

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

Tuesday, May 3, 2022
at 1:00 p.m.

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

131/2022

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on May 3, 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 1:25 p.m.

6. Adoption of Minutes:

6.1 Minutes of the April 5, 2022 Regular Meeting of Council

132/2022

It was MOVED and SECONDED

THAT Council adopt the regular minutes of April 5, 2022 as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the April 12, 2022 Special Meeting of Council

133/2022

It was MOVED and SECONDED

THAT Council adopt the special minutes of April 12, 2022 as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

134/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the April 5, 2022 Committee of the Whole Meeting;
2. Minutes of the April 5, 2022 Public Hearing;
3. Safety and Security Advisory Committee Meeting Draft Minutes of April 4, 2022;
4. Heritage and Museum Advisory Committee Meeting Draft Minutes of April 6, 2022;
5. Special Parks and Recreation Advisory Committee Meeting Draft Minutes of April 7, 2022;
6. Economic Prosperity and Development Services Advisory Committee Meeting Draft Minutes of April 8, 2022;
7. Arts, Creative and Cultural Innovations Advisory Committee Meeting Draft Minutes of April 8, 2022.

CARRIED UNANIMOUSLY

8. Staff Reports:

8.1 RCMP Report

135/2022

It was MOVED and SECONDED

THAT Council receive into the record the report titled "RCMP Report" dated May 3, 2022.

CARRIED UNANIMOUSLY

8.2 2021 Audited Financial Statements

Sinead Scanlon, BDO Canada LLP

136/2022

It was MOVED and SECONDED

THAT Council accept the Financial Statements, as co-presented by BDO Canada LLP, for the year ending December 31, 2021.

CARRIED UNANIMOUSLY

8.3 First Quarter 2022 Financial Update

137/2022

It was MOVED and SECONDED

THAT Council receive into the record the report dated May 3, 2022 titled "First Quarter 2022 Financial Update".

CARRIED UNANIMOUSLY

8.4 First Quarter 2022 Corporate Business Plan Update

138/2022

It was MOVED and SECONDED

THAT Council receive into record the report dated May 3, 2022 titled "First Quarter 2022 Corporate Business Plan Update".

CARRIED UNANIMOUSLY

8.5 Procurement and Request for Proposal (RFP) Process

139/2022

It was MOVED and SECONDED

THAT Council receive into record the report dated May 3, 2022 titled "Procurement and Request for Proposal (RFP) Process".

CARRIED UNANIMOUSLY

8.6 Tax Rates Bylaw No. 2022-17

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Tax Rates Bylaw No. 2022-17", a bylaw that establishes property taxation rates for the 2022 tax year with a business tax multiplier of 2.00.

140/2022

It was MOVED and SECONDED

THAT Item 8.6 – Tax Rates Bylaw No. 2022-17 be postponed to the Business Arising portion of the agenda.

CARRIED UNANIMOUSLY

The Mayor recessed the meeting at 3:13 p.m. and the meeting reconvened at 3:25 p.m.

8.7 First Quarter 2022 Economic Development Update

Thom Tischik, Executive Director, Travel Penticton

141/2022

It was MOVED and SECONDED

THAT Council receive into the record the report dated May 3, 2022 titled "First Quarter Economic Development Update";
AND THAT Council receive into the record the report dated May 3, 2022 titled "2022 Travel Penticton Update".

CARRIED UNANIMOUSLY

8.8 In-Year Grant Requests

142/2022

It was MOVED and SECONDED

THAT Council approves a \$5,500 cash grant to the Penticton & Area Cycling Association, funded through administrative savings.

CARRIED UNANIMOUSLY

143/2022

It was MOVED and SECONDED

THAT Council approves a \$5,000 cash grant to the Penticton Regional Bridge Tournament, funded through administrative savings.

CARRIED UNANIMOUSLY

8.9 Social System Mapping and Navigation

144/2022

It was MOVED and SECONDED

THAT Council receive into the record the report dated May 3, 2022 and titled "Social System Mapping and Navigation".

CARRIED UNANIMOUSLY

8.10 Penticton Child Care Action Plan: Advocacy, Spaces and Staffing

145/2022

It was MOVED and SECONDED

THAT Council direct staff to work with community partners, the Province, and relevant City committees on examining the redevelopment of Bugaboo University in order to prepare an application to the Province for childcare spaces funding during the next application period; AND THAT Council approve the City to release an Expression of Interest to incorporate the core principles in Attachment C, and to return to Council with a recommendation for a partner organization; AND THAT Council direct staff to work with community partners on finalizing correspondence highlighting Penticton's child care priorities to be submitted to the Province's child care consultation process.

CARRIED UNANIMOUSLY

8.11 Appointment of Chief Election Officer and Deputy Chief Election Officers

146/2022

It was MOVED and SECONDED

THAT Council appoint Angie Collison as the Chief Election Officer for the 2022 General Local Election; AND THAT Council appoint Laurie Darcus and Paula McKinnon as Deputy Chief Election Officers for the 2022 General Local Election.

CARRIED UNANIMOUSLY

8.12 Council and Committee 2022 Meeting Schedule

Main Motion:

It was MOVED and SECONDED

THAT Council revise the 2022 Regular Council meeting schedule as follows: add a meeting on September 6; remove meeting of September 20; remove meeting of October 4; and add a meeting on October 18; AND THAT the term for all Council Advisory Committees end August 31, 2022.

Amendment:

147/2022

It was MOVED and SECONDED

THAT the word "term" be replaced with "regular meetings".

CARRIED UNANIMOUSLY

Main Motion as Amended:

148/2022

It was MOVED and SECONDED

THAT Council revise the 2022 Regular Council meeting schedule as follows: add a meeting on September 6; remove meeting of September 20; remove meeting of October 4; and add a meeting on October 18; AND THAT the regular meetings for all Council Advisory Committees end August 31, 2022.

CARRIED UNANIMOUSLY

8.13 Council Procedure Amendment Bylaw No. 2022-18

149/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Council Procedure Amendment Bylaw No. 2022-18".

CARRIED

Councillors Regehr, Robinson and Sentes, Opposed

8.14 Regional District and General Appointment Policy

150/2022

It was MOVED and SECONDED

THAT Council approve "CP#2022-02 Regional District and General Appointment Policy".

CARRIED

Councillors Robinson and Sentes, Opposed

9. Public Question Period

10. Recess into a Closed Meeting

151/2022

It was MOVED and SECONDED

THAT Council recess at 5:11 p.m. to a closed meeting of Council pursuant to the provisions of the Community Charter as follows: Section 90 (1)

(g) litigation or potential litigation affecting 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. 2022-14

Re: 273 Scott Avenue

152/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2022-14".

CARRIED UNANIMOUSLY

12.2 Fees and Charges Amendment Bylaw No. 2022-15

153/2022

It was MOVED and SECONDED

THAT Council adopt "Fees and Charges Amendment Bylaw No. 2022-15".

CARRIED UNANIMOUSLY

12.3 Zoning Amendment Bylaw No. 2022-16

Re: 719 Alexander Avenue

154/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-16".

CARRIED UNANIMOUSLY

13. Land Matters

- 13.1 Temporary Use Permit PL2022-9294
Re: 200 Carmi Avenue

155/2022

It was MOVED and SECONDED

THAT Council approve "Temporary Use Permit PL2022-9294, a permit to allow 'General Industrial' as a temporary permitted use, to allow the operation of recycling material drop-off site for used cans and bottles operated by Return-It as a "Express & Go Station" on Lot A District Lot 3237S Similkameen Division Yale District Plan KAP87660, located at 200 Carmi Avenue, for a three (3) year period;
AND THAT staff be directed to issue the permit.

CARRIED UNANIMOUSLY

- 13.2 Development Variance Permit PL2022-9252
Re: 152 Westminster Place

Applicant: Purchased property over 10 years ago, worked with designer to not impede views and minimize building footprint on property. Plan to live in the carriage house once built while main house is being built. If permit is denied, will need to redesign the home and potentially have three buildings built instead of two.

156/2022

It was MOVED and SECONDED

THAT Council after hearing from the applicant deny "Development Variance Permit PL2022-9252".

DEFEATED

Mayor Vassilaki, Councillors Regehr, Bloomfield and Watt, Opposed

157/2022

It was MOVED and SECONDED

THAT Council direct staff to re-advertise the notice for Development Variance Permit PL2022-9252;
AND THAT Council consider Development Variance Permit PL2022-9252 at a future Regular Council Meeting.

CARRIED

Councillor Watt, Opposed

- 13.3 Zoning Amendment Bylaw No. 2022-20
Development Variance Permit PL2021-9239
Development Permit PL2021-9240
Re: 145 Kinney Avenue

158/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-20", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a bylaw to rezone the subject property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing);
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-20" to the May 17th, 2022 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-20", consider "Development Variance Permit PL2022-9239", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a permit to vary the following section of Zoning Bylaw No. 2021-01:

1. Section 10.9.2.3: to increase the maximum lot coverage from 40% to 51%.

AND THAT Council, subject to approval of "Development Variance Permit PL2021-9239", approve "Development Permit PL2021-9240", for Lot A District Lot 115 Similkameen Division Yale District Plan 8719, located at 145 Kinney Avenue, a permit to allow for the construction of a 4-plex.

CARRIED UNANIMOUSLY

- 13.4 Zoning Amendment Bylaw No. 2022-21
Re: 813, 825 and 877 Westminster Avenue West

159/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-21", for:

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891;
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891; and
3. Lot 1 District Lot 2 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 15658,

Located at 813, 825 and 877 Westminster Avenue West, a bylaw to rezone the subject properties from CT1 (Tourist Commercial), C7 (Service Commercial), and C8 (Vehicle Service Station) to CD9 – Comprehensive Development Zone (877 Westminster Avenue West), AND THAT Council forward "Zoning Amendment Bylaw No. 2022-21" to the May 17, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-21", require the following conditions be met:

1. A 2.5m wide road dedication along the eastern property line (Power Street) be registered with the Land Title Office;
2. A 8.5m x 8.5m southeast corner cut at the intersection of Westminster Avenue West and Power Street is registered with the Land Title Office; and
3. A Section 219 Covenant, to ensure the long-term protection and viability of the City-owned boulevard trees prior to, during and after construction, along the Westminster Avenue West frontage of the subject properties, is registered with the Land Title Office.

AND THAT Council requires a higher standard for the Westminster Avenue West and Power Street frontages than the current Subdivision and Development Bylaw requires, to be constructed at the developers cost prior to building occupancy, to be designed in alignment with the vision of the North Gateway Redevelopment and Investment Strategy, including the installation of a treed walkway along Power Street.

CARRIED UNANIMOUSLY

13.5 Official Community Plan Amendment Bylaw No. 2022-22
Zoning Amendment Bylaw No. 2022-23
Development Permit PL2022-9275
Re: 435 Green Avenue West

160/2022

It was MOVED and SECONDED

THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2022-22", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by changing the future land use designation for Lot 3 District Lots 379 and 182 Similkameen Division Yale District Plan 6750 Except Plan H14743, located at 435 Green Ave West, from 'Detached Residential' to 'Ground Oriented Residential';

AND THAT Council, prior to adoption of "Official Community Plan Amendment Bylaw No. 2022-22" and in accordance with Section 475 of the Local Government Act, 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 Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for Official Community Plan Amendment Bylaw No. 2022-22 to change the future land use designation change from "Detached Residential" to "Ground Oriented Residential", in support of an 84-unit townhouse development at 435 Green Avenue West;

AND THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-23", a bylaw to rezone Lot 3 District Lots 379 and 182 Similkameen Division Yale District Plan 6750 Except Plan H14743, located at 435 Green Ave West, from the 'R2 (Small Lot Residential)' zone to the 'RM2 (Low Density Multiple Housing)' zone;

AND THAT Council, following the public engagement period, forward "Official Community Plan Amendment Bylaw No. 2022-22" and "Zoning Amendment Bylaw No. 2022-23" to the June 20, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-23" require a 47.6m² road dedication at the south west corner of the property along Green Avenue West to be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Official Community Plan Amendment Bylaw No. 2022-22" and "Zoning Amendment Bylaw No. 2022-23", approve "Development Permit PL2022-9275", a permit to approve the form and character of the proposed multifamily development consisting of 84 townhouse units.

CARRIED UNANIMOUSLY

14. Notice of Motion

14.1 Councillor Regehr introduced the following Notice of Motion for consideration at the May 17, 2022 regular meeting of Council.

THAT Council direct staff, as part of the fees & charges comprehensive review of recreation fees for Penticton sport facilities, examine how Penticton could implement a two-tier fee structure for recreation facility fees or identify an alternate method of increasing revenues to support the City's recreation facilities.

14.2 Councillor Watt introduced the following Notice of Motion for consideration at the May 17, 2022 Regular Meeting of Council:

THAT Council request staff develop a "Public Safety Camera Program" that outlines how organizations can apply for funding for cameras that will monitor public spaces.

15. Business Arising

8.6 Tax Rates Bylaw No. 2022-17

Councillor Bloomfield withdrew his motion to provide first three readings to "Tax Rates Bylaw No. 2022-17", with a business tax multiplier of 2.00 and made the following motion.

161/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Tax Rates Bylaw No. 2022-17", a bylaw that establishes property taxation rates for the 2022 tax year with a business tax multiplier of 2.14.

CARRIED UNANIMOUSLY

16. Council Round Table

17. Public Question Period

18. Adjournment

162/2022

It was MOVED and SECONDED

THAT Council adjourn the regular meeting of Council at 8:04 p.m.

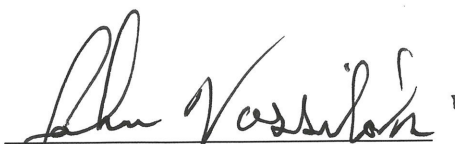
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor