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

Tuesday, May 21, 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 Moroziuk, General Manager of Infrastructure (left at 4:00 p.m.)  
Bregje Kozak, Director Recreation & Facilities (left at 4:00 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  

253/2019  
It was MOVED and SECONDED  
THAT Council adopt the agenda for the Regular Council Meeting held on May 21, 2019 as amended to include item 10.9.  

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 1:27 p.m.
6. Adoption of Minutes:

6.1 Minutes of the May 7, 2019 Regular Meeting of Council

254/2019

It was MOVED and SECONDED
THAT Council adopt the minutes of the May 7, 2019 Regular Meeting of Council as presented.
CARRIED UNANIMOUSLY

7. Consent Agenda:

255/2019

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

8. Committee and Board Reports

9. Correspondence

10. Staff Reports:

10.1 Open Data Policy - Open Penticton

256/2019

It was MOVED and SECONDED
THAT Council approve “Open Data Hub – Open Penticton”, a policy that establishes the principles and practices the City will follow to enable the open sharing of data.
CARRIED UNANIMOUSLY

10.2 Downtown Public Space & Economic Vitality Opportunities

257/2019

It was MOVED and SECONDED
THAT Council authorize staff to initiate opportunities for downtown public space improvement such as:
- Pop-up event space;
- Local artist and musician space;
- Storefront use expansion;
- Public space beautification;
- Vending opportunities; and
- Other innovative opportunities.
AND THAT opportunities be created for these to take place in 2019.
CARRIED UNANIMOUSLY

10.3 Good Neighbour Amendment Bylaw No.2019-20
Bylaw Notice Enforcement Amendment Bylaw No. 2019-21

258/2019

It was MOVED and SECONDED
THAT Council give first, second and third reading to “Good Neighbour Amendment Bylaw No. 2019-20”;
AND THAT Council give first, second, and third reading to “Bylaw Notice Enforcement Amendment Bylaw No. 2019-21”.
CARRIED
Councillors Bloomfield and Watt, Opposed
259/2019

It was MOVED and SECONDED
THAT Council give first, second and third reading to “Bylaw Notice Enforcement Amendment Bylaw No. 2019-18”;
AND THAT Council give first, second and third reading to “Municipal Ticketing Information Amendment Bylaw No. 2019-19”.

CARRIED UNANIMOUSLY

Council recessed the meeting at 2:51 p.m. and reconvened at 2:58 p.m.

260/2019

It was MOVED and SECONDED
THAT Council maintain the status quo approach and follow the existing ‘Cannabis Retail Sales Policy’.

DEFEATED
Councillors Regehr, Kimberley, Sentes, Watt and Bloomfield, Opposed

Main Motion:
It was MOVED and SECONDED
THAT Council approve the ‘Cannabis Retail Sales Policy’ as amended, moving to a cap system.

Amendment:
It was MOVED no seconder
THAT Council cap the number of stores at 12.

261/2019

It was MOVED and SECONDED
THAT Council approve the ‘Cannabis Retail Sales Policy’ as amended, moving to a cap system.

CARRIED
Mayor Vassilaki, Councillors Robinson and Kimberley, Opposed

10.6 Zoning Amendment Bylaw No. 2019-17
Re: 1652 Fairview Road

262/2019

It was MOVED and SECONDED
THAT “Zoning Amendment Bylaw No. 2019-17”, a bylaw that adds as a site specific use ‘cannabis retail store’ to the C7 zone for Lot 15, DL 5, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 28077, located at 1652 Fairview Road, be given first reading and be forwarded to the June 4, 2019 Public Hearing;
AND THAT the public comment period for ‘local government support’ for the provincial cannabis retail store license application be done concurrently with the advertising for the zoning amendment Public Hearing;
AND FURTHER THAT Council consider ‘local government support’ for the provincial cannabis retail store application after adoption of Zoning Amendment Bylaw No. 2019-17.

CARRIED UNANIMOUSLY
10.7  Zoning Amendment Bylaw No. 2019-16
      Re: 595 Carmi Avenue

263/2019

It was MOVED and SECONDED
THAT “Zoning Amendment Bylaw No. 2019-16”, a bylaw to rezone Lot 13 District Lot 250
Similkameen Division Yale District Plan 6505, located at 595 Carmi Avenue from C2
(Neighbourhood Commercial) to C3 (Mixed Use Commercial), be given first reading and
forwarded to the June 4, 2019 Public Hearing;
AND THAT prior to adoption of “Zoning Amendment Bylaw No. 2019-16”, a 1.5m road dedication
along Government Street and a 1.02m road dedication along Carmi Avenue is registered with the
Land Title Office.

CARRIED UNANIMOUSLY

10.8  LGMA 100 Years – Commemorative Tree Planting

264/2019

It was MOVED and SECONDED
THAT Council authorize to proceed with selecting a tree to plant in a location recommended
by staff and hold a commemorative tree planting ceremony on May 23, 2019 in recognition of the
local government profession and ongoing commitment to the community.

CARRIED UNANIMOUSLY

10.9  Memorial Arena Chiller Replacement

265/2019

It was MOVED and SECONDED
THAT Council authorize to transfer $200,000 from the Asset Emergency Reserve, to fund the
Memorial Arena chiller replacement and that the 2019-2023 Financial Plan be amended
accordingly.

CARRIED UNANIMOUSLY

11.  Public Question Period

12.  Recess to a Closed Meeting:

266/2019

It was MOVED and SECONDED
THAT Council recess at 4:00 p.m. to a closed meeting of Council pursuant to the provisions of
the Community Charter section 90 (1) as follows:
(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;
(g) litigation or potential litigation affecting the municipality;
(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;
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

Minutes of May 21, 2019 Regular Council
13. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:14 p.m.

14. Bylaws and Permits

14.1 Zoning Amendment Bylaw No.2018-81
Re: 310 Comox Street

267/2019

It was MOVED and SECONDED
THAT Council adopt “Zoning Amendment Bylaw No. 2018-81”.

CARRIED UNANIMOUSLY

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

268/2019

It was MOVED and SECONDED
THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2019-15”;
AND THAT Council adopt “Zoning Amendment Bylaw No. 2019-15”.

CARRIED UNANIMOUSLY

Mayor Vassilaki declared a conflict of interest as he owns the property and left the meeting at
6:16 p.m. Deputy Mayor Kimberley chaired the meeting.

15. Land Matters

15.1 Development Variance Permit PL2019-8483
Re: 3935 Lakeside Road

Delegations/Submissions:

- Kyle Doiran, Maurice Street, floor plans will stay the same and the renovations are interior,
including kitchen and bathroom renovations and adjustments to windows. A small patio will
be added as temporary.

269/2019

It was MOVED and SECONDED
THAT Council approve “Development Variance Permit PL2019-8483” for Lot 1 District Lot 190
and 310S Similkameen Division Yale District Plan 27215, located at 3935 Lakeside Road, a
permit to vary section 8.2.3.5 of Zoning Bylaw 2017-08 to allow the siting of a carriage house
in the R1 zone to be located closer to the front lot line than the principal dwelling;
AND THAT staff be directed to issue “DVP PL2019-8483”.

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 6:22 p.m.

15.2 Temporary Use Permit PL2019-8515
Re: 813 Westminster Avenue West

Delegations/Submissions:

- Jeff Brown, agent for the tenant, asked for three-year temporary use permit.
It was MOVED and SECONDED
THAT Council approve “Temporary Use Permit PL2019-8515”, a permit to allow the use ‘motor vehicles sales and rentals’ for Lot 1, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 13891, located at 813 Westminster Avenue West, for a one-year period; AND THAT staff be directed to issue the permit.

CARRIED UNANIMOUSLY

16. Notice of Motion:

16.1 From Mayor Vasilaki on May 7, 2019

271/2019

It was MOVED and SECONDED
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.

DEFEATED
Councillors Robinson, Sentes, Watt, Regehr, Bloomfield and Kimberley, Opposed

16.2 Councillor Regehr provided the following Notice of Motion for consideration at the June 4, 2019 Regular Meeting of Council:

THAT Council direct Staff to review the Development Cost Charges for Public Open Spaces and compare to similar sized municipalities in the Okanagan; AND THAT Staff review the cost of living increases that might be applied to all classifications within the Development Cost Charges Bylaw; AND THAT Staff provide Council with an amending Development Cost Charges bylaw that addresses Public Open Spaces within six months.

17. Business Arising

18. Council Round Table

19. Public Question Period

20. Adjournment

272/2019

It was MOVED and SECONDED
THAT Council adjourn the Regular Council meeting held on Tuesday, May 21, 2019 at 6:58 p.m.

CARRIED UNANIMOUSLY

Certified correct:

[Signature]
Angie Collison
Corporate Officer

Confirmed:

[Signature]
John Vasilaki
Mayor