



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

Tuesday, November 19, 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
Ben Johnson, Acting Director of Development Services
Bregje Kozak, Director Recreation and Facilities (left at 4:10 p.m.)
Mitch Moroziuk, General Manager of Infrastructure (left at 4:10 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

490/2019

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on November 19, 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 2:11 p.m.

6. Adoption of Minutes:

6.1 Minutes of the November 5, 2019 Regular Meeting of Council

491/2019

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 5, 2019 Regular Meeting of Council as presented.
CARRIED UNANIMOUSLY

7. Consent Agenda:

492/2019

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the November 5, 2019 Committee of the Whole Meeting;
2. Minutes of the November 5, 2019 Public Hearing Meeting;
3. Agriculture Advisory Committee Meeting Minutes of November 4, 2019;
4. Release of Items from Closed Meeting:
 - THAT Council appoint the following members to the Arts, Creative and Cultural Innovation Committee:
 - Anita Petersen, Brenda Longland, Mairoula Dimopoulos, Juliana Buitenhuis as members at large;
 - Kim Palmer, Shatford Centre and Okanagan School of Arts representative;
 - Paul Crawford, Penticton Art Gallery representative;
 - Timothy Tweed, Penticton and District Community Arts Council representative.
 - THAT Council appoint the following members to the Community Sustainability Advisory Committee:
 - Chris Allen, Margaret Holm, Brad Dollevoet, Randy Boras, Nicolas Stulberg as members at large;
 - Jaqueline Duncan, Interior Health representative;
 - Brian Rippy, Okanagan College representative;
 - Philip Hawkes, Fortis BC representative.
 - THAT Council appoint the following members to the Heritage and Museum Advisory Committee:
 - Anne Hargrave and Gerald Buzzell as members at large;
 - Karen Collins, Shatford Centre and Okanagan School of Arts representative;
 - Brad Hillis, Leir House representative;
 - Arlana Tanner, SS Sicamous Society representative.
 - THAT Council appoint the following members to the Safety and Security Advisory Committee:
 - Matthew Camirand, Cheryl Watts, Matt Taylor, Nicolette Rodriguez and Adam Power as members at large;
 - Lynn Allin, Downtown Penticton Association representative;
 - Daryl Clarke, Chamber of Commerce representative.
 - THAT Council appoint Sandy Ross, Parks and Recreation Advisory representative to the Penticton and Ellis Creek Restoration Select Committee.
 - THAT Council appoint Councillor Watt as the Council liaison to Penticton and Area Cycling Association (PACA).
 - THAT Council receive the resignation of Frank Conci, Penticton Industrial Development Association (PIDA) representative for the Penticton and Ellis Creek Restoration Select Committee;

AND THAT Council appoint Gerry Turchak as the Penticton Industrial Development Association (PIDA) representative and Drew Nagy as alternate for the Penticton and Ellis Creek Restoration Select Committee.

CARRIED UNANIMOUSLY

8. Committee and Board Reports

9. Correspondence

10. Staff Reports:

10.1 Complimentary Christmas Parking Downtown

493/2019

It was MOVED and SECONDED

THAT Council approve no charge for on-street parking in the downtown area on the four (4) Saturdays in December, 2019 which includes: December 7, 14, 21, 28, 2019.

CARRIED UNANIMOUSLY

Council agreed by consensus to refer the request of free public transit for the four (4) Saturdays in December of 2019 to business arising.

10.2 Consideration of Declaration and Remedial Action
Re: 377 Winnipeg Street

494/2019

It was MOVED and SECONDED

Whereas the City has authority under section 72(1) (b) of the Community Charter to impose remedial action requirements in relation to a declared nuisance:

1. THAT Council consider this staff report and presentation and, under the authority provided in Section 74 of the Community Charter, declare the single detached dwelling and detached shed located at 377 Winnipeg Street (the "Property") legally described as Lot 2 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3853 PID 010-706-241 a nuisance as the buildings are dilapidated, unclean and offensive to the community;
2. AND FURTHER THAT Council require remedial action requirements of the owner of the Property as follows:
 - Pay all outstanding amounts owing to the City; and
 - Obtain and successfully complete a Building Permit to demolish
3. AND FURTHER THAT Council set the time limit for completing the requirements described in Recommendation No. 2 to be no later than 4:30 p.m. on December 31, 2019 pursuant to Section 76 of the Community Charter;
4. AND FURTHER THAT Council authorize staff to commence a proceeding in the British Columbia Supreme Court after the time for the owners' compliance has expired to enforce the "Good Neighbour Bylaw No. 2012-5030" and "Controlled Substances Property Remediation Bylaw No. 2004-71" the remedial action Orders by way of civil injunction;
5. AND FURTHER THAT Council set the time limit for giving notice of a request for Council to reconsider the remedial action requirements described in Recommendation No. 2 to be no later than 4:30 p.m. on December 6, 2019 pursuant to section 78 of the Community Charter.

CARRIED UNANIMOUSLY

Mayor Vassilaki left the meeting at 2:34 p.m. and Councillor Sentes chaired the meeting.

10.3 Safety and Health Policy

495/2019

It was MOVED and SECONDED

THAT Council approve Safety & Health Policy dated November 19, 2019, a policy that replaces Safety & Health Policy of March 17, 2014 (resolution #136/2014).

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 2:38 p.m.

10.4 Fees and Charges Amendment Bylaw No. 2019-37

496/2019

It was MOVED and SECONDED

THAT Council rescind third reading and give third reading as amended to "Fees and Charges Amendment Bylaw No. 2019-37", a bylaw that establishes the rates the City will charge for various services.

CARRIED UNANIMOUSLY

10.5 Penticton as an Age Friendly Community

497/2019

It was MOVED and SECONDED

THAT Council commit the City of Penticton to becoming a designated 'age friendly community' through the 'Age Friendly BC Community Recognition Program' administered by the Ministry of Health;

AND THAT Council direct staff to apply through the Union of BC Municipalities Age Friendly Communities Program, for Stream 1 funding, to complete an 'age-friendly assessment' and 'action plan' in 2020.

CARRIED UNANIMOUSLY

10.6 Community Food Action Initiative Grant Opportunity

498/2019

It was MOVED and SECONDED

THAT Council direct staff to apply for grant funding through the Interior Health multi-year 'Community Food Action Initiative' program to complete a 'food security plan' for Penticton and for plan implementation;

AND THAT funds be included in the 2020 (\$5,000), 2021 (\$20,000) and 2022 (\$20,000) budgets to meet the financial matching contributions of the grant program, if the grant process is successful.

CARRIED UNANIMOUSLY

10.7 Request from RDOS to participate in Regional Housing Needs

499/2019

It was MOVED and SECONDED

THAT Council support the request from Regional District of Okanagan Similkameen to apply for, receive and manage grant funding on the City's behalf through the 'UBCM Housing Needs Report Program', to complete a regional Housing Needs Report.

CARRIED UNANIMOUSLY

10.8 Budget Request for Hospital Bus Stop Construction

500/2019

It was MOVED and SECONDED

THAT Council approve funding for the design and construction of a new bus stop at the Penticton Regional Hospital at a cost of \$35,000 to be funded from the Capital Reserve.

CARRIED UNANIMOUSLY

10.9 Development Cost Charges Amendment Bylaw No. 2019-45

501/2019

It was MOVED and SECONDED

THAT Council give first reading to "Development Cost Charges Amendment Bylaw No. 2019-45", a bylaw that increases Development Cost Charges over a two-year period to reflect construction pricing increases from 2007 to 2019 (40%).

CARRIED

Councillors Sentes, Watt and Bloomfield, Opposed

10.10 Council Meeting Schedule for 2020

502/2019

It was MOVED and SECONDED

THAT Council select the following dates for the 2020 Regular Meetings of Council: January 7, 21, February 4, March 3, 17, April 7, 21, May 5, 19, June 2, 16, July 7, 21, August 18, September 1, 15, October 6, 20, November 3, 17, and December 8.

CARRIED UNANIMOUSLY

10.11 Appointment of Regional District of Okanagan-Similkameen Directors

503/2019

It was MOVED and SECONDED

THAT Council approve the following 2020 Regional District of Okanagan-Similkameen (RDOS) director appointments and vote distributions: John Vassilaki (5), Jake Kimberley (5), Frank Regehr (5), Julius Bloomfield (4), Katie Robinson, first alternate director, Judy Sentes, second alternate director and Campbell Watt, third alternate director.

CARRIED UNANIMOUSLY

11. Public Question Period

12. Recess to a Closed Meeting:

504/2019

It was MOVED and SECONDED

THAT Council recess at 4:10 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;
- (c) labour relations or other employee relations.

CARRIED UNANIMOUSLY

13. Reconvene the Regular Council Meeting at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:00 p.m.

14. Bylaws and Permits:

- 14.1 Zoning Amendment Bylaw No. 2019-25
Re: 1050 Churchill Avenue

505/2019

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2019-25".

CARRIED UNANIMOUSLY

- 14.2 Zoning Amendment Bylaw No. 2019-39
Re: 962 Churchill Avenue

506/2019

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2019-39".

CARRIED UNANIMOUSLY

- 14.3 Electric Utility Services Amendment Bylaw No. 2019-40
Fees and Charges Amendment Bylaw No. 2019-41
Re: Net Metering

507/2019

It was MOVED and SECONDED

THAT Council adopt "Electric Utility Services Amendment Bylaw No. 2019-40";
AND THAT Council adopt "Fees and Charges Amendment Bylaw No. 2019-41".

CARRIED UNANIMOUSLY

- 14.4 Fire and Life Safety Amendment Bylaw No. 2019-43

508/2019

It was MOVED and SECONDED

THAT Council adopt "Fire and Life Safety Amendment Bylaw No. 2019-43".

CARRIED UNANIMOUSLY

15. Land Matters:

- 15.1 Development Variance Permit PL2019-8529
Development Permit PL2019-8530
Development Permit PL2019-8531
Re: 308 and 310 Abbott Street

Delegations/Submissions:

- Lynn Kelsey, Oakville Street, question of reduction of parking, each site will have 3 parking spots for 2 top units and 2 bottom units for a total of 8 units and 6 parking spots.
- Dave Sutton, designer of project, available to answer questions.
- Jordan Shade, Rigsby Street, wondering about visitor parking and where people are going to park.
- Craig Wood, owner, owns 5 other suits and 3 vehicles are common and sees plenty of parking on the street.

509/2019

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2019-8529", for Lots 3 and 4, Block 30, District Lot 202, Similkameen Division Yale District, Plan 479, located at 308 and 310 Abbott Street, a permit to increase the maximum lot coverage from 40% to 42%, and to decrease the minimum number of required parking spaces from 4 to 3, to support a duplex development with suites;

AND THAT staff be directed to issue "Development Variance Permit PL2019-8529".

CARRIED

Councillors Bloomfield, Regehr and Robinson, Opposed

510/2019

It was MOVED and SECONDED

THAT Council, subject to issuance of "Development Variance Permit PL2019-8529", approve "Development Permit PL2019-8530" for 308 Abbott Street and "Development Permit PL2019-8531", for 310 Abbott Street, permits to allow for the construction of front-to-back duplexes with suites.

CARRIED

Councillor Robinson, Opposed

16. Notice of Motion

17. Business Arising

17.1 From the November 19, 2019 Committee of the Whole delegation – 3.2 Locum housing for physicians

511/2019

It was MOVED and SECONDED

THAT Council approve funding of \$30,000 for locum housing for physicians with funding coming from the 2019 budget.

CARRIED

Councillor Watt and Robinson, Opposed

17.2 From the November 19, 2019 Committee of the Whole delegation – 3.3 Endorsement of statement of equitable access to ebooks

512/2019

It was MOVED and SECONDED

THAT Council endorse the communication titled "Statement on Equitable Public Access to E-Books";

AND THAT the Mayor sign the statement from The Canadian Urban Libraries Council to form part of the submission from British Columbia.

CARRIED UNANIMOUSLY

17.3 Complimentary Bus Transit

513/2019

It was MOVED and SECONDED

THAT Council approve free public transit on the four (4) Saturdays in December, 2019 which includes: December 7, 14, 21, 28, 2019.

DEFEATED

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

514/2019

It was MOVED and SECONDED

THAT Council direct staff to look into free transit for Saturdays in December of 2020.

CARRIED UNANIMOUSLY

18. Council Round Table

19. Public Question Period

20. Adjournment

515/2019

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, November 19, 2019 at 7:00 p.m.

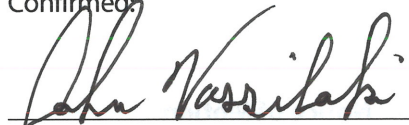
CARRIED UNANIMOUSLY

Certified correct:

for 

Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor