

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

**Tuesday, July 16, 2024**  
**at 1:00 p.m.**

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

**Staff:** Anthony Haddad, City Manager  
Angie Collison, Corporate Officer  
Angela Campbell, Director of Finance & Administration  
Kristen Dixon, General Manager of Infrastructure  
Blake Laven, Director of Development Services  
Kelsey Johnson, Director of Community 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**

189/2024

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on July 16, 2024 as presented.

**CARRIED UNANIMOUSLY**

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

190/2024

**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 1:25 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the June 18, 2024 Regular Council Meeting

191/2024

**It was MOVED and SECONDED**

THAT Council adopt the Regular Council Meeting minutes of June 18, 2024 as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

192/2024

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda:

1. Minutes of the June 18, 2024 Committee of the Whole Meeting.

**CARRIED UNANIMOUSLY**

**8. Staff Reports:**

8.1 Provincial Downloading – Public Safety Costs

193/2024

**It was MOVED and SECONDED**

THAT Council receive into the record the report dated July 16, 2024 titled “Provincial Downloading – Public Safety Costs” which totaled approximately \$4.6M between 2019 and 2023.

**CARRIED UNANIMOUSLY**

The Mayor recessed the meeting at 2:07 p.m. and reconvened at 2:22 p.m.

8.2 BC Transit 2024/2025 Annual Operating Agreement  
Delegation: Bartley Walman, BC Transit

194/2024

**It was MOVED and SECONDED**

THAT Council authorize the Chief Financial Officer and Corporate Officer to execute the 2024 - 2025 Annual Operating Agreement Conventional and Custom Transit as contained in Attachment “A”.

**CARRIED UNANIMOUSLY**

8.3 BC Transit Three Year Expansion Plans MOU

195/2024

**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
  - 2025/2026 - Phase 1 of network restructure plan – modify routing and introduce 15-min service on route 5 Main Street;
  - 2025/2026 – Introduce evening service on all local routes, replacing the route 15 Night Route;
  - 2027/2028 – Phase 2 of network restructure plan – modify routes 1, 2, 3 and 4 and increase frequency Monday through Saturday.

AND THAT the financial costs associated with the service additions be incorporated into the 2025-2029 Financial Plan with funding to be determined through the budget process.

**CARRIED**  
**Councillors Konanz and Miller, Opposed**

8.4 Official Community Plan Amendment Bylaw No. 2024-23 and Zoning Amendment Bylaw No. 2024-24  
Re: 813, 825, 877 Westminster Avenue West

196/2024

**It was MOVED and SECONDED**

1. THAT Council, prior to consideration of "Official Community Plan Amendment Bylaw No. 2024-23" 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 Council determines that the Public Engagement Period carried out from May 31, 2024 to June 23, 2024 is sufficient;

AND THAT Council give first reading to "Official Community Plan Amendment Bylaw 2024-23", for,

1. Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891;
2. Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 13891; and
3. Lot 1 District Lot 2 Group 7 Similkameen (Formerly Yale-Lytton) Division Yale District Plan 15658,

Located at 813, 825 and 877 Westminster Avenue West, a bylaw that changes the OCP future land use designation of the subject properties from "High Density Residential" to "Tourist Commercial" and includes a site specific provision in the Tourist Commercial section of the land use designations table stating: "In the case of the consolidated properties of 877, 825 and 813 Westminster Avenue long term residential uses are permitted.";

AND THAT "Official Community Plan Amendment Bylaw No. 2024-23" be forwarded to the August 6, Public Hearing.

2. THAT Council give first reading, as amended, to "Zoning Amendment Bylaw 2024-24", a bylaw that amends the zoning for 877 Westminster Avenue West from CT1 and C7 to CT1 entirely and for 813 Westminster Avenue West from C8 to CT1 and adds site-specific language to the CT1 zone for the consolidated properties, permitting long term residential units, increasing the maximum permitted density, adjusting parking requirements, increasing the permitted height, increasing the permitted site coverage and adjusting side yard setbacks. AND THAT "Zoning Amendment Bylaw No. 2024-24" be forwarded to the August 6, Public Hearing.

AND THAT Council, prior to adoption of "Zoning Amendment Bylaw No. 2024-24", require the following

condition be met:

- The three lots are consolidated, with the consolidation plan registered with the Land Title Office and
- A 2.5m wide road dedication along the eastern property line (Power Street) and an 8.5m x 8.5m southeast corner cut at the intersection of Westminster Avenue West and Power Street is registered with the Land Title Office;

AND THAT Council direct staff to enter into a development agreement with the developer prior to the adoption of "Zoning Amendment Bylaw No. 2024-24", to provide the following infrastructure as part of the development of the site:

- Higher standard for the Westminster Avenue West and Power Street frontages than the current Subdivision and Development Bylaw requires, to be constructed at the developer's cost, to be designed in alignment with the vision of the North Gateway Redevelopment and Investment Strategy, including the installation of appropriate pedestrian and cyclists' facilities along both frontages, and the protection of the existing American Elm trees along Westminster Avenue.

**CARRIED**  
**Councillor Miller, Opposed**

8.5 Zoning Amendment Bylaw No. 2024-05  
Re: 1704 Government Street

197/2024

**It was MOVED and SECONDED**

THAT Council rescind third reading and give third reading as amended (update to match new zoning bylaw number) to "Zoning Amendment Bylaw No. 2024-05";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2024-05".

**CARRIED**  
**Councillors Boulton and Miller, Opposed**

8.6 Covenant Discharge – CI21293  
Re: 394 Vancouver Avenue

198/2024

**It was MOVED and SECONDED**

THAT Council approve the discharge of covenant #KL37544 from Strata Lot 1, District Lot 202, Similkameen Division Yale District, Strata Plan KAS1914, together with an interest in the common property in proportion to the unit entitlement of the strata lot, as shown on Form 1 (101-394 Vancouver Avenue), and Strata Lot 2, District Lot 202, Similkameen Division Yale District, Strata Plan KAS1914, together with an interest in the common property in proportion to the unit entitlement of the strata lot, as shown on Form 1 (102-394 Vancouver Avenue);

AND THAT Council direct staff to file the release of the covenant with the Land Title and Survey Authority of British Columbia.

**CARRIED UNANIMOUSLY**

8.7 Development Variance Permit PL2024-9556  
Re: 332 & 336 Sudbury Avenue

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2024-9556" for Lot 19 and Lot 20, District Lot 189, Similkameen Division Yale District, Plan 996, located at 332 Sudbury Avenue and 336 Sudbury Avenue, a permit to vary the following sections of Zoning Bylaw 2024-22:

- Section 10.1.2 .3: to increase the lot coverage from 40% to 52.5%
- Section 10.1.2 .6: to reduce the minimum front yard from 4.5m to 3m

AND THAT Council direct staff to issue "Development Variance Permit PL2024-9556".

199/2024

**It was MOVED and SECONDED**

THAT Council postpone consideration of Development Variance Permit PL2024-9556 for 332 & 336 Sudbury Avenue to a future meeting and request a copy of the image of the proposed site footprint.

**CARRIED**

**Mayor Bloomfield and Councillors Konanz and Watt, Opposed**

The Mayor recessed the meeting at 3:51 p.m. and reconvened at 4:01 p.m.

Councillor Graham declared a conflict of interest as the applicant is his landlord and left the meeting at 4:04 p.m.

- 8.8     Zoning Amendment Bylaw No. 2024-25  
Development Variance Permit PL2024-9775  
Development Permit PL2024-9776  
Re: 2564 South Main Street

200/2024

**It was MOVED and SECONDED**

THAT Council give first, second, and third reading to "Zoning Amendment Bylaw No. 2024-25", for Lot 2 District Lot 251 Similkameen Division Yale District Plan 6116, Except Plan M13062, located at 2564 South Main Street, a bylaw to rezone the subject property from R4-L (Small-Scale Multi-Unit Residential: Large Lot) to RM2 (Low Density Multiple Housing);  
AND THAT Council adopt "Zoning Amendment Bylaw No. 2024-25";  
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2024-25", consider "Development Variance Permit PL2024-9775" for Lot 2 District Lot 251 Similkameen Division Yale District Plan 6116 Except Plan M13062, located at 2564 South Main Street, a permit to vary Section 10.1.2.9.a of the Zoning Bylaw to permit a reduced rear yard setback regulation from 6.0m to 3.0m;  
AND THAT Council subject to adoption of "Zoning Amendment Bylaw No. 2024-25", approve "Development Permit PL2024-9776" for Lot 2 District Lot 251 Similkameen Division Yale District Plan 6116 Except Plan M13062, located at 2564 South Main Street, a permit to approve the form and character of two 3-unit townhouses (6 dwelling units);  
AND THAT Council require a 5.0m x 5.0m corner cut to be completed prior to issuance of Occupancy Permit.

**CARRIED**

**Councillors Boulton and Miller, Opposed**

Councillor Graham returned to the meeting at 4:07 p.m.

- 8.9     Zoning Amendment Bylaw No. 2024-26  
Re: 101, 102 and 104 – 250 Marina Way

201/2024

**It was MOVED and SECONDED**

THAT Council give first reading to "Zoning Amendment Bylaw No. 2024-26", a bylaw to add the site-specific provision, within the C9 (Marina Way Commercial) zone as follows: "Section 11.9.4.2, In the case of Strata Lot 1, Strata Lot 2, and Strata Lot 4 District Lot 202 Similkameen Division Yale District Strata Plan KAS2971 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, located at 250 Marina Way, Live Work Unit regulation Section 7.8.4 does not apply and the business operator

at the location may be different than the person living in the dwelling unit portion of the live work unit.”;

AND THAT Council forward “Zoning Amendment Bylaw No. 2024-26” to the August 6, 2024 Public Hearing.

**CARRIED UNANIMOUSLY**

**9. Notice of Motion**

9.1 Notice of Motion introduced by Councillor Boulton for consideration on August 6, 2024:

THAT Council invite the appropriate staff member from the Ministry of Lands, Natural Resources, Operations responsible for deer to appear as a delegation before Council.

**10. Business Arising**

10.1 From Committee of the Whole Item 3.3 – Anti-Idling Bylaw and Education Campaign

202/2024

**It was MOVED and SECONDED**

THAT Council direct staff to action an educational campaign on anti-idling.

**CARRIED UNANIMOUSLY**

10.2 From Item 8.4 – Official Community Plan Amendment Bylaw No. 2024-23 and Zoning Amendment Bylaw No. 2024-24  
Re: 813, 825, 877 Westminster Avenue West

**It was MOVED and SECONDED**

THAT Council send letters echoing the requests and advocacy made by the Chamber of Commerce to the Ministry of Housing and BC Housing seeking solutions for the potentially displaced people residing in El Rancho.

203/2024

**It was MOVED and SECONDED**

THAT Council postpone the motion to the August 6, 2024 Regular Meeting of Council.

**CARRIED UNANIMOUSLY**

10.3 From Item 8.1 – Provincial Downloading – Public Safety Costs

204/2024

**It was MOVED and SECONDED**

THAT Council direct staff to report back with a breakdown of funding, particularly with respect to Belonging in BC and Pathway to Hope Strategies funding programs and include how much from these funding programs made its way to Penticton;  
AND THAT staff bring back a report that includes quantification of fire and police responses in relation to opioid crisis over the last five years.

**CARRIED UNANIMOUSLY**

**11. Public Question Period**

**12. Council Round Table**

**13. Adjourn to Closed Meeting**

205/2024

**It was MOVED and SECONDED**

THAT Council adjourn to a closed meeting of Council at 4:44 p.m. pursuant to the provisions of the Community Charter as follows: Section 90 (1)

- (c) labour relations or other employee relations; 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**

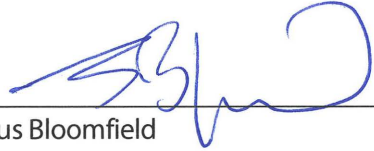
Certified correct:



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Angie Collison  
Corporate Officer

Confirmed:



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Julius Bloomfield  
Mayor