

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

**Tuesday, January 22, 2019**  
**at 1:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Kimberley  
Councillor Regehr  
Councillor Robinson  
Councillor Sentes  
Councillor Watt

**Staff:** Angie Collison, Corporate Officer  
Jim Bauer, Chief Financial Officer  
Anthony Haddad, Director of Development Services  
Ian Chapman, City Engineer (left the meeting at 4:44 p.m.)  
Bregje Kozak, Director Recreation & Facilities (left the meeting at 4:44 p.m.)  
Caitlyn Anderson, 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**

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on January 22, 2019 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 2:35 p.m.

Councillor Kimberley left the meeting at 2:36 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the January 8, 2019 Regular Meeting of Council

15/2019

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the January 8, 2019 Regular Meeting of Council as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda**

16/2019

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda.

**CARRIED UNANIMOUSLY**

Councillor Kimberley returned to the meeting at 2:38 p.m.

**8. Committee and Board Reports**

**9. Correspondence:**

9.1 BC Poverty Reduction Coalition

17/2019

**It was MOVED and SECONDED**

THAT Council support the Coalition's ABC Plan for an accountable, bold and comprehensive poverty reduction plan for BC.

**CARRIED UNANIMOUSLY**

9.2 South Okanagan Performing Arts Centre Society

18/2019

**It was MOVED and SECONDED**

THAT Council refer the correspondence dated January 10, 2019 from South Okanagan Performing Arts Centre Society to staff for further information.

**CARRIED UNANIMOUSLY**

**10. Staff Reports:**

10.1 Proposed Telecommunications Tower at 1953 Dartmouth Road

Chad Marlatt, applicant, provided Council with an overview of the proposed project.

19/2019

**It was MOVED and SECONDED**

THAT Council receive the Request for Letter of Concurrence package as prepared by Cypress Land Services in regard to a proposed 18.0m telecommunications tower at 1953 Dartmouth Road;

AND THAT Council direct staff to issue a letter of concurrence, stating that Freedom Mobile has satisfactorily completed the public consultation process as required by Innovation, Science and Economic Development (ISED) Canada;  
AND FURTHER THAT staff are directed to prepare a policy and procedure for reviewing future telecommunication tower requests.

**CARRIED UNANIMOUSLY**

10.2 Reserve Transfers

20/2019

**It was MOVED and SECONDED**

THAT Council approves a transfer of the existing funds in the Carbon Tax Credit Reserve of \$152,421.00 into the Climate Action Reserve Fund;  
THAT the existing funds in the Building Permit Stabilization Reserve of up to \$55,000.00 be transferred into the Financial Stabilization Reserve Fund;  
THAT the existing funds in the Liability Insurance Reserve of \$250,001.00 be transferred into the Financial Stabilization Reserve Fund;  
THAT the existing funds in the Rate Stabilization Reserve of \$200,000.00 be transferred into the Financial Stabilization Reserve Fund;  
THAT the existing funds in the Snow Clearing Stabilization Reserve of \$75,000.00 be transferred into the Financial Stabilization Reserve Fund;  
THAT the existing funds in the Special Events Site Reserve of \$21,165.65 be transferred into revenues for 2019;  
THAT the existing funds in the Wine/Info Centre Reserve of \$13,149.93 be transferred into revenues for 2019;  
AND THAT the existing funds in the Infrastructure Reserve of \$400,000.00 be split with \$200,000.00 transferred into each the Asset Sustainability and the Asset Emergency Reserves.

**CARRIED UNANIMOUSLY**

10.3 Temporary operator of the Skaha Lake Marina – 3895 Lakeside Road

21/2019

**IT was MOVED and SECONDED**

THAT Council direct staff to issue the Request for Proposal to seek a temporary operator of the Skaha Marina for a three year term.

**DEFEATED**

**Mayor Vassilaki, Councillor Bloomfield, Robinson, and Regehr, Opposed**

22/2019

**It was MOVED and SECONDED**

THAT Council direct staff to issue the Request for Proposal to seek a temporary operator of the Skaha Marina for a two year term.

**DEFEATED**

**Mayor Vassilaki, Councillor Kimberley, Sentes, and Watt, Opposed**

23/2019

**It was MOVED and SECONDED**

THAT Council direct staff to issue the Request for Proposal to seek a temporary operator of the Skaha Marina for a two year term with a one year option.

**CARRIED**

**Mayor Vassilaki, Opposed**

10.4 Love Food, Hate Waste Campaign

24/2019

**It was MOVED and SECONDED**

THAT Council supports the City of Penticton's participation in the provincial "Love Food, Hate Waste Campaign".

**CARRIED UNANIMOUSLY**

10.5 Southern Interior Municipal Employers' Association (SIMEA)

25/2019

**It was MOVED and SECONDED**

THAT Council appoint Councillor Jake Kimberley and Councillor Katie Robinson as Directors to the Southern Interior Municipal Employers Association (SIMEA) Administrative Committee; AND THAT Council appoint Kerri Lockwood, Human Resources Manager as Alternate Director.

**CARRIED UNANIMOUSLY**

10.6 Zoning Amendment Bylaw No. 2019-02  
Re: 1760 Carmi Avenue

26/2019

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2019-02", a bylaw that rezones "Proposed Strata Lot 1" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850" (1760 Carmi Avenue), as shown on Schedule 'A' of the bylaw, from RC (Country Residential Housing) to RM1 (Bareland Strata Housing) and includes a site specific provision to the RM1 zone prohibiting townhouses on the subject property, be given first reading and be forwarded to the February 5, 2019 Public Hearing.

**CARRIED UNANIMOUSLY**

10.7 Zoning Amendment Bylaw No. 2019-03  
Development Variance Permit PL2018-8274  
Development Permit PL2018-8273  
Re: 964 Dynes Avenue

27/2019

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2019-03", a bylaw to rezone Lots 43, 44, 45 and 46 of District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 929, located at 964, 970, 976 and 982 Dynes Avenue, from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), be given first reading and be forwarded to the February 5, 2019 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2019-03", the owner be required to consolidate all four lots;

AND THAT delegations and submissions for "Development Variance Permit PL2018-8274" for the consolidated parcel of 964, 970, 976 and 982 Dynes Avenue, a permit to vary Section 10.9.2.7.i to reduce the interior side yard from 4.5m to 3.0m, be heard at the February 5, 2019 Public Hearing;

AND THAT Council consider "DVP PL2018-8274" following the adoption of "Zoning Amendment Bylaw No. 2019-03".

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

• Full construction of curb and sidewalk along the front of 988 and 994 Dynes Avenue, to create a pedestrian connection between the development and the existing sidewalk along Dynes and Sydney Avenue.  
THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2019-03", approve "Development Permit PL2018-8273" for the consolidated parcel of 964, 970, 976 and 982 Dynes Avenue, a permit that allows for the construction of two rows of six-unit townhouses.

**CARRIED UNANIMOUSLY**

10.8 Smoking Regulations Bylaw No. 2018-68

28/2019

**It was MOVED and SECONDED**

THAT Council rescind third reading and give third reading as amended to "Smoking Regulations Bylaw 2018-68";

AND THAT Council give staff direction to begin public engagement on a full public smoking ban in all public places, as recommended by Interior Health, by January 1, 2020.

**CARRIED UNANIMOUSLY**

**11. Public Question Period**

**12. Recess to Closed Meeting**

29/2019

**It was MOVED and SECONDED**

THAT Council recess at 4:44 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.

**CARRIED UNANIMOUSLY**

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

Council reconvened the Regular Council Meeting at 6:04 p.m.

**14. Bylaws and Permits**

14.1 Zoning Amendment Bylaw No. 2019-01

Re: 3550 Valleyview Road

30/2019

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2019-01".

**CARRIED UNANIMOUSLY**

14.2 Zoning Amendment Bylaw No. 2018-66

Re: Cannabis Retail

Mayor Vassilaki declared a conflict of interest at 6:06 p.m. for both item 14.2 and item 14.3.  
Acting Mayor Robinson chaired the meeting.

31/2019

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2018-66".

**CARRIED**

**Acting Mayor Robinson and Councillor Kimberley, Opposed**

- 14.3 Business Licence Amendment Bylaw No. 2018-67  
Re: Cannabis Retail

32/2019

**It was MOVED and SECONDED**

THAT Council adopt "Business Licence Amendment Bylaw No. 2018-67".

**CARRIED UNANIMOUSLY**

Mayor Vassilaki returned to the meeting at 6:08 p.m.

**15. Land Matters**

- 15.1 Development Variance Permit PL2018-8418  
Development Permit PL2018-8419  
Re: 603 Van Horne Street

Delegations/Submissions:

- Steve Reems, Ross Avenue, designer, spoke in support of the application.
- Lynn Kelsey, Oakville Street, duplex suites next door already have that setback, visually will be out of place.
- Brigid Kemp, Warren Avenue West, asked about livability and duplexes with suites.

33/2019

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2018-8418", for Lot 20 Block 32 District Lot 202 Similkameen Division Yale District Plan 269, located at 603 Van Horne Street, a permit to decrease the minimum front yard from 4.5m to 3.5m and to decrease the requirement for a driveway to be located 0.5m from a property line to 0.0m from a property line, to allow for the construction of a duplex with suites;

AND THAT staff be directed to issue "Development Variance Permit PL2018-8418."

THAT Council approve "Development Permit PL2018-8419", for Lot 20 Block 32 District Lot 202 Similkameen Division Yale District Plan 269, located at 603 Van Horne Street, a permit that allows for the construction of a duplex with suites;

AND THAT staff be directed to issue "Development Permit PL2018-8419."

**CARRIED UNANIMOUSLY**

**16. Notice of Motion**

**17. Business Arising**

**18. Council Round Table**

**19. Public Question Period**

**20. Adjournment**

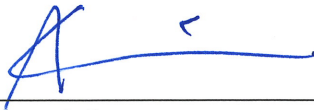
34/2019

**It was MOVED and SECONDED**

THAT Council adjourn the Regular Council meeting held on Tuesday, January 22, 2019 at 6:34 p.m.

**CARRIED UNANIMOUSLY**

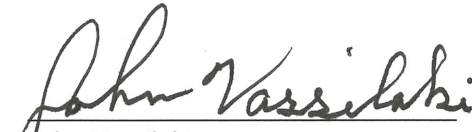
Certified correct:



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Angie Collison  
Corporate Officer

Confirmed:



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John Vassilaki  
Mayor