



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

**Monday, April 3, 2023**  
**at 10:00 a.m.**

**Present:** Mayor Bloomfield  
Councillor Boulton  
Councillor Gilbert  
Councillor Graham  
Councillor Konanz  
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 10:00 a.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

137/2023

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on April 3, 2023 as presented.

**CARRIED UNANIMOUSLY**

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

138/2023

**It was MOVED and SECONDED**

THAT Council recess to a Committee of the Whole meeting at 10:02 a.m.

**CARRIED UNANIMOUSLY**

**5. Reconvene the Regular Council Meeting**

Council reconvened the Regular Council Meeting at 11:24 a.m.

The Mayor recessed the meeting at 11:24 a.m. and the meeting reconvened at 11:41 a.m.

**6. Adoption of Minutes:**

6.1 Minutes of the March 14, 2023 Special Meeting of Council

139/2023

**It was MOVED and SECONDED**

THAT Council adopt the Special Council Meeting minutes of March 14, 2023 as presented.

**CARRIED UNANIMOUSLY**

6.2 Minutes of the March 15, 2023 Special Meeting of Council

140/2023

**It was MOVED and SECONDED**

THAT Council adopt the Special Council Meeting minutes of March 15, 2023 as presented.

**CARRIED UNANIMOUSLY**

6.3 Minutes of the March 16, 2023 Special Meeting of Council

141/2023

**It was MOVED and SECONDED**

THAT Council adopt the Special Council Meeting minutes of March 16, 2023 as presented.

**CARRIED UNANIMOUSLY**

6.4 Minutes of the March 21, 2023 Regular Meeting of Council

142/2023

**It was MOVED and SECONDED**

THAT Council adopt the Regular Council Meeting minutes of March 21, 2023 as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

143/2023

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the March 21, 2023 Committee of the Whole Meeting; and
2. Minutes of the March 21, 2023 Public Hearing.

**CARRIED UNANIMOUSLY**

**8. Staff Reports:**

8.1 2023-2027 Five Year Financial Plan Bylaw No. 2023-09

144/2023

**It was MOVED and SECONDED**

THAT Council give first, second and third reading to "2023-2027 Five Year Financial Plan Bylaw No. 2023-09".

**CARRIED  
Councillors Konanz and Miller, Opposed**

8.2 2023 Business Tax Multiplier

Postponed from March 16, 2023 Special Meeting of Council:

Main Motion as Amended:

**It was MOVED and SECONDED**

THAT Council direct staff to set the 2023 Business Tax Multiplier at 2.14.

145/2023

**It was MOVED and SECONDED**

THAT Council withdraw the motion to set the 2023 Business Tax Multiplier at 2.14.

**CARRIED UNANIMOUSLY**

146/2023

**It was MOVED and SECONDED**

THAT Council receive into the record the report dated April 3, 2023 titled "2023 Business Tax Multiplier" in advance of the first three readings of the Tax Rates Bylaw scheduled for April 18, 2023.

**CARRIED UNANIMOUSLY**

147/2023

**It was MOVED and SECONDED**

THAT Council direct staff to keep the Business Tax Multiplier the same as last year at 2.14.

**DEFEATED**

**Mayor Bloomfield and Councillors Boulton, Gilbert, Graham, Miller and Watt, Opposed**

148/2023

**It was MOVED and SECONDED**

THAT Council direct staff to set the 2023 Business Tax Multiplier at 2.22.

**CARRIED**

**Councillor Konanz, Opposed**

8.3 Fire Protection Mutual Aid Agreement with the RDOS

149/2023

**It was MOVED and SECONDED**

THAT Council approve the Fire Protection Mutual Aid Agreement with the Regional District of Okanagan-Similkameen (RDOS);  
AND THAT Council authorize the Mayor and Corporate Officer execute the Fire Protection Mutual Aid Agreement.

**CARRIED UNANIMOUSLY**

8.4 2023-2024 PlanH Community Connectedness Grant Program

150/2023

**It was MOVED and SECONDED**

THAT Council direct staff to apply for the 2023-2024 PlanH Community Connectedness grant from BC Healthy Communities for \$5,000 to support Youth Week and Seniors Week in 2024;  
AND THAT Council direct the Social Development Specialist for the City of Penticton to sign and submit the application document on behalf of the City.

**CARRIED UNANIMOUSLY**

8.5 Transportation Background Information for Point Intersection

151/2023

**It was MOVED and SECONDED**

THAT Council direct staff to include \$3,116,169 of capital funding in the 2023-2027 Financial Plan in years 2023 and 2024 for the Point Intersection and associated Capital Projects, funded through a combination of Development Cost Charges, Sewer, Water and Electrical capital funds as noted in Attachment A of the report titled "Point Intersection Contract Award" dated March 21, 2023.

**CARRIED  
Councillors Boulton and Miller, Opposed**

8.6 Development Variance Permit PL2023-9497  
Re: 310 Industrial Avenue West

152/2023

**It was MOVED and SECONDED**

THAT Council THAT Council approve "Development Variance Permit PL2023-9497" for Lot 1 District Lot 115 Similkameen Division Yale District Plan KAP90081, located at 310 Industrial Ave W, a permit to vary the following sections of Zoning Bylaw 2021-01:

- Section 5.4.1.a: to increase the maximum permitted fence height from 1.2 m to 1.8 m in a front yard (north)
- Section 4.2.6: to decrease the minimum distance from a gate to back of curb or sidewalk (north) from 6.0 m to 2.71 m

AND THAT Council direct staff to issue "Development Variance Permit PL2023-9497".

**CARRIED UNANIMOUSLY**

8.7 Zoning Bylaw No. 2023-08

153/2023

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Bylaw No. 2023-08".

**CARRIED UNANIMOUSLY**

8.8 Official Community Plan Amendment Bylaw No. 2023-10 and  
Zoning Amendment Bylaw No. 2023-11  
Development Permit PL2022-9448  
Road Closure and Land Disposition  
Re: 674 and 686 Martin Street

154/2023

**It was MOVED and SECONDED**

1. Official Community Plan

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2023-10", 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 February 9, 2023 to March 9, 2023 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw No. 2023-10", 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 7 Block 34 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP58563, located at 674 Martin Street, and Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, from 'Urban Residential' to 'Downtown Mixed Use'.

2. Zoning Amendment

THAT Council give first reading to "Zoning Amendment Bylaw No. 2023-11", for Lot 8 Block 34 District Lot 202 Similkameen Division Yale District Plan 269, located at 686 Martin Street, a bylaw to rezone the subject property from RD1 (Duplex Housing) to C5 (Urban Centre Commercial);

AND THAT Council forward "Official Community Plan Amendment Bylaw No. 2023-10" and "Zoning Amendment Bylaw No. 2023-11" to the April 18, 2023 Public Hearing.

3. Development Permit

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2023-11", approve "Development Permit PL2022-9448", a permit to approve the form and character of the proposed five-storey, mixed-use development consisting of 18 residential units and approximately 1,200 sq. ft. of commercial space at-grade;

AND THAT issuance be subject to the successful completion of the road closure of the 0.914m strip of road right of way, fronting 674 Martin Street and the consolidation of those lands with 674 and 686 Martin Street, into one lot.

4. Road Closure and Land Disposition

THAT Council accept the unsolicited Offer to Purchase, the 0.914 m strip of land along the frontage of 674 Martin Street, shown on road dedication Plan KAP58563, for the consideration of \$7,000.00 and, in addition, the applicant will be responsible for the cost of the survey plan associated with the future road closure bylaw and payment of the City's legal expenses in connection with the purchase, subject to adoption of Road Closure Bylaw 2023-12;

AND THAT Council give first, second and third reading to Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12;

AND THAT Council direct staff to proceed with notification, as per the *Community Charter*, for Road Closure (portion fronting 674 Martin Street) Bylaw No. 2023-12 and for the proposed Land Disposition;

AND THAT Council authorize the Mayor and Corporate Officer to execute any such documentation pertaining to the purchase agreement and the subsequent land transfer documentation.

**CARRIED UNANIMOUSLY**

**9. Bylaws and Permits**

9.1 Bylaw Enforcement Officer Bylaw No. 2023-07

**It was MOVED and SECONDED**

THAT Council adopt "Bylaw Enforcement Officer Bylaw No. 2023-07".

**CARRIED UNANIMOUSLY**

**10. Notice of Motion**

155/2023

## 11. Business Arising

### 11.1 Business Arising from Committee of the Whole Meeting of Council

Main Motion:

**It was MOVED and SECONDED**

THAT Council give the Penticton Art Gallery a total of \$125,000.

156/2023

**It was MOVED and SECONDED**

THAT Council postpone the motion to a future meeting once financial details have been provided by the Penticton Art Gallery.

**DEFEATED**

**Mayor Bloomfield and Councillors Gilbert, Graham, Miller and Watt, Opposed**

Amendment:

157/2023

**It was MOVED and SECONDED**

Include "...and complete a review of the grant funding process."

**CARRIED**

**Mayor Bloomfield and Councillor Miller, Opposed**

Main Motion as Amended:

158/2023

**It was MOVED and SECONDED**

THAT Council give the Penticton Art Gallery a total of \$125,000 and complete a review of the grant funding process.

**CARRIED**

**Mayor Bloomfield and Councillor Konanz, Opposed**

**It was MOVED and SECONDED**

THAT Council direct staff to enter into discussions with the Penticton Art Gallery and possibly similar entities in creating as a line item in the annual budget.

159/2023

**It was MOVED and SECONDED**

THAT Council withdraw the motion.

**CARRIED UNANIMOUSLY**

160/2023

**It was MOVED and SECONDED**

THAT Council direct staff to prepare a report that proposes changes to the grant policies that would address funding as line item in the budget for properties such as the Penticton Art Gallery and other city land use applicants instead of proceeding through the grant application process.

**CARRIED UNANIMOUSLY**

## 12. Public Question Period

## 13. Council Round Table

**14. Adjournment**

161/2023

**It was MOVED and SECONDED**

THAT Council adjourn to a closed meeting of Council at 2:38 p.m. 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; and*
- (e) *the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.*

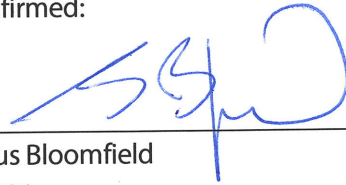
**CARRIED UNANIMOUSLY**

Certified correct:



\_\_\_\_\_  
Angie Collison  
Corporate Officer

Confirmed:



\_\_\_\_\_  
Julius Bloomfield  
Mayor