

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

Tuesday, July 3, 2018  
at 1:00 p.m.

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

**Absent:** Councillor Sentes

**Staff:** Dana Schmidt, Corporate Officer  
Laurie Darcus, Director of Corporate Services  
Jim Bauer, Chief Financial Officer  
Mitch Moroziuk, General Manager of Infrastructure  
Anthony Haddad, Director of Development Services  
Angie Collison, Deputy Corporate Officer

**1. Call to Order**

The Mayor called the Regular Council meeting to order at 1:01 p.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

303/2018

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council meeting held on July 3, 2018 as presented.

**CARRIED UNANIMOUSLY**

**4. Recess to Committee of the Whole**

Council recessed to a Committee of the Whole Meeting at 1:01 p.m.

**5. Reconvene the Regular Council Meeting**

Council reconvened the Regular Council Meeting at 1:50 p.m.

6. Adoption of Minutes:

6.1 Minutes of the June 19, 2018 Committee of the Whole

304/2018

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

THAT Council receive the minutes of the June 19, 2018 Committee of the Whole as presented.

**CARRIED UNANIMOUSLY**

6.2 Minutes of the June 19, 2018 Public Hearing

305/2018

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

THAT Council receive the minutes of the June 19, 2018 Public Hearing as presented.

**CARRIED UNANIMOUSLY**

6.3 Minutes of the June 19, 2018 Regular Meeting of Council

306/2018

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

THAT Council adopt the minutes of the June 19, 2018 Regular Meeting of Council as presented.

**CARRIED UNANIMOUSLY**

7. Consent Agenda

8. Committee and Board Reports:

8.1 Arts, Creative & Cultural Innovations Committee Minutes of June 22, 2018

307/2018

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

THAT Council receive the draft minutes of the Arts, Creative & Cultural Innovations Committee meeting of June 22, 2018.

**CARRIED UNANIMOUSLY**

308/2018

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

THAT Council defer the recommendation from the Arts, Creative & Cultural Innovations Committee to accept the donation of a piece of art known as "Mother Earth" to this evening to allow Council an opportunity to view a picture of the art.

**CARRIED UNANIMOUSLY**

9. Correspondence

10. Staff Reports:

10.1 2017 Annual Report

Submissions/Questions: nil

309/2018

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

THAT Council receive the 2017 Annual Report as circulated.

**CARRIED UNANIMOUSLY**

10.2 Residential Automated Waste Collection Service Levels and Standards Policy

310/2018

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

THAT Council approve the Residential Automated Waste Collection Service Levels and Standards Policy.

CARRIED UNANIMOUSLY

10.3 Municipal Grant Policy

311/2018

**It was MOVED and SECONDED**

THAT Council approve the amended Municipal Grant Policy dated July 3, 2018.

CARRIED UNANIMOUSLY

10.4 Penticton Tennis Club Grant Request

312/2018

**It was MOVED and SECONDED**

THAT Council approve the value in-kind grant request of \$4,200 to the Penticton Tennis Club.

CARRIED UNANIMOUSLY

10.5 Penticton Amateur Radio Club Grant Request

313/2018

**It was MOVED and SECONDED**

THAT Council approve the cash grant request of \$665.53 to the Penticton Amateur Radio Club.

CARRIED UNANIMOUSLY

10.6 Financial Management Policy

314/2018

**It was MOVED and SECONDED**

THAT Council approve the Financial Management Policy effective July 3, 2018.

CARRIED UNANIMOUSLY

10.7 The Green Infrastructure – Environmental Quality Program Grant

315/2018

**It was MOVED and SECONDED**

THAT staff be directed to submit an application for grant funding for the Ridgedale Reservoir Expansion through the ICIP – Green Infrastructure: Environmental Quality Sub-stream; AND THAT Council commit to its share, \$1,200,150, of the project with funding coming from the water surplus reserve.

CARRIED UNANIMOUSLY

11. **Public Question Period**

12. **Recess to Closed Meeting**

316/2018

**It was MOVED and SECONDED**

THAT Council recess at 2:35 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (a) *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (c) *labour relations or other employee relations;*
- (e) *the acquisition, disposition or expropriation of land or improvements if the Council considers that disclosure could reasonably expected to harm the interest of the municipality;*
- (i) *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

- (j) *information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act.*

**CARRIED UNANIMOUSLY**

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

Council reconvened the Regular Council Meeting at 6:36 p.m.

**14. Bylaws and Permits:**

- 14.1 Zoning Amendment Bylaw No. 2018-02  
Re: 237 Phoenix Avenue

317/2018

**It was MOVED and SECONDED**  
THAT Council adopt "Zoning Amendment Bylaw No. 2018-02".

**CARRIED UNANIMOUSLY**

- 14.2 Park Dedication Bylaw No. 2018-37

318/2018

**It was MOVED and SECONDED**  
THAT Council adopt "Park Dedication Bylaw No. 2018-37".

**CARRIED UNANIMOUSLY**

- 14.3 Zoning Amendment Bylaw No. 2018-46  
Re: 125 Calgary Avenue

319/2018

**It was MOVED and SECONDED**  
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-46".

**CARRIED UNANIMOUSLY**

- 14.4 Zoning Amendment Bylaw No. 2018-47  
Development Variance Permit PL2018-8257  
Re: 210 Scott Avenue

320/2018

**It was MOVED and SECONDED**  
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-47";  
AND THAT Council adopt "Zoning Amendment Bylaw No. 2018-47".  
THAT Council approve Development Variance Permit PL2018-8257.

**CARRIED UNANIMOUSLY**

- 14.5 Zoning Amendment Bylaw No. 2018-48  
1449 Government Street

321/2018

**It was MOVED and SECONDED**  
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-48".

**CARRIED UNANIMOUSLY**

- 14.6 Zoning Amendment Bylaw No. 2018-36

322/2018

**It was MOVED and SECONDED**  
THAT Council adopt "Zoning Amendment Bylaw No. 2018-36".

**CARRIED UNANIMOUSLY**

- 14.7 Zoning Amendment Bylaw No. 2018-39  
Re: 157 Abbott Street/198 Van Horne Street

323/2018

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2018-39".

CARRIED UNANIMOUSLY

15. Land Matters:

15.1 Liquor Licence – Structural Changes and Permanent (Change in Hours)

Re: Sun Country Lanes

Delegations/Submissions: Jennifer Johnston, Westminster Avenue West, when heard about the changes spoke to applicant directly, now in support of application.

324/2018

**It was MOVED and SECONDED**

THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Sun Country Lanes (Roll N Stones Fun Centre) located at 1035 Westminster Ave West, for:

- Structural Change in proposed interior layout;
- Permanent Change in service hours ( from 10:00am to 11:00pm to 9:00am to 2:00am;
- Structural change to license existing exterior patio (48 persons) with hours of service hours from 9:00am to 11:00 and no amplified music.

CARRIED UNANIMOUSLY

15.2 Development Variance Permit PL2018-8233

Development Permit PL2018-8234

Re: 3590 Skaha Lake Road

Delegations/Submissions:

- Garry Gratton, Yorkton Avenue, placed a measuring tape on the floor extended 14ft/4.23m. Spoke on behalf of the 12 unit townhouse complex, Stecoly Lane which is adjacent to motel. The owners support smart growth and support variances as they are necessary but concerned with interface from commercial to residential as it is less than 14 ft. away. Addition of second storey will block view, reduce resell value and have a negative impact on complex. Dark narrow corridor between buildings. Seeking consideration for loss of light issues, deserve mitigation measures, noise, intrusive light, do not want to feel squeezed by commercial. Suggest privacy glass and trees as privacy buffer.
- Gary Worth, Yorkton Avenue, can hear motel conversations from patio, dining room/living room face motel, second floor will impact privacy, very close. Was garbage area moved? Clarification around noise, lane area not wide, look at plans for garbage pick up. Project is needed, work to mitigate issues with neighbours.
- Claire Thompson, Lee Avenue, current structure non-conforming? Second storey addition will be flush with main floor. Sidewalks? concerned if lot can support additional units, lane narrow, two parking spaces in lane.
- Cal Meiklejohn, architect, need new columns to support new floor and roof, footprint on old building. Garbage is moved to lane. At early stage of design, windows and mechanical specs not figured out. Happy to hear input from neighbours and what they would like to see.
- Garry Gratton, Yorkton Avenue, mutual appreciation for privacy. Smaller windows or glazing would be appreciated by owners of Stecoly Lane. Sidewalk on Lee Avenue, more elderly are walking daily in the area.

325/2018

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2018-8233" for Lot 3 Block 211 District Lot 189 Similkameen (Formerly Osoyoos) Division Yale District Plan 397, located at 3590 Skaha Lake Road, a permit to reduce the minimum exterior side yard from 4.5m to 3.2m and to reduce

the minimum rear yard from 4.5m to 4.0m; AND THAT staff be directed to issue "Development Variance Permit PL2018-8233".

THAT Council approve "Development Permit PL2018-8230" for Lot 3 Block 211 District Lot 189 Similkameen (formerly Osoyoos) Division Yale District Plan 397, located at 3590 Skaha Lake Road, a permit that allows for a motel addition; AND THAT staff be directed to issue "Development Permit PL2018-8230." AND THAT the following conditions be applied to the development:

- Privacy screening for north elevation windows;
- Landscaping along north property line.

**CARRIED UNANIMOUSLY**

- 15.3 Zoning Amendment Bylaw No. 2018-49  
Development Variance Permit PL2018-8297  
Development Permit PL2016-7756  
Re: 236 Marina Way

326/2018

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2018-49", a bylaw that rezones the following properties to C9 (Marina Way Commercial):

- That Part of Lot 1, Shown on Plan B5470, District Lot 202, Similkameen Division Yale District, Plan 3218 (201 Vancouver Avenue);
- Lot 3, District Lot 202, Similkameen Division Yale District, Plan 3219 (203 Vancouver Avenue);
- Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP85185 (247 Vancouver Avenue)

And includes as site specific section Section 11.9.4.1 In the case in the case of Proposed Lots 2, 3 and 4 (203, 225 and 247 Vancouver Avenue), single detached housing is a permitted use; be read a first time and be forwarded to the July 17, 2018 Public Hearing for comment from the public.

THAT Council support "Development Permit PL2016-7756" for Proposed Lot 1 of the lot consolidation and subdivision of 201, 203, 225 and 247 Vancouver Avenue, a permit supporting development of a 13 unit, seven storey apartment building; AND THAT "Development Permit PL2016-7756" issuance be subject to adoption of "Zoning Amendment Bylaw No. 2018-49"; creation of the subject lot through deposit of the subdivision plan with the Land Title Office; and, a detailed landscape plan, prepared by a landscape architect showing all landscape materials, planting instructions and irrigation detail.

THAT Council receive delegations and submissions for "Development Variance Permit PL2018-8297", a permit to allow for reduced lot areas, from a minimum lot area of 550m<sup>2</sup> to a minimum lot area of 400m<sup>2</sup>, for Proposed Lot 3 and Proposed Lot 4, at the July 17, 2018 Public Hearing; AND THAT staff are directed to issue the permit upon adoption of "Zoning Amendment Bylaw No. 2018-49".

**CARRIED UNANIMOUSLY**

## 16. Notice of Motion

17. Business Arising

327/2018

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

THAT Council, as an act of collaboration, accepts the donation of a piece of art known as "Mother Earth", created by artist Petronella van den Berg.

**CARRIED UNANIMOUSLY**

18. Council Round Table

19. Public Question Period

20. Adjournment

328/2018

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

THAT Council adjourn the Regular Council meeting held on Tuesday, July 3, 2018 at 7:41 p.m.

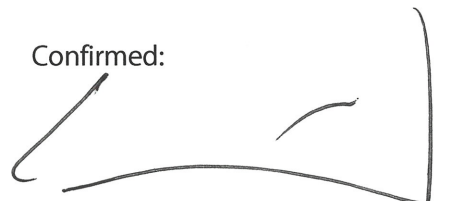
**CARRIED UNANIMOUSLY**

Certified correct:



Dana Schmidt  
Corporate Officer

Confirmed:



Andrew Jakubeit  
Mayor