

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

**Tuesday, June 6, 2023**  
**at 1:00 p.m.**

**Present:** Mayor Bloomfield  
Deputy Mayor Konanz  
Councillor Boulton  
Councillor Gilbert  
Councillor Graham  
Councillor Miller  
Councillor Watt

**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 of 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 1:00 p.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

220/2023

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on June 6, 2023 as presented.

**CARRIED UNANIMOUSLY**

**4. Recess to Committee of the Whole**

221/2023

**It was MOVED and SECONDED**

THAT Council recess to a Committee of the Whole meeting at 1:01 p.m.

**CARRIED UNANIMOUSLY**

**5. Reconvene the Regular Council Meeting**

Council reconvened the Regular Council Meeting at 1:40 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the May 16, 2023 Regular Meeting of Council

222/2023

**It was MOVED and SECONDED**

THAT Council adopt the Regular Council Meeting minutes of May 16, 2023 as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

223/2023

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the May 16, 2023 Committee of the Whole Meeting;
2. Minutes of the May 16, 2023 Public Hearing;
3. Draft Minutes of the May 24, 2023 Accessibility Task Force Meeting;
4. Draft Minutes of the May 24, 2023 Official Community Plan – Housing Task Force Meeting; and
5. Release of Items from Closed Meeting:
  - THAT Council direct staff to advertise for applicants to the Agriculture Advisory Committee.
  - THAT Council accept the resignation of Amanda Lewis; AND THAT Council appoint James Ludvigson to the Accessibility Task Force.

**CARRIED UNANIMOUSLY**

**8. Staff Reports:**

8.1 Section 57 Notice on Title  
Re: 41 Greenwood Drive

224/2023

**It was MOVED and SECONDED**

THAT the owners of 41 Greenwood Drive (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 18, District Lot 251 Similkameen Division Yale District, Plan 27075, located at 41 Greenwood Drive, 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." 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 18, 2023.

**CARRIED UNANIMOUSLY**

8.2 Zoning Amendment Bylaw No. 2023-18  
Development Permit PL2023-9507  
Re: 60 Roy Avenue

225/2023

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-18", for Lot 8 District Lot 115 Similkameen Division Yale District Plan 9176, located at 60 Roy Avenue, a bylaw to amend the zoning for the subject property from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing); AND THAT Council forward "Zoning Amendment Bylaw No. 2023-18" to the June 20, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-18", approve "Development Permit PL2023-9507", a permit to approve the form and character of the proposed development of two side-by-side duplex buildings, totaling four dwelling units on the subject property.

**CARRIED UNANIMOUSLY**

8.3 Zoning Amendment Bylaw No. 2023-19  
Development Variance Permit PL2022-9370  
Development Permit PL2022-9369  
Re: 951 and 963 Dynes Avenue

226/2023

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-19", for Lot B District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 951 Dynes Avenue and Lot A District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP112534, located at 963 Dynes Avenue, a bylaw to rezone the subject properties from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), with the following site specific provision:

1. Apartments shall not be a permitted use.

AND THAT Council forward "Zoning Amendment Bylaw. No. 2023-19" to the June 20, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-19", consider denying the associated "Development Variance Permit PL2022-9370", a permit to vary the following sections of Zoning Bylaw No. 2023-08:

1. Section 10.10.2.3: to increase maximum lot coverage from 50% to 56.5%;
2. Section 10.10.2.7: to reduce the minimum interior side yard from 4.5 to 2.1m;
3. Section 10.10.2.9: to reduce the minimum rear yard from 6.0m to 1.5m; and
4. Section 5.2, Table 5.1 to waive the requirement for landscaping buffers along the east and west property line.

AND THAT Council, subject to consideration of "Development Variance Permit PL2022-9370", consider denying the associated "Development Permit PL2022-9369", a permit for the construction of 13 residential units in the form of two rows of townhouses.

THAT Council, in accordance with Section 507 of the *Local Government Act*, require the following excess and extended services:

- Upgrade of the existing 100mm water main from the development to Sydney Street.

**CARRIED UNANIMOUSLY**

8.4 Temporary Use Permit PL2023-9513  
Re: 140-3547 Skaha Lake Road

Applicant: Steven Dahl, Owner/Operator, RPR Heating and Air Conditioning, spoke to application and answered questions of Council.

227/2023

**It was MOVED and SECONDED**

THAT Council approve "Temporary Use Permit PL2023-9513", with a timeline of one (1) year, and a maximum floor area of 430m<sup>2</sup>.

**CARRIED UNANIMOUSLY**

The Mayor recessed the meeting at 2:53 p.m. and reconvened at 3:03 p.m.

- 8.5     Development Variance Permit PL2022-9481  
Development Permit PL2022-9421  
Re: 1042, 1050 and 1060 Government Street

228/2023

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2022-9481" for Lot 1 District Lot 249 Similkameen Division Yale District Plan 3556 Except Plan KAP68129, Lot 2 District Lot 249 Similkameen Division Yale District Plan 3556 Except Plan KAP68130, and Lot 1 District Lot 250 Similkameen Division Yale District Plan 7798 Except Plan KAP68055, located at 1042, 1050 and 1060 Government Street, a permit to vary the following sections of Zoning Bylaw No. 2023-08 in order to facilitate the development of a five-storey, 35 unit apartment building:

1. Table 5.1: to waive the requirement for a landscape buffer (north).
2. Section 6.1.5.4: to increase the maximum percentage of off-street small car parking spaces from 25% to 41%.

AND THAT Council, subject to approval of "Development Variance Permit PL2022-9481", approve "Development Permit PL2022-9421", for Lot 1 District Lot 249 Similkameen Division Yale District Plan 3556 Except Plan KAP68129, Lot 2 District Lot 249 Similkameen Division Yale District Plan 3556 Except Plan KAP68130, and Lot 1 District Lot 250 Similkameen Division Yale District Plan 7798 Except Plan KAP68055, located at 1042, 1050 and 1060 Government Street, a permit to approve the form and character of a five-storey, 35-unit apartment building; AND THAT Council direct staff to issue "Development Variance Permit PL2022-9481" and "Development Permit PL2022-9421" subject to consolidation of the three subject properties into one lot.

**CARRIED UNANIMOUSLY**

**9. Bylaws and Permits**

- 9.1     Safe Public Places Bylaw No. 2023-06

229/2023

**It was MOVED and SECONDED**

THAT Council adopt "Safe Public Places Bylaw No. 2023-06".

**CARRIED UNANIMOUSLY**

- 9.2     Zoning Amendment Bylaw No. 2023-16  
Re: 517 Alexander Avenue

230/2023

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2023-16".

**CARRIED UNANIMOUSLY**

- 9.3     Growing Communities Reserve Fund Bylaw No. 2023-17

231/2023

**It was MOVED and SECONDED**

THAT Council adopt "Growing Communities Reserve Fund Bylaw No. 2023-17".

**CARRIED UNANIMOUSLY**

10. **Notice of Motion**
11. **Business Arising**
12. **Public Question Period**
13. **Council Round Table**
14. **Adjourn to a Closed Meeting:**

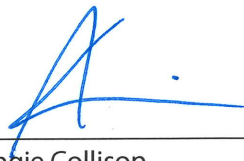
232/2023

**It was MOVED and SECONDED**

THAT Council adjourn at 3:21 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* as follows: Section 90(1)

- (d) the security of the property of the municipality;
- (g) litigation or potential litigation affecting the municipality; and
- (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*.

Certified correct:



Angie Collison  
Corporate Officer

Confirmed:



Julius Bloomfield  
Mayor