



# Minutes

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

**Tuesday, March 3, 2020**  
at 1:00 p.m.

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Kimberley  
Councillor Regehr  
Councillor Robinson  
Councillor Sentes (arrived at 1:41 p.m.)  
Councillor Watt

**Staff:** Donny van Dyk, Chief Administrative Officer  
Angie Collison, Corporate Officer  
Jim Bauer, Chief Financial Officer (left at 3:16 p.m.)  
Blake Laven, Director of Development Services  
Mitch Moroziuk, General Manager of Infrastructure (left at 3:16 p.m.)  
Bregje Kozak, Director Recreation and Facilities (left at 3:16 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**

42/2020

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on March 3, 2020 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 2:07 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the February 4, 2020 Regular Meeting of Council

43/2020

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the February 4, 2020 Regular Meeting of Council as presented.  
**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

44/2020

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the February 4, 2020 Committee of the Whole Meeting;
2. Minutes of the February 4, 2020 Public Hearing Meeting;
3. Heritage and Museum Advisory Committee Meeting Draft Minutes of February 11, 2020;
4. Arts, Creative and Cultural Innovations Advisory Committee Meeting Draft Minutes of February 18, 2020;
5. Release of Items from Closed Meeting:

THAT Council endorse consultation with and the subsequent land acquisition from landowners for:

- Installation of left hand turn lanes at the Warren Avenue/Main Street intersection;
- Closure to vehicular traffic of Kinney Avenue between Skaha Lake Road and South Main Street;
- Reconstruction and alignment of Galt Avenue to meet Pineview Road;
- Installation of a signalized intersection at Skaha Lake Road & Galt Avenue;
- Installation of a roundabout at Galt Avenue/South Main Street/Pineview Road;

AND THAT \$2,475,000 to fund land acquisition and detail design be made available with \$1,800,000 coming from the gaming reserve and the remaining \$675,000 coming from the capital reserve.

**CARRIED UNANIMOUSLY**

**8. Committee and Board Recommendations**

**9. Correspondence:**

9.1 Removal of property from the City of Penticton Heritage Registry  
Re: 452 Lakeshore Drive

45/2020

**It was MOVED and SECONDED**

THAT Council refer the request to remove the property at 452 Lakeshore Drive from the City of Penticton Heritage Registry to the Heritage & Museum Committee.

**CARRIED UNANIMOUSLY**

**10. Staff Reports:**

10.1 Joint Grant with RDOS - Indigenous Cultural Safety & Cultural Humility Training

46/2020

**It was MOVED and SECONDED**

THAT Council support a joint grant application with the Regional District Okanagan-Similkameen (RDOS) to the UBCM Indigenous Cultural Safety & Cultural Humility Training program;  
AND THAT the Regional District of Okanagan-Similkameen apply for, receive, and manage grant funding on the City of Penticton's behalf for Indigenous Cultural Safety & Cultural Humility Training.

**CARRIED UNANIMOUSLY**

10.2 Emergency Operations Centre (EOC) Grant

47/2020

**It was MOVED and SECONDED**

THAT Council support the application for grant funding from UBCM for Emergency Operations Centre (EOC) costs for equipment, supplies and training for the City of Penticton EOC.

**CARRIED UNANIMOUSLY**

10.3 Emergency Support Services (ESS) Grant

48/2020

**It was MOVED and SECONDED**

THAT Council support the application for grant funding from UBCM for Emergency Support Services costs for equipment, training, and recruitment for the City of Penticton area.

**CARRIED UNANIMOUSLY**

10.4 Recreation Service Update

49/2020

**It was MOVED and SECONDED**

THAT Council receive into the record the report titled 'Recreation Service Update', dated March 3, 2020.

**CARRIED UNANIMOUSLY**

10.5 In-Year Grant Requests

50/2020

**It was MOVED and SECONDED**

THAT Council approves a \$4,000 in-kind grant to Beacons Furry FUNdation Society;  
AND THAT Council denies the grant request to Conseil Jeunesse Francophone de la C.-B.

**CARRIED UNANIMOUSLY**

10.6 2021 Grant Request – Elvis Festival Society

51/2020

**It was MOVED and SECONDED**

THAT Council approves a \$15,000 in-kind grant to the Penticton Elvis Festival Society to be included in the 2021 budget.

**CARRIED UNANIMOUSLY**

10.7 2020 Voltage Conversion Outage Plans

52/2020

**It was MOVED and SECONDED**

THAT Council receive into record the report titled "2020 Voltage Conversion Outage Plans" dated March 3, 2020.

**CARRIED UNANIMOUSLY**

10.8 Fees and Charges Amendment Bylaw No. 2020-05

Re: Appendix 31 Storm Water Utility

53/2020

**It was MOVED and SECONDED**

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2020-05", a Bylaw to amend Fees and Charges Bylaw No. 2014-07 to correct a wording issue in Appendix 31, Storm Water Utility.

**CARRIED UNANIMOUSLY**

10.9 Safety and Security of Public Washroom Facilities

54/2020

**It was MOVED and SECONDED**

THAT Council receive into the record the report titled "Safety and Security of Public Washroom Facilities" dated March 3, 2020.

**CARRIED UNANIMOUSLY**

**11. Public Question Period**

**12. Recess to a Closed Meeting:**

55/2020

**It was MOVED and SECONDED**

THAT Council recess at 3:16 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* as follows: Section 90 (1)

(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;

Section 90 (2) (c) a matter that is being investigated under the *Ombudsperson Act* of which the municipality has been notified under section 14 [Ombudsperson to notify authority] of that *Act*.

**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 Council Procedure Amendment Bylaw No. 2020-04

56/2020

**It was MOVED and SECONDED**

THAT Council adopt "Council Procedure Amendment Bylaw No. 2020-04".

**CARRIED UNANIMOUSLY**

**15. Land Matters:**

15.1 Temporary Use Permit PL2019-8678 for 'rock crushing'

Re: 3200 Evergreen Drive

Delegations/Submissions:

- Erik Stoof, Partridge Drive, experienced last rock crushing on site at Cedar Avenue, never ending noise and dust, don't understand why rock crushing is allowed in the city, why doing it in the summer and not winter time, who monitors it to make sure it's done properly, City? Wind is high at that time of the year.
- Donna Butler, Ecora, rock crusher will be 1000 meters away from nearest house, it cannot wait until next winter, rock crushers elsewhere in City have been done effectively many times before.
- Raymond Belanger, Balsam Avenue, lived across the street from crusher on Cedar Avenue and it was not a good experience. Good Neighbour Policy in place and take into account the effect on neighbourhood. Lived through crushing and blasting before. Crusher does not belong in City.

57/2020

**It was MOVED and SECONDED**

THAT Council approve "Temporary Use Permit PL2019-8678", a permit to allow for the operation of a "rock crusher" on Lot 1, District Lots 190 and 2710, Similkameen Division Yale District, Plan KAP74449, located at 3200 Evergreen Drive for a three (3) month period, from March 15, 2020 to June 15, 2020, subject to the following conditions:

- No processed materials are to leave the site;
- The rock crusher is only permitted to be operated between the hours of 8 a.m. and 4 p.m. and only from Monday to Friday;
- Appropriate dust control measures are to be taken at all times;
- A sound barrier (earth berm) along the existing gully must be created to reduce noise around the crusher.

**CARRIED UNANIMOUSLY**

Councillor Bloomfield declared a conflict of interest as the applicant was a previous client and left the meeting at 6:30 p.m.

15.2 Manufacturing Brewery Lounge and Special Event Area Endorsements for Neighbourhood Brewing Company Inc.  
Re: 187 Westminster Avenue West

58/2020

**It was MOVED and SECONDED**

THAT Council direct staff to commence public notification of the proposed Brewery Lounge and Special Event Area endorsement application from Neighbourhood Brewing Company Inc. located at 187 Westminster Avenue West with restrictions of exterior patio service hours and no amplified music past 11:00pm;  
AND THAT staff report back on the results of the public consultation at the April 7, 2020 Council meeting.

**CARRIED UNANIMOUSLY**

Councillor Bloomfield returned to the meeting at 6:41 p.m.

15.3 Zoning Amendment Bylaw No. 2020-06  
Development Variance Permit PL2020-8705  
Re: 1106, 1112, 1118, 1124 and 1130 Syer Road

59/2020

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2020-06", a bylaw to rezone Lots 126, 127, 128, 129 and 130, District Lot 2710, Similkameen Division, Yale District, Plan KAP92932, located at 1106, 1112, 1118, 1124 and 1130 Syer Road from R2 (Small Lot Residential) to RD1 (Duplex Housing), be given first reading and be forwarded to the March 17, 2020 Public Hearing;  
AND THAT delegations and submissions for "Development Variance Permit PL2020-8705" for 1106, 1112, 1118, 1124 and 1130 Syer Road, a permit to reduce the minimum rear yard setback for all subject properties and to increase the maximum building height for two properties, be received and considered at the March 17, 2020 Public Hearing.

**CARRIED UNANIMOUSLY**

15.4 Zoning Amendment Bylaw No. 2020-07  
Development Permit PL2019-8674  
Re: 1018, 1026 and 1034 Churchill Avenue

60/2020

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2020-07", a bylaw to rezone the following properties:

- Lot 3 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017, located at 1018 Churchill Avenue;
- Lot 4 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1017 Except Plan KAP74500, located at 1026 Churchill Avenue; and
- Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan KAP74500, located at 1034 Churchill Avenue;

from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), be given first reading and be forwarded to the March 17, 2020 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2020-07", a road dedication between 1.7m and 4.3m along the Churchill Avenue frontage be registered with the Land Title Office;

AND THAT Council, in accordance with Section 507 of the Local Government Act, require the following excess and extended services:

- Full construction of road, curb, gutter and sidewalk on the southern half of Churchill Avenue along the frontages of 1010, 1018, 1026 and 1034 Churchill Avenue, to create a more complete section of pedestrian infrastructure;

AND THAT Council, subject to approval of "Zoning Amendment Bylaw No. 2020-07", consider approval of "Development Permit PL2019-8674", for the consolidated lot comprising 1018, 1026, and 1034 Churchill Avenue, a permit to allow for the construction of a 13-unit apartment building.

**CARRIED UNANIMOUSLY**

15.5 Zoning Amendment Bylaw No. 2020-08  
Development Permit PL2019-8613  
Re: 352 Winnipeg Street

61/2020

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2020-08", a bylaw to add the use 'self-storage', limited to 505m<sup>2</sup> to the C5 (Urban Centre Commercial) zone on a site specific basis for Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District plan KAP49367, located at 352 Winnipeg Street, be given first reading and be forwarded to the March 17, 2020 Public Hearing;

AND THAT Council, subject to the issuance of "Zoning Amendment Bylaw No. 2020-08", consider approval of "Development Permit PL2019-8613", for 352 Winnipeg Street, a permit to allow for a mixed-use development featuring office, residential and self-storage uses.

**CARRIED UNANIMOUSLY**

**16. Notice of Motion:**

16.1 Mayor Vassilaki read into the record the following Notice of Motion for consideration at the March 17, 2020 Regular Meeting of Council:

THAT bylaw services operate on Sundays from spring to fall.

**17. Business Arising**

**18. Council Round Table**

**19. Public Question Period**

**20. Adjournment**

62/2020

**It was MOVED and SECONDED**

THAT Council adjourn the Regular Council meeting held on Tuesday, March 3, 2020 at 7:15 p.m.


**CARRIED UNANIMOUSLY**

Certified correct:



Angie Collison  
Corporate Officer

Confirmed:

  
John Vassilaki  
Mayor