

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

Tuesday, May 17, 2022
at 1:00 p.m.

Present: Councillor Bloomfield
Councillor Miller
Councillor Regehr
Councillor Robinson
Councillor Watt
Councillor Sentes (*Acting Mayor*)

Absent: Mayor Vassilaki

Staff: Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Elma Hamming, Acting Director of Finance & Administration
Blake Laven, Director of Development Services
Anthony Haddad, General Manager, Community Services
Kristen Dixon, General Manager of Infrastructure (*via Zoom*)
Paula McKinnon, Deputy Corporate Officer

1. Call to Order

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

2. Introduction of Late Items

3. Adoption of Agenda

168/2022

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on May 17, 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 1:31 p.m.

6. Adoption of Minutes:

6.1 Minutes of the May 3, 2022 Regular Meeting of Council

169/2022

It was MOVED and SECONDED

THAT Council adopt the regular minutes of May 3, 2022 as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the May 10, 2022 Special Meeting of Council

170/2022

It was MOVED and SECONDED

THAT Council adopt the special minutes of May 10, 2022 as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

171/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the May 3, 2022 Committee of the Whole Meeting;
2. Minutes of the May 3, 2022 Public Hearing;
3. Special Community Sustainability Advisory Committee Meeting Draft Minutes of April 20, 2022;
4. Safety and Security Advisory Committee Meeting Draft Minutes of May 2, 2022;
5. Heritage and Museum Advisory Committee Meeting Draft Minutes of May 4, 2022;
6. Economic Prosperity and Development Services Advisory Committee Meeting Draft Minutes of May 6, 2022.

CARRIED UNANIMOUSLY

8. Staff Reports:

8.1 2022 Corporate Energy and Emissions Plan

Peter Robinson, Greg Dong and Tami Rothery, Community Energy Association Members

172/2022

It was MOVED and SECONDED

THAT Council adopt the 2022 Corporate Energy and Emissions Plan; and

THAT Council adopt the following resolution, as follows:

THAT the City of Penticton hereby declares that a climate emergency threatens our city, our region, our province, our nation, humanity, and the natural world and reaffirms its commitment to local climate action; and

THAT Penticton City Council continues to support immediate actions to safeguard against the current and potential consequences of the climate crisis by implementing the goals and actions in the 2021 Community Climate Action Plan and 2022 Corporate Energy and Emissions Plan; and

THAT the City of Penticton collaborate with the Regional District Okanagan Similkameen and other neighboring local governments to work towards achieving carbon neutrality within the region by 2050; and

THAT the members of Penticton City Council commit to keeping the concerns of all community members, including vulnerable populations central to Penticton's Climate Action planning process, and invites and encourages all members of the community to actively participate in order to advocate directly for their needs; and

THAT Council shall continue to develop policy and demonstrate leadership that directs meaningful action on Penticton's Climate Emergency Declaration; and THAT the City of Penticton commits to embed climate action into the City of Penticton budgeting process and planning documents; include climate action considerations in reports to Council; and report regularly to Council on progress and accomplishments, and

THAT correspondence be sent to the Ministry of Environment and Climate Change Strategy, requesting that the Province commit to providing ongoing, persistent funding to municipalities to assist with climate action implementation. This funding must be commensurate with the scale and challenge the Climate Crisis poses for municipalities across British Columbia;

AND THAT Council approve a new Manager of Sustainability and Solid Waste, funded in 2022 through a transfer from the Climate Action Reserve, and fully funded in 2023 through the budget process.

CARRIED UNANIMOUSLY

8.2 Penticton Age Friendly Action Plan - Update

173/2022

It was MOVED and SECONDED

THAT Council receive the report "Penticton Age Friendly Plan – Update" into the record as information;

AND THAT Council support the continued implementation of the Plan recommendations, including funding various actions, supporting the City's participation on the Penticton Age Friendly Action Plan Community Activation Group and committing staff resources to the Plan's implementation;

AND THAT as part of Seniors Week 2022 (June 5 – 11, 2022) and in support of the Age Friendly Action Plan and the Community Climate Action Plan, Council approve free transit for all individuals aged 55 years old and older for the entire Week, and direct staff to work with BC Transit on implementing the initiative.

CARRIED UNANIMOUSLY

174/2022

It was MOVED and SECONDED

THAT Council direct staff to apply for the BC Healthy Communities 2022 Age Friendly Action Plan grant under Stream 2 in the amount of \$15,000;

AND THAT Council direct the Director, Administration and Finance to sign and submit the application.

CARRIED UNANIMOUSLY

8.3 2022 Plan H Healthy Communities Grant Program

175/2022

It was MOVED and SECONDED

THAT Council direct staff to apply for the 2022 Healthy Public Policy Grant from PlanH for \$12,000 to complete the internal housing policy review;

AND THAT Council direct the Director, Development Services for the City of Penticton to sign and submit the application document on behalf of the City.

CARRIED UNANIMOUSLY

8.4 North Gateway Redevelopment & Investment Strategy – Proposed Plan

176/2022

It was MOVED and SECONDED

THAT Council receive into the record the report dated May 17th, 2022 titled “North Gateway Redevelopment & Investment Strategy – Proposed Plan”;
AND THAT Council direct staff to commence the final round of public engagement and bring back the results with any changes to the June 21, 2022 Council meeting.

CARRIED UNANIMOUSLY

8.5 Road Dedication Condition for Zoning Amendment Bylaw No. 2022-06
Re: 30 Okanagan Avenue West

177/2022

It was MOVED and SECONDED

THAT Council remove the condition of a 3.5m x 3.5m southeast corner cut lane dedication prior to the adoption of “Zoning Amendment Bylaw No. 2022-06”, and require that the 3.5m x 3.5m corner cut dedication be completed prior to the issuance of the Occupancy Permit;
AND THAT Council adopt “Zoning Amendment Bylaw No. 2022-06”;
AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2022-06”, approve “Development Permit PL2021-9048”, 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

8.6 Development Variance Permit PI2022-9315
Re: 75 Brantford Avenue

178/2022

It was MOVED and SECONDED

THAT Council approve “Development Variance Permit PL2022-9315”, for Lot 1 District Lot 190 Similkameen Division Yale District Plan EPP25030, located at 75 Brantford Avenue, a permit to vary Zoning Bylaw No. 2021-01, Section 9.2.2.6, to reduce the minimum interior side yard from 4.5m to 4.1m;
AND THAT Council direct staff to issue the permit.

CARRIED UNANIMOUSLY

8.7 Zoning Amendment Bylaw No. 2022-24
Development Permit PI2021-9230
Re: 914, 920, 926 Churchill Avenue

179/2022

It was MOVED and SECONDED

THAT Council give first reading to “Zoning Amendment Bylaw No. 2022-24”, for:

1. Lot C District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3072, located at 914 Churchill Avenue;
2. Lot 5 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 929, located at 920 Churchill Avenue; and
3. Lot 6 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 929, located at 926 Churchill Avenue;

A bylaw to rezone the subject properties from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing) and add the following section to the RM3 (Medium Density Multiple Housing) zone:

- "10.10.5.3: In the case of consolidated lots located at 914 Churchill Avenue, 920 Churchill Avenue and 926 Churchill Avenue, the maximum density shall be 1.98 FAR";

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-24" to the June 7, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-24", require a 3.048m road dedication along the northern property line (Churchill Avenue) be registered at the Land Title Office;

AND THAT Council, in accordance with Section 507 of the Local Government Act, require full-width reconstruction of the lane along the south of 902, 908, 914, 920 and 926 Churchill Avenue to connect to Alberni Street;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-24", approve "Development Permit PL2021-9230", for the consolidated parcel of 914, 920 and 926 Churchill Avenue, a permit to allow for the construction of a 16-unit, six-storey apartment building;

AND THAT Council, prior to issuance of "Development Permit PL2021-9230", the owner be required to consolidate the three lots.

CARRIED UNANIMOUSLY

The Acting Mayor recessed the meeting at 2:52 p.m. and the meeting reconvened at 3:07 p.m.

8.8 Official Community Plan Amendment Application
Re: 1050 Spiller Road

180/2022

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 the following designations: 'Rural Residential'; 'Detached Residential'; 'Ground Oriented Residential'; 'Parks'; 'Natural and Conservation Areas'; and, 'Landfill and Landfill Buffer'

To the following designations: 'Rural Residential', 'Parks', 'Natural and Conservation Areas'; and, 'Landfill and Landfill Buffer'

In support of a proposed single family neighbourhood development, located at 1050 Spiller Road.

CARRIED

Councillors Miller and Robinson, Opposed

8.9 Development Variance Permit PL2022-9295
Development Permit PL2021-9243
Re: 783 Winnipeg Street

181/2022

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2022-9295" for Lot 2 District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 23635 Except Plan EPP50547, located at 783 Winnipeg

Street, a permit to vary the following sections of Zoning Bylaw 2021-01, to facilitate a 7-unit townhouse development:

1. Section 10.10.2.7: to reduce the minimum interior side yard setback from 4.5m to 3.0m.
2. Section 10.10.2.9: to reduce the minimum rear yard setback from 6.0m to 5.5m.

AND THAT Council direct staff to issue "Development Variance Permit PL2022-9295";

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9295",

approve "Development Permit 2021-9243", a permit to approve the form and character of a 7-unit townhouse development on the subject property.

CARRIED UNANIMOUSLY

8.10 Zoning Amendment Bylaw No. 2022-25

Development Permit PL2022-9281

Re: 713, 737 and 795 Westminster Avenue West

182/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-25", for:

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979;
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979, and
3. Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979,

Located at 713, 737, and 795 Westminster Avenue West, a bylaw to rezone the subject properties from the CT1 (Tourist Commercial) and R2 (Small Lot Residential) zones to the CD8 (Comprehensive Development Zone – 795 Westminster Avenue West), to facilitate the construction of a 3-storey mixed use development;

AND THAT Council forward "Zoning Amendment Bylaw No. 2022-25" to the June 7, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendments Bylaw No. 2022-25", require the following conditions be met:

- A 0.9m road dedication along the Westminster Avenue West frontage be registered with the Land Title Office,
- An 8.5m by 8.5m corner cut at the southwest corner of the property, at the intersection of Westminster Avenue West and Power Street, be registered with the Land Title Office, and
- A 3.5m by 3.5m corner cut at the northeast corner of the property, at the intersection of the lanes, be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-25", approve "Development Permit PL2022-9281" to approve the form and character of the proposed three-storey mixed use development on the consolidated property.

CARRIED UNANIMOUSLY

8.11 Zoning Amendment Bylaw No. 2022-26
Re: 221 Huth Avenue

183/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-26", a bylaw to rezone Lot 8 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 10974, located at 221 Huth Avenue, from the R1 (Large Lot Residential) zone to the R2 (Small Lot Residential) zone in order to facilitate a 2-lot subdivision;
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-26" to the June 7, 2022 Public Hearing;
AND THAT Council direct staff to include the installation of sidewalk on the north side of Huth Avenue between Fairview Road and Atkinson Street into the Capital Works schedule to align with the developer's responsibility to install sidewalk along the frontage of 221 Huth Avenue.

CARRIED UNANIMOUSLY

9. Public Question Period

10. Recess into a Closed Meeting

184/2022

It was MOVED and SECONDED

THAT Council recess at 4:16 p.m. to a closed meeting of Council pursuant to the provisions of the Community Charter as follows: Section 90(1)

(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; and 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

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. 2021-39
Re: 358 Douglas Avenue

185/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2021-39".

CARRIED UNANIMOUSLY

12.2 Council Procedure Amendment Bylaw No. 2022-18

186/2022

It was MOVED and SECONDED

THAT Council adopt "Council Procedure Amendment Bylaw No. 2022-18".

CARRIED UNANIMOUSLY

12.3 Zoning Amendment Bylaw No. 2022-20
Re: 145 Kinney Avenue

187/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-20".

CARRIED UNANIMOUSLY

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

188/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-21".

CARRIED UNANIMOUSLY

13. Notice of Motion

13.1 Notice of Motion Introduced by Councillor Regehr on May 3, 2022
Re: Fee Structure for Recreation Facility

189/2022

It was MOVED and SECONDED

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.

CARRIED
Councillor Robinson, Opposed

13.2 Notice of Motion Introduced by Councillor Watt on May 3, 2022
Re: Public Safety Camera Program

190/2022

It was MOVED and SECONDED

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.

CARRIED UNANIMOUSLY

14. Business Arising

14.1 From May 17, 2022 Committee of the Whole Meeting
Re: Great Okanagan Waste Reduction Challenge Request for Letter of Support

191/2022

It was MOVED and SECONDED

THAT Council provide Okanagan Sustainability Leadership Council with a letter of support for the Great Okanagan Waste Reduction Challenge and encourage residents of Penticton to participate in the waste reduction initiative.

CARRIED UNANIMOUSLY

15. Council Round Table

16. Public Question Period

17. Adjournment

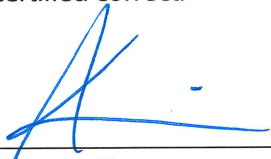
192/2022

It was MOVED and SECONDED

THAT Council adjourn the regular meeting of Council at 8:12 p.m.

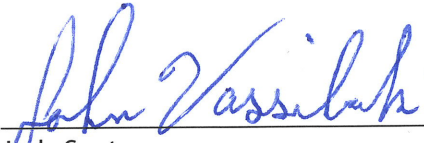
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:

for 
Judy Sentes
Acting Mayor