



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

Tuesday, September 1, 2020
at 1:00 p.m.

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

Regrets: Mayor Vassilaki
Councillor Kimberley

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

1. Call to Order

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

2. Introduction of Late Items

3. Adoption of Agenda

270/2020

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on September 1, 2020 as amended to include correspondence as item 9.1 – Discovery House and recess to a Closed Meeting under section 90 (1) (a) and (c).

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:03 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:28 p.m.

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.

6. Adoption of Minutes:

6.1 Minutes of the August 18, 2020 Regular Meeting of Council

271/2020

It was MOVED and SECONDED

THAT Council adopt the minutes of the August 18, 2020 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

272/2020

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the August 18, 2020 Committee of the Whole Meeting;
2. Safety and Security Advisory Committee Meeting Draft Minutes of August 17, 2020;
3. Community Sustainability Advisory Committee Meeting Draft Minutes of August 19, 2020;
4. Release of Items from Closed Meeting:

THAT Council accept the resignation from Steven French;

AND THAT Council appoint Erica Stewart and Nick Ibuki to the Agriculture Advisory Committee.

THAT Council appoint Calvin Meiklejohn and Erica Stewart to the Arts, Creative and Cultural Innovation Committee.

THAT Council appoint Ryan Smid to the Community Sustainability Advisory Committee.

THAT Council accept the resignation from Manda Maggs;

AND THAT Council appoint Josie Tyabji and Cary Berger to the Economic Prosperity and Development Services Advisory Committee.

THAT Council appoint Jeanette Beaven and Sandra Hayes to the Heritage and Museum Advisory Committee.

THAT Council accept the resignation from Peter Osborne;

AND THAT Council appoint Jeff Leonard and Susan Fraser to the Parks and Recreation Advisory Committee.

THAT Council accept the resignation from Bill Binfet;

AND THAT Council appoint Aaryn Secker and Susan Brown to the Safety and Security Advisory Committee.

CARRIED UNANIMOUSLY

8. Committee and Board Recommendations:

8.1 Safety and Security Advisory Committee Recommendation from August 17, 2020

273/2020

It was MOVED and SECONDED

THAT Council direct staff to look into an educational awareness campaign to address deer and other animals in the City of Penticton.

CARRIED UNANIMOUSLY

9. Correspondence:

9.1 Penticton Recovery Resource Society - Discovery House

Re: Request letter of support to accompany grant application

274/2020

It was MOVED and SECONDED

THAT Council send a letter of support to the Penticton Recovery Resource Society – Discovery House to accompany their grant application for supportive long-term recovery bed spaces in Penticton.

CARRIED UNANIMOUSLY

10. Staff Reports:

10.1 Development Variance Permit PL2020-8786
Re: 585 Rene Avenue

Owner/Representative: Mr. Jacyna, owner, spoke in support of the variance. Structure is very old, pre 1921 as there are no plans on the current building. Currently it does not meet today's building code. Bought the house in 2016 and believed there was nothing wrong with it.

It was Moved, no seconder

THAT Council approve "Development Variance Permit PL2020-8786" for Lot 14 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1035, located at 585 Rene Avenue, a permit to vary the following sections of Zoning Bylaw No. 2017-08 in order to legalize an existing building used as a carriage house:

- Section 8.2.3.1: to reduce the minimum lot area from 370m² to 281m²;
- Section 8.2.3.4: to reduce the minimum interior side yard setback from 1.5m to 0m;
- Section 8.2.3.4: to reduce the minimum rear yard setback from 1.5m to 0m;
- Section 8.2.4.1: to reduce the minimum number of required parking spaces from 1 to 0;
and
- Section 10.2.6.3: to increase the maximum lot coverage from 40% to 56%.

AND THAT should the property be destroyed it will not be replaced.

275/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8786" for Lot 14 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1035, located at 585 Rene Avenue, a permit to vary the following sections of Zoning Bylaw No. 2017-08 in order to legalize an existing building used as a carriage house:

- Section 8.2.3.1: to reduce the minimum lot area from 370m² to 281m²;
- Section 8.2.3.4: to reduce the minimum interior side yard setback from 1.5m to 0m;
- Section 8.2.3.4: to reduce the minimum rear yard setback from 1.5m to 0m;
- Section 8.2.4.1: to reduce the minimum number of required parking spaces from 1 to 0;
and
- Section 10.2.6.3: to increase the maximum lot coverage from 40% to 56%.

upon the owner complying with the minimum health and safety requirements within 90 days;
AND THAT should the property be destroyed it not be replaced.

CARRIED
Councillor Watt, Opposed

10.2 Development Variance Permit PL2020-8797
Re: 424 Nelson Avenue

Owner/Representative: Ms. Smith, owner, spoke in support of the variances. She moved in 2001. The driveway was built three years ago. Traffic has increased in the last few years and the front driveway has enhanced the look. There are many front driveways on the same street.

276/2020

It was MOVED and SECONDED

THAT Council support a side yard reduction at 424 Nelson Avenue, but not support vehicle access to the property from the street;

AND THAT Council direct staff to issue "Development Variance Permit PL2020-8797" for Lot 42 District Lot 250 Similkameen Division Yale District Plan 845, located at 424 Nelson Avenue, a permit to reduce the minimum interior side yard (west) from 1.5m to 1.3m to allow the construction of an addition onto the existing single detached dwelling.

CARRIED
Councillor Sentes, Opposed

10.3 Development Variance Permit PL2020-8766
Re: 1106, 1112, 1118, 1124 and 1130 Syer Road

277/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8766" for 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, a permit to vary Section 10.2.2.7.i of Zoning Bylaw 2017-08 to reduce the rear yard setback from 6.0m to 0.6m to allow the construction of a single detached dwelling on each property;

AND THAT Council direct staff to issue "Development Variance Permit PL2020-8766".

CARRIED UNANIMOUSLY

11. Recess to a Closed Meeting:

278/2020

It was MOVED and SECONDED

THAT Council recess at 2:32 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

12. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m. and 6:30 p.m.

Council reconvened the Regular Council Meeting at 7:06 p.m.

13. Bylaws and Permits:

13.1 Irrigation, Sewer and Water Amendment Bylaw No. 2020-25

279/2020

It was MOVED and SECONDED

THAT Council adopt "Irrigation, Sewer and Water Amendment Bylaw No. 2020-25".

CARRIED UNANIMOUSLY

13.2 Municipal Ticketing Information Amendment Bylaw No. 2020-29

280/2020

It was MOVED and SECONDED

THAT Council adopt "Municipal Ticketing Information Amendment Bylaw No. 2020-29".

CARRIED UNANIMOUSLY

13.3 Bylaw Notice Enforcement Amendment Bylaw No. 2020-30

281/2020

It was MOVED and SECONDED

THAT Council adopt "Bylaw Notice Enforcement Amendment Bylaw No. 2020-30".

CARRIED UNANIMOUSLY

13.4 Zoning Amendment Bylaw No. 2020-33
Re: 425 Douglas Avenue

282/2020

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2020-33".

DEFEATED

Deputy Mayor Regehr, Councillors Robinson, and Sentes, Opposed

13.5 Zoning Amendment Bylaw No. 2020-34
Re: 2644 South Main Street

283/2020

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2020-34".

DEFEATED

Deputy Mayor Regehr, Councillors Robinson, and Sentes, Opposed

284/2020

It was MOVED and SECONDED

THAT Council close and abandon "Zoning Amendment Bylaw No. 2020-33".

CARRIED

Councillors Bloomfield, and Watt, Opposed

285/2020

It was MOVED and SECONDED

THAT Council close and abandon "Zoning Amendment Bylaw No. 2020-34".

DEFEATED

Deputy Mayor Regehr, Councillors Bloomfield, and Watt, Opposed

14. Notice of Motion:

- 14.1 Councillor Bloomfield provided the following Notice of Motion for consideration at the September 15, 2020 Regular Meeting of Council:

THAT Council direct staff to use the information provided in (but not limited to) the 2020 Midgard Consulting Inc. report titled "City of Penticton Generation Study" and the 2011 City of Penticton Climate Action Plan to investigate the various options for making grant applications for the Clean BC Community Fund in time for the November 12, 2020 deadline.

- 14.2 Mayor Vassilaki provided the following Notice of Motions for consideration at the October 6, 2020 Regular Meeting of Council:

1. THAT Council include funds in the 2021 budget for two additional RCMP members.
2. THAT Council include funds in the 2021 budget for two additional Bylaw Enforcement Officers and increase the hours of bylaw operations to 2:00 am, seven days a week.

- 14.3 Councillor Regehr provided the following Notice of Motions for consideration at the October 6, 2020 Regular Meeting of Council:

1. THAT Council direct staff to bring back an amending bylaw to "Development Cost Charges Bylaw 2007-79" that increases all non-open space (parks) DCCs by 40% on January 1, 2021.
2. THAT Council direct staff to bring back a bylaw that repeals "Development Cost Charges Reduction Bylaw 2010-11" and preserves DCC reductions for affordable housing.

- 14.4 Councillor Sentes provided the following Notice of Motions for consideration at the October 6, 2020 Regular Meeting of Council:

1. THAT Council include funds in the 2021 budget for a review and development of a City of Penticton heritage registry program.
2. THAT Council include funds in the 2021 budget for a plan to address the public washroom safety concerns, this may include security or an attendant.
3. THAT Council include funds in the 2021 budget for improved garbage receptacles and maintenance in City parks.

15. Business Arising:

15.1 RDOS Director Appointments

286/2020

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

15.2 From the Committee of the Whole delegation – September 1, 2020 - Neighbourhood Small Grant Program

287/2020

It was MOVED and SECONDED

THAT Council approve the \$5000 funding request from Community Foundation for the neighbourhood small grant program that promotes neighbourhood connectivity.

**CARRIED
Councillor Watt, Opposed**

16. Council Round Table

17. Public Question Period

18. Adjournment:

288/2020

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, September 1, 2020 at 8:03 p.m.

CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



Frank Regehr
Deputy Mayor