

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

**Tuesday, September 3, 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  
Ken Kunka, Acting Director of Development Services  
Blake Laven, Planning Manager  
Mitch Moroziuk, General Manager of Infrastructure (left at 2:08 p.m.)  
Caitlyn Anderson, Deputy Corporate Officer

**1. Call to Order**

The Mayor called the Regular Council Meeting to order at 1:00 p.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

390/2019

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on September 3, 2019 as presented.

**CARRIED UNANIMOUSLY**

**4. Adoption of Minutes:**

4.1 Minutes of the August 20, 2019 Regular Meeting of Council

391/2019

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the August 20, 2019 Regular Meeting of Council as presented.

**CARRIED UNANIMOUSLY**

**5. Consent Agenda:**

392/2019

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the August 20, 2019 Committee of the Whole Meeting;
2. Minutes of the August 20, 2019 Public Hearing Meeting.

**CARRIED UNANIMOUSLY**

**6. Committee and Board Reports**

**7. Correspondence**

**8. Staff Reports:**

8.1 Net Metering – kWh Bank

393/2019

**It was MOVED and SECONDED**

THAT Council direct staff to revert back to a Retail Monetary bank billing method and amend the Electric Utility Services Bylaw No. 2017-44 to purchase excess energy at the Retail Rate of energy appropriate to the Customers rate class;

AND THAT Council direct staff to report on the progress of net metering to Council in 2024.

**CARRIED**

**Mayor Vassilaki, Councillors Regehr and Watt, Opposed**

8.2 Adjacent Property Owner Contribution Local Area Service Bylaw Policy

394/2019

**It was MOVED and SECONDED**

THAT Council approve the "Adjacent Property Owner Contribution Local Area Service Bylaw Policy" dated September 3, 2019;

AND THAT Council give first, second and third reading to "Local Improvement Charge Repeal Bylaw No. 2019-28", a bylaw to repeal Bylaw No. 2525 and amendment Bylaw No. 2810 that sets out the percentage of the works to be charged as owners share.

**CARRIED UNANIMOUSLY**

8.3 Appointment of Officers

395/2019

**It was MOVED and SECONDED**

THAT Council appoint Donny van Dyk as Chief Administrative Officer for the City of Penticton;

AND THAT Council appoint Angie Collison as Corporate Officer for the City of Penticton;

AND THAT Council appoint Caitlyn Anderson as Deputy Corporate Officer for the City of Penticton;

AND THAT Council appoint Jim Bauer as Chief Financial Officer for the City of Penticton;

AND THAT Council rescind the appointments of Mitch Moroziuk and Ian Chapman as Deputy Approving Officer;

AND THAT Council appoint Audrey Tanguay, Senior Planner as the Deputy Approving Officer for the City of Penticton.

**CARRIED UNANIMOUSLY**

#### 8.4 Local Government Support for Cannabis Retail Stores

396/2019

##### **It was MOVED and SECONDED**

THAT Council direct staff to send a recommendation of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses, in accordance with Council Policy, for the following property:

- 101-351 Westminster Avenue W (Completely Cannabis Co.)

AND THAT the recommendation include the following comments:

- The proposed location meets local government bylaw requirements and is in-line with the adopted Council policy for cannabis retail sales and as such no negative impacts are anticipated;
- The views of the public were captured during a public comment period; and
- The local government recommends that the application be approved because of compliance with local regulations and policies.

**CARRIED**

**Mayor Vassilaki, Opposed**

397/2019

##### **It was MOVED and SECONDED**

THAT Council direct staff to send a recommendation of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses, in accordance with Council Policy, for the following property:

- 310 Comox Street (Green House Cannabis Boutique)

AND THAT the recommendation include the following comments:

- The proposed location meets local government bylaw requirements and is in-line with the adopted Council policy for cannabis retail sales and as such no negative impacts are anticipated;
- The views of the public were captured during a public comment period; and
- The local government recommends that the application be approved because of compliance with local regulations and policies.

**CARRIED**

**Mayor Vassilaki, Opposed**

398/2019

##### **It was MOVED and SECONDED**

THAT Council direct staff to send a recommendation of support to the British Columbia Liquor and Cannabis Regulation Branch (LCRB) for non-medical cannabis retail store licenses, in accordance with Council Policy, for the following property:

- 2150 Main Street (Starbuds)

AND THAT the recommendation include the following comments:

- The proposed location meets local government bylaw requirements and is in-line with the adopted Council policy for cannabis retail sales and as such no negative impacts are anticipated;
- The views of the public were captured during a public comment period; and
- The local government recommends that the application be approved because of compliance with local regulations and policies.

**DEFEATED**

**Mayor Vassilaki, Councillors Regehr, Robinson, Kimberley and Sentes, Opposed**

#### **9. Public Question Period**

#### **10. Recess Regular Council Meeting**

The Regular Council Meeting recessed at 2:08 p.m.

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

Council reconvened the Regular Council Meeting at 6:41 p.m.

**12. Bylaws and Permits:**

12.1 Zoning Amendment Bylaw No. 2019-24  
Re: cash in lieu

399/2019

**It was MOVED and SECONDED**

THAT Council give third reading to "Zoning Amendment Bylaw No. 2019-24".

**DEFEATED**

**Councillors Robinson, Kimberley, Sentes, Watt and Bloomfield, Opposed**

400/2019

**It was MOVED and SECONDED**

THAT Council change the cash in lieu from \$20,000 to \$13,000.

**CARRIED UNANIMOUSLY**

401/2019

**It was MOVED and SECONDED**

THAT Council give third reading as amended to "Zoning Amendment Bylaw No. 2019-24" with a cash in lieu amount of \$13,000.

**CARRIED UNANIMOUSLY**

12.2 Zoning Amendment Bylaw No. 2019-29  
Re: 595 Vancouver Avenue

402/2019

**It was MOVED and SECONDED**

THAT Council give third reading to "Zoning Amendment Bylaw No. 2019-29".

**CARRIED**

**Councillors Regehr and Robinson, Opposed**

12.3 Zoning Amendment Bylaw No. 2019-33  
Re: 2800 Cedar Road

403/2019

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2019-33";  
AND THAT Council adopt "Zoning Amendment Bylaw No. 2019-33".

**CARRIED UNANIMOUSLY**

12.4 Downtown Economic Investment Zone Amendment Bylaw No. 2019-31

404/2019

**It was MOVED and SECONDED**

THAT Council adopt "Downtown Economic Investment Zone Amendment Bylaw No. 2019-31".

**CARRIED**

**Mayor Vassilaki, Councillors Kimberley and Regehr, Opposed**

12.5 Road Closure (Westminster Ave E/Abbott/Van Horne Street) Bylaw No. 2019-32

Delegations/Submissions:

- No one spoke.

405/2019

**It was MOVED and SECONDED**

THAT Council adopt "Road Closure (Westminster Ave E/Abbott/Van Horne Street) Bylaw No. 2019-32".

**CARRIED UNANIMOUSLY**

- 13. Land Matters**
- 14. Notice of Motion**
- 15. Business Arising**
- 16. Council Round Table**
- 17. Public Question Period**
- 18. Adjournment**

406/2019

**It was MOVED and SECONDED**

THAT Council adjourn the Regular Council meeting held on Tuesday, September 3, 2019 at 7:46 p.m.

**CARRIED UNANIMOUSLY**

Certified correct:



Angie Collison  
Corporate Officer

Confirmed:

  
John Vassilaki  
Mayor