

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

**Tuesday, June 7, 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**

193/2022

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on June 7, 2022 as amended to include Item 10 – Recess into Closed Meeting.

**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 1:30 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the May 17, 2022 Regular Meeting of Council

194/2022

**It was MOVED and SECONDED**

THAT Council adopt the Regular minutes of May 17, 2022 as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

195/2022

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the May 17, 2022 Committee of the Whole Meeting;
2. Minutes of the May 17, 2022 Public Hearings;
3. Community Sustainability Advisory Committee Meeting Draft Minutes of May 18, 2022;
4. Agriculture Advisory Committee Meeting Draft Minutes of May 18, 2022.

**CARRIED UNANIMOUSLY**

**8. Staff Reports:**

8.1 Request for Notice on Title  
Re: 162 Wiltse Place

196/2022

**It was MOVED and SECONDED**

THAT the owners of 162 Wiltse Place (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 9, District Lot 2710 Similkameen Division Yale District, Plan 31303, located at 162 Wiltse Place, stating the following:

“Failure to complete and obtain building permits, 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 owners be notified of the proposed Notice on Title report, and given the opportunity to speak to the matter at the Regular Council meeting of July 5, 2022.

**CARRIED UNANIMOUSLY**

8.2 Request for Notice on Title  
Re: 1090 Penticton Avenue

197/2022

**It was MOVED and SECONDED**

THAT the owners of 1090 Penticton Avenue (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 5, District Lot 250 Similkameen Division Yale District, Plan 6748, located at 1090 Penticton Avenue, stating the following:

“Failure to complete a building permit and 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 owners be notified of the proposed Notice on Title report, and be given the opportunity to speak to the matter at the Regular Council meeting on July 5, 2022.

**CARRIED UNANIMOUSLY**

8.3 Request for Remedial Action Requirements

Re: 434 Lakeshore Drive West

198/2022

**It was MOVED and SECONDED**

THAT Council, under the authority provided in section 73 of the *Community Charter*, declare the Property at 434 Lakeshore Drive West, (the Property) having a legal description of: Lot 1, District Lot 4 Group 7 Similkameen Division Yale District Plan 35081 Except Plan EPP91648 (Parcel Identifier: 002-898-331) is an unsafe condition that requires remedial action to demolish and remove the fire-damaged structure and level the site, in order to eliminate the unsafe condition.

AND FURTHER THAT Council, under the authority provided in section 74 of the *Community Charter*, declare the Property to be so unsightly and untidy as to be offensive to the community and, as a result, is a declared nuisance that requires remedial action to remediate the property and demolish and remove the damaged structure and level the site, in order to eliminate the nuisance.

AND FURTHER THAT Council, under the authority provided in section 72 of the *Community Charter*, impose the following remedial action requirements on the registered owners of the Property with respect to the structure and property noted above in Recommendations 1 and 2 in order to eliminate the unsafe condition and the declared nuisance:

- a) to demolish the damaged structure;
- b) to remove all debris from the yards, which includes those trees damaged by the fire and the remnants of the structure to an appropriate disposal site; and
- c) level the site.

AND FURTHER THAT Council, pursuant to section 76 of the *Community Charter*, set the time limit for completion of all the remedial action requirements described in Recommendation 3, to be no later than 4:30 p.m. on July 11, 2022;

AND FURTHER THAT Council, pursuant to section 78 of the *Community Charter*, set a time limit for giving a written notice of a request for Council to reconsider the remedial action requirements described in Recommendation 3, to be no later than 4:30 p.m. on June 27, 2022.

AND FURTHER THAT Council, under the authority provided in section 17 of the *Community Charter*, authorize staff to take appropriate actions to ensure that Property is brought into compliance with all the remedial action requirements described in Recommendation 3 , provided that:

- a. The owners have not fully completed the remedial action requirements on or before the time limit specified in this Council resolution; and
- b. All costs incurred by the City to bring the property into compliance shall be at the expense of the owners and, pursuant to section 17 of the *Community Charter*, such costs shall be recovered from the owners as a debt owed to the City of Penticton.

**CARRIED UNANIMOUSLY**

8.4 Animal Control Bylaw No. 2021-02

199/2022

**It was MOVED and SECONDED**

THAT Council rescind third reading of "Animal Control Bylaw No. 2021-02" and give third reading as amended to "Animal Control Bylaw No. 2021-02".

**CARRIED UNANIMOUSLY**

8.5 BC Transit and City of Penticton Annual Operating Agreement 2022-2023

Chelsea Mossey, Senior Manager, Government Relations – BC Transit

200/2022

**It was MOVED and SECONDED**

THAT Council authorize the Chief Financial Officer and Corporate Officer to execute the 2022-2023 Annual Operating Agreement Conventional and Custom Transit as contained in Attachment "A".

**CARRIED UNANIMOUSLY**

8.6 Future Transit Plan Update and Three Year Expansion Plan

201/2022

**It was MOVED and SECONDED**

THAT Council support the following Transit Service Additions as part of the City's Three-Year Transit Expansion Plan:

- Conventional Transit System
  - 2024/2025 - Expand service to upper Wiltse and Sendero Canyon;
  - 2024/2025 – Increase frequency of route 5 (20-minute frequency throughout the day);
- Custom Transit
  - 2023/2024 - Introduce service on Saturdays by means of Taxi Supplement to better align with Conventional Service days.

**CARRIED UNANIMOUSLY**

8.7 BC Transit Route Changes

202/2022

**It was MOVED and SECONDED**

THAT Council receive into the record the report dated June 7, 2022 titled "BC Transit Route Changes".

**CARRIED UNANIMOUSLY**

8.8 Election and Assent Voting Bylaw No. 2022-27 and Political Signage Regulations Bylaw No. 2022-28

203/2022

**It was MOVED and SECONDED**

THAT Council give first, second and third reading to "Election and Assent Voting Bylaw No. 2022-27";

AND THAT Council give first, second and third reading to "Political Signage Regulations Bylaw No. 2022-28".

**CARRIED UNANIMOUSLY**

- 8.9 Request to Consider from Regular Council Meeting of May 3, 2022  
Development Variance Permit PL2022-9252  
Re: 152 Westminster Place

204/2022

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2022-9252" for Lot 11 District Lot 3821S Similkameen Division Yale District Plan 37490, located at 152 Westminster Place, a permit to vary Section 8.2.3.5.i of Zoning Bylaw 2021-01 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.

**CARRIED**  
**Councillors Miller and Regehr, Opposed**

- 8.10 ALC Non-Farm Use Application  
Re: 127 Upper Bench Road South

205/2022

**It was MOVED and SECONDED**

THAT Council support "ALR Non-Farm Use PL2022-9300", for Lot 1 District Lot 188 and 155 Similkameen Division Yale District Plan KAP91714, located at 127 Upper Bench Road South, to allow one dwelling unit, limited to a maximum floor area of 1,925 sq. ft. and located above a farm building, to be permitted on the subject property, and require that restrictive covenant LB429194 remain on title;

AND THAT staff be directed to forward "ALR Non-Farm Use PL2022-9300", to the Agricultural Land Commission (ALC) with support from Council and the Agriculture Advisory Committee.

**CARRIED UNANIMOUSLY**

- 8.11 Official Community Plan Amendment Bylaw No. 2022-29  
Zoning Bylaw Amendment Bylaw No. 2022-30  
Re: 850 Wiltse Boulevard and 160 Crow Place

206/2022

**It was MOVED and SECONDED**

THAT Council THAT Council, prior to consideration of "Official Community Plan Amendment Bylaw No. 2022-29" 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 it is determined that the Public Engagement Period carried out from April 11 to May 8 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2022-29", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08 by adding the 'Urban Residential' designation and amending the mapping of the 'Detached Residential', 'Ground Oriented Residential', and 'Parks' future land use designations for Lot B District Lot 2710 Similkameen Division Yale District Plan 43260 Except Plans KAP72732 and EPP74771 and Lot A District Lot 2710 Similkameen Division Yale District Plan KAP70035, located at 850 Wiltse Boulevard and 160 Crow Place;

AND THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-30", a bylaw to change the zoning from A (Agriculture) to R1 (Large Lot Residential), R2 (Small Lot Residential), RD2 (Duplex Housing: Lane), RM1 (Bareland Strata Housing), RM2 (Low Density Multiple Housing), RM3 (Medium Density Multiple Housing), P1 (Public Assembly), P2 (Parks and Recreation), and A (Agriculture) zones for Lot B District Lot 2710 Similkameen Division Yale District Plan 43260 Except Plans KAP72732 and EPP74771 and Lot A District Lot 2710 Similkameen Division Yale District Plan KAP70035, located at 850 Wiltse Boulevard and 160 Crow Place, with the following site specific provisions:

- RM1 zone – to prohibit townhouses and duplexes as permitted uses, and to increase the maximum principal building height from 8.5m to 10.5m;
- RM2 zone adjacent to Hawthorn Dr cul-de-sac – to prohibit apartments as a permitted use, and to limit principal building height to three (3) storeys;

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2022-29" and "Zoning Amendment Bylaw No. 2022-30" to the June 20, 2022 Public Hearing to receive comments from the public;

AND THAT Council give staff direction to prepare an appropriate cost recovery mechanism related to the costs of the treated water system infrastructure required to facilitate the full development of the subject properties, with the City contributing 15% of the cost of the dedicated feeder water line with all remaining costs being developer funded;

AND THAT Council direct staff to include the proposed City contribution of 15% of the cost of the treated water system infrastructure, estimated at \$300,000, for the dedicated feeder water line into the City's 10-year financial plan as a financial commitment;

AND THAT Council direct staff to prepare an appropriate agreement that will share the costs equitably amongst all benefiting developments for the separated bike lane and associated traffic calming between the North Wiltse Block to the Lake-to-Lake bike route, with no financial contribution from the City, and require those works to be complete prior to any new road connection to Wiltse Boulevard.

**CARRIED UNANIMOUSLY**

**9. Public Question Period**

**10. Recess into a Closed Meeting**

207/2022

**It was MOVED and SECONDED**

THAT Council recess at 3:53 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*.

**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. 2022-20  
Development Variance Permit PL2021-9239  
Re: 145 Kinney Avenue

208/2022

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2022-20";  
AND THAT Council approve Development Variance Permit PL2021-9239.

**CARRIED UNANIMOUSLY**

12.2 Zoning Amendment Bylaw No. 2022-24  
Re: 914, 920 and 926 Churchill Avenue

209/2022

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-24".

**CARRIED**  
**Councillors Miller and Sentes, Opposed**

12.3 Zoning Amendment Bylaw No. 2022-25  
Re: 713, 737 and 795 Westminster Avenue West

210/2022

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-25".

**CARRIED UNANIMOUSLY**

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

211/2022

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-26".

**CARRIED UNANIMOUSLY**

**13. Notice of Motion**

**14. Business Arising**

14.1 From June 7, 2022 Committee of the Whole Meeting  
Re: Project - Respect

212/2022

**It was MOVED and SECONDED**

THAT Council direct staff to install a rainbow crosswalk on Power Street between Queen's Park Elementary School and the Community Centre.

**CARRIED UNANIMOUSLY**

Councillor Miller declared a conflict of interest because of his involvement in the project and left the meeting at 7:28 p.m.

- 14.2 From June 7, 2022 Committee of the Whole Meeting  
Re: City Bench Presentation

213/2022

**It was MOVED and SECONDED**

THAT Council direct staff to work with Gord Portman, the delegation from the June 7 Committee of the Whole, to find a suitable location for a covered memorial bench in recognition of those persons lost due to the opioid crisis, and that the City provide the concrete pad through in-kind works, once the delegation has raised sufficient funds.

**CARRIED UNANIMOUSLY**

Councillor Miller returned to the meeting at 7:31 p.m.

15. **Council Round Table**
16. **Public Question Period**
17. **Adjournment**

214/2022

**It was MOVED and SECONDED**

THAT Council adjourn the regular meeting of Council at 7:52 p.m.

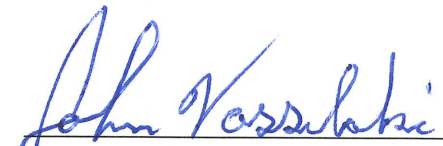
**CARRIED UNANIMOUSLY**

Certified correct:



Angie Collison  
Corporate Officer

Confirmed:

  
John Vassilaki  
Mayor