

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

**Tuesday, June 20, 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  
Paula McKinnon, Deputy 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  
Hayley Anderson, Legislative Assistant

**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**

233/2023

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on June 20, 2023 as presented.

**CARRIED UNANIMOUSLY**

**4. Adoption of Minutes:**

4.1 Minutes of the June 6, 2023 Regular Meeting of Council

234/2023

**It was MOVED and SECONDED**

THAT Council adopt the Regular Council Meeting minutes of June 6, 2023 as presented.

**CARRIED UNANIMOUSLY**

**5. Consent Agenda:**

235/2023

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the June 6, 2023 Committee of the Whole Meeting;
2. Draft Minutes of the May 31, 2023 Parks and Recreation Advisory Committee Meeting; and
3. Draft Minutes of the June 14, 2023 Official Community Plan – Housing Task Force Meeting.

**CARRIED UNANIMOUSLY**

**6. Staff Reports:**

6.1 OCP Housing Task Force Update

236/2023

**It was MOVED and SECONDED**

THAT Council receive into the record the report dated June 20, 2023 titled “OCP Housing Task Force Update”.

**CARRIED UNANIMOUSLY**

6.2 Official Community Plan Amendment – Application for 1704 Government Street

237/2023

**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 amendment to change the future land use designation on 1704 Government Street from ‘Industrial’ to ‘Mixed Use’.

**CARRIED UNANIMOUSLY**

6.3 Official Community Plan Amendment – Application for 791 and 799 Martin Street

238/2023

**It was MOVED and SECONDED**

THAT Council, following the Community Engagement for OCP Amendments Procedure, direct staff to commence public engagement for an Official Community Plan amendment, to change the future land use designation from ‘Detached Residential’ to ‘Ground Oriented Residential’, for a proposed 14-unit townhouse development at 791 and 799 Martin Street.

**CARRIED UNANIMOUSLY**

6.4 UBCM Complete Communities Program – Grant Application

239/2023

**It was MOVED and SECONDED**

THAT Council direct staff to submit a grant application seeking \$80,000 from the 2023 UBCM Complete Communities Program, to be used to hire a consultant to complete design options work associated with the Official Community Plan housing review;  
AND THAT Council direct the Chief Financial Officer for the City of Penticton to sign and submit the application document on behalf of the City.

**CARRIED UNANIMOUSLY**

6.5 Community Centre – Facility Update & Maintenance Schedule

240/2023

**It was MOVED and SECONDED**

THAT Council receive into the record the report dated June 20, 2023 titled “Community Centre – Facility Update & Maintenance Schedule”;  
AND THAT Council approves a transfer from the Asset Emergency Reserve, up to a maximum of the reserve balance of \$4.1M, to fund the Community Centre facility condition improvements and required upgrades.

**CARRIED UNANIMOUSLY**

6.6 License to Use Agreement for Mundi 4 Points Enterprises Inc.  
Re: City Parking Lot – 907 Creston Avenue

241/2023

**It was MOVED and SECONDED**

THAT Council approve the 3-year License to Use Agreement, which includes two (2) additional renewal terms, with Mundi 4 Points Enterprises Inc. for the use of the nine (9), dedicated parking spaces in the City parking lot located at 907 Creston Avenue for the purpose of hotel guest parking of the Four Points by Sheraton Penticton;  
AND THAT Council authorize Mayor and Corporate Officer to execute the License to Use Agreement and the two (2) additional License to Use Agreements for the renewal terms.

**CARRIED UNANIMOUSLY**

6.7 Disaster Mitigation and Adaptation Fund – Ellis #2 Dam Upgrades – Grant Application

242/2023

**It was MOVED and SECONDED**

THAT Council direct staff to apply for the Disaster Mitigation and Adaptation Fund grant in the amount of \$3.9 million (40% of the total estimated cost) for the purposes of rehabilitating the deficiencies that exist at the Ellis #2 Dam;  
AND THAT Council supports the project and commits to its share of (currently estimated at \$5.9 million) of the project, as well as any cost overruns;  
AND FURTHER THAT Council authorize the Director of Finance and Administration to sign and submit the grant application.

**CARRIED UNANIMOUSLY**

6.8 Updated Municipal Grant Policies

Main Motion:

**It was MOVED and SECONDED**

THAT Council approve Municipal Grants Policy CP#2023-06, replacing Municipal Grants Policy CP#2020-02;  
AND THAT Council approve Municipal Special Events Grants Policy CP#2023-07, replacing Municipal Special Events Grants Policy CP#2020-04;  
AND THAT Council approve City Manager Grant Approval Policy CP#2023-08, replacing Chief Administrative Officer Grant Approval Policy CP#2020-03.

243/2023 Amendment:  
**It was MOVED and SECONDED**  
THAT Council include "AND THAT Council direct staff to report after the two-year Special Events Grants pilot projects the weekly (or monthly) revenue from the Hotel Room Tax in comparison to all events in the city and at the Penticton Trade and Convention Centre."  
**CARRIED**  
**Councillor Miller, Opposed**

244/2023 Main Motion as Amended:  
**It was MOVED and SECONDED**  
THAT Council approve Municipal Grants Policy CP#2023-06, replacing Municipal Grants Policy CP#2020-02;  
AND THAT Council approve Municipal Special Events Grants Policy CP#2023-07, replacing Municipal Special Events Grants Policy CP#2020-04;  
AND THAT Council approve City Manager Grant Approval Policy CP#2023-08, replacing Chief Administrative Officer Grant Approval Policy CP#2020-03;  
AND THAT Council direct staff to report after the two-year Special Events Grants pilot projects the weekly (or monthly) revenue from the Hotel Room Tax in comparison to all events in the city and at the Penticton Trade and Convention Centre.  
**CARRIED**  
**Councillor Miller, Opposed**

245/2023 6.9 Growing Communities Fund Grant for 'Connected Community Capital Program'  
**It was MOVED and SECONDED**  
THAT Council approve and direct staff to implement the project program as outlined in this report dated June 20, 2023 titled "Growing Communities Fund Grant for 'Connected Community Capital Program'".  
**CARRIED UNANIMOUSLY**

6.10 2022 Annual Report  
Submissions/Questions: No written submissions were received. Questions from the public were answered.

246/2023 **It was MOVED and SECONDED**  
THAT Council receive into the record the 2022 Annual Report as circulated.  
**CARRIED UNANIMOUSLY**

The Mayor recessed the meeting at 2:36 p.m. and reconvened at 2:47 p.m.

6.11 Development Variance Permit PL2023-9585  
795 Westminster Avenue West

247/2023 **It was MOVED and SECONDED**  
THAT Council approve "Development Variance Permit PL2023-9585" for Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan EPP120592, located at 795 Westminster Avenue West, a permit to vary the following sections of Zoning Bylaw 2023-08 to allow the mixed-use development within the CD8 Comprehensive Development (795 Westminister Ave W) zone to be constructed in two phases:

- Section 14.8.3.2: to reduce the minimum lot area from 3,200m<sup>2</sup> to 1,090m<sup>2</sup> (for phasing only), and
- Section 14.8.3.7: to reduce the minimum interior side yard from 3.0m to 0.0m (for phasing only);

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9585".

**CARRIED UNANIMOUSLY**

6.12 Development Variance Permit PL2023-9599

Re: 285 Dawson Avenue

248/2023

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2023-9599" for Lot 8 District Lot 251 Similkameen Division Yale District Plan 11264 Except Plan KAP69961, located at 285 Dawson Ave, a permit to vary Section 12.1.2.6 of Zoning Bylaw 2023-08, to reduce the minimum exterior yard from 4.5 m to 0.0 m, in order to facilitate the construction of an accessory building, intended to hold equipment for the Penticton Fire Department;  
AND THAT Council direct staff to issue the "Development Variance Permit PL2023-9599".

**CARRIED UNANIMOUSLY**

6.13 Development Variance Permit PL2023-9557

Development Permit PL2023-9553

Re: 206 Marina Way, 201, 203, 225 and 247 Vancouver Avenue

249/2023

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2023-9557" for:

1. Lot A District Lot 202 Similkameen Division Yale District Plan KAP82861, located at 206 Marina Way,
2. That Part of Lot 1 Shown on Plan B5470 District Lot 202 Similkameen Division Yale District Plan 3218, located at 201 Vancouver Ave,
3. Lot 3 District Lot 202 Similkameen Division Yale District Plan 3219, located at 203 Vancouver Ave,
4. Lot 3 District Lot 202 Similkameen Division Yale District Plan KAP79185, located at 225 Vancouver Ave, and
5. Lot A District Lot 202 Similkameen Division Yale District Plan KAP85185, located at 247 Vancouver Ave (236 Marina Way),

a permit to vary Zoning Bylaw No. 2023-08, Section 5.4.2.1, to increase the height of a retaining wall within a required yard (east) from 1.2m to 2.48m, above approved grade;

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9557", subject to the consolidation of the 5 properties into one lot;

AND THAT Council, subject to approval of "Development Variance Permit PL2023-9557", approve "Development Permit PL2023-9553", for 206 and 236 Marina Way and 201, 203, 225 and 247 Vancouver Avenue, a permit to allow for the construction of a multi-residential development containing 29 residential units in the form of townhouse units.

**CARRIED UNANIMOUSLY**

6.14 Zoning Amendment Bylaw No. 2023-20  
Development Permit PL2023-9544  
Re: 732 Government Street

250/2023

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-20", for Lot 5 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68411, located at 732 Government Street, 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. 2023-20" to the July 18, 2023 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2023-20", the following condition be met:

1. A 0.3 m wide road dedication along Government Street is registered with the Land Title Office.

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-20", consider and approve "Development Permit PL2023-9544", for Lot 5 District Lot 249 Similkameen Division Yale District Plan 3578 Except Plan KAP68411, located at 732 Government Street, a permit to approve the form and character of a four-unit townhouse.

**CARRIED UNANIMOUSLY**

6.15 Zoning Amendment Bylaw No. 2023-21  
Development Permit PL2023-9551  
Re: 720 Government Street

251/2023

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-21", for Lot A District Lot 249 Similkameen Division Yale District Plan KAP64083, located at 720 Government Street, 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. 2023-21" to the July 18, 2023 Public Hearing;

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-21", approve "Development Permit PL2023-9551", for Lot A District Lot 249 Similkameen Division Yale District Plan KAP64083, located at 720 Government Street, a permit to approve the form and character of a four-unit townhouse.

**CARRIED UNANIMOUSLY**

**7. Public Question Period**

**8. Recess to a Closed Meeting:**

252/2023

**It was MOVED and SECONDED**

THAT Council recess at 3:33 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* as follows: Section 90(1)

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (d) the security of the property of the municipality;
- (g) litigation or potential litigation affecting the municipality.

**CARRIED UNANIMOUSLY**

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

The Mayor reconvened the meeting at 6:37 p.m.

**10. Bylaws and Permits**

- 10.1 Zoning Amendment Bylaw No. 2023-18  
Re: 60 Roy Avenue

253/2023

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-18";  
AND THAT Council adopt "Zoning Amendment Bylaw No. 2023-18".

**CARRIED UNANIMOUSLY**

- 10.2 Zoning Amendment Bylaw No. 2023-19  
Re: 951 and 963 Dynes Avenue

254/2023

**It was MOVED and SECONDED**

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2023-19".

**CARRIED UNANIMOUSLY**

**11. Staff Reports Continued**

- 11.1 Change of Hours – Occupant Load Increase for Abandoned Rail Brewing Company  
Re: 1220 Davenport Avenue

Council invited the Applicant to speak to the application and answer any questions.

255/2023

**It was MOVED and SECONDED**

THAT Council recommend to the Liquor and Cannabis Regulation Branch (LCRB) to support the change of hours for Abandoned Rail Brewing Company located at 1220 Davenport Avenue with restrictions of exterior patio service hours from 11:00am to 9:00pm Monday – Sunday and to increase the occupancy of their picnic area to 60.

**CARRIED**

**Mayor Bloomfield and Councillor Watt, Opposed**

**12. Notice of Motion**

**13. Business Arising**

**14. Public Question Period**

**15. Council Round Table**

**16. Adjournment**

256/2023

**It was MOVED and SECONDED**

THAT Council adjourn the June 20, 2023 Regular meeting of Council at 7:34 p.m.

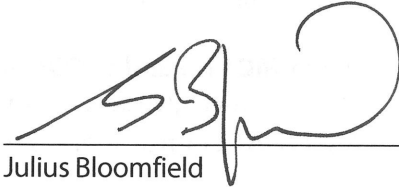
Certified correct:

Confirmed:



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Paula McKinnon  
Deputy Corporate Officer



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Julius Bloomfield  
Mayor