

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

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

10.4 Bylaw Notice Enforcement Amendment Bylaw No. 2019-18
Municipal Ticketing Information Amendment Bylaw No. 2019-19

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.

10.5 Cannabis Retail Sales Policy - Amendments

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 staff 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 staff 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

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.

270/2019

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 Vassilaki 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.

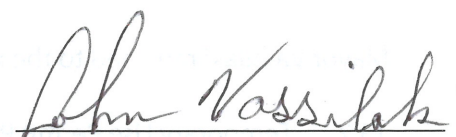
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor