

Regular Council Meeting

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

Tuesday, December 7, 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
Angela Campbell, Acting 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

454/2021

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on December 7, 2021 as presented.

CARRIED UNANIMOUSLY

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 1:43 p.m.

6. Adoption of Minutes:

6.1 Minutes of the November 16, 2021 Regular Council Meeting

455/2021

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 16, 2021 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the November 22, 2021 Special Council Meeting

456/2021

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 22, 2021 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the November 23, 2021 Special Council Meeting

457/2021

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 23, 2021 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

458/2021

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the November 16, 2021 Committee of the Whole Meeting;
2. Minutes of the November 16, 2021 Public Hearings;
3. Penticton and Ellis Creek Restoration Select Committee Meeting Draft Minutes of November 19, 2021;
4. Special Safety and Security Advisory Committee Meeting Draft Minutes of November 26, 2021.

CARRIED UNANIMOUSLY

8. Committee and Board Recommendations

9. Correspondence

9.1 RDOS Noxious Weed Control and Nuisance Control Bylaws
Jim Zaffino, RDOS Manager of Finance

459/2021

It was MOVED and SECONDED

THAT Council consent to Regional District of Okanagan-Similkameen Noxious Weed Control Service Establishment Amendment Bylaw No. 2065.02, 2021 and Nuisance Control Service Establishment Amendment Bylaw No. 2198.02, 2021.

CARRIED UNANIMOUSLY

10. Staff Reports:

10.1 Appointment of Statutory Officers

460/2021

It was MOVED and SECONDED

THAT Council appoint Paula McKinnon as Deputy Corporate Officer for the City of Penticton;
AND THAT Council appoint Angela Campbell as the temporary Chief Financial Officer for the City of Penticton.

CARRIED UNANIMOUSLY

10.2 Request for Proposal – Sudbury Beach, Skaha East and Peach Concessions
3846 Skaha Lake Road, 3885 South Main Street and 185 Lakeshore Drive West

461/2021

It was MOVED and SECONDED

THAT Council refer the Request for Proposal to the Parks and Recreation Advisory Committee for their review and recommendation, for the use of 3846 Skaha Lake Road (Sudbury Beach Concession), 3885 South Main Street (Skaha East Concession) and 185 Lakeshore Drive West (Peach Concession) for the operation of food concessions for a three year term.

CARRIED UNANIMOUSLY

10.3 FCM Community Efficiency Financing Funding Opportunity

462/2021

It was MOVED and SECONDED

THAT Council direct staff to submit an application to the Program Evaluation Study stream of the Federation of Canadian Municipalities' Community Efficiency Financing program in support of a review of the City's Home Energy Loan Program.

CARRIED UNANIMOUSLY

10.4 Fees and Charges Amendment Bylaw No. 2021-32

463/2021

It was MOVED and SECONDED

THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2021-32", a bylaw to set the 2022 utility fees and charges and update the planning fees and charges appendix;
AND THAT Council hold a Special Council meeting on December 14, 2021 at 1:00 p.m. to adopt the "Fees and Charges Amendment Bylaw No. 2021-32".

CARRIED UNANIMOUSLY

10.5 2022-2026 Five Year Financial Plan Bylaw No. 2021-45

464/2021

It was MOVED and SECONDED

THAT Council give first, second and third reading to the "2022-2026 Five Year Financial Plan Bylaw No. 2021-45";
AND THAT Council consider adoption of "2022 – 2026 Five Year Financial Plan Bylaw No. 2021-45" at the Special Council meeting on December 14, 2021.

CARRIED UNANIMOUSLY

10.6 Community Safety Resource Review

465/2021

It was MOVED and SECONDED

THAT Council receive into the record the report dated December 7, 2021 titled "Community Safety Resource Review";

AND THAT Council direct staff to commence the Community Safety Resource Review.

CARRIED UNANIMOUSLY

11. Public Question Period

12. Recess into a Closed Meeting

466/2021

It was MOVED and SECONDED

THAT Council recess at 2:38 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;*
- (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;*
- (k) *negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

CARRIED UNANIMOUSLY

13. Reconvene the Regular Council Meeting following the Public Hearing at 6:15 p.m.

14. Bylaws and Permits

14.1 Zoning Amendment Bylaw No. 2021-41

Re: 602 Lakeshore Drive West

467/2021

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2021-41".

CARRIED

Councillors Miller, Regehr and Sentes Opposed

468/2021

It was MOVED and SECONDED

THAT Council direct staff to work with the applicant to address the requested variances prior to adoption of "Zoning Amendment Bylaw No. 2021-41".

CARRIED

Councillor Miller Opposed

Councillor Watt declared a conflict of interest and left the meeting at 9:32 p.m.

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

469/2021

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2021-42";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2021-42";

AND THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2021-43";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2021-43".

CARRIED

Councillors Miller and Regehr Opposed

Councillor Watt returned to the meeting at 9:50 p.m.

Mayor Vassilaki declared a conflict of interest and left the meeting at 9:51 p.m. Deputy Mayor Sentes chaired the meeting.

- 14.3 Liquor Consumption (Okanagan Beach east of Power Street, Rotary Park, Okanagan Lake Park, Marina Way Park and Skaha Park) Bylaw No. 2021-44

470/2021

It was MOVED and SECONDED

THAT Council adopt "Liquor Consumption (Okanagan Beach east of Power Street, Rotary Park, Okanagan Lake Park, Marina Way Park and Skaha Park) Bylaw No. 2021-44".

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 9:54 p.m.

15. Land Matters

- 15.1 Zoning Amendment Bylaw No. 2021-46
Development Permit PL2021-9142 (241 Nelson Ave)
Development Permit PL2021-9143 (221 Nelson Ave)
Re: 241 Nelson Avenue

471/2021

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-46", a bylaw to amend the site-specific zoning for Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue, to remove the limitation of two dwelling units:

- From: "In the case of Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue, if the property is subdivided into two lots, a maximum of two dwelling units are permitted per lot, while allowing vehicular access from the street."
- To: "In the case of Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue, vehicular access is allowed from the street."

AND THAT Council forward "Zoning Amendment Bylaw No. 2021-46" to the January 18, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment No. 2021-46" and final subdivision registration of the two lots, approve "Development Permit PL2021-9142" and "Development Permit PL2021-9143" for the newly created lots at Lot 2 District Lot 250 Similkameen Division Yale District, located at 241 Nelson Avenue, a permit that allows for construction of a duplex with suites on both of the newly formed lots.

CARRIED UNANIMOUSLY

16. Notice of Motion

16.1 Mayor Vassilaki provided the following Notice of Motion to be considered at the January 18, 2022 Regular Meeting of Council:

THAT Council direct staff to review proposed zoning bylaw amendments that would promote more affordable housing development in areas identified as "infill" by the Official Community Plan (OCP), such as reducing required lot widths, decreasing yard areas and increasing lot coverage.

17. Business Arising

18. Council Round Table

19. Public Question Period

20. Adjournment

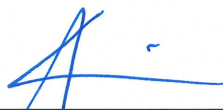
472/2021

It was MOVED and SECONDED

THAT Council adjourn the December 7, 2021 Regular meeting of Council at 10:17 p.m.

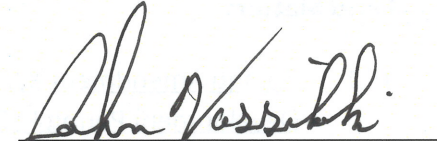
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor