Minutes

Regular Council Meeting
held at Penticton Secondary School Library
158 Eckhardt Avenue East, Penticton, B.C.
and
City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, May 7, 2019
at 1:00 p.m.

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

Staff:
Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Jim Bauer, Chief Financial Officer
Anthony Haddad, Director of Development Services
Mitch Morozuk, General Manager of Infrastructure
Bregje Kozak, Director Recreation & Facilities
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

235/2019

It was MOVED and SECONDED
THAT Council adopt the agenda for the Regular Council Meeting held on May 7, 2019 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:16 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 3:36 p.m.
6. **Recess to a Closed Meeting at City Hall**

236/2019

It was MOVED and SECONDED
THAT Council recess at 3:37 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 interests of the municipality;

90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

7. **Reconvene the Regular Council Meeting at City Hall at 6:00 p.m.**

Council reconvened the Regular Council Meeting at 6:01 p.m.

8. **Adoption of Minutes:**

8.1 [Minutes of the April 16, 2019 Regular Meeting of Council](#)

237/2019

It was MOVED and SECONDED
THAT Council adopt the minutes of the April 16, 2019 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

9. **Consent Agenda:**

238/2019

It was MOVED and SECONDED
THAT Council approve the Consent Agenda.

CARRIED UNANIMOUSLY

10. **Committee and Board Reports**

11. **Correspondence**

12. **Staff Reports:**

12.1 [Liquor Primary – Permanent Amendment and Structural Change](#)
Re: Slackwater Brewing, 218 Martin Street

Delegations/Submissions:
- Bob E., Lakeshore Towers, the Blue Mule created noise regularly, other restaurants have an earlier closure and this should be the same.
- Paul Buchard, Smythe Drive, spoke in support of the application. This is a leading edge tourism business and the operators have lots of experience.
- Lee Agur, owner Bad Tattoo, spoke in support of the application. Tourist town and lack of late night venues.
• Renee Matheson, owner of Matheson and Grove Fine Art Gallery, business located across the street from the applicant and a family establishment. She spoke in support of the application.
• Kim Laughton, Cannery Brewing, spoke in support of the application. Been in conversation with the applicants and it is a good solution for Penticton.
• Liam Payton, Slackwater Brewing, spoke in support of the application.

239/2019

It was MOVED and SECONDED
THAT Council recommend to the Liquor and Cannabis Regulation Branch (LCRB) to support the request from Slackwater Brewing located at 218 Martin Street, for a Permanent Amendment to the Liquor Primary Licence for service hours from 12:00pm to 3:00am (Monday to Sunday) to 9:00am to 2:00am (Monday to Sunday);
AND THAT Council also supports the request from Slackwater Brewing for a Liquor Primary Structural change to add a 30 person outdoor sidewalk patio with the condition of no outdoor operations past 10:00pm for both the new and existing patios as well as no outdoor amplified music.

CARRIED UNANIMOUSLY

12.2 Development Variance Permit PL2018-8414
Re: 596 Eckhardt Avenue East

Delegations/Submissions:
• Binh and Thong Nguyen, owner, in attendance to answer questions.

240/2019

It was MOVED and SECONDED
THAT Council approve “Development Variance Permit PL2018-8414” for Lot A, District Lots 202 and 249 Similkameen Division Yale District, Plan KAP64417, located at 596 Eckhardt Ave East, a permit to vary the following sections of Zoning Bylaw No. 2017-08:
1. Section 8.2.3.3: to increase the maximum height of a carriage house in the RD1 zone where no lane exists from 5.0 m and one floor to 7.0 m and two floors; and
2. Section 10.5.2.6.i: to reduce the minimum exterior side yard from 3.0m to 2.2m.
AND THAT staff be directed to issue “DVP PL2018-8414”.

CARRIED UNANIMOUSLY

12.3 2018 Audited Financial Statements

241/2019

It was MOVED and SECONDED
THAT Council receive into the record the Financial Statements as co-presented by BDO Canada LLP and the Controller for the year ending December 31, 2018.

CARRIED UNANIMOUSLY

12.4 Triathlon Strategy

242/2019

It was MOVED and SECONDED
THAT Council direct staff to negotiate a 5-year agreement to host IRONMAN Canada, a full distance triathlon race, held annually and on the last weekend in August, from 2020-2024, requiring an estimated annual City commitment of $410,000 (including $299,000 cash and $111,000 of value in-kind contributions).

CARRIED UNANIMOUSLY
243/2019  
**It was MOVED and SECONDED**
THAT Council direct staff to explore opportunities for hosting a future multi-sport event, and return to Council with options.  
**CARRIED UNANIMOUSLY**

12.5  
**2019 Capital Works Projects – Eckhardt Avenue and Westminster Avenue Traffic Pattern Changes**

244/2019  
**It was MOVED and SECONDED**
THAT Council approve an amended project scope to the Westminster Avenue project and Winnipeg Street project and reallocate $145,000 from the Winnipeg Street Pavement Rehabilitation project to fund this change.  
**CARRIED UNANIMOUSLY**

12.6  
**Okanagan Lake Marina Boat Launch**

245/2019  
**It was MOVED and SECONDED**
THAT Council authorize staff access up to $100,000 from the Marinas Reserve to be used for the 2019 Okanagan Lake Marina Boat Ramp Project and the 2019-2023 Financial Plan be amended accordingly.  
**CARRIED UNANIMOUSLY**

12.7  
**2019 Facilities Capital – Demolition Work**

246/2019  
**It was MOVED and SECONDED**
THAT Council approve an amended project scope to include two additional City-owned properties (95 Ellis Street and 977 Eckhardt Avenue) for demolition and reallocate $48,000 from various 2019 Facilities capital budgets to this project.  
**CARRIED UNANIMOUSLY**

12.8  
**City of Penticton and Penticton Indian Band Council to Council Forum Initiatives**

247/2019  
**It was MOVED and SECONDED**
THAT Council direct staff to work with Penticton Indian Band (PIB) and staff to investigate the issues identified in Attachment A to the report titled “City of Penticton and Penticton Indian Band Council to Council Forum Initiatives” dated May 7, 2019.  
**CARRIED UNANIMOUSLY**

12.9  
**Zoning Amendment Bylaw No. 2019-15**  
Re: 856 Carder Road

248/2019  
**It was MOVED and SECONDED**
THAT Council give “Zoning Amendment Bylaw No. 2019-15”, a bylaw to add Section 9.2.6.12: “In the case of Lot B, DL 187, SDYD, Plan 38091, located at 856 Carder Road, agri-tourism accommodation is a permitted use with a maximum of six sleeping units,” first reading and forwarded to the May 21, 2019 Public Hearing.  
**CARRIED UNANIMOUSLY**
13. Bylaws and Permits

13.1 Tax Rate Bylaw No. 2019-11

249/2019

It was MOVED and SECONDED
THAT Council adopt “Tax Rate Bylaw No. 2019-11”.

CARRIED UNANIMOUSLY

13.2 Zoning Amendment Bylaw No. 2019-14
Re: Funeral Services

250/2019

It was MOVED and SECONDED
THAT Council adopt “Zoning Amendment Bylaw No. 2019-14”.

CARRIED UNANIMOUSLY

14. Notice of Motion

14.1 Mayor Vassilaki provided the following Notice of Motion for consideration at the May 21, 2019 Regular Meeting of Council:

THAT Council agree to send the Mayor, Chief Administrative Officer and three alternating members of Council to the Union of BC Municipalities (UBCM) Annual Convention for 2019-2022.

15. Business Arising

15.1 Federation of Canadian Municipalities Annual Conference May 30 – June 2, 2019

251/2019

It was MOVED and SECONDED
THAT Council send Councillor Julius Bloomfield to the Federation of Canadian Municipalities (FCM) Annual Conference being held in Quebec City, Quebec, May 30 - June 2, 2019.

CARRIED UNANIMOUSLY

16. Council Round Table

17. Public Question Period

18. Adjournment

252/2019

It was MOVED and SECONDED
THAT Council adjourn the Regular Council meeting held on Tuesday, May 7, 2019 at 8:43 p.m.

CARRIED UNANIMOUSLY

Certified correct:

[Signature]
Angie Collison
Corporate Officer

Confirmed:

[Signature]
John Vassilaki
Mayor