

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

Tuesday, September 4, 2018
at 1:00 p.m.

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

Absent: Councillor Sayeed
Councillor Konanz

Staff: Peter Weeber, Chief Administrative Officer
Dana Schmidt, Corporate Officer
Jim Bauer, Chief Financial Officer
Len Robson, Public Works Manager
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 1:04 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on September 4, 2018 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:05 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 2:20 p.m.

6. Adoption of Minutes:

6.1 Minutes of the August 21, 2018 Committee of the Whole

392/2018

It was MOVED and SECONDED

THAT Council receive the minutes of the August 21, 2018 Committee of the Whole as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the August 21, 2018 Public Hearing

393/2018

It was MOVED and SECONDED

THAT Council receive the minutes of the August 21, 2018 Public Hearing as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the August 21, 2018 Regular Meeting of Council

394/2018

It was MOVED and SECONDED

THAT Council adopt the minutes of the August 21, 2018 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda

395/2018

It was MOVED and SECONDED

THAT Council receive the draft minutes from the Arts, Creative and Cultural Innovations Committee Meeting of August 24, 2018.

CARRIED UNANIMOUSLY

8. Correspondence

9. Staff Reports:

9.1 Recycle BC Service Agreement Renewal

396/2018

It was MOVED and SECONDED

THAT Council approve the terms of the agreement and financial incentives offered by Recycle BC for the curbside collection, resident education and service administration for residential and multi-family recyclable materials collection; AND THAT the Mayor and Corporate Officer are authorized to execute the Recycle BC Agreement renewal on behalf of the City of Penticton.

CARRIED UNANIMOUSLY

9.2 Zoning Amendment Bylaw No. 2018-49

DVP PL2018-8297 & Amended DP PL2016-7756

Re: 201, 203, 225, 247 Vancouver Avenue (236 Marina Way)

397/2018

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2018-49";

AND THAT Council approve and direct staff to issue "Development Variance Permit PL2018-8297";

AND THAT Council approve and direct staff to issue "Development Permit PL2016-7756" as amended, subject to the following conditions:

- Registration and creation of the subject lot with the Land Title Office;
- Submission of a detailed landscaping and irrigation plan;
- That all conditions are complete prior to March 1, 2019.

CARRIED UNANIMOUSLY

10. Public Question Period

11. Recess to Closed Meeting

398/2018

It was MOVED and SECONDED

THAT Council recess at 2:45 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;

(e) *the acquisition, disposition or expropriation of land or improvements if the Council considers that disclosure could reasonably be expected to harm the interest of the municipality.*

CARRIED UNANIMOUSLY

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

Council reconvened the Regular Council Meeting at 6:16 p.m.

13. Bylaws and Permits:

13.1 Fees and Charges Amendment Bylaw No. 2018-59

399/2018

It was MOVED and SECONDED

THAT Council adopt "Fees and Charges Amendment Bylaw No. 2018-59".

CARRIED UNANIMOUSLY

13.2 Official Community Plan Amendment Bylaw No. 2018-60

Zoning Amendment Bylaw No. 2018-61

Re:3200 Evergreen Drive (Bluffs at Skaha)

400/2018

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2018-60";

AND THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-61";

CARRIED UNANIMOUSLY

14. Land Matters:

14.1 Development Variance Permit PL2018-8333

Re: 193 Bennett Avenue

Delegations/Submissions:

- Nil

401/2018

It was MOVED and SECONDED

THAT Council deny "Development Variance Permit PL2018-8333" for Lot 6 District Lot 250 Similkameen Division Yale District Plan 8070, located at 193 Bennett Avenue, a permit to

CARRIED UNANIMOUSLY

increase the maximum floor area of all accessory buildings from 75m² to 90m².

CARRIED UNANIMOUSLY

- 14.2 Zoning Amendment Bylaw No. 2018-64
Development Variance Permit PL2018-8313
Re: 337 Hastings Avenue

402/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-64", a bylaw to rezone Lot 24, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 932, located at 337 Hastings Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) and allow a site specific provision inserted as Section 10.8.4.3 as follows: "In the case of Lot 24 Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 932, located at 337 Hastings Avenue, the following regulations shall apply:

- Minimum lot width of 14.6m;
- Maximum Density, Floor Area Ratio (FAR) of 0.90;
- Maximum Lot Coverage of 48%;
- Maximum Building Height of 7.0m;
- Minimum Interior Side Yard of 1.6m; and
- Waive the requirement for one (1) visitor parking space

be given first reading and be forwarded to the September 18, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-64", the following conditions be completed:

- Registration of a 3.0 m wide lane dedication from 337 Hastings Avenue and 340 Douglas Street,
- Registration of an easement to allow for the safe turning of vehicles at the west end of the lane.

AND THAT delegations and submissions for "Development Variance Permit PL2018-8313" for Lot 24, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 932, located at 337 Hastings Avenue, a permit to allow vehicle access to be from both the lane and the street (Hastings Avenue), be heard at the September 18, 2018 Public Hearing; AND THAT Council consider "DVP PL2018-8313" following the adoption of "Zoning Amendment Bylaw No. 2018-64".

THAT Council, in accordance with Section 507 of the *Local Government Act*, require the following excess and extended services:

- Full construction of the lane along the rear of 337 Hastings and 319 Hastings Avenue tying the works into the existing lane;
- Full construction of curb and sidewalk along the front of 337 Hastings Avenue and 319 Hastings Avenue, and tying the works into the existing sidewalk located in front of 305 Hastings Avenue.

CARRIED UNANIMOUSLY

- 14.3 Zoning Amendment Bylaw No. 2018-65
Development Variance Permit PL2018-8211
Re: 290 Bassett Street

403/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-65", a bylaw to rezone Lot 9, Block 125 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, Except Plan B4668, located at 290 Bassett Street, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the September 18, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-65", a 3.0m x 3.0m corner cut for lane dedication at the south east corner of the property be registered with the Land Title Office;

THAT delegations and submissions for "Development Variance Permit PL2018-8211" for Lot 9, Block 125 District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, Except Plan B4668, located at 290 Bassett Street, a permit to waive the requirement to provide one (1) visitor parking space, be heard at the September 18, 2018 Public Hearing;

AND THAT Council consider "DVP PL2018-8211" following the adoption of "Zoning Amendment Bylaw No. 2018-65".

THAT Council, in accordance with Section 507 of the *Local Government Act*, require the full construction of the lane along the south and east sides of the property tying the works into Bassett Street, representing an excess and extended service.

CARRIED UNANIMOUSLY

- 14.4 Development Permit PL2018-8360
Re: 32 Backstreet Boulevard

404/2018

It was MOVED and SECONDED

THAT Council approve "Development Permit PL2018-8360", a permit for a six (6) storey, mixed use building, with 36 residential units and ground floor retail, on Lot 1, District Lot 202, Similkameen Division Yale District, Plan EPP72675, located at 32 Backstreet Boulevard; AND THAT staff are directed to issue the permit.

CARRIED
Councillor Watt, Opposed

15. **Notice of Motion**
16. **Business Arising**
17. **Council Round Table**
18. **Public Question Period**

19. Adjournment

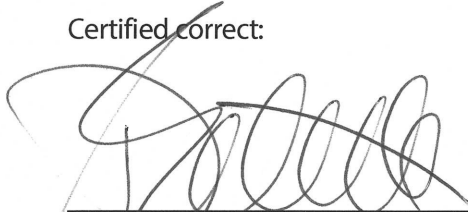
'05/2018

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, September 4, 2018 at 7:01 p.m.

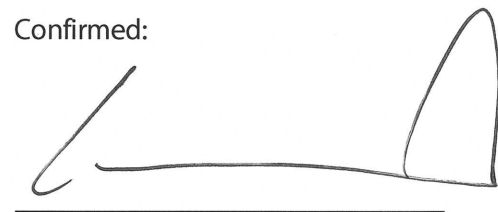
CARRIED UNANIMOUSLY

Certified correct:



Dana Schmidt
Corporate Officer

Confirmed:



Andrew Jakubeit
Mayor

