



Minutes

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Regular Council Meeting

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

Tuesday, November 16, 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 (left the meeting at 6:00 p.m.)
Ian Chapman, Acting General Manager of Infrastructure (left the meeting at 6:00 p.m.)
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

384/2021

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on November 16, 2021 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:00 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 2:35 p.m.

6. Adoption of Minutes:

6.1 Minutes of the November 2, 2021 Regular Council Meeting

385/2021

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 2, 2021 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

386/2021

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the November 2, 2021 Committee of the Whole Meeting;
 2. Minutes of the November 2, 2021 Public Hearing;
 3. Community Sustainability Advisory Committee Meeting Draft Minutes of October 20, 2021;
 4. Special Parks and Recreation Advisory Committee Meeting Draft Minutes of October 25, 2021;
 5. Release of Items from Closed Meeting:
THAT Council support increasing the number of Penticton Library Board members from nine (9) to eleven (11);
AND THAT Council reappoint the following members to the Penticton Public Library Board for a two-year term expiring November 2023: Lynda Lock and Lyndsay de Jonge
AND THAT Council appoint the following applicant to the Penticton Public Library Board for a one-year term expiring November 2022: Jane Thornthwaite
AND THAT Council appoint the following applicants to the Penticton Public Library Board for a two-year term expiring November 2023: Derek Evans, Sophie Majeau-Chiasson, Jennifer Rohloff
- THAT Council accept the resignation of Susan Brown and appoint Jill Pascoe to the Safety and Security Advisory Committee.

CARRIED UNANIMOUSLY

8. Committee and Board Recommendations

9. Correspondence

10. Staff Reports:

- 10.1 2021 Community Climate Action Plan Endorsement
Delegation Via Zoom: Peter Robinson and Greg Dong, Community Energy Association (CEA)

387/2021

It was MOVED and SECONDED

THAT Council adopt the Penticton Community Climate Action Plan.

CARRIED UNANIMOUSLY

10.2 Community Action Team Memorandum of Understanding

388/2021

It was MOVED and SECONDED

THAT Council direct the Mayor and Corporate Officer to sign the three-year Memorandum of Understanding in Attachment B with the Penticton Community Action Team and Urban Matters to implement, report on, and evaluate the Vancouver Foundation Grant activities, as described in Attachment C.

CARRIED UNANIMOUSLY

10.3 Safe and Healthy Communities Pilot: Lived Experience Collaboration with ASK Wellness

389/2021

It was MOVED and SECONDED

THAT Council approve the Memorandum of Understanding with ASK Wellness Society (Attachment A) which outlines an initiative led by Ask Wellness, where person's with lived experiences participating in their supportive housing vocational program, provide clean-up service on public lands;

AND THAT Council direct the Mayor and Corporate Officer to execute the Memorandum of Understanding with ASK Wellness Society on behalf of the City.

CARRIED UNANIMOUSLY

10.4 Council Meeting Schedule for 2022

390/2021

It was MOVED and SECONDED

THAT Council select the following dates for the 2022 Regular Meetings of Council: January 18; February 1, 15; March 1, 15; April 5; May 3, 17; June 7, 21; July 5, 19; August 16; September 20; October 4; November 1, 15; and December 6, 20.

CARRIED UNANIMOUSLY

10.5 Travel Penticton Society and Penticton and Wine Country Chamber of Commerce License to Use Agreement - Jubilee Pavilion
Re: 185 Lakeshore Drive West

391/2021

It was MOVED and SECONDED

THAT Council refer the renewal of a two-year License to Use agreement to Travel Penticton Society and Penticton & Wine Country Chamber of Commerce for the use of the Jubilee Pavilion building located at 185 Lakeshore Drive West to the Parks & Recreation Advisory Committee for their review and recommendation.

CARRIED UNANIMOUSLY

Mayor Vassilaki declared a conflict of interest and left the meeting at 3:41 p.m. Deputy Mayor Miller chaired the meeting.

10.6 Responsible Liquor Consumption in Designated Public Places 2021 Recap and Bylaw 2021-44

392/2021

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Liquor Consumption (Okanagan Beach east of Power Street, Rotary Park, Okanagan Lake Park, Marina Way Park and Skaha Park) Bylaw No. 2021-44", a bylaw that allows liquor consumption in select parks and beaches along the Okanagan and Skaha lakefronts for May 1 – October 31, 2022 from 12 PM to 8 PM.

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 3:47 p.m.

10.7 RCMP Quarterly Update

393/2021

It was MOVED and SECONDED

THAT Council receive into the record the report titled "RCMP Quarterly Report" dated November 16, 2021.

CARRIED UNANIMOUSLY

11. Public Question Period

12. Recess into a Closed Meeting

394/2021

It was MOVED and SECONDED

THAT Council recess at 4:34 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;*
- (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;*
- (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

13. Reconvene the Regular Council Meeting following the Public Hearing at 6:30 p.m.

14. Bylaws and Permits

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

395/2021

It was MOVED and SECONDED

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

CARRIED

Councillors Robinson and Sentes Opposed

14.2 Zoning Amendment Bylaw No. 2021-39
Re: 358 Douglas Avenue

396/2021

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2021-39".

CARRIED

Councillors Miller, Robinson and Sentes Opposed

14.3 Zoning Amendment Bylaw No. 2021-40
Re: 149 Cossar Avenue

397/2021

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2021-40".

CARRIED

Councillor Sentes Opposed

14.4 Interest Bylaw No. 2021-37

398/2021

It was MOVED and SECONDED

THAT Council adopt "Interest Bylaw No. 2021-37".

CARRIED UNANIMOUSLY

15. Land Matters

15.1 Zoning Amendment Bylaw No. 2021-41
Development Variance Permit PL2021-9105
Development Permit PL2021-9104
Re: 602 Lakeshore Drive West

399/2021

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-41", a bylaw to rezone Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 5775, located at 602 Lakeshore Drive West, from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), and forward the bylaw to the December 7, 2021 Public Hearing; AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2021-41", require payment for the installation of a new fire hydrant (\$9,500.00); AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2021-41", consider "Development Variance Permit PL2021-9105", for Lot B District Lot 2 Group 7 Similkameen

Division Yale (Formerly Yale-Lytton) District Plan 5775, located at 602 Lakeshore Drive West, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

1. Section 10.10.2.7: to reduce the minimum interior side yard for a principal building from 4.5 m to 3.0 m and an accessory building from 4.5 m to 0.05 m;
2. Section 10.10.2.9: to reduce the minimum rear yard for an accessory building from 6.0 m to 0.05 m;
3. Section 10.10.4.1: to increase the maximum lot area that can be covered with hard surfacing from 60% to 84%; and
4. Section 5.2.2: to allow a landscaping buffer to be interrupted by a parking lot at the rear of the property.

AND THAT Council, subject to approval of "Development Variance Permit PL2021-9105", approve "Development Permit PL2021-9104", for Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 5775, located at 602 Lakeshore Drive West, a permit to allow for the construction of an 8 unit, four-storey apartment.

CARRIED UNANIMOUSLY

Councillor Watt declared a conflict of interest and left the meeting at 8:34 p.m.

- 15.2 Official Community Plan Amendment Bylaw No. 2021-42
Zoning Amendment Bylaw No. 2021-43
Re: South Beach Drive and Sudbury Avenue

400/2021

It was MOVED and SECONDED

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2021-42", and in accordance with Section 475 of the Local Government Act, Council consider whether early and on-going 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 it is determined that the community engagement period carried out from September 20, 2021 to October 17, 2021 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2021-42", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for the following properties from 'Parks' to 'Detached Residential':

- Lot 4 District Lot 189 Similkameen Division Yale District Plan 5885 (270 South Beach Drive)
- Lot 5 District Lot 189 Similkameen Division Yale District Plan 5885 (274 South Beach Drive)
- Lot 6 District Lot 189 Similkameen Division Yale District Plan 5885 (278 South Beach Drive)
- Lot A District Lot 189 Similkameen Division Yale District Plan EPP71324 (280 South Beach Drive)
- Lot 1 District Lot 189 Similkameen Division Yale District Plan 6179 (286 South Beach Drive)
- Lot A District Lot 189 Similkameen Division Yale District Plan EPP54210 (292 South Beach Drive)
- Lot 1 District Lot 189 Similkameen Division Yale District Plan 6172 (298 South Beach Drive)

- Lot 2 District Lot 189 Similkameen Division Yale District Plan 6172 (300 Sudbury Avenue)

AND THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-43", a bylaw to rezone the following properties from the 'P2 (Parks and Recreation' zone to the 'R1 (Large Lot Residential)' zone:

- Lot 1 District Lot 189 Similkameen Division Yale District Plan 6172 (298 South Beach Drive)

- Lot 2 District Lot 189 Similkameen Division Yale District Plan 6172 (300 Sudbury Avenue)

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2021-42" and "Zoning Amendment Bylaw No. 2021-43" to the December 7, 2021 Public Hearing.

CARRIED UNANIMOUSLY

Councillor Watt returned to the meeting at 8:41 p.m.

16. Notice of Motion

17. Business Arising

18. Council Round Table

19. Public Question Period

20. Adjournment

401/2021

It was MOVED and SECONDED

THAT Council adjourn the November 16, 2021 Regular meeting of Council at 9:05 p.m.

CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor