



Minutes

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Electronic Regular Council Meeting¹ held at City of Penticton via WebEx www.penticton.ca

Tuesday, June 2, 2020
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
Blake Laven, Director of Development Services
Mitch Moroziuk, General Manager of Infrastructure
Ken Kunka, Deputy Director of Development Services

1. Call to Order

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

2. Adoption of Agenda

151/2020

It was MOVED and SECONDED

THAT Council adopt the agenda for the Electronic Regular Council Meeting held on June 2, 2020 as presented.

CARRIED UNANIMOUSLY

3. Adoption of Minutes:

3.1 Minutes of the May 19, 2020 Electronic Regular Meeting of Council

152/2020

It was MOVED and SECONDED

THAT Council adopt the minutes of the May 19, 2020 Electronic Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

¹ In accordance with the Province of BC Ministerial Order No. M139, the Council of the City of Penticton is participating in the meeting by electronic means, without public attendance and may adopt a bylaw on the same day as third reading.

4. Consent Agenda:

153/2020

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Community Sustainability Advisory Committee Meeting Draft Minutes of May 20, 2020.

CARRIED UNANIMOUSLY

5. Correspondence:

5.1 1009 Kensington Street – Art Isted

154/2020

It was MOVED and SECONDED

THAT Council direct staff to review the request from Art Isted regarding services at 1009 and 1001 Kensington Street and report back with options for Council's consideration.

DEFEATED

155/2020

It was MOVED and SECONDED

THAT Council receive into the record the correspondence dated May 25, 2020 from Art Isted regarding services at 1009 and 1001 Kensington Street.

CARRIED UNANIMOUSLY

5.2 Brain Injury Awareness Month Proclamation

156/2020

It was MOVED and SECONDED

THAT Council proclaim June 2020 as Brain Injury Awareness Month.

CARRIED UNANIMOUSLY

6. Staff Reports:

6.1 2020 Grant Program Updates – COVID-19

157/2020

It was MOVED and SECONDED

THAT Council receive into the record the report titled '2020 Grant Program Updates – COVID-19'; AND THAT Council approves the request from the Penticton Lawn Bowling Club to repurpose the previously approved grant for operating expenses.

CARRIED UNANIMOUSLY

6.2 2020 Financial Update

158/2020

It was MOVED and SECONDED

THAT Council receive into the record the report titled "2020 Financial Update" dated June 2, 2020.

CARRIED UNANIMOUSLY

6.3 Fees and Charges Amendment Bylaw No. 2020-20
Re: Metered Parking Fees and Sidewalk Uses Fees

159/2020

It was MOVED and SECONDED

THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2020-20", a bylaw that temporarily reduces certain fees and charges in 2020 related to metered parking and sidewalk uses fees due to COVID-19 pandemic;

AND THAT Council adopt "Fees and Charges Amendment Bylaw No. 2020-20".

CARRIED UNANIMOUSLY

Mayor Vassilaki declared a conflict of interest as he owns a liquor store and left the meeting at 2:14 p.m. Deputy Mayor Sentes chaired the meeting.

6.4 Pilot Project – Responsible Liquor Consumption in Designated Public Places

Main Motion:

THAT Council give first, second and third reading to "Park Regulation Amendment Bylaw No. 2020-19" a bylaw that amends the parks regulation bylaw by including an exemption to the prohibition of drinking in parks and beaches for those areas and times specified by a bylaw. THAT Council give first, second and third reading to "Liquor Consumption (SS Sicamous Park, Okanagan Beach, Rotary Park, Gyro Park, Okanagan Lake Park and Marina Way Park) Bylaw No. 2020-21", a bylaw that permits responsible consumption of liquor in designated public places from June 3, 2020 to July 4, 2020 from 12 PM to 8 PM.

Amendment:

160/2020

It was MOVED and SECONDED

THAT Council amend "Liquor Consumption (SS Sicamous Park, Okanagan Beach, Rotary Park, Gyro Park, Okanagan Lake Park and Marina Way Park) Bylaw No. 2020-21" to remove SS Sicamous Park, Gyro Park, and Okanagan Beach west of Power Street; AND THAT Council request weekly updates from staff.

CARRIED

Deputy Mayor Sentes, Opposed

Amendment:

161/2020

It was MOVED and SECONDED

THAT Council amend "Liquor Consumption (SS Sicamous Park, Okanagan Beach, Rotary Park, Gyro Park, Okanagan Lake Park and Marina Way Park) Bylaw No. 2020-21" to change the dates to June 17, 2020 to July 21, 2020.

DEFEATED

Deputy Mayor Sentes, Councillors Bloomfield, Regehr, and Watt, Opposed

Main Motion as amended:

162/2020

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Park Regulation Amendment Bylaw No. 2020-19" a bylaw that amends the parks regulation bylaw by including an exemption to the prohibition of drinking in parks and beaches for those areas and times specified by a bylaw. THAT Council give first, second and third reading as amended to "Liquor Consumption (Okanagan Beach east of Power Street, Rotary Park, Okanagan Lake Park and Marina Way Park) Bylaw No. 2020-21", a bylaw that permits responsible consumption of liquor in designated public places from June 3, 2020 to July 4, 2020 from 12 PM to 8 PM; AND THAT Council request weekly updates from staff.

CARRIED

Deputy Mayor Sentes, and Councillor Robinson, Opposed

163/2020

It was MOVED and SECONDED

THAT Council adopt "Park Regulation Amendment Bylaw No. 2020-19".

THAT Council adopt "Liquor Consumption (Okanagan Beach east of Power Street, Rotary Park, Okanagan Lake Park and Marina Way Park) Bylaw No. 2020-21".

CARRIED

Deputy Mayor Sentes, and Councillor Robinson, Opposed

The meeting recessed at 4:00 p.m. and reconvened 4:20 p.m.

Mayor Vassilaki returned to the electronic meeting at 4:20 p.m.

6.5 Storefront Use Bylaw No. 2020-22

164/2020

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Storefront Use Bylaw No. 2020-22", a bylaw that creates new regulations for the use of public areas adjacent to storefronts for food and beverage and retail uses and repeals Martin Street Storefront Bylaw No. 2014-12 and Main Street Storefront Bylaw No. 2016-42;

AND THAT Council adopt "Storefront Use Bylaw No. 2020-22".

THAT Council give first, second and third reading to "Traffic Amendment Bylaw No. 2020-23", an amending bylaw that removes the section pertaining to sidewalk patios;

AND THAT Council adopt "Traffic Amendment Bylaw No. 2020-23".

THAT Council give first, second and third reading to "Bylaw Notice Enforcement Amendment Bylaw No. 2020-24", a bylaw that replaces Appendix 20 and Appendix 21 with a new enforcement appendix for the Storefront Use Bylaw No. 2020-22;

AND THAT Council adopt "Bylaw Notice Enforcement Amendment Bylaw No. 2020-24".

CARRIED UNANIMOUSLY

6.6 Local Government approval for Temporary Expanded Liquor Service Areas

165/2020

It was MOVED and SECONDED

THAT Council direct staff to inform the Liquor and Cannabis Control Branch (LCRB) of its preference to provide one pre-approval (Option #1) to cover all liquor primary and manufacturer establishments who may apply for an expanded service area under LCRB Policy Directive 20-13 Temporary Expanded Service Area Authorization.

CARRIED UNANIMOUSLY

6.7 Extension of Temporary Use Permit PL2019-8678 for "Rock Crusher"

Re: 3200 Evergreen Drive

166/2020

It was MOVED and SECONDED

THAT Council extend "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, Except Plan EPP88237, located at 3200 Evergreen Drive, for an additional 4 week period, ending July 15, 2020.

CARRIED UNANIMOUSLY

- 6.8 Development Variance Permit PL2020-8757
Re: 1236 Edgewood Drive

167/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8757" for Lot 2 District Lot 2710 Similkameen Division Yale District Plan EPP93406, located at 1236 Edgewood Drive, a permit to reduce the minimum front yard setback from 4.5m to 3.6m to allow for the placement of a single detached dwelling;

AND THAT Council direct staff to issue "Development Variance Permit PL2020-8757".

CARRIED UNANIMOUSLY

- 6.9 Zoning Amendment Bylaw No. 2020-18
Development Variance Permit PL2020-8741
Development Permit PL2020-8740
Re: 175 Brunswick Street

168/2020

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2020-18", a bylaw to rezone Lot 8 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 368, located at 175 Brunswick Street, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the June 16, 2020 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2020-18", a 1.0m wide road widening along Brunswick Street be registered with the Land Title Office;

AND THAT Council consider "Development Variance Permit PL2020-8741" for Lot 8 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 368, located at 175 Brunswick Street, a permit to vary Zoning Bylaw Section 10.8.2.7.i., to reduce the minimum interior side yard from 3.0m to 1.5m, following adoption of "Zoning Amendment Bylaw No. 2020-18";

AND THAT Council subject to approval of "Development Variance Permit PL2020-8741" approve "Development Permit PL2020-8740" for Lot 8 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 368, located at 175 Brunswick Street, a permit to allow for the construction of two side-by-side duplexes.

CARRIED UNANIMOUSLY

7. **Business Arising**
8. **Council Round Table**
9. **Adjournment to a Closed Meeting:**

169/2020

It was MOVED and SECONDED

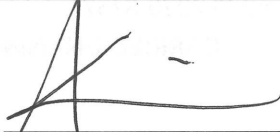
THAT Council adjourn at 5:08 p.m. to a closed meeting of Council pursuant to the provisions of the Community Charter as follows: Section 90 (1)

- (c) labour relations or other employee relations;
- (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;

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor