application was made in 2009 for a lot line adjustment (subdivision) between 149 Upper Bench Road and a small strip of property that ran parallel to the western border of 149 Upper Bench Road. The small parcel was at one time most likely an irrigation parcel. Both properties were owned by the same property owner. The intent of the owner was to create two usable parcels of land, with a residence, greenhouses and ground crops on one property (149 Upper Bench Road) and grape vines on the other (127 Upper Bench Road). Having the second titled property would give the owner the flexibility to lease or sell 127 Upper Bench Road and keep 149 Upper Bench Road as is. Because the property was located in the ALR, Land Commission approval was required prior to application to the City for the lot line adjustment. The ALC approval process requires local government involvement. Applications are processed at the local government level and forwarded to the Commission either with support from the local government or without comment.

When this application was considered by the City’s Agricultural Advisory Committee at the April 15, 2009 meeting, the following resolution was made:

“That the Agricultural Advisory Committee recommends to Council not to support the application to subdivide in the ALR – 149 Upper Bench Road.”

Staff, in their report to Council, also recommended that Council should not support the application, stating several city policies that the subdivision did not meet, such as the zoning bylaw parcel size requirements and CCP policies in regard to the protection of farm land. Council, nevertheless, supported the subdivision and sent the application to the ALC with support.

The Agricultural Land Commission supported the subdivision application as well, however, they required, among other things, that a no-build covenant be placed on the title of the property to restrict any residential development of the property. Rationale for this condition was not outlined in the ALCs decision. Staff speculate that the covenant was in essence an attempt by the Commission to give the property owner a concession while still ‘protecting’ the property from development. Nevertheless, the substantive wording of the covenant is as follows:

“Henceforth, and so long as the covenant herein contained shall remain in force, no house, mobile home or unit, modular home, or other structure for human habitation, shall be constructed, reconstructed, moved, extended or located on the Lands except with the consent of the Covenantor.”
With the Agricultural Land Commission’s support, the subdivision application was approved by the City’s approving officer and was registered at the Land Title Office in December of 2010.

Problems arose shortly after the subdivision was approved. According to the property owner, the vineyard venture did not work out as intended. A ‘frost pocket’ on the property resulted in the loss of a number of vines. With the unviability of the vineyard operation, the property owner then switched his intention for the property to a more traditional farm property with a residence and farm building (Attachment ‘A’).

To this end, the property owner requested that support from the City be given to his application to have the no-build covenant removed from the title of 127 Upper Bench Road. The Agricultural Advisory Committee gave support for the removal and Council also supported the removal (Attachment ‘B’). The ALC, however, concluded that no new information was brought forward to warrant removal of the covenant and denied the request.

The property owner has now provided a site plan indicating where on the property he would like to build a residence and a farm building and is requesting that the ALC reconsider their decision. This time, however, the owner is requesting that permission be granted to build the house, but that the covenant remain on the title. The covenant does give the ALC the ability to support a residence. Once again the owner is requesting support from the City.

Proposal
The property owner is requesting that the City support an amendment to the no-build covenant so that a dwelling and farm building may be constructed on the property in accordance with plans attached herein (Attachment ‘C’).

Analysis
The Agricultural Advisory Committee did endorse the removal of the no-build covenant at their meeting in March, 2012. Council also supported the Agricultural Committees resolution. The fact that the ALC did not grant the removal should not diminish the fact that the Agricultural Committee and Council both support the development of a dwelling on the subject property. Furthermore, the zoning for the subject property supports the construction of a house and none of the OCP policies in regard to agricultural land seem to be in opposition to the construction of a dwelling. As such staff advise that support be given to the property owner in his goal of amending the covenant.

Alternative Recommendations

- That support not be given and a resolution of non-support be forwarded to Council for endorsement.
- That support be given with conditions that the committee deems appropriate.

Respectfully submitted,

Blake Laven, RPP, MCIP
Planner
ATTACHMENT ‘A’
Letter of Request from Property Owner

Giardino
The Garden of Penticton
149 Upper Bench Road South
Penticton B.C. V2A 8T1
Phone number: (250) 493 0007
Fax number: (250) 493 0007

The City of Penticton
Attn. Anthony Haddad
171 Main Street
Penticton BC, V2A5A9 Penticton, October 14th, 2012

Support Letter City of Penticton for an Amendment to existing Covenant in favor of ALC 127 Upper Bench Road S., Penticton
City File: PL2009-007

Dear Sirs,

Under above file # we are the legal owners of Giardino of Penticton were allowed to subdivide our property which created the property 127 Upper Bench Road S. A condition under the Resolution #265/2009 of the Agricultural Land Commission was to register a non building covenant on the newly created 2.8 ha lot 127 Upper Bench Road S.

The subdivision secures the existence of Giardino of Penticton, a nursery that has been in business for more than 35 years. The nursery really focuses on retail plant sales that are grown in their well known Greenhouses. The land area had not been used for several years before we as the current owners took over the nursery.
We also started to focus on our land and established a Vineyard in 2008 on 1 acre. Over the next couple years we expanded the Vineyard area to 3 acres. The climate condition were not in support of our agricultural usage. As cold air from Campbell Mountain drains into that area we lost more than 4000 grape plants over the last 3 years. Test have shown that the soil is good for agricultural use but the property towards Upper Bench Road itself is a real frost pocket which makes a profitable agricultural usage difficult.

In our estate planning for the medium future we are planning about selling the Nursery Giardino of Penticton. The well running Nursery – well established business has a promising future for years to come.

We would like to focus on the 2.8 ha lot 127 Upper Bench Road S. We have shown over the years that we are well committed to agriculture and are willing to invest in projects that benefit agriculture.
Our future project would be a berries and vegetable farm on 127 Upper Bench Road S. The property has direct road access to Upper Bench Road and we would like to place a
farm building with shop in the frost problem area and are planning to plant different types of berries that are not that sensitive to cold like other crops.

For the summer we are planning to grow a variety of vegetables for which we see a great market with the local tourists and of course the Penticton Farmers Market.

Future ideas also include the production of fruit and berry wine for which we see potential with our local tourists.

Our project benefits agriculture in many different ways.

To be able to go ahead with our plans we would like to apply at the Agricultural Land Commission to amend the existing covenant on the 2.8 ha property 127 Upper Bench Road S. paragraph 2 as follows:

2. Henceforth, and so long as the covenant herein contained shall remain in force, no house, mobile home or unit, modular home or other structure for human habitation, shall be constructed, reconstructed, moved extended or located on the lands any further than 250 feet from the property line at Upper Bench Road South, except with the consent of the Covenantee.

A construction within 250 feet from the property line at Upper Bench Road South has to comply with the City of Penticton’s Agricultural Zoning bylaw.

That would allow us, the applicants, to go ahead with our plans about establishing a Fruit and Vegetable Farm on our land in the most problematic growing area with having the most minimum impact on Agricultural Land.

For our application towards the Agricultural Land Commission we ask again the City of Penticton to issue a letter of support for the amendment of the covenant on 127 Upper Bench Road S.

We are hoping for your support. Thank you.

Best regards

Charlie Utz

Giardino of Penticton
149 Upper Bench Road S.
Penticton BC V2A4T1
March 12, 2012

Mr. Charlie Utz
149 Upper Bench Rd S.
Penticton, BC V2A 8T1

Dear Mr. Utz:

RE: 127 Upper Bench Road S.

Please be advised that the Agriculture Advisory Committee at their meeting held on Monday, February 27, 2012 passed the following Recommendation:

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee support the request of the property owner to remove the restrictive covenant placed on Title by the Agricultural Land Commission stating that it requires “no house, mobile home or unit, modular home, or other structure for human habitation, shall be constructed, reconstructed, moved or located on the lands”.

CARRIED
Garland against

Please be advised that Council at their Regular Council meeting held on Monday, March 5, 2012 passed the following Resolution:

27/2/12 It was MOVED and SECONDED

THAT Council endorse the Agriculture Advisory Committee recommendation to support the application for 127 Upper Bench Road S. and forward the application to the Agricultural Land Commission.

CARRIED UNANIMOUSLY

I would kindly ask that you contact Anthony Hadad, Director of Development Services at 250-490-2520 if you require any further information.

Sincerely,

Lorraine Williston
Lorraine Williston
Corporate Administration Secretary

171 MAIN STREET, PENTICTON, BRITISH COLUMBIA, CANADA V2A 5A9   TELEPHONE (250) 490-2400   FAX (250) 490-2402
Staff Recommendation

THAT Council direct staff to develop options to demonstrate inclusivity throughout the City of Penticton.

Background

Local Governments throughout Canada are striving to be inclusive communities and welcoming to all. Recently, Summerland and Kelowna have followed suit by discussing (Kelowna has already implemented) incorporating rainbow crosswalks to demonstrate inclusivity of the Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) Community.

While the City of Penticton has not been approached by an outside organization, the City is committed to being a welcoming community; how Council wants to demonstrate this is still to be determined.

Staff will need to investigate factors such as budget, scale, location, timelines, and seasonality.

Financial implication

There is no funding in the 2015 budget; should council want to proceed, a budget range would be beneficial to guide staff.

Alternate recommendations

THAT Council provides specific direction on a desired installation.

Respectfully submitted,

Dana Schmidt, Corporate Officer

Approvals

City Manager

ES
June 26, 2015

Gordon Ferguson
Ramada Penticton Hotel & Suites
1050 Eckhardt Avenue West
Penticton, BC V2A 2C3

Dear Mayor & Penticton City Council,

The purpose of this letter is to request that City Council direct staff to study the north entrance to the City of Penticton as it relates to improvements to the aesthetic appeal, a better sense of arrival, and the safety of pedestrians and cyclists.

BACKGROUND

The south side of the entrance includes the Penticton Golf & Country Club followed by the Ramada Penticton. The north side includes Riverside Village, a left turn onto Riverside Drive, a left turn onto Westminster Avenue followed by the new Petro Canada station.

The sense of arrival to this important entrance is currently quite unappealing for visitors and commuters. The "Welcome to Penticton" sign logo seems dated and is set back on the left far out of view to visitors driving into the city. Furthermore, there is currently private signage completely blocking the city sign.
EXAMPLE 1

The sidewalk on the south side along the golf course is extremely dangerous for both pedestrian and cyclists. It is too narrow to walk when large semi-trucks or RV trucks are driving by and it is in very poor condition. One small ankle twist could end anyone up on the highway. A wider sidewalk is required.

Most cyclists are forced to ride on this south sidewalk due to the narrow highway coming in and that again poses more risk to them being hit by side mirrors on large vehicles and hitting pedestrians themselves.
EXAMPLE 2

The overhang brush on an old chain link fence from the Penticton Golf & Country Club also does not help the narrow space or the appeal to entering our city. There is over 15 feet of unusable space on the golf course side that could be ideal for widening the sidewalk.
REQUEST TO COUNCIL

The Ramada Penticton has over 600 feet of highway frontage. We are requesting to council to direct staff to study the north entrance and provide some options that the Ramada Penticton can tie into with our highway frontage design to make a substantial improvement to the arrival into the city.
SUPPORT

There are many ways we can design a better entrance. I am confident that with a few creative minds and some supporting private and public initiatives, this could be a big win for the city. I’d like to request that this request / proposal come forward prior to the 2016 budget so the funding could be considered as part of the 2016 process. I would be delighted to be the first one to be on this committee / task force.

I encourage Council to walk the sidewalk and ride their bikes to experience firsthand what the public experiences and also take a drive through the “visitor’s eyes” to see how welcoming our city currently is and what it could be with us. Many thanks.

Sincerely,

Gordon Ferguson
General Manager
Ramada Penticton Hotel & Suites
May 4, 2015

City of Penticton,
Attention: Mayor and Council,
171 Main Street,
Penticton, BC
V2A 5A9

RE: Sound Barrier Fencing,

Please consider my request for the construction of a sound barrier fence along the corner of Eckhardt Ave. West and Highway 97 South.

Since I bought my home at 701 Chase Ave. in 1988 the traffic has more than tripled.

There are considerably more and louder motor cycles, campers, diesel commercial transport trucks and hazardous goods trucks passing my home now in 2015.

Since I bought my house an on ramp road has been constructed. Now when I sit on my deck, day or evening, trying to talk with friends is nearly impossible due to vehicles revving up to turn onto Highway 97.

Enjoying a good night’s sleep has now become extremely difficult due to this increased traffic noise. The decibel range has reached between 70 – 120 at times.

Because of the increased noise my property value has dropped making it impossible for me to rent or sell.

A sound barrier fence would cut down on 50% of the noise as well as prevent harmful brake dust and toxic exhaust fumes spreading onto my deck. A concrete fencing business from where I obtained my statistics is located in Kelowna

I invite a member of Council to visit me to discuss my request with me at my home so I can show you the problems I have.

Yours truly,

Sharon McIntyre
Below are the signatures of four neighbours who support me in my request for a sound barrier fence.

1. Deanna Rathwell 705 Chase Ave. Penticton BC
2. Amber Cuthbert 709 Chase Ave
3. Chris Ayre 705 Chase Ave
4. Susan Meléndez 715 Chase Ave
5. Marge Ramsey Burnaby Hardens Penticton
6. Mechlin Douglas Ave. Penticton BC
Dear neighbors,
With the road constructions on Granby Ave. going to be completed in a few weeks. A few of us are worried of the increase traffic starting again. Some of us are in favor of putting in speed bumps to deter traffic. The city of Penticton requires 100% residential support.

Please lets sign this and let’s make our road safe for our kids & pets.

<table>
<thead>
<tr>
<th>Print name</th>
<th>Address</th>
<th>Signature</th>
<th>In favor “yes”</th>
</tr>
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<tbody>
<tr>
<td>Stephanos Liapis</td>
<td>192 Granby Ave</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Dave Ferlizza</td>
<td>172, Granby Ave</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Tara Foleson</td>
<td>222, Granby Ave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BILL LEAKEYER</td>
<td>236 Granby Ave</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>DONNA PETERS</td>
<td>233 Granby Ave</td>
<td></td>
<td></td>
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<tr>
<td>Pat Johnson</td>
<td>187 Granby Ave</td>
<td></td>
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<tr>
<td>Donna Barnhard</td>
<td>167 Granby Ave</td>
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<td>YES</td>
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<tr>
<td>Susie McAdams</td>
<td>141 Granby Ave</td>
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<td>YES</td>
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<tr>
<td>Matt Genoves</td>
<td>131 Granby Ave</td>
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<td>YES</td>
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<tr>
<td>April Hughes</td>
<td>123 Granby Ave</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Debra Franks</td>
<td>112 Granby Ave B</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Lee Pirezi</td>
<td>112 Granby Ave</td>
<td></td>
<td>YES</td>
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<tr>
<td>Brad Giesbrecht</td>
<td>126 Granby Ave</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Steve Lelonde</td>
<td>162 Granby Ave</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Briana Jacques</td>
<td>182 Granby Ave</td>
<td>Briana McTell</td>
<td>YES</td>
</tr>
<tr>
<td>Robert Ledson</td>
<td>171 Granby Ave</td>
<td></td>
<td>YES</td>
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<tr>
<td>J Van Velten</td>
<td>138 Granby Ave</td>
<td></td>
<td>YES</td>
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<tr>
<td>Brigitte Liapis</td>
<td>232 Granby Ave</td>
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<td>YES!</td>
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<tr>
<td>Brigitte Liapis</td>
<td>192 Granby Ave</td>
<td>Robert Ross</td>
<td>YES</td>
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<tr>
<td>Robert Ross</td>
<td>150 Granby Ave</td>
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From Tiziana Sultano
ATTENTION PENTICTON CITY COUNCIL

PLEASE FIND ATTACHED A PETITION TO MAKE THE 1300 BLOCK OF BALFOUR STREET, RESIDENTS ONLY PARKING AREA.

CONTACT PERSONS:

ERIN BECK

BILL SLESSOR:

THE PHOTOS: THE ONLY RESIDENTS CAR IN THE PHOTOS IS THE FORD FOCUS PARKED IN FRONT OF 1372.
To the Penticton City Council

The residents of the 1300 block of Balfour, bordered on the north by Duncan and on the south by Municipal, do hereby petition the City to declare this block residents only parking. We, the residents, on a consistent basis have no street parking in front of our homes due employees of the Penticton Regional Hospital consistently parking in our block despite the fact that they have a designated parking area.

Name (print)   Address   Signature

Dave Eaton  1355 Balfour St

June Eaton  1355 Balfour St

Nahanni Eaton  1355 Balfour St

Eric Beck  1371 Balfour St

Greg & Diane Cowan  1302 Balfour St

Billie Jo Oliver  1356 Balfour St

George Sayer  1356 Balfour St

Bill Slessor  1372 Balfour St

Beth Slessor  1372 Balfour St

J. Borthwick  1390 Balfour St
To the Penticton City Council

The residents of the 1300 block of Balfour, bordered on the north by Duncan and on the south by Municipal, do hereby petition the City to declare this block residents only parking. We, the residents, on a consistent basis have no street parking in front of our homes due employees of the Penticton Regional Hospital consistently parking in our block despite the fact that they have a designated parking area.

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<thead>
<tr>
<th>Name (print)</th>
<th>Address</th>
<th>Signature</th>
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<tbody>
<tr>
<td>Bob Murray</td>
<td>1348 Balfour</td>
<td></td>
</tr>
<tr>
<td>Rena Galt</td>
<td>1334 Balfour</td>
<td></td>
</tr>
<tr>
<td>Jessie Fleet</td>
<td>1333 Balfour St.</td>
<td></td>
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<tr>
<td>Jeff Forrest</td>
<td>1333 Balfour St.</td>
<td></td>
</tr>
<tr>
<td>Christa Lane</td>
<td>1347 Balfour St.</td>
<td></td>
</tr>
<tr>
<td>Aaron Lane</td>
<td>1347 Balfour St.</td>
<td></td>
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Penticton Creek Restoration Committee Meeting
Held at City of Penticton Committee Room A
171 Main Street, Penticton, B.C.

Thursday, July 30, 2015
at 9:00 a.m.

Present:
Bryn White, Chair & South Okanagan Conservation Representative
Paul Askey, Freshwater Fisheries Society Representative
Joe Enns, Okanagan Nation Alliance Representative
Kerri Milton, Downtown Penticton Association Representative
Phil Rogers, Penticton Fly Fishers’ Association Representative
Bruce Turnbull, Penticton Fly Fishers’ Association Representative
Doug Maxwell, Member at Large

Staff:
Jules Hall, Director of Development Services
Ian Chapman, City Engineer
Audrey Tanguay, Long Range Planner
Lorraine Williston, Committee Secretary

1. Call to Order

The Penticton Creek Restoration Committee was called to order by the Chair at 9:01 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED that the Penticton Creek Restoration Committee adopt the agenda for the meeting held on July 30, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED that the Penticton Creek Restoration Committee adopt the minutes of the June 26, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Budget Update

The Long Range Planner confirmed additional funding has been received from the Freshwater Fisheries Society of BC in the amount of $30,000 and $14,000 from the HCTF. The City Engineer confirmed that Council has awarded the contract to H & M Excavating and approved the transfer of funds from the Bike Network Plan to the Penticton Creek restoration project to
cover the budget shortfall. The City Engineer explained the tender came in over budget due to several factors that have increased costs. Discussion regarding a master plan followed and the City Engineer confirmed one will be done next year. The Chair stated she has been investigating funding options for the master plan and asked the committee to let her know of any funding opportunities that are available.

4.2 Penticton Creek Restoration Update

The City Engineer confirmed no letters or comments were received through the public consultation process and a letter stating the same was forwarded to the Ministry as part of the approval process. The City has now received a permit to proceed. The City Engineer stated the next steps are to send out a media release and registered letters to the owners affected which piece will be handled by the City’s Communication Officer. The Chair also requested that a secure site be made available to committee members to access documents as needed when applying for grants etc. Staff to work with the IT Dept. to set up.

Conversation followed on the upcoming hard-hat site tour happening on August 21, 2015. Staff to invite the PIB Chief and Council to the event. With respect to PIB representation, it was agreed that staff forward a letter to the PIB requesting a representative to join this committee. The Long Range Planner to prepare the letter to the PIB.

4.3 Construction Information

The City Engineer reported construction is scheduled to start August 4th with all the in-stream works to be completed by August 24th. The whole contract is scheduled to be complete by September 15th with the landscape planting proceeding after construction has been completed. The Penticton Fly Fishers’ Association Representative stated the spawning beds have already been cleaned out.

4.4 Outreach and Media Strategy

The Long Range Planner reported the City’s Communication Officer will be organizing the media strategy. Examples of signage to be placed at the site were provided for review. Discussion followed on placement and how many. It was agreed that two sets are needed and to use a laminated poster style during the construction phase and install permanent signage upon completion of the project.

The Long Range Planner confirmed she has completed and submitted the Year 2 report to HCTF and stated HCTF would like to receive notifications. Discussions followed on monitoring requirements. The Chair asked staff to provide the committee with weekly progress updates on the project.

5. New Business

6. Next Meeting

The next regularly scheduled meeting of the Penticton Creek Restoration will be at September 18, 2015 at 9:00 a.m.

7. Adjournment

The Penticton Creek Restoration Committee adjourned the meeting at 10:02 a.m.
Agriculture Advisory Committee Meeting

held at City of Penticton Committee Room A
171 Main Street, Penticton, B.C.

Thursday, August 6, 2015
at 10:00 a.m.

Present:  Rod King, Chair
          Fritz Hollenback, Vice-Chair
          Darshan Jassar, Tree Fruits Representative
          Charlie Utz, Greenhouse & Nursery Commodity Group Representative
          Chris Harp, Member at Large
          Rod Hollett, Member at Large
          Heather Shedden, Member at Large

Staff:    Len Robson, Public Works Manager
          Sharon Thompson, Corporate Administrative Secretary

Guests:   Frank Leonard, Chair, Agriculture Land Commission

1. **Call to Order**

   The Agriculture Advisory Committee was called to order by the Chair at 10:00 a.m.

2. **Adoption of Agenda**

   **It was MOVED and SECONDED**
   THAT the Agriculture Advisory Committee adopt the agenda for the meeting held on August 6, 2015 as circulated.

   **CARRIED UNANIMOUSLY**

3. **Adoption of Minutes**

   **It was MOVED and SECONDED**
   THAT the Agriculture Advisory Committee adopt the minutes of the June 10, 2015 meeting as circulated.

   **CARRIED UNANIMOUSLY**
4. **Business Arising from Prior Meetings**

4.1 630 Munson Mt. – BMX Track – Agrologist Report – Staff Presentation

The Public Works Manager provided the committee with a summary of the agrologist’s report that was received by Council at their regular meeting on July 6, 2015. The report concludes that the property has about 3.25 acres that is currently arable and 4 acres considered non-arable due to high pH and high surface concentrations of soil carbonates. Topsoil (approximately 2ft) would be needed to raise the root zone enough to make it arable. The remaining area is non-arable due to steep slopes and residential housing.

The Public Works Manager also stated the report concludes the BMX bike-park will have a minimal effect on the agricultural capability of the property and on adjacent vineyards and orchards. The Public Works Manager confirmed staff have submitted an application to the ALR as per Council’s instruction and are awaiting a decision.

Roundtable discussion followed. The committee requested staff to confirm with the agrologist whether the two mounds on the east side of the property are top soil, and if so, whether there is enough there to make the 4 acre piece arable. The committee also requested a copy of the report and the cost for the report, which staff will provide.

The Public Works Manager also provided an update on the Ellis and Penticton Creek irrigation systems and reported that the Penticton Creek system fed by the Greyback dam is currently one month ahead on usage, from previous years. The Ellis Creek system is also one month ahead from where it typically is. The Ellis system has had additional work done to tie the domestic system into the irrigation system, in the event it is needed. At this time staff are projecting that we are not going to run out of water for the irrigation systems, however staff are asking people to be as diligent as possible to work towards reducing their water usage by 30%.

5. **New Business**

6. **Council Outcome**

Council Resolution 377/2015 and 378/2015 from the minutes dated June 10, 2015 were received.

7. **Next Meeting**

The next regularly scheduled meeting of the Agriculture Advisory Committee will be September 16, 2015.

8. **Adjournment**

The Agriculture Advisory Committee adjourned the meeting at 10:40 a.m.

9. **Delegation**

Frank Leonard, Chair, Agriculture Land Commission met with the committee for an information only session, and provided a brief outline of his background, philosophy and priorities. A question and answer period followed.
Affordable Community Task Force Meeting

held at City of Penticton Committee Room A
171 Main Street, Penticton, B.C.

Tuesday, August 10, 2015
at 10:00 a.m.

Present:
Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Cheryl Roepcke, BC Housing Representative
Carol Sudchak, Canadian Home Builders Association South Okanagan Representative
Garry Gratton, South Okanagan Real Estate Board Representative
Marjorie King, Member at Large
Susan Mulligan, Member at Large
Kevin Ritcey, Member at Large
Linda Sankey, Member at Large
Heather Shedden, Member at Large

Staff:
Eric Sorensen, CAO
Jules Hall, Director of Development Services
Blake Laven, Planning Manager
Lindsey Fraser, Planner
Simone Blais, Communications Officer
Lorraine Williston, Corporate Committee Secretary

Guest:
Debbie Scarborough, Executive Director, SOWINS
Scott Mayhew
Jordy Ydse

1. Call to Order

The Affordable Community Task Force was called to order by Judy Sentes at 10:03 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED
THAT the Affordable Community Task Force adopt the agenda for the meeting held on August 10, 2015 as amended (refer to item 5.3).

CARRIED UNANIMOUSLY
The CAO requested the task force bring forward two recommendations on affordability to be considered during this year’s budget session for example: recommendations for research and development, resources, community consultation, communication and community input.

The Planner summarized the Task Force’s priorities as follows:
- Research and development
- Inventory of land
- Growth assessment
- Identifying the gaps and filling in the gaps

The Planner confirmed a summary update will be provided to the Task Force and a second draft of the Urban Matters report once that has been received.

5.3 Delegate - SOWINS

The Executive Director for the South Okanagan in Need Society (SOWINS) provided some background information about their organization. SOWINS offers programs to help women and children overcome the effects of abuse and provides employment programs. Through the assistance of Interior Health, SOWINS operates a 14 bed transition home and coordinates safe homes in the community. The Executive Director stated they have a serious need for second stage and affordable housing. They are working with BC Housing for a second stage housing project consisting of a 10-12 unit apartment building and they are fundraising towards that goal and are looking for support and collaboration with the City and other organizations. A question and answer period followed.

6. Council Outcome

Council Resolution 255/2015 from the minutes dated March 31, 2015 and Council Resolution 256/2015 and 257/2015 from the minutes dated April 28, 2015 were received.

7. Adjournment

Meeting adjourned at 12:05 p.m.