

## Regular Council Meeting

To be held electronically and at the Penticton Trade and Convention Centre,  
273 Power Street, Penticton, B.C.

Tuesday, August 17, 2021  
at 1:00 p.m.

**Present:**

Mayor Vassilaki  
Councillor Bloomfield  
Councillor Regehr  
Councillor Robinson  
Councillor Sentes  
Councillor Watt  
Councillor Miller

**Staff:**

Donny van Dyk, Chief Administrative Officer  
Angie Collison, Corporate Officer  
Jim Bauer, General Manager, Finance & Administration  
Blake Laven, Director of Development Services  
Anthony Haddad, General Manager, Community Services  
Ian Chapman, Acting General Manager of Infrastructure  
Cheryl Hardisty, Senior Executive Assistant  
John Schappert, Legislative Assistant

**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**

250/2021

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on August 17, 2021 as presented.

**CARRIED**  
**Councillor Miller Opposed**

**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 2:20 p.m.

Councillor Watt left the meeting at 2:21 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of Council Meetings

251/2021

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the July 20, 2021 Regular Meeting, July 29, 2021 and August 9, 2021 Special Meetings of Council as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

252/2021

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the July 20, 2021 Committee of the Whole Meeting;
2. Agriculture Advisory Committee Meeting Draft Minutes of July 21, 2021;
3. Safety and Security Advisory Committee Meeting Draft Minutes of July 26, 2021;
4. Release of Items from Closed Meeting:  
THAT Council appoint Andrew Drouin to the Parks and Recreation Advisory Committee.  
THAT Council appoint Councillor Miller as representative to the Parks and Recreation Advisory Committee.  
THAT Council appoint Councillor Miller to the Penticton Public Library Board.  
THAT Council appoint Councillor Miller as alternate delegate to the Municipal Insurance Association of BC (MIABC).  
THAT Council appoint Councillor Katie Robinson and Councillor Miller as Directors to the Southern Interior Municipal Employers Association (SIMEA) and Tania Chaudry, Human Resources Manager as Alternate Director.

**CARRIED UNANIMOUSLY**

Councillor Watt returned to the meeting at 2:24 p.m.

**8. Committee and Board Recommendations**

8.1 Safety and Security Advisory Committee Meeting Draft Minutes of July 26, 2021

253/2021

**It was MOVED and SECONDED**

THAT the Safety and Security Advisory Committee recommend that Council send a letter to the province requesting assistance with clean-up efforts along Highway 97 and other non-City lands, and establish a Ministry of Transportation and Infrastructure (MOTI) 'clean-team' or other dedicated enforcement resource to respond to this growing issue.

**CARRIED UNANIMOUSLY**

## 9. Correspondence

### 9.1 BC Housing – Development Permit

John McEown, BC Housing was in attendance via zoom and provided further clarification on the correspondence that was submitted and to request that the Development Permit be approved without conditions.

254/2021

#### **It was MOVED and SECONDED**

THAT Council receive into the record the correspondence dated August 11, 2021 from BC Housing and direct staff to work with BC Housing on an agreement.

**CARRIED UNANIMOUSLY**

### 9.2 Pathways Addictions Resource Centre

Daryl Meyers, Executive Director was in attendance to ask Council for a letter of support for Pathways Addictions Resource Centre.

255/2021

#### **It was MOVED and SECONDED**

THAT Council provide Pathways Addictions Resource Centre a letter of support to accompany their application with Health Canada Substance Use and Addiction Program.

**CARRIED UNANIMOUSLY**

## 10. Notice of Motion:

### 10.1 Introduced by Councillor Miller on July 29, 2021:

256/2021

#### **It was MOVED and SECONDED**

THAT Council, due to the rising opioid crisis, send a letter to Susan Brown, CEO of Interior Health, with carbon copies to B.C. Health Minister Adrian Dix and Penticton MLA Dan Ashton, requesting that traditional funding to Pathways Addictions and Resource Centre of \$500,000 annually be restored effective immediately.

**CARRIED UNANIMOUSLY**

### 10.2 Councillor Sentes introduced the following Notice of Motion for consideration at the next meeting of Council.

THAT Council proclaim that the City of Penticton is the "Festival Capital of the Okanagan Valley".

Council recessed at 3:13 p.m.

Council resumed at 3:27 p.m.

**11. Staff Reports:**

11.1 Travel Penticton Society – Agreement Renewal

257/2021

**It was MOVED and SECONDED**

THAT Council not support Travel Penticton Society's request to become the Designated Recipient; AND THAT should the City be retained as Designated Recipient, the City will support the Travel Penticton Society's increase in the MRDT from 2% to 3% MRDT;

AND THAT the Online Accommodators Funds be allocated by the City of Penticton towards Affordable Housing;

AND THAT Council direct staff to work with the Travel Penticton Society to develop a Fee for Service Contract the provision of Visitor Services and Destination Marketing and bring back for consideration as part of the Budget 2022 process;

AND FURTHER THAT the Fee for Service Contract explicitly outline how the MRDT and Municipal funds will be allocated for the provision of:

- Destination Marketing;
- Convention Bureau;
- Visitor Services.

**CARRIED  
Councillor Sentes Opposed**

11.2 North Gateway Redevelopment and Investment Strategy  
Colliers International Real Estate Analysis

Russell Whitehead and Christopher Kuno of Colliers International were in attendance via Zoom and provided Council with an overview of their real estate analysis regarding the North Gateway Redevelopment plan.

258/2021

**It was MOVED and SECONDED**

THAT Council receive into the record the report dated August 17, 2021 titled "North Gateway Redevelopment & Investment Strategy – Colliers International Real Estate Analysis".

**CARRIED UNANIMOUSLY**

11.3 Save Pond Hockey/BCHL 60<sup>th</sup> Anniversary Event Proposal

Alex Welsman was in attendance and provided Council with an overview of the BCHL's 60<sup>th</sup> Anniversary Event Proposal.

259/2021

**It was MOVED and SECONDED**

THAT Council endorse the Save Pond Hockey event to be hosted in conjunction with the British Columbia Hockey League 60<sup>th</sup> Anniversary event and direct \$45,000 cash and \$5,000 of in-kind funds in the 2022-2026 Financial Plan toward the operational costs of the event.

**CARRIED UNANIMOUSLY**

11.4 2021-2022 Deputy Mayor Appointment

260/2021

**It was MOVED and SECONDED**

THAT Council approve the Deputy Mayor appointments as outlined in the report dated August 17, 2021 titled "2021 – 2022 Deputy Mayor Appointments".

**CARRIED UNANIMOUSLY**

11.5 Commercial Aquatics Land Lease for the Skaha Marina

261/2021

**It was MOVED and SECONDED**

THAT Council direct staff to apply to the Ministry of Forests, Lands and Natural Resource Operations for an Aquatics Land Lease for a 30 year term over the property described as District Lot 4048s together with that part of District Lot 4017s, Similkameen Division of Yale District, containing 1.05 hectares, more or less, for commercial marina, restaurant, breakwater, seasonal boat storage and public use purposes;  
AND THAT the Mayor and Corporate Officer be authorized to execute the application documents.

**CARRIED UNANIMOUSLY**

11.6 Continuing Penticton's Enrolment in the Provincial Nominee Program (PNP)

262/2021

**It was MOVED and SECONDED**

THAT Council direct staff to apply to continue participating in the Government of British Columbia's Provincial Nominee Program Entrepreneur Immigration;  
AND THAT Council authorize the Corporate Officer to sign the Provincial Nominee Program Entrepreneur Immigration Enrolment Form and Declaration form;  
AND THAT Council authorize the Corporate Officer to designate the Social Development and Economic Development departments as the City of Penticton's Designated Contact(s);  
AND THAT Council authorize the Mayor and Corporate Officer to sign and execute the Memorandum of Understanding with Penticton and District Multicultural Society doing business as South Okanagan Immigrant and Community Services, and Community Futures Development Corporation of Okanagan-Similkameen in Attachment B.

**CARRIED UNANIMOUSLY**

11.7 In-Year Grant Request

263/2021

**It was MOVED and SECONDED**

THAT Council approves a \$2,575 cash grant to the Penticton Salvation Army Food Bank.

**CARRIED UNANIMOUSLY**

11.8 In-Year Special Event Grant Request

264/2021

**It was MOVED and SECONDED**

THAT Council approves a \$4000 cash grant to the Penticton & District Community Arts Council for the annual Arts Rising Festival.

**CARRIED UNANIMOUSLY**

**12. Public Question Period**

**13. Recess into a Closed Meeting**

265/2021

**It was MOVED and SECONDED**

THAT Council recess to a closed meeting of Council pursuant to the provisions of the Community Charter as follows: Section 90 (1)

(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

(g) litigation or potential litigation affecting 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;

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**

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

**15. Bylaws and Permits**

15.1 Road Closure Bylaw No. 2021-27

Re: 3914 Valleyview Road

Delegations/Submissions: none

266/2021

**It was MOVED and SECONDED**

THAT Council adopt "Road Closure (section of road adjacent to 3914 Valleyview Road) Bylaw No. 2021-27".

**CARRIED UNANIMOUSLY**

15.2 Zoning Amendment Bylaw No. 2021-15

Re: 583 Ellis Street

267/2021

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2021-15".

**CARRIED UNANIMOUSLY**

15.3 Development Procedures and Delegation Amendment Bylaw No. 2021-28

Re: Increasing Notification Distances from 45m to 100m for Development Applications

268/2021

**It was MOVED and SECONDED**

THAT Council adopt "Development Procedures and Delegation Amendment Bylaw No. 2021-28".

**CARRIED UNANIMOUSLY**

**16. Land Matters**

16.1 Official Community Plan Amendment Bylaw No. 2021-25  
Re: 877 Westminster Avenue West

269/2021

**It was MOVED and SECONDED**

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2021-25" and in accordance with Section 475 of the Local Government Act, Council considers whether consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67;
5. The provincial or federal government and their agencies.

AND THAT consultation has begun with the above and is ongoing and will be reported back to Council prior to further readings of "Official Community Plan Amendment Bylaw No. 2021-25";

AND THAT "Official Community Plan Amendment Bylaw No. 2021-25", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw 2019-08, by changing the future land use designations from Tourist Commercial to Urban Residential, for:

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891, located at 813 Westminster Ave West, and
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891, located at 825 Westminster Ave West, and
3. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 15658, located at 877 Westminster Ave West,

Be given first reading and be forwarded to the September 7, 2021 Public Hearing.

**CARRIED UNANIMOUSLY**

16.2 Temporary Use Permit PL2021-9056  
Re: 813 Westminster Avenue West

The applicant was in attendance to speak in support of a two-year temporary use permit.

270/2021

**It was MOVED and SECONDED**

THAT Council approve "Temporary Use Permit PL2021-9056", a permit to allow the use 'motor vehicle sales and rentals' 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.

**CARRIED**  
**Councillor Bloomfield and Watt Opposed**

16.3 Development Variance Permit PL2021-9054  
Re: 198 Barton Court

271/2021

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2021-9054" for Lot 5 District Lot 2710 Similkameen Division Yale District Plan KAP68490, located at 198 Barton Court, a permit to vary Section 5.4.2.1 of Zoning Bylaw 2021-01 to increase the maximum height of a retaining wall located within a required yard from 1.2m to 2.8m above approved grade; AND THAT Council direct staff to issue the permit.

**CARRIED UNANIMOUSLY**

16.4 Development Variance Permit PL2021-9050  
Re: 152 Greenwood Drive

272/2021

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2021-9050" for Lot 20 District Lot 251 Similkameen Division Yale District Plan 32668, located at 152 Greenwood Dr, a permit to vary Section 10.2.2.1.a of Zoning Bylaw 2021-01 to reduce the minimum lot width for a standard lot in the R2 zone from 13m to 12.1m; AND THAT Council direct staff to issue the permit.

**CARRIED**  
**Councillor Miller and Sentes Opposed**

16.5 Development Variance Permit PL2021-9023  
Re: 599 Burns Street

273/2021

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2021-9023", for Lot 13 Block 23 District Lot 202 Similkameen Division Yale District Plan 774, located at 599 Burns Street, a permit to vary Sections 6.1.5.2 and 6.1.5.3 of Zoning Bylaw 2021-01 to reduce the width of one required parking space from 3.5m to 2.99m, for the conversion of an existing accessory building into a carriage house; AND THAT Council direct staff to issue "Development Variance Permit PL2021-9023".

**CARRIED UNANIMOUSLY**

16.6 Development Variance Permit PL2021-9041  
Re: 1753 Fairford Drive

274/2021

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2021-9041", for Lot 5 District Lot 115 Similkameen Division Yale District Plan KAP48734, located at 1753 Fairford Drive, a permit to vary the following sections of Zoning Bylaw 2021-01

1. Table 4.1: to increase the maximum projection of a deck into a rear yard from 3.0m to 4.12m; and
2. Section 8.1.4.1: to increase the maximum gross floor area of a secondary suite from 40% of the habitable floor area of the building to 49% of the habitable floor area of the building;

AND THAT Council direct staff to issue "Development Variance Permit PL2021-9041".

**CARRIED UNANIMOUSLY**

16.7 Development Variance Permit PL2021-9030

Re: 250 Marina Way

275/2021

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2021-9030" for Common Property Strata Plan KAS2971, located at 250 Marina Way, a permit to vary Section 5.4.1.1 of Zoning Bylaw 2021-01, to increase the maximum permitted fence height on a property from 1.8m (6ft.) to 2.5m (8ft.);

AND THAT Council direct staff to issue "Development Variance Permit PL2021-9030".

**CARRIED UNANIMOUSLY**

16.8 Soil Use for Placement of Fill or Removal of Soil (ALR Soil or Fill Use PL2021-9036)

Re: 1147 Corbishley Avenue

276/2021

**It was MOVED and SECONDED**

THAT Council support "ALR Soil or Fill Use PL2021-9036", for Lot 1 District Lot 187 Similkameen Division Yale District Plan KAP 80505, located at 1147 Corbishley Avenue, an application to allow for the placement of fill within the Agricultural Land Reserve, subject to the condition that the top soil is preserved;

AND THAT staff be directed to forward "ALR Soil or Fill Use PL2021-9036", to the Agricultural Land Commission (ALC) with support from Council, with the condition that the property owner ensures the top soil is preserved.

**CARRIED UNANIMOUSLY**

**17. Business Arising**

277/2021

THAT Council send a letter to BC Housing advocating for the continued use of the location at Skaha Sunrise, 2852 Skaha Lake Road, for Canadian Mental Health Association and their services.

**CARRIED UNANIMOUSLY**

**18. Council Round Table**

**19. Public Question Period**

**20. Adjournment**

278/2021

**It was MOVED and SECONDED**

THAT Council adjourn the regular meeting of Council at 7:24 p.m.

**CARRIED UNANIMOUSLY**

Certified correct:



Angie Collison  
Corporate Officer

Confirmed:



John Vassilaki  
Mayor