

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

Tuesday, April 5, 2022
at 1:00 p.m.

Present: Mayor Vassilaki
Councillor Bloomfield
Councillor Miller
Councillor Regehr
Councillor Robinson (via Zoom)
Councillor Watt
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
Kristen Dixon, General Manager of Infrastructure
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

99/2022

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on April 5, 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 1:46 p.m.

6. Adoption of Minutes:

6.1 Minutes of the Regular and Special Meetings of Council

100/2022

It was MOVED and SECONDED

THAT Council adopt the regular minutes of March 15, 2022 as presented, the special minutes of March 21, 2022 and the special minutes of March 24, 2022 as amended.

CARRIED UNANIMOUSLY

7. Consent Agenda:

101/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the March 15 2022 Committee of the Whole Meeting;
2. Minutes of the March 15, 2022 Public Hearings;
3. Parks and Recreation Advisory Committee Meeting Draft Minutes of March 14, 2022;
4. Community Sustainability Advisory Committee Meeting Draft Minutes of March 16, 2022.

CARRIED UNANIMOUSLY

8. Staff Reports:

8.1 Section 57 Notice on Title

Re: 718 Chase Avenue

Owner/Representative: Mr. Leenhouts was provided with an opportunity to be heard.

102/2022

It was MOVED and SECONDED

THAT Council, after hearing from the impacted owner, resolve 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 29, District Lot 2 Group 7 Similkameen Division Yale District, Plan 1049, located at 718 Chase Avenue (the Property), stating the following: "Failure to complete 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."

CARRIED UNANIMOUSLY

8.2 Section 57 Notice on Title

Re: 1201 Moosejaw Street

Owner/Representative: The owner or agent was not in attendance, however, a submission was provided and read into the record.

103/2022

It was MOVED and SECONDED

THAT Council, after hearing from the impacted owner, resolve 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 1 Group 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street (the Property), 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."

DEFEATED

Mayor Vassilaki, Councillors, Bloomfield, Miller, Regehr, Robinson, Sentes and Watt, Opposed

104/2022

It was MOVED and SECONDED

THAT Council, after hearing from the impacted owner, resolve to place a Notice on Title if issuance of occupancy is not obtained by December 31, 2022, 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 1 Group 7 Similkameen Division Yale District, Plan 10265, located at 1201 Moosejaw Street (the Property), 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."

CARRIED UNANIMOUSLY

- 8.3 Asset and Amenity Management Project Engagement Update and Next Steps to Advance to the Public Safety and Protective Services Centre

105/2022

It was MOVED and SECONDED

THAT Council, based on the results of the Asset and Amenity Management Project and the Civic Places & Spaces Engagement Program, direct staff to conduct further analysis of each of the four key recommendations and prepare proposals to provide site alternatives, needs analysis, financial impacts, facility concepts and funding options for further consultation with the committees, user groups and the community prior to a decision by Council;
AND THAT Council direct staff to complete the proposals in order of priority and in alignment with the timeline provided by the Asset and Amenity Management Project beginning with Recommendation #1 Public Safety and Protective Services Centre;
AND THAT Council direct staff to develop a work plan that describes the scope, schedule, budget, resourcing, and community engagement required to prepare the proposal for the Public Safety and Protective Services Centre for review by Council prior to proceeding.

CARRIED

Councillor Miller, Opposed

The Mayor recessed the meeting at 2:52 p.m. and the meeting reconvened at 3:04 p.m.

- 8.4 Penticton Lawn Bowling Club – BC Gaming Grant Letter of Support

106/2022

It was MOVED and SECONDED

THAT Council provide a letter of support to the Penticton Lawn Bowling Club for a BC Gaming Grant application.

CARRIED UNANIMOUSLY

- 8.5 Recreation and Culture Services – Q1 2022 Update

107/2022

It was MOVED and SECONDED

THAT Council receives into the record the report and accompanying presentation titled "Recreation & Culture Services – Q1 2022 Update" dated April 5, 2022.

CARRIED UNANIMOUSLY

8.6 Neighbourhood Heritage Values for Lakeshore Drive, Front Street and Windsor Avenue Area

108/2022

It was MOVED and SECONDED

THAT Council direct staff to proceed with amendments to the City's zoning bylaw specific to residential properties along Lakeshore Drive and properties within the 'Cherryland' neighbourhood, including increasing front yard setbacks reflective of the historical distance from the street, increasing minimum lot widths, limiting maximum building heights and other zoning changes to ensure new development is reflective of the historical development pattern of the two areas;

AND THAT Council direct staff to identify houses within the Lakeshore Drive and Cherryland neighbourhoods that can be added to the City's Heritage Registry and proceed with developing statements of significance for any identified buildings and work with property owners of the identified houses to have their house added to the City's Heritage Registry.

THAT Council support the creation of a Heritage Conservation Area (HCA) area for Front Street and the 100-300 Blocks of Main Street;

AND THAT Council direct staff to bring back a project scope and budget for the HCA initiative.

CARRIED UNANIMOUSLY

8.7 UBCM Grant Opportunity: Strengthening Communities' Services Round 2

109/2022

It was MOVED and SECONDED

THAT Council direct staff to apply for the Strengthening Communities' Services grant from the Union of BC Municipalities (UBCM) for \$112,500 in funding from round 2;

AND THAT Council thank the Union of BC Municipalities for its support through round 1 funding;

AND THAT Council direct the Chief Financial Officer for the City of Penticton to sign and submit the application document on behalf of the City.

CARRIED UNANIMOUSLY

8.8 100 More Homes – Memorandum of Understanding with the City

110/2022

It was MOVED and SECONDED

THAT Council direct the Mayor and Corporate Officer to sign and execute the Memorandum of Understanding, which formalizes the City's relationship with 100 More Homes Penticton for the next three years and provides funding in the amount of \$85,000 a year in funding for 100 More Homes housing and homelessness initiatives, as included in Attachment A;

AND THAT Council support a budget amendment for the 2022 budget, utilizing administrative savings if grants are not successful in covering the full \$85,000 for 2022 and include the 2023-2024 requests in the 2023-2027 Financial Plan as allocated under the Memorandum of Understanding;

AND THAT Council direct staff to apply for any available grants to assist in funding the initiative;

AND THAT Council direct the Mayor to sign the 100 More Homes Terms of Reference on behalf of the Corporation of the City of Penticton.

CARRIED UNANIMOUSLY

8.9 Introduction of E-Bikes into the City Fleet

111/2022

It was MOVED and SECONDED

THAT Council introduce an alternate form of transportation into the City Fleet and approve the purchase of four (4) electric bikes, in the amount of \$25,000, to be funded from the Climate Action Reserve.

CARRIED UNANIMOUSLY

8.10 Electric Vehicle Charging Fees

112/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2022-15" as contained in Attachment "A" to create a graduated fee for level II electric vehicle charging, which would result in free charging for the first two hours, and \$2.00 per hour for each subsequent hour thereafter;

AND THAT the rates and usage be reviewed annually.

CARRIED UNANIMOUSLY

8.11 Official Community Plan and Zoning Amendment Application
Re: 850 Wiltse Boulevard and 160 Crow Place

113/2022

It was MOVED and SECONDED

THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for a proposed Official Community Plan future land use designation mapping update and Zoning Amendment Bylaw application in support of residential development in the North Wiltse Block.

CARRIED UNANIMOUSLY

8.12 Official Community Plan Amendment Application
Re: 770 Argyle Street

114/2022

It was MOVED and SECONDED

THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for a proposed Official Community Plan future land use designation change from 'Detached Residential' to 'Ground Oriented Residential', in support of a multi-family development for 770 Argyle Street.

CARRIED UNANIMOUSLY

9. Public Question Period

10. Recess into a Closed Meeting

115/2022

It was MOVED and SECONDED

THAT Council recess at 5:12 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;

(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

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. 2022-12
Re: 1701 Fairford Drive

116/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2022-12".

CARRIED UNANIMOUSLY

12.2 Zoning Amendment Bylaw No. 2022-14
Re: 273 Scott Avenue

117/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-14".

CARRIED UNANIMOUSLY

13. Land Matters

13.1 Request for Reconsideration: Development Variance Permit PL2022-9262
Re: 2703 Hawthorn Drive

118/2022

It was MOVED and SECONDED

THAT Council postpone reconsideration of resolution 88/2022 to the next meeting of Council and invite the DVP applicant for 2703 Hawthorn Drive to speak to the variance request.

CARRIED UNANIMOUSLY

13.2 Zoning Amendment Bylaw No. 2022-16
Development Permit PL2021-9205
Re: 719 Alexander Avenue

119/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-16", a bylaw to rezone That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, to from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) with the following site-specific provision:

1. Two single detached dwellings shall be permitted.

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-16" to the May 3, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-16", require that a 1.9m road dedication along the Churchill Avenue frontage be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-16", approve "Development Permit PL2021-9205" for That Part of Lot 2 Shown on Plan B5522; District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1913, located at 719 Alexander Avenue, a permit to approve the form and character of the proposed 2-unit residential development on the subject property.

CARRIED UNANIMOUSLY

- 13.3 Development Variance Permit PL2022-9273
Development Permit PL2022-9272
Re: 909 Government Street

120/2022

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2022-9273" for Lot 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301, located at 909 Government Street, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

1. Section 10.9.2.9: to reduce the minimum rear yard from 6.0m to 3.0m; and
2. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 42%

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9273", approve "Development Permit PL2022-9272", for Lot 4 District Lot 249 Similkameen Division Yale District Plan 3392 Except Plan EPP89301, located at 909 Government Street, a permit to allow for the construction of two duplexes (total four dwelling units) on the subject property.

CARRIED UNANIMOUSLY

Mayor Vassilaki declared a conflict of interest as a close neighbor to the property being considered and left the meeting at 6:40 p.m. Acting Mayor Bloomfield chaired the meeting.

- 13.4 Development Variance Permit PL2022-9269
Re: 3917 Lakeside Road

121/2022

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2022-9269", for Lot A District Lot 190 Similkameen Division Yale District Plan KAP72460, located at 3917 Lakeside Road, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 zone from 90m² to 97 m²; and
2. Section 8.2.3.5: to increase the maximum carriage house building height in the R1 zone, where no lane exists from 5.0m and one floor to 6.5m and two floors.

AND THAT staff be directed to issue "Development Variance Permit PL2022-9269".

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 6:48 p.m.

14. Notice of Motion

- 14.1 Notice of Motion Introduced by Mayor Vassilaki on March 15, 2022
Re: Property Tax Penalty Grace Period

122/2022

It was MOVED and SECONDED

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.

DEFEATED

Councillors Bloomfield, Miller, Regehr, Robinson, Sentes and Watt, Opposed

14.2 Councillor Miller introduced the following Notice of Motion for consideration at the May 3, 2022 Regular meeting of Council:

THAT the City's Request for Proposal policies and procedures be reviewed by this Council at its public meeting or Committee of the Whole meeting of May 3, 2022.

15. Business Arising

Councillor Bloomfield requested that Council discuss the proposed Notice of Motion from Councillor Miller. Councillor Miller withdrew his Notice of Motion and moved the following:

123/2022

It was MOVED and SECONDED

THAT staff provide a brief presentation on the Request for Proposal process in the interest of education of Council and the public at the May 3, 2022 Committee of the Whole meeting.

CARRIED UNANIMOUSLY

16. Council Round Table

17. Public Question Period

18. Adjournment

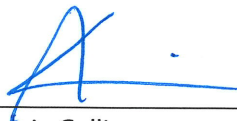
124/2022

It was MOVED and SECONDED

THAT Council adjourn the regular meeting of Council at 7:36 p.m.

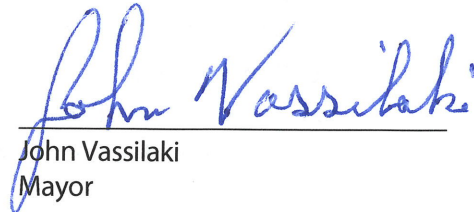
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor