

Regular Council Meeting
held at City Hall, Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, March 15, 2022
at 1:00 p.m.

Present: Mayor Vassilaki
Councillor Bloomfield
Councillor Miller
Councillor Regehr
Councillor Robinson
Councillor Watt

Absent: Councillor Sentes

Staff: Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Director of Finance & Administration
Blake Laven, Director of Development Services
Anthony Haddad, General Manager, Community Services
Paula McKinnon, Deputy Corporate Officer

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

74/2022

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on March 15, 2022 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 1:17 p.m.

6. Adoption of Minutes:

6.1 Minutes of the March 1, 2022 Regular Meeting of Council

75/2022

It was MOVED and SECONDED

THAT Council adopt the minutes of the March 1, 2022 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

76/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the March 1 2022 Committee of the Whole Meeting;
2. Minutes of the March 1, 2022 Public Hearing;
3. Heritage and Museum Advisory Committee Meeting Draft Minutes of March 2, 2022;
4. Economic Prosperity and Development Services Advisory Committee Meeting Draft Minutes of March 4, 2022;
5. Arts, Creative and Cultural Innovation Advisory Committee Meeting Draft Minutes of March 4, 2022;
6. Release of Items from Closed Meeting:

THAT Council accept the resignation of Gerald Buzzell from the Heritage and Museum Advisory Committee;

AND THAT Council appoint Peter Achtem and Emily Fitzowich to the Heritage and Museum Advisory Committee.

THAT Council accept the resignation of Gary Dean, Julia Barber and Michaela Wooldridge from the Parks and Recreation Advisory Committee;

AND THAT Council appoint Cameron Baughen, Joanna Grimaldi and Raymond Stassi to the Parks and Recreation Advisory Committee.

THAT Council accept the resignation of Sharon Fletcher and Frank Conci from the Economic Prosperity and Development Services Advisory Committee;

AND THAT Council appoint Walter Sobool and Anthony Policicchio to the Economic Prosperity and Development Services Advisory Committee.

THAT Council accept the resignation of Aaryn Secker from the Safety and Security Advisory Committee;

AND THAT Council appoint Susan Greba to the Safety and Security Advisory Committee.

CARRIED UNANIMOUSLY

8. Staff Reports:

Mayor Vassilaki declared a conflict of interest as a property owner in the downtown area and left the meeting at 1:38 p.m. Deputy Mayor Regehr chaired the meeting.

8.1 Downtown Business Improvement Area Bylaw No. 2022-09

Lyn Allin and Steve Brown, Downtown Penticton Business Improvement Association, provided Council with a presentation on the proposed five-year renewal of the Downtown Business Improvement Area Bylaw and answered questions of Council.

77/2022

It was MOVED and SECONDED

THAT Council direct staff to proceed with the renewal process for the Business Improvement Area (BIA) for a further five-year period;

AND THAT Council approve the initiative petition process whereby Council gives notice of its intention to adopt the Downtown Business Improvement Area Bylaw unless it is objected to by a majority of the owners representing at least one-half of the value of the properties in the specified area;

AND THAT Council approve the notice which will be published March 23 and 30 and sent to each affected property owner;

AND THAT Council give first, second and third reading to "Downtown Business Improvement Area Bylaw No. 2022-09".

DEFEATED

Deputy Mayor Regehr, Councillors Miller and Watt, Opposed

78/2022

It was MOVED and SECONDED

THAT Council request the Downtown Penticton Business Improvement Association (DPBIA) initiate a Petition for Service for a downtown business improvement area.

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 2:15 p.m.

8.2 In-Year Grant Requests: Jean Minguy Memorial Police Youth Academy, the Cat's Paw Productions Society, and the Okanagan Fest of Ale Society

79/2022

It was MOVED and SECONDED

THAT Council approve a \$3,000 cash grant to the Jean Minguy Memorial Police Youth Academy.

CARRIED

Councillor Miller, Opposed

80/2022

It was MOVED and SECONDED

THAT Council approve a \$500 cash grant to the Cat's Paw Productions Society.

CARRIED UNANIMOUSLY

81/2022

It was MOVED and SECONDED

THAT Council fund the in-kind cost of park use and equipment required for the Okanagan Fest of Ale Society.

CARRIED

Councillor Regehr, Opposed

8.3 Cleland Theatre AV Equipment Upgrades

82/2022

It was MOVED and SECONDED

THAT Council direct the Manager of Recreation, Arts & Culture to prepare and submit an application to the Canada Cultural Spaces Fund requesting \$410,000 for the Cleland Theatre Audio/Visual (AV) Equipment Upgrade project.

CARRIED UNANIMOUSLY

8.4 Blue Communities Project Delegation

83/2022

It was MOVED and SECONDED

THAT Council join the Blue Communities Project.

DEFEATED

Mayor Vassilaki, Councillors Regehr and Watt, Opposed

84/2022

It was MOVED and SECONDED

THAT Council, with the intent of joining the Blue Communities Project, direct staff to report back with a cost analysis.

CARRIED UNANIMOUSLY

Council recessed the meeting at 3:24 p.m. and reconvened the meeting at 3:36 p.m.

8.5 City of Penticton and Regional District of the Okanagan Similkameen Agreement to Process Biosolids from the Okanagan Falls Waste Water Treatment Facility

85/2022

It was MOVED and SECONDED

THAT Council approve the "Biosolids Acceptance Agreement" for the Okanagan Falls (Ok Falls) Waste Water Treatment Facility between the City of Penticton and the Regional District of the Okanagan Similkameen (RDOS) for a 5-year term as contained in Attachment "A" to this report;

AND THAT Council authorize the Mayor and Corporate Officer to execute the Agreement.

CARRIED UNANIMOUSLY

8.6 1201 Moosejaw Street: Request for Notice on Title
Re: 1201 Moosejaw Street

86/2022

It was MOVED and SECONDED

THAT the owner of 1201 Moosejaw Street (the Property) be notified that Council will consider passing a resolution to place a Notice on Title under section 57 of the Community Charter with respect to contraventions of the City of Penticton Building Bylaw No. 2021-21 on Lot 1, District Lot 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street, stating the following: "Failure to obtain a building permit, which is a violation of the City of Penticton Building Bylaw No. 2021-21. Further information about it may be inspected at the municipal hall."

AND THAT the owner be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the regular Council meeting on April 5, 2022.

CARRIED UNANIMOUSLY

8.7 Zoning Amendment Bylaw No. 2022-14
Development Permit PL2021-9222
Re: 273 Scott Avenue

87/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-14", a bylaw to rezone Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, from the RD1 (Duplex Housing) zone to the RM2 (Low Density Multiple Housing) zone;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-14" to the April 5, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-14", require the applicant to pay \$9,500 for the cost of a new fire hydrant to meet multifamily development spacing requirements;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-14", approve "Development Permit PL2021-9222" for Lot 1 District Lots 202 and 250 Similkameen Division Yale District and of District Lots 1 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 8161, located at 273 Scott Avenue, a permit to approve the form and character of a proposed 8-unit cluster housing development on the subject property.

CARRIED UNANIMOUSLY

8.8 Development Variance Permit PL2022-9262
Re: 2703 Hawthorn Drive

88/2022

It was MOVED and SECONDED

THAT Council deny "Development Variance Permit PL2022-9262";
AND THAT Council encourage the applicant to provide an alternate plan.

**CARRIED
Councillor Watt, Opposed**

9. Public Question Period

10. Recess into a Closed Meeting

89/2022

It was MOVED and SECONDED

THAT Council recess at 4:19 p.m. to a closed meeting of Council pursuant to the provisions of the Community Charter as follows: Section 90 (1)

(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.

CARRIED UNANIMOUSLY

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

12. Bylaws and Permits

12.1 Zoning Amendment Bylaw No. 2022-11
Development Variance Permit PL2021-9160
Re: 220 Nelson Avenue

90/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-11";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2022-11";

AND THAT Council approve Development Variance Permit PL2021-9160.

CARRIED UNANIMOUSLY

12.2 Zoning Amendment Bylaw No. 2022-12
Re: 1701 Fairford Drive

91/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-12";

CARRIED UNANIMOUSLY

12.3 Zoning Amendment Bylaw No. 2022-13
Re: 1196 Fairview Road

92/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-13";

CARRIED UNANIMOUSLY

13. Business Arising

It was MOVED/NO SECONDER

THAT Council provide a letter of support to accompany the loan application for the construction and re-start of operations of the Fintry Queen.

14. Notice of Motion

14.1 Mayor Vassilaki introduced the following Notice of Motion for consideration at the April 5, 2022 regular meeting of Council.

THAT Council maintain the property tax due date of July 31, 2022 and implement penalty dates of 0% August 1, 2022 and 10% October 1, 2022 to provide a two-month penalty-free grace period to taxpayers.

15. Council Round Table

16. Public Question Period

17. Adjournment

93/2022

It was MOVED and SECONDED

THAT Council adjourn the regular meeting of Council at 6:40 p.m.

CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor