

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

Tuesday, July 19, 2022
at 1:00 p.m.

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

Absent: Councillor Regehr

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

1. Call to Order

The Mayor called the Regular Council Meeting to order at 1:01 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

256/2022

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on July 19, 2022 as amended to include item 6.0 – Canadian Homebuilders Association and Penticton Peach Festival Update.

CARRIED UNANIMOUSLY

4. Adoption of Minutes:

4.1 Minutes of the July 5, 2022 Regular Meeting of Council

257/2022

It was MOVED and SECONDED

THAT Council adopt the Regular Council Meeting minutes of July 5, 2022 as presented.

CARRIED UNANIMOUSLY

5. Consent Agenda:

258/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the July 5, 2022 Committee of the Whole Meeting;
2. Special Penticton and Ellis Creek Restoration Select Committee Meeting Draft Minutes of June 29, 2022;
3. Arts, Creative and Cultural Innovations Advisory Committee Meeting Draft Minutes of July 8, 2022.

CARRIED UNANIMOUSLY

6. Staff Reports:

6.0 Canadian Home Builders Association

Wally James, President, South Okanagan Local of the Canadian Homebuilders Association, spoke to Council about how the proposed Development Cost Charges Bylaw will impact the building industry in Penticton and requested that Council phase in the development cost charges.

Penticton Peach Festival Update

Don Kendall, President, Penticton Peach Festival, provided Council with an overview of the 75th Peach Festival events taking place from August 3-7, 2022.

6.1 2509 South Main Street Shovel Ready Project – Affordable Housing Reserve

259/2022

It was MOVED and SECONDED

THAT Council approve the use of up to \$50,000 to be funded from the City of Penticton Affordable Housing Reserve to get 2509 South Main Street (Lot 1 District Lot 116 Similkameen Division Yale District Plan 2027 Except Plan M13339) to a shovel ready state for submission to a future capital grant funding program;

AND THAT Council direct staff to work with partners to get 2509 South Main Street to a shovel ready state in order to support a community submission to a future capital grant funding program;

AND THAT the Financial Plan be amended accordingly.

CARRIED UNANIMOUSLY

6.2 Short-Term (Vacation) Rental Program Update

260/2022

It was MOVED and SECONDED

THAT Council receive into the record the report dated July 19, 2022 titled "Short-Term (Vacation) Rental Program Update".

CARRIED UNANIMOUSLY

261/2022

It was MOVED and SECONDED

THAT Council direct staff to explore potential restrictions that may be applied to the Short-Term Vacation Rental Program, as well as recommend which of those restrictions (if any) are necessary.

CARRIED UNANIMOUSLY

6.3 Road Closure Bylaws for Nanaimo Avenue East and Kinney Avenue

262/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Road Closure (Nanaimo Ave E between the left and right banks of Penticton Creek) Bylaw No. 2022-39", a bylaw that closes a portion of Nanaimo Avenue East to all vehicular traffic.

THAT Council give first, second and third reading to "Road Closure (Kinney Ave between South Main St and Skaha Lake Rd) Bylaw No. 2022-40", a bylaw that closes a portion of Kinney Avenue to vehicles while maintaining right-of-way for pedestrians and cyclists.

CARRIED
Councillor Miller, Opposed

6.4 Development Cost Charges Bylaw No. 2022-38

263/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Development Cost Charges Bylaw No. 2022-38";

AND THAT the bylaw be submitted to the Inspector of Municipalities for approval.

CARRIED
Councillors Sentes and Watt, Opposed

6.5 Official Community Plan Amendment Bylaw No. 2022-41 and Zoning Amendment Bylaw No. 2022-42
Development Permit PL2021-9246
Re: 770 Argyle Street

264/2022

It was MOVED and SECONDED

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2022-41", and in accordance with Section 475 of the *Local Government Act*, Council 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 community engagement period carried out from April 7, 2022 to May 15, 2022 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2022-41", a bylaw that amends Map 1: Future Land Use of Official Community Plan Bylaw No. 2019-08, by amending the future land use designation for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, from 'Detached Residential' to 'Ground Oriented Residential';

AND THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-42", for Lot E District Lot 202 Similkameen Division Yale District and of District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 584, located at 770 Argyle Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing);

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2022-41" and "Zoning Amendment Bylaw No. 2022-42" to the August 16, 2022 Public Hearing;

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2022-42", require a 1.1m road dedication along the western property line (Argyle Street) to be registered with the Land Title Office;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-42", approve "Development Permit PL2021-9246", a permit to approve the form and character of the proposed development consisting of 10 dwelling units.

CARRIED UNANIMOUSLY

- 6.6 Development Variance Permit PL2022-9354
Re: 744 Ross Avenue

265/2022

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2022-9354" for Lot 15 District Lot 250 Similkameen Division Yale District Plan 8343, located at 744 Ross Avenue, a permit to vary Section 10.1.2.7.a of Zoning Bylaw 2021-01, to reduce the minimum exterior side yard from 3.0 m to 2.0 m, in order to facilitate the construction of an attached garage to the single family dwelling;

AND THAT Council direct staff to issue "Development Variance Permit PL2022-9354".

CARRIED UNANIMOUSLY

- 6.7 Zoning Amendment Bylaw No. 2022-43
Development Permit PL2022-9335 (747 Revelstoke Avenue)
Development Permit PL2022-9336 (755 Revelstoke Avenue)
Re: 747 and 755 Revelstoke Avenue

266/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-43", for Lot 49 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049 and Lot 48 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District

Plan 1049, located at 747 and 755 Revelstoke Avenue respectively, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane);
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-43" to the August 16, 2022 Public Hearing;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-43", approve "Development Permit PL2022-9335", for Lot 49 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 747 Revelstoke Avenue, a permit to approve the form and character of a duplex;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-43", approve "Development Permit PL2022-9336", for Lot 48 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 755 Revelstoke Avenue, a permit to approve the form and character of a duplex.
AND THAT Council direct staff to issue "Development Permit PL2022-9335" and "Development Permit PL2022-9336".

CARRIED UNANIMOUSLY

6.8 Zoning Amendment Bylaw No. 2022-44
Development Variance Permit PL2022-9395
Development Permit PL2022-9280
Re: 561 Jermyn Avenue

267/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-44", for Lot 2 District Lot 249 Similkameen Division Yale District Plan 1030, located at 561 Jermyn Avenue, a bylaw to rezone the subject property from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing);
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-44" to the August 16, 2022 Public Hearing.
AND THAT Council, subject to adoption "Zoning Bylaw Amendment Bylaw No. 2022-44", consider "Development Variance Permit PL2022-9395" for Lot 2 District Lot 249 Similkameen Division Yale District Plan 1030, located at 561 Jermyn Avenue, a permit to vary Section 10.9.2.8.a of Zoning Bylaw 2021-01 to reduce the exterior side yard from 4.5 m to 1.8 m;
AND THAT Council subject to approval of "Development Variance Permit PL2022-9395", approve "Development Permit PL2022-9280", for Lot 2 District Lot 249 Similkameen Division Yale District Plan 1030, located at 561 Jermyn Avenue, a permit to allow for the construction a four-unit townhouse development.

CARRIED UNANIMOUSLY

7. Public Question Period

8. Recess into a Closed Meeting

268/2022

It was MOVED and SECONDED

THAT Council recess at 3:11 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;

(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*;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; 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

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

10. Bylaws and Permits:

10.1 Official Community Plan Amendment Bylaw No. 2022-22 and Zoning Amendment Bylaw No. 2022-23

Re: 435 Green Avenue West

269/2022

It was MOVED and SECONDED

THAT Council adopt "Official Community Plan Amendment Bylaw No. 2022-22" and "Zoning Amendment Bylaw No. 2022-23".

CARRIED UNANIMOUSLY

10.2 Zoning Amendment Bylaw No. 2022-25

Re: 713, 737 and 795 Westminster Avenue West

270/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2022-25".

CARRIED UNANIMOUSLY

10.3 Zoning Amendment Bylaw No. 2022-26

Re: 221 Huth Avenue

271/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2022-26".

CARRIED UNANIMOUSLY

10.4 Zoning Amendment Bylaw No. 2022-35

Re: 650 and 666 Eckhardt Avenue West

272/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-35".

CARRIED UNANIMOUSLY

10.5 Zoning Amendment Bylaw No. 2022-36
Re: 169 Maple Street

273/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-36".

CARRIED UNANIMOUSLY

10.6 Zoning Amendment Bylaw No. 2022-37
Re: 924 Fairview Road

274/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2022-37".

DEFEATED

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

11. **Notice of Motion**
12. **Business Arising**
13. **Public Question Period**
14. **Council Round Table**
15. **Adjournment**

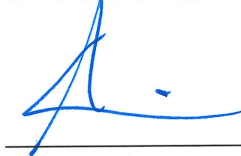
275/2022

It was MOVED and SECONDED

THAT Council adjourn the July 19, 2022 Regular meeting of Council at 7:19 p.m.

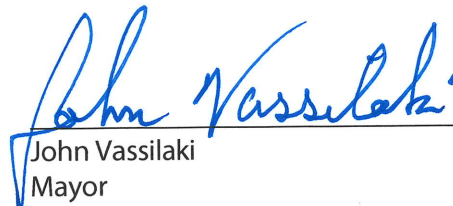
CARRIED UNANIMOUSLY

Certified correct:



Angie Collison
Corporate Officer

Confirmed:



John Vassilaki
Mayor

