

Regular Council Meeting¹
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, July 7, 2020
at 1:00 p.m.

Present: Mayor Vassilaki
Councillor Bloomfield
Councillor Regehr
Councillor Robinson
Councillor Sentes
Councillor Watt

Regrets: Councillor Kimberley

Staff: Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Blake Laven, Director of Development Services
Caitlyn Anderson, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council Meeting to order at 1:02 p.m.

2. Application of rules of procedure

190/2020

It was MOVED and SECONDED

THAT open meetings of the City of Penticton be conducted in person and/or by electronic means allowing members of Council to attend electronically if necessary;
AND THAT Council restrict public attendance at open meetings during the British Columbia provincial state of emergency in response to the COVID-19 pandemic as capacity in Council Chambers is limited when maintaining the physical distancing requirements;
AND THAT Council ensure openness, transparency, accessibility and accountability by recording and streaming open meetings on the City's website.

CARRIED UNANIMOUSLY

3. Adoption of Agenda

191/2020

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on July 7, 2020 as presented.

CARRIED UNANIMOUSLY

¹ In accordance with the Province of BC Ministerial Order No. M192, the Council of the City of Penticton is participating in the meeting without public attendance.

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:04 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:40 p.m.

6. Adoption of Minutes:

6.1 Minutes of the June 16, 2020 Regular Meeting of Council

192/2020

It was MOVED and SECONDED

THAT Council adopt the minutes of the June 16, 2020 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

193/2020

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the June 16, 2020 Public Hearing Meeting;
2. Safety and Security Advisory Committee Meeting Draft Minutes of June 15, 2020;
3. Community Sustainability Advisory Committee Meeting Draft Minutes of June 17, 2020;
4. Agriculture Advisory Committee Meeting Draft Minutes of June 17, 2020;
5. Release of Items from Closed Meeting:

THAT Council approve a \$2,000 cash grant for costs associated with insurance and an in-kind grant for outstanding city provided utility charges, to the Okanagan School of the Arts to facilitate the two month lease extension with School District 67 to allow for an orderly transition from the Shatford Centre and support the OSA in re-establishing its programming and contributions to a vibrant Penticton.

CARRIED UNANIMOUSLY

8. Correspondence:

- 8.1 RNL Investments Ltd. Village Square
Re: Compass House – 1706 Main Street

It was MOVED and SECONDED

THAT Council receive into the record the correspondence dated June 24, 2020 from RNL Investments Ltd. Village Square.

The motion was withdrawn.

194/2020

It was MOVED and SECONDED

THAT Council direct staff to present options to the Safety and Security Advisory Committee addressing the nuisance concerns raised in the correspondence from RNL Investments Ltd. Village Square.

CARRIED UNANIMOUSLY

9. Staff Reports:

9.1 Drought Management Plan

195/2020

It was MOVED and SECONDED

THAT Council approve the "City of Penticton Drought Management Plan" dated June 26, 2020 (Attachment A) as a guiding document.

CARRIED UNANIMOUSLY

9.2 Nanaimo Street Bridge and Penticton Creek

196/2020

It was MOVED and SECONDED

THAT Council request the Penticton Fly Fishers to ask the Regional District of Okanagan Similkameen Board to extend the grant deadline for the South Okanagan Conservation Fund Grant for the design of Penticton Creek Reach 3A Upper / 3B to December 31, 2020;
AND THAT Council authorize staff to design Penticton Creek Reach 3A Upper / 3B with the existing Nanaimo Avenue Bridge removed to allow for the passage of the 1:200 Year Design Flow;

AND THAT the Nanaimo Avenue bridge remain in place until the construction of Penticton Creek Reach 3A Upper / 3B;

AND THAT an evaluation and costing of options, public consultation and development of a recommendation to address the removal of the Nanaimo Avenue Bridge be considered in the 2022 budget process;

AND FURTHER THAT the construction of Penticton Creek Reach 3A Upper / 3B including how to address the removal of the Nanaimo Avenue Bridge be considered in the 2024 Budget process.

CARRIED UNANIMOUSLY

Mayor Vassilaki declared a conflict of interest as he owns a liquor store and left the meeting at 2:32 p.m. Deputy Mayor Robinson chaired the meeting.

9.3 Responsible Liquor Consumption in Public Places Pilot Results

197/2020

It was MOVED and SECONDED

THAT Council receive into the record the findings from the "Responsible Liquor Consumption in Designated Public Places – Pilot Project";

AND THAT Council give first, second and third reading to "Liquor Consumption (Okanagan Beach east of Power Street, Rotary Park, Okanagan Lake Park and Marina Way Park) Bylaw No. 2020-26", a bylaw that permits responsible consumption of liquor in designated public places from July through October 15, 2020 from 12 p.m. to 8 p.m.;

AND THAT a Special Council meeting to adopt Bylaw No. 2020-26 be held on Wednesday, July 8 at 3:00 p.m.

**CARRIED
Councillor Sentes, Opposed**

198/2020

It was MOVED and SECONDED

THAT Council support the recommendation from the Parks and Recreation Advisory Committee and direct staff to prepare a bylaw that allows for liquor consumption in a portion of Skaha Lake Park and the Ale Trail.

CARRIED
Councillor Sentes, Opposed

Mayor Vassilaki returned to the meeting at 3:05 p.m.

Council recessed the meeting at 3:06 p.m. and reconvened at 3:18 p.m.

9.4 Penticton Restart: Recreation & Culture Update

199/2020

It was MOVED and SECONDED

THAT Council receive into the record the report and accompanying presentation entitled 'Penticton Restart: Recreation & Culture Update', dated July 7, 2020.

CARRIED UNANIMOUSLY

9.5 Economic Recovery Task Force

200/2020

It was MOVED and SECONDED

THAT Council support the recommendation from the Economic Recovery Task Force to continue the COVID-19 recovery work within the existing Council Advisory Committee structure;

AND THAT Council direct staff to amend the terms of reference for the Economic Prosperity and Development Services Advisory Committee (EPDSAC) to include COVID-19 recovery as an area of focus for the Committee;

AND THAT Council thank the members of the Economic Recovery Task Force and invite any members not already on an advisory committee to apply.

CARRIED UNANIMOUSLY

9.6 Community Safety & Security Update

201/2020

It was MOVED and SECONDED

THAT Council receive into the record the report dated July 7, 2020 titled "Community Safety & Security Update".

CARRIED UNANIMOUSLY

9.7 Social Development Update

202/2020

It was MOVED and SECONDED

THAT Council receive into the record the report dated July 7, 2020 titled "Social Development Update".

CARRIED UNANIMOUSLY

9.8 Temporary Use Permit PL2019-8515 (Renewal)
Re: 813 Westminster Avenue West

Main Motion:

THAT Council approve "Temporary Use Permit PL2019-8515 (Renewal)", a permit to allow the use of 'motor vehicle sales and rental' for Lot 1 District Lot 2 Group 7 Similkameen Division

Yale (Formerly Yale-Lytton) District Plan 13891, located at 813 Westminster Ave West, for a three-year period;
AND THAT staff be directed to issue "Temporary Use Permit PL2019-8515 (Renewal)".

Amendment:

203/2020

It was MOVED and SECONDED

THAT Council amend the term to a one-year period.

CARRIED
Councillor Sentes, Opposed

Main Motion as amended:

204/2020

It was MOVED and SECONDED

THAT Council approve "Temporary Use Permit PL2019-8515 (Renewal)", a permit to allow the use of 'motor vehicle sales and rental' for Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891, located at 813 Westminster Ave West, for a one-year period;

AND THAT staff be directed to issue "Temporary Use Permit PL2019-8515 (Renewal)".

CARRIED
Councillors Sentes and Watt, Opposed

9.9 Zoning Amendment Bylaw No. 2020-27

Development Permit PL2020-8759

Re: 2475 Skaha Lake Road

205/2020

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2020-27", a bylaw to rezone Lot 2 District Lot 116 Similkameen Division Yale District Plan 9227, located at 2475 Skaha Lake Road from CT1 (Tourist Commercial) to C7 (Service Commercial), be given first reading and be forwarded to the July 21, 2020 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2020-27", a road dedication of 2.0m along the Skaha Lake Road frontage be registered with the Land Title Office;

AND THAT Council, subject to approval of "Zoning Amendment Bylaw No. 2020-27", approve "Development Permit PL2020-8759" for 2475 Skaha Lake Road, a permit to allow for the construction of a motor vehicle sales and rental business.

CARRIED UNANIMOUSLY

9.10 Development Variance Permit PL2020-8777

Re: 127 Acacia Crescent

206/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8777" for Lot B District Lot 249 Similkameen Division Yale District Plan 36766, located at 127 Acacia Crescent, a permit to increase the maximum height of a retaining wall within a required yard from 1.2m to 1.68m;
AND THAT Council direct staff to issue "Development Variance Permit PL2020-8777".

CARRIED UNANIMOUSLY

9.11 Development Variance Permit PL2020-8767
Re: 642 Haywood Street

207/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8767" for Lot 4 District Lot 202 Similkameen Division Yale District Plan 447, located at 642 Haywood Street, a permit to reduce the minimum rear yard for a principal building from 6.0m to 4.37m, to allow for the construction of a two-storey addition onto the existing single detached dwelling;
AND THAT Council direct staff to issue "Development Variance Permit PL2020-8767".

CARRIED UNANIMOUSLY

9.12 Development Variance Permit PL2020-8765
Re: 674 Haywood Street

208/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8765" for That Part of Lot 7 Block 27 Outlined Red on Plan B5237; District Lot 202 Similkameen Division Yale District Plan 447, located at 674 Haywood Street, a permit to reduce the minimum rear yard setback for a principal building from 6.0m to 1.09m to allow for an addition on the single detached dwelling;
AND THAT Council direct staff to issue "Development Variance Permit PL2020-8765".

CARRIED UNANIMOUSLY

9.13 Development Variance Permit PL2020-8784
Re: 2696 and 2712 Skaha Lake Road

209/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8784" for Lots 2 and 3, District Lot 116, Similkameen Division Yale District Plan 21541, located at 2696 and 2712 Skaha Lake Road, a permit to vary Section 5.6.1.1.1 of Zoning Bylaw 2017-08 to increase the permitted fence height along the front lot line from 1.2m to 1.8m.;
AND THAT Council direct staff to issue "Development Variance Permit PL2020-8784".

CARRIED UNANIMOUSLY

10. Bylaws and Permits:

10.1 Zoning Amendment Bylaw No. 2020-14
Development Permit PL2019-8680
Re: 154 Brunswick Street

210/2020

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2020-14";
AND THAT Council approve "Development Permit PL2019-8680".

CARRIED UNANIMOUSLY

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

211/2020

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2020-18";
AND THAT Council approve "Development Variance Permit PL2020-8741";
AND THAT Council approve "Development Permit PL2020-8740".

CARRIED UNANIMOUSLY

11. Notice of Motion:

11.1 From Mayor Vassilaki on March 3, 2020:

212/2020

It was MOVED and SECONDED

THAT bylaw services operate on Sundays from spring to fall.

CARRIED UNANIMOUSLY

12. Business Arising

13. Council Round Table

14. Public Question Period

15. Adjournment to a Closed Meeting:

213/2020


It was MOVED and SECONDED

THAT Council adjourn at 5:06 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;
- (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.


CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor