

Electronic Regular Council Meeting
held via Zoom at City of Penticton
171 Main Street, Penticton, B.C.

Tuesday, January 18, 2022
at 1:00 p.m.

Present via Zoom:

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

Staff via Zoom:

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
Kristen Dixon, General Manager of Infrastructure
Cheryl Hardisty, Senior Executive Assistant
Paula McKinnon, Deputy Corporate Officer

1. Call to Order

The Mayor called the electronic Regular Council Meeting to order at 1:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on January 18, 2022 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 1:14 p.m.

6. Adoption of Minutes:

6.1 Minutes of the Regular and Special Meetings of Council

02/2022

It was MOVED and SECONDED

THAT Council adopt the regular minutes of the December 7, 2021 and special minutes of December 14, 2021 (9:00 a.m.) and December 14, 2021 (1:00 p.m.) as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

03/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the December 7, 2021 Committee of the Whole Meeting;
2. Minutes of the December 7, 2021 Public Hearings;
3. Heritage and Museum Advisory Committee Meeting Draft Minutes of November 3, 2021;
4. Parks and Recreation Advisory Committee Meeting Draft Minutes of December 6, 2021;
5. Safety and Security Advisory Committee Meeting Draft Minutes of December 6, 2021;
6. Community Sustainability Advisory Committee Meeting Draft Minutes of December 8, 2021;
7. Penticton and Ellis Creek Restoration Select Committee Meeting Draft Minutes of December 17, 2021;
8. Safety and Security Advisory Committee Meeting Draft Minutes of January 10, 2022.

CARRIED UNANIMOUSLY

8. Committee and Board Recommendations

9. Correspondence

10. Staff Reports:

10.1 2022 Emergency Operations Centre (EOC) Grant

04/2022

It was MOVED and SECONDED

THAT Council support the 2022 application for grant funding of \$25,000 from UBCM for Emergency Operations Centre (EOC) costs for equipment, supplies and training for the City of Penticton EOC.

CARRIED UNANIMOUSLY

10.2 Renewal of License to Use Agreement – Travel Penticton Society and Penticton and Wine Country Chamber of Commerce

Re: 185 Lakeshore Drive West

05/2022

It was MOVED and SECONDED

THAT Council approve the renewal of a two-year License to Use agreement to Travel Penticton Society and Penticton and Wine Country Chamber of Commerce for the use of the Jubilee Pavilion building located at 185 Lakeshore Drive West at a monthly rate of \$600.00 plus GST and annual CPI adjustments;

AND THAT Council authorize Mayor and Corporate Officer to execute the License to Use agreement.

CARRIED UNANIMOUSLY

10.3 Enforcement Provisions for Electric Utility Services Bylaw

06/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Municipal Ticketing Information Amendment Bylaw No. 2022-01", a bylaw that provides enforcement provisions for the Electric Utility Services Bylaw;

AND THAT Council give first, second and third reading to "Bylaw Notice Enforcement Amendment Bylaw No. 2022-02", a bylaw that provides enforcement and compliance provisions for the Electric Utility Services Bylaw.

CARRIED UNANIMOUSLY

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

07/2022

It was MOVED and SECONDED

THAT Council adopt "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 THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2021-41", approve "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;
2. 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

Councillors Miller, Regehr and Sentes Opposed

Council recessed the meeting at 3:13 p.m. and reconvened the meeting at 3:27 p.m.

10.5 Zoning Amendment Bylaw No. 2022-03
Re: 169 Maple Street

08/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-03", a bylaw to rezone the north 10.67 m portion of Lot 3 Block 124 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 169 Maple Street, from 'R2 Small Lot Residential' zone to 'RD3 Residential Infill' zone, to facilitate a two-lot subdivision and future development of one duplex building;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-03" to the February 1, 2022 Public Hearing.

CARRIED UNANIMOUSLY

10.6 Zoning Amendment Bylaw No. 2022-04
Development Variance Permit PL2021-9169
Development Permit PL2021-9170
Re: 79 Okanagan Avenue West

09/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-04", a bylaw to rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) zone to RD3 (Residential Infill) zone; AND THAT Council forward "Zoning Amendment Bylaw No. 2022-04" to the February 1, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-04" and final subdivision registration of the two lots, approve "Development Permit PL2021-9169" and "Development Permit PL2021-9170" for Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, permits which allow the construction of a duplex with one duplex suite on each lot.

CARRIED UNANIMOUSLY

10.7 Zoning Amendment Bylaw No. 2022-05
Re: 1603 Dartmouth Road

10/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-05", a bylaw to rezone Lot 1 District Lots 250, 2710, 3429S and 3821S Similkameen Division Yale District Plan 37288, located at 1603 Dartmouth Road, from M3 (Wrecking Yard) to M1 (General Industrial); AND THAT Council forward the bylaw to the February 1, 2022 Public Hearing.

CARRIED UNANIMOUSLY

10.8 Zoning Amendment Bylaw No. 2022-06
Development Permit PL2021-9148
Re: 30 Okanagan Avenue West

11/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment No. 2022-06", a bylaw to rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 7909, located at 30 Okanagan Avenue West, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing); AND THAT Council forward "Zoning Amendment Bylaw No. 2022-06" to the February 1, 2022 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2022-06", the following conditions are met:

1. A 3.5 m x 3.5 m southeast corner cut along the laneway is registered with the Land Title Office;
2. Payment is received for the installation of a new fire hydrant (\$9,500.00);

AND THAT Council, in accordance with Section 507 of the Local Government Act, require the following excess and extended services:

1. Full construction of the lane along the eastern side of 30 Okanagan Avenue West to connect to Okanagan Avenue West.

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-06", approve "Development Permit PL2021-9148", for Lot 4 District Lot 115 Similkameen Division Yale District Plan 7909, located at 30 Okanagan Avenue West, a permit to allow for the additional construction of a three-unit townhouse on the subject property.

CARRIED UNANIMOUSLY

11. Public Question Period

12. Recess into a Closed Meeting at 4:20 p.m.

12/2022

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)

(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;

(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;

Section 90(2)

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

13. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.

14. Bylaws and Permits

- 14.1 Zoning Amendment Bylaw No. 2021-46
Re: 241 Nelson Avenue

13/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2021-46".
AND THAT Council adopt "Zoning Amendment Bylaw No. 2021-46".

CARRIED UNANIMOUSLY

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

14/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2021-40".

CARRIED UNANIMOUSLY

15. Land Matters

- 15.1 Development Variance Permit PL2021-9180
Re: 1216 Ridgedale Avenue

Owner/Representative: Judith Meier spoke in support of the variance.

15/2022

It was MOVED and SECONDED

THAT Council approve amended "Development Variance Permit PL2021-9180" to allow for an increased projection for a covered metal patio cover from 0m to 1.05m, and direct staff to issue the amended permit.

CARRIED UNANIMOUSLY

16. Notice of Motion

17. Business Arising

- 17.1 Little Free Library from January 18, 2022 Committee of the Whole

16/2022

It was MOVED and SECONDED

THAT Council support the little free library in a park initiative and direct staff to work with the delegation for a suitable location and installation of the little library in both the north and south ends of the city.

CARRIED UNANIMOUSLY

18. Council Round Table

19. Public Question Period

20. Adjournment

17/2022

It was MOVED and SECONDED

THAT Council adjourn the electronic regular meeting of Council at 7:29 p.m.

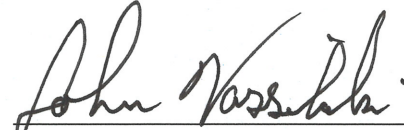
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor