Agenda

penticton.ca

Regular Council Meeting
to be held at
City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, May 4, 2015
at 6:00 p.m.

1. **Call Regular Council Meeting to Order**

2. **Introduction of Late Items**

3. **Adoption of Agenda**

4. **Adoption of Minutes:**

4.1	Minutes of the April 20, 2015 Public Hearing	1-5	Receive
4.2	Minutes of the April 20, 2015 Regular Council Meeting	6-11	Adopt

5. **Presentations:**

5.1	Mental Health Week – May 4 -10	12
5.2	Canadian Lyme Disease Foundation Re: Lyme Disease Awareness Month – May	13

6. **Delegations (5 minutes maximum):**

6.1	Jim Wilson and Sue McDougall Re: Lyme Disease Awareness- Lyme Sucks Challenge	14-15
6.2	Jean Mitchell Re: City Power extra billing for postage	16-30
6.3	Rick McKelvey Re: Update on progress of Penticton oxbows	31
6.4	Lori Motluck, Health Service Administrator Re: Update on local and regional health programs and services	32
6.5	Betty Brown, Community Health Facilitator Re: Update on Healthy Community Initiative	32

7. **Reconsideration of Bylaws and Permits:**

7.1	Zoning Amendment Bylaw No. 2015-21 Re: 1028 Dynes Avenue	33-34	Adopt

8. **Staff Reports:**

PM 8.1 Development Variance Permit PL2014-094 35-45 Del/Sub
Re: 4013 Lakeside Road

Staff Recommendation: THAT Council approve "Development Variance Permit PL2014-094" for Lot 18A, Block 209, District Lot 190, Similkameen Division Yale District, Plan 466, located at 4013 Lakeside Road, a permit to decrease the minimum required side yard setback (north) from 1.2 m to 0.1 m, in order for a portion of the semi-constructed garage to be reconstructed, finished and come into conformance with City regulations; AND THAT staff be directed to issue "Development Variance Permit PL2014-094".

PM 8.2 Development Permit PL2015-011 and Development Variance Permit PL2015-012 46-47 Del/Sub
Re: 152, 168 & 184 Power Street

Staff Recommendation: THAT the application for development permit approval for the construction of 15 townhouse style strata units on Lots 6,7 and 8, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 3979, located at 152,168, and 184 Power Street; and, be supported by Council;
AND THAT Council approve "Development Variance Permit PL2015-012" for 152,168, and 184 Power Street, a permit to decrease the minimum interior side yard (north) from 4.5m to 3.0m and decrease the minimum rear yard from 6.0m to 3.0m in order to construct a 15 unit townhouse complex on the site;
AND THAT Council pass a Section 939 "excess and extended services" resolution requiring the following additional works not required by Subdivision and Development Bylaw 2004-81:

- *The design and construction of the lane for the full width, adjacent to the subject property in both the south and east lanes, as a condition of the building permit;*
- *The installation of a hydrant on Power Street, in a location approved by the Public Works department; and*
- *The design and construction of the sidewalk along the frontage of the property to an enhanced standard as shown on the drawings submitted with the development permit application including landscaping and boulevard trees.*

AND THAT that a 3m x 3m corner cut at the intersection of the alleys, at the southeast corner of the development lands, be dedicated and registered with the land titles office at the developer's expense.
AND FURTHER THAT staff are directed to issue DP PL2015-011 and DVP PL2015-012 upon consolidation of the three properties.

BPM 8.3 Liquor-Primary Licence Application 68-82 Del/Sub
Re: 200 Ellis Street

Staff Recommendation: THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Cronies Auto Parts Ltd located at 200 Ellis Street for a Liquor Primary Licence Endorsement.

BPM 8.4 Winery Lounge and Special Event Area (SEA) Endorsement 83-104 Del/Sub
Re: 1775 Naramata Road

Staff Recommendation: THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Bench 1775 Winery (0988081 BC) for the proposed Winery Lounge and Special Event Area (SEA) Endorsement for Bench 1775 Winery with a maximum SEA closure time of 12:00 am (midnight).

PM 8.5 Amended Purchasing Policy 105-117

Staff Recommendation: THAT Council approve the amended Purchasing Policy attached as Schedule A.

PM 8.6 Strata Conversion 118-128
Re: 483 Maurice Street

Staff Recommendation: THAT Council, after giving consideration to the following issues:

(a) the priority of rental accommodation over privately owned housing in the area,
(b) any proposals for the relocation of persons occupying a residential building,
(c) the life expectancy of the building,

(d) projected major increases in maintenance costs due to the condition of the building, and
(e) any other matters that, in its opinion, are relevant,
approve the strata-conversion application for Lot A, District Lot 2, Group 7, Similkameen Yale (Formerly Yale Lytton) District, Plan KAP84808, Except Strata Plan KAS3627(Phase 1), located at 483 Maurice Street; AND THAT prior to final approval, confirmation be received from the Building and Permitting Department that the building substantially complies with the BC Building Code.

CO 8.7 Fees and Charges Amendment Bylaw No. 2015-22 129-136
Staff Recommendation: THAT Council give three readings to "Fees and Charges Amendment Bylaw No. 2015-22".

CFO 8.8 Tax Rate Bylaw No. 2015-25 ON TABLE
Staff Recommendation: THAT Council give three readings to "Tax Rate Bylaw No. 2015-25".

CE 8.9 Penticton Creek Restoration 137-145
Staff Recommendation: THAT Council endorse moving forward with Penticton Creek Restoration project in accordance with the following Plan of Action:

1. *Use an Instantaneous 1 in 200 year design flow of 60 cubic meters per second for detail design purposes;*
2. *That the showcase project be designed with a "No-Rise" philosophy adjusted where possible to enhance fish habitat while not significantly increasing the risk of flooding;*
3. *Utilize privately owned lands contained within the M-178 Plan in the construction of the Flood Control / Habitat restoration measures;*
4. *Proceed with permit applications for the showcase project and with public consultation;*
5. *Following permit approvals proceed with construction of an 80m showcase project directly upstream of the Ellis Street Bridge in 2015;*
6. *Include in the 2016 Budget a Master Plan for Flood Protection and Aquatic Habitat Restoration for the length of Penticton Creek from Okanagan Lake to the Penticton Creek II Dam by the Water Treatment Plant; and*
7. *Actively seek out funding sources for the Master Plan work.*

9. Correspondence

9.1 Skaha Benches Strata Plan KAS 1543 146-147
Re: $1 postal charge for electrical bill

10. Committee and Board Reports

10.1 Affordable Community Task Force Meeting of March 31, 2015 148-149
Recommendation: THAT Council receive the minutes of the Affordable Community Task Force Meeting of March 31, 2015.

10.2 Affordable Community Task Force Meeting of April 28, 2015 150-151
Recommendation: THAT Council receive the minutes of the Affordable Community Task Force Meeting of April 28, 2015.

Recommendation: THAT Council engage Urban Matters as facilitator to create a strategy and framework for affordable housing, costing no more than $10,000 from the Short Term Opportunity Fund.

10.3 Waterfront Committee Meeting of April 28, 2015 152-154
Recommendation: THAT Council receive the minutes of the Waterfront Meeting of April 28, 2015.

Recommendation: THAT Council direct staff to suspend construction of the Okanagan Lake walkway, short of the Kiwanis Pier Park until September, in order to develop options for the design of the Kiwanis Pier Park.

11. **Notice of Motion**

12. **Other Business**

13. **RDOS Update**

14. **Business Arising from In-Camera**

15. **Media and Public Question Period**

16. **Adjournment**

Minutes

penticton.ca

Public Hearing
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Monday, April 20, 2015
at 6:00 p.m.

Present: Mayor Jakubeit
Councillor Sentes
Councillor Martin
Councillor Picton
Councillor Konanz
Councillor Watt
Councillor Sayeed

Staff: Chuck Loewen, Acting City Manager
Dana Schmidt, Corporate Officer
Colin Fisher, Chief Financial Officer
Blake Laven, Planning Manager
Mitch Moroziuk, Director of Operations
Simone Blais, Communications Officer
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:04 p.m. for the "Zoning Amendment Bylaw No. 2015-20". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

"Zoning Amendment Bylaw No. 2015-20"

The purpose of the Zoning Amendment Bylaw is to amend "Zoning Bylaw 2011-23" as follows:

- Rezone Lot 2, District Lot 2710, Similkameen Division Yale District, Plan KAP90597 located at 1473 Duncan Avenue E., from R1 (Large Lot Residential) to R2 (Small Lot Residential).

  The applicant is proposing to subdivide the property into two single family lots.

The Corporate Officer advised that no written correspondence has been received.

APPLICANT

- No one spoke.

DELEGATIONS

Mayor Jakubeit asked the public for the first time if anyone wished to speak to the application.
- No one spoke.

Mayor Jakubeit asked the public for the second time if anyone wished to speak to the application.
- No one spoke.

Mayor Jakubeit asked the public for the third and final time if anyone wished to speak to the application.
- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2015-20" was terminated at 6:08 p.m. and no new information can be received on this matter.

2. Call to order

Mayor Jakubeit called the public hearing to order at 6:08 p.m. for the "Zoning Amendment Bylaw No. 2015-21". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

"Zoning Amendment Bylaw No. 2015-21"

The purpose of the Zoning Amendment Bylaw is to amend "Zoning Bylaw 2011-23" as follows:

- Rezone Lot 26, District Lot 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1017 located at 1028 Dynes Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

The applicant is proposing to construct a side-by-side duplex.

The Corporate Officer advised that no written correspondence has been received.

APPLICANT

- No one spoke.

DELEGATIONS

Mayor Jakubeit asked the public for the first time if anyone wished to speak to the application.

- No one spoke.

Mayor Jakubeit asked the public for the second time if anyone wished to speak to the application.

- No one spoke.

Mayor Jakubeit asked the public for the third and final time if anyone wished to speak to the application.

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2015-21" was terminated at 6:10 p.m. and no new information can be received on this matter.

3. Call to order

Mayor Jakubeit called the public hearing to order at 6:10 p.m. for "Official Community Plan Amendment Bylaw No. 2015-23". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

"Official Community Plan Amendment Bylaw No. 2015-23"

- Add and include in the list of schedules "Schedule 'N' SS Sicamous Area Master Plan"; and add Section 2.2.5.20 "Development of the Sicamous Park will happen in accordance with the SS Sicamous Area Master Plan".

The Corporate Officer advised that written correspondence has been received and distributed to Council.

DELEGATIONS

Mayor Jakubeit asked the public for the first time if anyone wished to speak to the application.

- Gerry Gilligan, Penticton Avenue, presented Council with a petition listing 296 signatures opposed to day moorage. Requesting Council reject plans for pier and motorized crafts near the SS Sicamous. There are 147 species of birds spotted in area, plan calls for dock to accommodate 7 water craft with possibility to expand, this will destroy peaceful place. Plan calls for installation of log boom, little to ensure avoidance of accidents between motors and water crafts, any accidental spills of oil and gas will affect the sockeye salmon beds in channel. Suggest relocate day moorage to Kiwanis walking pier as it is a central location on beach, will avoid conflict with paddlers and swimmers, access to fabulous attractions, artist could make sign with directions to attractions to east and west;
- John Archer, Saddle Horn Drive, Kaleden, resident of area since 1997, intensive Okanagan lake user trained for Iron Man, spent hours in water, swimming in Istanbul, concern with allowing boat slip area and how to accommodate majority of users in safe way, don't understand reasoning for pier, who is going to monitor idling, pollution around boat slip and safety of general public;
- Diane Knight, Dynes Ave, when offered opportunity for comment, was not allowed to vote on no motor boats as an option;
- Diana Sterling, Riddle Road, owner of Loco Landing and Chair of Tourism Society, spoke in support of SS Sicamous Master Plan;
- Jim Cooper, President of SS Sicamous Society, support park area master plan as presented and look forward to providing more input as phasing of projects proceed. Day moorage available at site for past 20 years, not aware of any incidents, 10 km sign posted, support moving moorage away from beach to prevent erosion;
- Barb Haynes, West Bench Drive, on behalf of Lakeside Resort, Lakeside also has day slips, found safe project, opportunity to bring business in to Lakeside Resort, support master plan fully, would like to see master plan move forward in its entirety, other hotels along Lakeside Drive in full support;
- Lorraine Stephanson, Farrell Street, understand charrette held but public not invited, if public announcement was made it didn't go very far, issues with public process. Like to review things before commenting, asked to see documents, told being produced. No suggestions, no written input, did submit and didn't receive comment/receipt, plan rarely mentions comments from public, land belongs to public of Penticton, disturbs me when read term "vested" interest group, heard from businesses, here tonight to hear from public, public says No to day moorage, find a different location for day moorage, closer to walking pier;
- Dennis O'Gorman, Farrell Street, questions on process, opposed to day moorage, other sites exists. Plan is inconsistent, despite reference to 7 slips, may include opportunities for expansion, too loose a formulation to be adopted as OCP;
- Colleen Tarr, Winnipeg Street, last 13 years used the beach at Okanagan as a swimmer, over years noticed increase in oil and gas slicks on the water, tar on the sand in beach area, where coming from? No swimming sign day moorage only, appear again east of Lakeside Hotel, all the way to dog beach, day moorage already cutting into our swimming area considerably, who is going to enforce what hasn't been enforced to date.
- Randy Manuel, founder of SS Sicamous Society, both sides have been for or against moorage, hope includes some day moorage at end of rock groin, deep water, remember that the point was sandy and water has worked its way west and beach did not exist there in '51, it was marsh land, boat rental was there in 1940s.
- Jake Kimberly, Lakeshore Drive, water way Federal jurisdiction, any work will require provincial permits and in some cases federal, go through process as part of design work. Depth to area? Depth sounds were obtained, agree day moorage, some oil slicks, wouldn't want around heritage site, suggest open to heritage events only, round about concept in front of SS Sicamous, what is the surface going to be? Plaza, next phase detail design, grass to boat not appropriate. #6 tug needs public access so it can be toured;

- Rod King, Carter Road, part of process, very open, received number of emails from citizens with input, comfortable with the proposals of 5-7 slips for day moorage. What is proposed is better than what we have today, if we leave as is won't make boat issue go away, have to address this issue. Fortunate thus far hasn't been a serious accident, accommodate safer environment for swimmers, contain boats, SS Sicamous Society could monitor activities on groin, collect fees.

Mayor Jakubeit asked the public for the second time if anyone wished to speak to the application.

- Jason Cox, Spruce Drive, representing Penticton Wine Country Chamber of Commerce, on behalf of Chamber congratulate Council for vision in moving project forward, encouraged by what is proposed and can't wait for details, plan increases wildlife in area, safety for swimmers, boaters, turn area into vibrant area;
- Bruce Merit, Preston Ave, Commodore of Penticton Yacht Club, spoke in support of SS Sicamous Master Plan, there is a need for temporary day moorage;
- James Brown, Skaha Lake Road, support project in principle, two questions, placement of bus stop route, is it going to still be in front of Casa Grande? Emergency oil and gas procedures, does city have procedures to clean up spills? Have to get back with details.

Mayor Jakubeit asked the public for the third and final time if anyone wished to speak to the application.

- No one spoke.

The public hearing for "Official Community Plan Amendment Bylaw No. 2015-23" was terminated at 7:33 p.m. and no new information can be received on this matter.

Certified correct:

_____
Dana Schmidt
Corporate Officer

Confirmed:

_____
Andrew Jakubeit
Mayor

Minutes

penticton.ca

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

Monday, April 20, 2015
Following the Public Hearing at 6:00 p.m.

Present: Mayor Jakubeit
Councillor Sentes
Councillor Konanz
Councillor Martin
Councillor Watt
Councillor Picton
Councillor Sayeed

Staff: Chuck Loewen, Acting City Manager
Dana Schmidt, Corporate Officer
Mitch Moroziuk, Director of Operations
Colin Fisher, Chief Financial Officer
Blake Laven, Planning Manager
Simone Blais, Communications Officer
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 7:33 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

222/2015 **It was MOVED and SECONDED**
THAT Council adopt the agenda for the Regular Council meeting held on April 20, 2015 as circulated.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the April 7, 2015 Public Hearing

223/2015 **It was MOVED and SECONDED**
THAT Council receive the minutes of the April 7, 2015 Public Hearing as corrected.

CARRIED UNANIMOUSLY

4.2 Minutes of the April 7, 2015 Regular Council Meeting

224/2015 **It was MOVED and SECONDED**
THAT Council adopt the minutes of the April 7, 2015 Regular Council Meeting as amended to include Councillor Picton declaring a conflict of interest with item 8.14.

CARRIED UNANIMOUSLY

5. Presentations

6. Delegations

6.1 Okanagan School of the Arts – Visioning Penticton Exhibit

Jane Shaak, Shatford Centre Okanagan School of the Arts, provided Council with an overview of recent events at Shatford Centre. Ms. Shaak introduced Larry Hunter, artist who's work called "Visioning Penticton" is now the exhibit hanging in Council Chambers.

6.2 Bylaw No. 88-76

Rick Hamilton, requested Council revise Bylaw 88-76 to remove drawbow from description list for "Fireams". Drawbows are strictly for competive sport, not hunting. Events are held in a controlled environment in many other municipalities.

225/2015 **It was MOVED and SECONDED**
THAT Council direct staff to investigate removing drawbows from the Firearms Bylaw.

CARRIED UNANIMOUSLY

7. Reconsideration of Bylaws and Permits

7.1 Zoning Amendment Bylaw No. 2015-020
Re: 1473 Duncan Avenue East

226/2015 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2015-20";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2015-20".

CARRIED UNANIMOUSLY

7.2 Zoning Amendment Bylaw No. 2015-21
Re: 1028 Dynes Avenue

227/2015 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2015-21".

CARRIED UNANIMOUSLY

7.3 Official Community Plan Amendment Bylaw No. 2015-23
Re: SS Sicamous Master Plan

228/2015 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2015-23";

AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2015-23".

CARRIED UNANIMOUSLY

8. Staff Reports

Councillor Sentes declared a conflict of interest and left the meeting at 8:09 p.m.

8.1 Development Variance Permit PL2015-022
Re: 3957 Lakeside Road

Delegations/Submissions: James Brown, Skaha Lake Road, spoke in support of the Development Variance Permit.

229/2015 **It was MOVED and SECONDED**
THAT Council approve "Development Variance Permit PL2015-022" for Lot A, District Lot 190, Similkameen Division Yale District, Plan 26789, located at 3957 Lakeside Road, a permit to decrease the minimum required front yard from 6.0m to 5.5m, in order to construct a second storey on an existing home; AND THAT staff be directed to issue "Development Variance Permit PL2015-022".

CARRIED UNANIMOUSLY

Councillor Sentes returned to the meeting at 8:13 p.m.

8.2 Rocky Mountain Ridged Mussel Stewardship Agreement

Lora Nield, Senior Eocosystems Biologist, Ministry of Forests, Lands and Natural Resource Operations provided Council with an overview of the Stewardship Agreement outlining operational best management practices for the protection of Rocky Mountain Ridged Mussels.

230/2015 **It was MOVED and SECONDED**
THAT Council endorse entering into the 2015-2019 Stewardship Agreement for Rocky Mountain Ridged Mussel, as proposed by the Ministry of Forests, Lands and Natural Resource Operations Resource Management Division (Ecosystems) for Three Mile Beach Area as contained in Attachment "A"; AND THAT the Mayor be authorized to execute the 2015-2019 Stewardship Agreement for Rocky Mountain Ridged Mussel.

CARRIED UNANIMOUSLY

8.3 Section 57 Notice on Title and Injunctive Action
Re: 2385 Barnes Street and 2360 Government Street

The Planning Manager provided Council with an upate regarding the meeting that was held with staff, legal consel and both property owners on April 16, 2015. The two ownership groups agreed to resolve the matter by sharing the cost of a joint retaining wall design review to be completed by April 30th. Retaing wall work based on final design drawings to be commenced by the end of May. It is recommended that the Section 57 Notice on Title and further injunctive action be delayed until the final design and tendering review can be completed.

8.4 Zoning Amendment Bylaw No. 2015-24
Re: 325 Power Street

231/2015 **It was MOVED and SECONDED**
THAT Council give first reading to "Zoning Amendment Bylaw No. 2015-24", a bylaw to add the use 'tourist accomodation' as a site specific use on Lot 1, Plan KAP58604, District Lot 2, Similkameen Division Yale District, Group 7, located at 325 Power Street;
AND THAT a public open house be held to elicit comment from the public prior to the Public Hearing.

CARRIED UNANIMOUSLY

8.5 Sport and Event Tourism Agreement
Re: Transfer of Funds to Tourism Penticton

232/2015 **It was MOVED and SECONDED**
THAT Council approve the Sport and Event Tourism Agreement with the Tourism Penticton Society; AND THAT Council approve the transfer of funds of $55,000 from the 2015 Economic Development budget to the Tourism Penticton Society; AND FURTHER THAT Council authorize the Mayor and Corporate Officer to execute the Sport and Event Tourism Agreement on behalf of the City.

CARRIED UNANIMOUSLY

8.6 2015/2016 Conventional Transit Annual Operating Agreement

233/2015 **It was MOVED and SECONDED**
THAT Council authorize the Mayor and Corporate Officer to execute the 2015/2016 Annual Operating Agreement for the Conventional Transit System;

AND THAT the 2015 Conventional Transit Budget be amended to decrease the net municipal share by $29,000 from $911,675 to $882,525.

CARRIED UNANIMOUSLY

8.7 2015/2016 Custom Transit Annual Opertating Agreement

234/2015 **It was MOVED and SECONDED**
THAT Council authorize the Mayor and Corporate Officer to execute the 2015/2016 Annual Operating Agreement for the Custom Transit System.

CARRIED UNANIMOUSLY

8.8 Ecole Entre-Lacs Request

235/2015 **It was MOVED and SECONDED**
THAT Council refer the Ecole Entre-Lacs request to staff to develop a non-SD67 school rate pricing model and options.

CARRIED UNANIMOUSLY

8.9 Quarterly Update for period ending March 31, 2015

236/2015 **It was MOVED and SECONDED**
THAT Council receive the quarterly update on Council strategic priorities and staff departmental work plans for the period of January 1 to March 31, 2015, for information.

CARRIED UNANIMOUSLY

9. Correspondence

10. Committee and Board Reports

10.1 SOEC Select Committee Meeting of March 13, 2015

237/2015 **It was MOVED and SECONDED**
THAT Council receive the minutes of the SOEC Select Committee Meeting of March 13, 2015.

CARRIED UNANIMOUSLY

10.2 Transportation Advisory Committee Meeting of March 24, 2015

238/2015 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Transportation Advisory Committee Meeting of March 24, 2015.

CARRIED UNANIMOUSLY

10.3 Economic Development & Prosperity Task Force Meeting of March 30, 2015

239/2015 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Economic Development & Prosperity Task Force Meeting of March 30, 2015.

CARRIED UNANIMOUSLY

11. Notice of Motion

12. Other Business

12.1 Revisit Item from the March 16, 2015 Regular Meeting of Council
Re: Item 8.8 Disconnect – Reconnect Fees

13. RDOS Update

14. Business Arising from In-Camera

THAT Council direct staff to negotiate and complete the sale of a 63 m^2 portion of Lot 34, Plan 32668, municipally know as 285 Green Avenue E. to Cathy & Chris Terris for consolidation with their residential property located at 262 Greenwood Dr. at a transfer price of $3,000, with survey and legal costs paid by the purchaser and a sales agreement including disclosure and indemnity for potential ground stability and contamination issues;
AND THAT the proposed disposition of City lands be advertised pursuant to Section 26 of the Community Charter;
AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the transfer documents.

CARRIED

15. Media and Public Question Period

16. Adjournment

240/2015 **It was MOVED and SECONDED**
THAT Council adjourn the Regular Council meeting held on Monday, April 20, 2015 at 10:16 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Dana Schmidt
Corporate Officer

Confirmed:

Andrew Jakubeit
Mayor

Proclamation

penticton.ca

Mental Health Week
May 4-10, 2015

WHEREAS this awareness week, led by the South Okanagan Action Team for Mental Health alongside partners across the country, seeks to create public awareness and acknowledge the thousands of children, youth, families and individuals needing mental health support and care across Canada; and,

WHEREAS 50% of mental health issues arise before the age of 18; and,

WHEREAS it is estimated that 12.6% of children and youth aged 4 to 17 years in British Columbia experience mental illness at any given time, and of those, only 20% receive the treatment and care they need; and,

WHEREAS stigma continues to surround mental health issues, making it difficult for those who are struggling to reach out for help and compounding risks such as youth suicide; and,

WHEREAS as a community we need to work together to dispel the stigma, and afford those struggling with mental health the same acceptance, compassion and care as we do for other medical issues.

NOW THEREFORE I, Andrew Jakubeit, Mayor of the City of Penticton, DO HEREBY PROCLAIM **May 4-10, 2015** as **Mental Health Week** in the City of Penticton.

Mayor Andrew Jakubeit

Proclamation

penticton.ca

Canadian Lyme Disease Foundation's
Lyme Disease Awareness Month
May 2015

WHEREAS ticks carrying the bacteria Borrelia burgdoferi that causes Lyme Borreliosis, commonly known as Lyme disease, continue to spread across British Columbia and Canada; and

WHEREAS the number of reported cases of Lyme disease in North America continues to increase, yet the Centers of Disease Control estimate that on average there are ten missed cases for every case reported; and

WHEREAS Lyme disease is difficult to diagnose because it imitates other conditions and no reliable laboratory test can prove who is infected or bacterial-free, which often leads to misdiagnosis; and

WHEREAS early indicators of infection include flu-like symptoms, characterized by chills, headache, fatigue, muscle and joint aches and swollen lymph nodes; and

WHEREAS weeks or months later, patients with untreated or under-treated Lyme disease can suffer from serious, permanent and sometimes life-threatening damage to the brain, joints, heart, eyes, liver, spleen, blood vessels and kidneys. For this reason, it is imperative that all who develop this disease receive immediate early treatment; and

WHEREAS the best solution to the threat of Lyme disease is to educate people about the seriousness of the illness and the need to practice personal preventive techniques when engaging in outdoor activities, such as frequent tick checks, use of tick repellant and proper tick removal;

NOW THEREFORE I, Andrew Jakubeit, Mayor of the City of Penticton, DO HEREBY PROCLAIM **May 2015** as **Lyme Disease Awareness Month** in the City of Penticton to draw attention to this growing health problem and the importance of early detection and treatment by all residents.

Mayor Andrew Jakubeit

CITY OF Penticton

[redacted] penticton.ca

Request to Appear as a Delegation

Preferred Council Meeting Date: MAY 4TH, 2015

Second choice(s): MAY 19TH, 2015

Subject matter: LYME DISEASE AWARENESS

Name of person(s) making presentation:

JIM WILSON

Address: 2495 REECE RD. WEST KELOWNA, BC

Phone:

Email:

Please provide details of your presentation:

SEE ATTACHED

Please note:

- This form and its content is part of the public record.
- Written copies of your submission must be presented to the Corporate Officer by 9:30 a.m. on the Wednesday before the meeting either by email, fax or in person.
- PowerPoint presentations must be emailed no later than 9:30 a.m. the date of the meeting. We recommend you bring backup PowerPoint files with you on a memory stick.
- Delegations are limited to 5 minutes.

Corporate Office
Dana Schmidt, Corporate Officer
171 Main Street, Penticton, B.C., V2A 5A9

Phone: 250-490-2405
Fax: 250-490-2402
dana.schmidt@penticton.ca

Canadian Lyme Disease Foundation
2495 Reece Rd., Westbank, BC V4T 1N1
Ph: 250-768-0978 Fax: 250-768-0946
Charitable Reg # 864437603RR0001
www.CanLyme.com

March 18th, 2015

Dana Schmidt,
Corporate Officer
171 Main Street,
Penticton, B.C.,
V2A 5A9

Dear Ms Schmidt,

As you may have already heard, Lyme disease is a growing concern affecting citizens of many municipalities not only in Canada and the USA, but throughout the globe.

On August 19th, 2013 the United States Center for Disease Control issued a press release indicating that they had been under-reporting the actual incidence of Lyme Disease ten-fold for years. Instead of there being 30,000 cases per year, the number is actually 300,000 cases per year.

In Canada, we are still identifying new strains of the bacteria that cause Lyme Disease for which there is no human test yet available.

In order to raise awareness and increase the level of preventative measures each individual and community can take to greatly reduce the risk of exposure, May has been proclaimed as Lyme awareness month. Steps taken, as simple as landscaping design changes, can lessen the risk to humans, and municipalities can build safe design into their planning of parks, sidewalks, and other public areas. Those steps, coupled with individual preventative measures can allow us to continue to enjoy the out of doors safely. Awareness is the largest aspect of prevention.

On behalf of those affected families within your jurisdiction we ask that Penticton city council support the Canadian Lyme Disease Foundation in its awareness campaign by officially proclaiming May as Lyme disease awareness month in the City of Penticton.

Thank you for your valuable time.

Yours sincerely,

Jim M. Wilson
President

RECEIVED
APR 2 0 2015 11:34am

penticton.ca

Request to Appear as a Delegation

Preferred Council Meeting Date: Mon. May 4, 2015

Second choice(s): —

Subject matter: City Power extra-billing for postage

Name of person(s) making presentation:

Jean Mitchell

Address: #307-390 Brunswick St. **Phone:**
Penticton B.C V2A5R1 **Email:**

Please provide details of your presentation:

I wish to give a short over-view of the commotion this charge has caused regarding the City's forcing many citizens to completely (or partially) change their ways regarding invoice receiving and payments. The $1 for postage is 1 issue; the switching to e-billing; on-line banking; communication via e-mail etc is the other issue. Along with my talk, I will be presenting a Petition. I will not be requiring a computer, but will note the following points on this form.

Please note:

- This form and its content is part of the public record.
- Written copies of your submission must be presented to the Corporate Officer by 9:30 a.m. on the Wednesday before the meeting either by email, fax or in person.
- PowerPoint presentations must be emailed no later than 9:30 a.m. the date of the meeting. We recommend you bring backup PowerPoint files with you on a memory stick.
- Delegations are limited to 5 minutes.

Corporate Office
Dana Schmidt, Corporate Officer
171 Main Street, Penticton, B.C., V2A 5A9

Phone: 250-490-2405
Fax: 250-490-2402
dana.schmidt@penticton.ca

INTRO: Mayor, Councillors, members of the press, & members of the public. Thank-you for giving me the opportunity to speak to you tonight regarding the City's decision to extra-bill ***certain of its customers*** a one dollar postage charge in order for us to receive our billing invoice in the mail for each months' power usage.

Power purchased by the City's Utility from FortisBC at wholesale rates is then re-sold, at retail rates to Penticton's residential, commercial & industrial customers within the city through medium voltage distribution & substations.

Currently there is also major upgrading being done, an initiative by ***FortisBC*** to provide 12V capacity to areas who currently make-do with 8V. We users found out the hard way what happens to thousands who are stranded for hours on high floors in their buildings simply because a bird caused a glitch in the system at one of its substations; power came to a halt, & elevators did not work. Those individuals, like some of those protesting this Buck, were not able to walk the stairs; neither down nor up

SOURCE: LET'S TALK ABOUT REVENUE: Points to consider:

1. Need. Power is an important part of our daily lives—all of us. Everyone. It's what we all have in common! It's a necessity of life!
2. Revenue. ***Revenue generated*** from **ELECTRICAL SALES** goes into "General Revenue" & is to be used ***firstly*** to

cover **costs** associated with **running the utility**, & ***secondly*** the ***remaining*** revenue provides an ***ANNUAL DIVIDEND*** to the City, which is used to fund ***CAPITAL PROJECTS***. If these guidelines aren't adhered to then it becomes a misappropriation of funds.

3. We want facts: ***We the customers*** want to hear the figure the City of Penticton received in ***Gross Revenue*** from its Utility for the 2014-15 budget year; we'd like to know **what %** of that gross amount went into the annual dividend. Did $183,000 really go to postage for mail notifying customers of what they owe throughout that budget year? **What %** of the 2014-15 Gross Revenue went to the mailing of invoices?
    a. Those figures should be readily available to we the customers. We shouldn't have to go to the local library & research PDF after PDF to find that financial information. ***The buck must stop here***! We are not about to pay you a buck to deliver to us an invoice which is a request for payment to you!

A website I visited recently listed cost of postage for 2012. This brings up the question how much of that cost was labelled postage & attributed during budget deliberations as mailing invoices, & how much was considered mailing the Newsletter, or even creation of that Newsletter. Which brings us to a

totally different cost which is unassociated with the cost of doing business for the Utility.

The whole point of bringing up the 2011 site is that it is online, it is about the City of Penticton, & it is not current/not updated. This doesn't even take into consideration the users that are commercial or industrial. On your website we need to see actual figures, not flowery words such as 'vibrant' , etc etc.

****

Let's get back to postage for a minute:

A few weeks ago, I received in the mail a ***mandatory notification*** of a planned power outage. That notification was 3 pages long, & included a very detailed, color-coded map. The postage stamped paid by the City was 77 cents. The reason for that Notification of Planned Power Outage is because it is **mandatory to notify each** resident &/or tenant who will be affected by that Planned Power Outage. The notification is required by law. Penticton Electric Utility must abide by the law!

****

Now on to prior & current Budget Deliberations: During current budget deliberations the City seems to have committed a total of $183,000 of the Utility Co.'s anticipated ***annual dividend*** money to a budget item or items listed as an expense to the City in 2015-16 budget, an anticipated allotment to be used for something unknown to the public at this time. (It's anybody's

guess! The possibilities could be endless.) Could even be the #5 Bus service on Sunday's!

Those are ***NOT*** items to do with cost of doing business of the Utility. They are new items projected to come out of 2015-16 General revenues, to pay for expenditures the City has planned that are in excess of their current revenues. In other words, the $183,000 is "found" money. You know, if everybody pays up the **BUCK** (willingly or not) that frees up the expense. The Power Co's money is now a "***Windfall***" rather than a "***Postage Expense"***! It looks to me very much like the City may have wanted to "rob Peter to pay Paul"; & they instead have inadvertently stumbled upon "found money" – ie. If they don't have to pay costs of postage (estimated to be 183,000 again in 2015, then that amount is a ***'gift'*** that can be used for anything they feel like using it for. For instance, pay down part of the debt still owing by Boonstock. Suddenly we have ***costs associated with running the Utility*** now appearing as an ***$183,000 gift*** that goes into ***the slush fund*** for Council to disperse (yes scatter) or perhaps dispense (hand out; get rid of...) as they see fit. (Please refer to Moroziuk on the "Sunday Service" Penticton Herald page A3 article in the April 23/15 edition. It's clear in the wording, re reserve funds.

#1. WHICH BRINGS US TO ***THE DOLLAR THEY WANT TO DING US!*** This is not about being green. It's not about saving trees.

It's not about caring for Mother Earth. It's plain old simple math.
If they don't have to use $183,000 of the pot of gold the resale of Fortis power at retail rates generated, then they can have the $183,000 for something else. (***Have their cake & eat it too***!)

#2 PROBLEM IS: **The Result** = this: Power customers' annual income levels range from poverty level right up to likely Millions.
More than 50% of Penticton's residents however, are Seniors. A great number of Penticton's working population are the working poor. Jobs are often seasonal. I've been there, done that. I know. Chances are the lower the income, the less likely a household can afford to go "on-line'. Though many Seniors are healthy & active community members, there are just as many who are not mobile, do not & never will desire to be computer savvy, nor do they trust or want to deal with financial matters with the click of a mouse, the tap of a screen or have an automatic payment come off their bank account with no idea what they're paying for nor how much the payment is. ***Most of us want a piece of paper with all the info we need***.
And 'us' doesn't just mean Seniors! We want all the information a Utility is required by law to provide us. ***We want it our way, not your way!***

Manner of Infliction:

#3 Which brings us to the manner in which this about-face has been inflicted upon us. It's unpleasant, it's a nuisance & for many of us it can be downright painful. I strongly advise each of you, before you suggest we tootle off to the Library, go there yourself, anytime, any day, unannounced & without a heads up with a phone call or email. You may be shocked with the reality!

Predatory Business Practices:

While it's fine for the Electrical Utility to ***suggest*** different ways of making payments, it is NOT fine to ***demand or else***. Demand the no invoice in the mail, or else pay up with the postage money. (Please refer to City of Penticton ***Newsletter*** for ***March 2015*** & City of Penticton ***Newsletter*** for ***April 2015***. Please note the key words…. The Newsletters have everything to do with this whole issue of the **BUCK.**

"Kind to environment; easier for residents; e-bills are available….; customers benefits don't just stop there….

Now, drag screen over to the left, exposing the brown column on the right entitled "Council Highlights".

It says: ***A utility rate review is approved to analyze revenues, expenditures, reserve balances and projections, and how rates could affect customers***. WHO KNEW??? That, in a nutshell, says exactly what I've been talking about! This Newsletter talks out of both sides of its mouth! The prior 2 items on same page!

Now fast forward to City of Penticton Newsletter of April 2015. It says: Suddenly it's: **Due to increases in the cost of postage**, the City of Penticton will be **implementing** a postage fee.....require bills mailed to them. ..... ***Don't ...
The words are ones I've highlighted on my picture of that Newsletter that was mailed to me in with my invoice. I'm sure you will be able to bring up that on your own screen & re-read what it says.
Just look at the beautiful, coloured picture accompanying this declaration! Happy elderly politically correct couple, with the woman doing the work on computer—going on-line overjoyed with the fact that they've just received an e-bill (in their private e-mail inbox) telling them what's owing. And WOW, they've just saved a Buck! <u>And if we want the Newsletter – that's included too!</u>
In reality you haven't saved a cent. You can't save something you didn't have in the first place. The City of Penticton has robbed the rest of us—they've robbed Peter to Pay Paul--& myself along with the rest of the signatories on a petition plus hundreds, no, thousands, of others who haven't yet signed on the dotted line do not want to be Peter! Now I want you to know that this newsletter is junk mail. It's admail. It's advertising that's slipped by the "No Junk" Canada Post card in my own mailbox, & those of thousands of others who do not wish to receive junk. The reason it slips by? The City is using us.

It's using their Utility Mailing list for their own purposes. It's technically illegal. And I have proven that with my own battle with Shaw Cable several years ago. I have a photo showing how my Cable Bill envelope looks now when it arrives. The outside of the envelope says Your Invoice Is Enclosed. There is no junk, no advertising, ever, enclosed.

Lastly: this brings us to the information we **do** receive currently on each month's invoice. The facts are good. They're measured; they're read & they're tabulated. They provide useful information about our payment that originates on a spread-sheet. But when converted to the City's idea of graph, they become meaningless. The bars on the graph should refer to billing periods. Instead they have months of the year. If you examine it (read backwards ie from right to left. On my bill, I have to read from right to left. Backwards bars read Jan14 Feb14 etc. through to Dec14; then Feb15. That's right. No month of Jan15. Another person I spoke with is missing a month of Oct14! Further, none of the bars on your graphs refer to the month indicated. They all pertain to the billing period **prior.**

Petition:

Re the petition, Significant Numbers. It's not the quantity it's the quality of the signatories. Those who have already signed represent a general feeling; a concensus. It's just the tip of the iceburg. Everyone tells me, "Thank you for doing this". It's been

pointed out to me that there is a need to keep this petition going. So I will.

Conclusion: We don't have to come up with an alternative to the BUCK! You do! ***Stop the Buck***

Then go back to the drawing board. It's you who we elected to do that job.

Thank you for your time. I'm tired & sore. My voice sounds like the Three Billy Goats Gruff, but when I awake each morning & move the block on my Snoopy calendar, I always agree with the saying at it's base:

"HAPPINESS IS A NEW DAY"

March 2015

CITY OF Penticton

March 2015

our vision

Penticton is a vibrant, innovative, adventurous waterfront City focused on sustainability, community and economic opportunity.

Economic spotlight: Success with innovative partnerships

After forging a new partnership, two Penticton companies are creating new unique products – an overlooked business opportunity that helps drive sales and increase awareness.

The People's Crafthouse in Penticton produces a line of craft sodas and beverages. After talking to the owner of Burger 55, People's Crafthouse recognized a joint opportunity to customize their products to fit the taste and food sold by Burger 55.

The two firms teamed up to develop a craft soda for Burger 55. Like all the People's Crafthouse beverages, its made from natural ingredients like water, sarsaparilla, sassafras, molasses, licorice root, cinnamon and vanilla bean. It's exclusive, meaning only Burger 55 patrons can enjoy this unique soda.

The result? Increased demand for People's Crafthouse beverages from retail customers at their Fairview Road location, a great option at Burger 55 in addition to interest from restaurants across BC. That's what you can call a sweet partnership.

Council Highlights

- Bill Bidlake, President of the Penticton 2016 BC Winter Games Board of Directors, provides an update as the Board of Directors is announced and planning is underway.
- Council supports the City's application to the Building Canada Small Communities Grant for the upgrading of Main Street from Lakeshore Drive to Nanaimo Avenue.
- City's Five Year Financial Plan bylaw passes, including a 1.3% increase to cover a $326,230 shortfall. This follows on the City of Penticton's trend of keeping tax increases low and under Consumer Price Index (CPI) figures on inflation.
- Penticton Disc Golf Club is granted a licence to use an 18-hole course at Three Blind Mice (1400 Riddle Rd.) for five years.
- A utility rate review is approved to analyze revenues, expenditures, reserve balances and projections, and how rates could affect customers.

Save on paper, postage by signing up for monthly e-bills

Being kind to the environment just got easier for Penticton residents, as monthly e-bills are available for utility customers.

The City of Penticton invites Electric Utility customers to sign up for electronic bills, which arrive each month in PDF file format directly to the customer's email inbox.

To take advantage of the completely electronic system, customers need to register with MyCity by visiting **http://mycity.penticton.ca** and sign up for the service. Once they have created a MyCity account and successfully activated it, the customer needs to click on register an account and then select account type "Utility." The customer enters the account code on the monthly bill and click "Register." From there, click the registered account and then on the tab that says "eBills" on the side menu, and select desired method of delivery, mail or e-billing.

The benefits don't just stop there. MyCity accounts also allow property owners to view property tax notices, once they have registered their tax folio number to the account.

Have questions? Call 250-490-2489 for email utilities@penticton.ca.

Meet your Council

MAYOR Andrew Jakubeit

COUNCILLORS

Helena Konanz
Andre Martin
Max Picton
Tarik Sayeed
Judy Sentes
Campbell Watt

Want to contact your elected officials? Call 250-490-2400 and you will be connected, or visit www.penticton.ca/contactcouncil to send them an email.

Keep an eye out: Spring Rec Guide coming soon!

We're anxiously awaiting the next Spring-Summer edition of the Rec Guide – coming to the Penticton Community Centre this month.

Stay tuned for details on Bugaboo U – one of the most fun programs to hit Penticton designed to engage our youngest family members.

April 2015

CITY OF Penticton

Monthly

Avoid the postage fee & sign up for electronic bills

Due to increases in the cost of postage, the City of Penticton will be implementing a postage fee for utility customers who require bills mailed to them.

Effective May 1, 2015, electrical customers who receive a hard-copy bill by mail will be required to pay a $1 postage fee.

Customers who sign up for electronic bills will not have to pay the $1 postage fee.

St
w

The
Recr
Buga
newe
addit
educa
the in
amon
memb

Enrol
Unive
the S
by an
Buga
com
cent

Signing up for e-bills is easy!

Don't have a computer? That's OK, the Penticton Public Library has five computers available for internet browsing in one-hour increments to a maximum of 120 minutes per day. This service is available for holders of valid library cards. Printing is available for only 25 cents per page. USB devices may be used on these computers to save the file for later.

Have questions? Call 250-490-2489 for email utilities@penticton.ca.

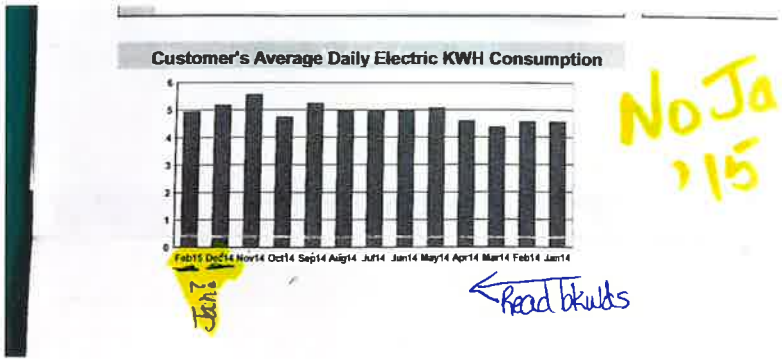
Result with "junk mail" battle with Shaw

Shaw)

Shaw Cable
P.O. Box 2285
Edmonton, AB. T5J 5C8

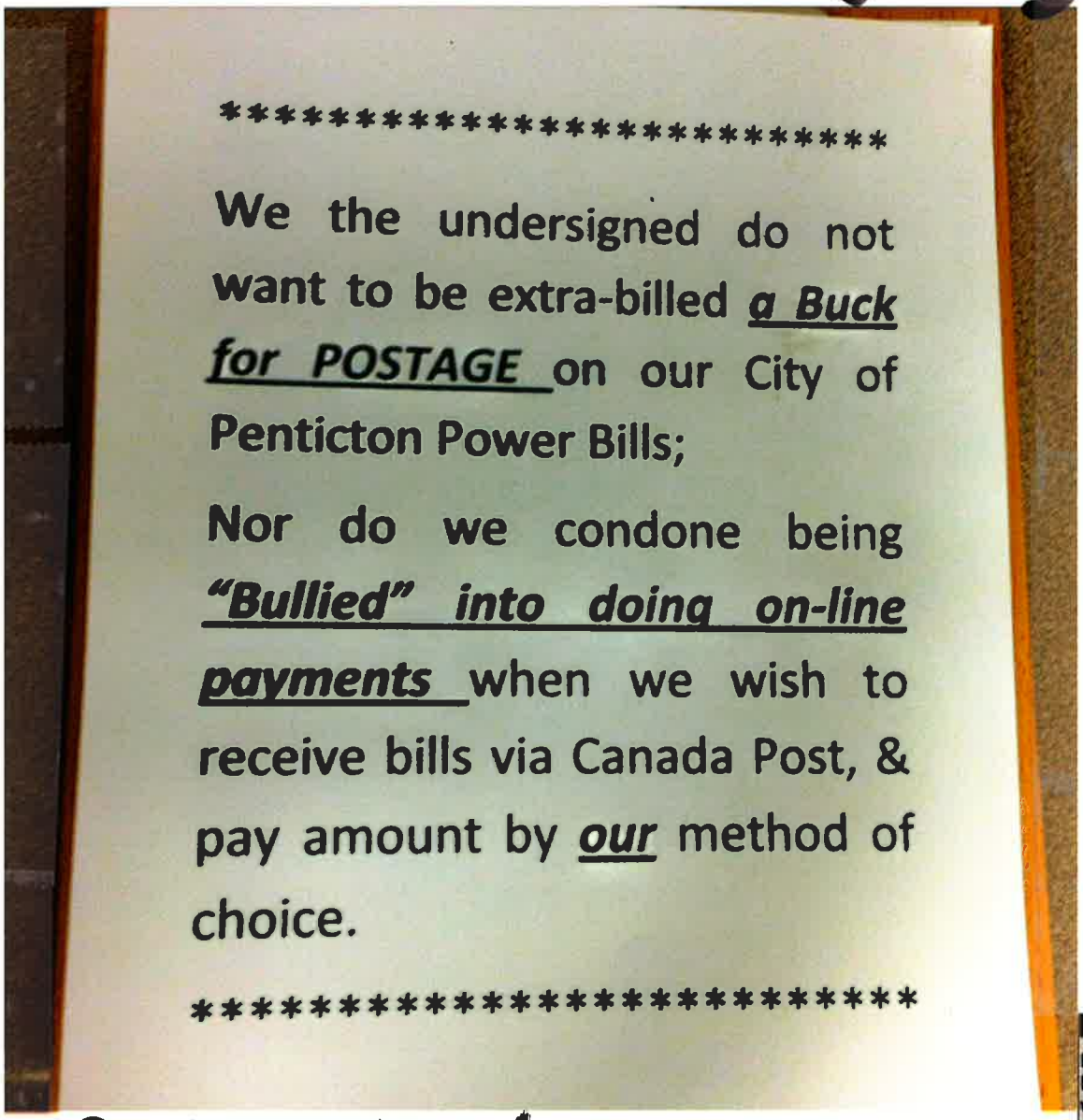
Your invoice is enclosed.

Above: Yes, it CAN be done!



eg. of my City Power graph

Petition is on-going



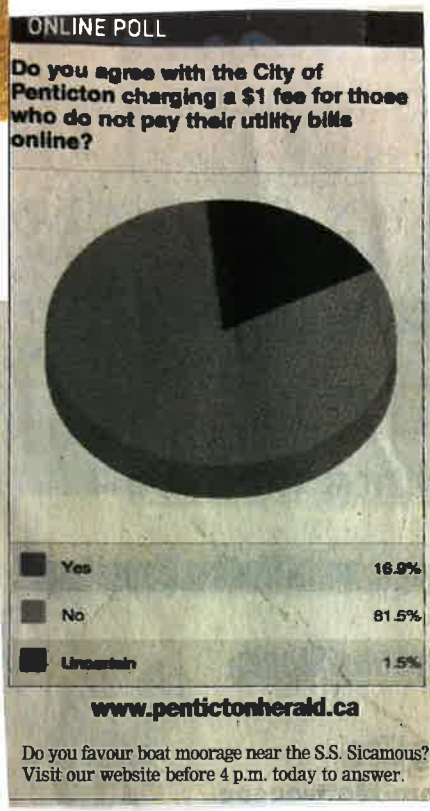
****

We the undersigned do not want to be extra-billed ***a Buck for POSTAGE*** on our City of Penticton Power Bills;

Nor do we condone being ***"Bullied" into doing on-line payments*** when we wish to receive bills via Canada Post, & pay amount by ***our*** method of choice.

****

Collected by hand



"...the money...is a surplus..back into general"

...for the ... mains.
June 10 appearance. ... is the gr... and ...her of Lodie's young son.

No Sunday service for No. 5 bus

Proposed Sunday bus service for Route No. 5 in Penticton won't be offered this summer.

City council had budgeted for the lake-to-lake route in January, but B.C. Transit has since announced it won't be receiving any more funding from the provincial government, resulting in all service remaining status quo.

Director of operations Mitch Moroziuk told council on Monday that no cuts are being made to service but the anticipated Sunday route won't happen.

In an interview, Moroziuk said the money in the budget for Sunday service is a surplus and will now go back into the general fund for any potential shortfalls in other departments.

— *Penticton Herald*

Didn't 55,000 originate in Utility Surplus?

residents, and to promote them in tandem, the council supported funding for a new Sport and Event Tourism agreement.

Council agreed to support the agreement with $55,000 in funding from the 2015 Economic Development budget. The Penticton Hospitality Association pledged $40,000 in support, which was contingent upon council's support.

"In 2015, budget was allocated towards economic development, in particular to stimulate growth in number of events and participation; leverage it into resident recruitment," said economic development officer Colleen Pennington. "You're feeding a much bigger opportunity for the City of Penticton – one that ... us to differentiate

CITY OF Penticton

penticton.ca

Request to Appear as a Delegation

Preferred Council Meeting Date: 4 May 2015

Second choice(s): _19 May 2015

Subject matter: Update on progress on conservation and rejuvenation of Penticton oxbows

Name of person(s) making presentation:

Rick McKelvey

Address: _550 Wade Avenue East____ **Phone:**

_____ **Email:**

Please provide details of your presentation:

A presentation was made to Council May 2014 which resulted in the City supporting the efforts of the Friends of the Oxbows to rejuvenate the Penticton oxbows, specifically by installing a silt interceptor on Brandon Ave. Further work is planned this summer to remove silt from the Brandon Ave oxbow and to replant riparian vegetation, to improve water quality, and enhance habitat for indigenous and in some cases endangered species. The proposed presentation will provide a back- ground on who and what the Friends of the Oxbows are and have done, and where we plan to focus our efforts in the immediate future. We believe these remnant wetlands are valuable nature resources that also have social and economic value, and we are seeking continued support of Mayor and Council in our endeavours to increase public awareness of this asset. Our ultimate aim is to maintain and where possible enhance the natural functions of these wetlands, within the city environment, to help further showcase the natural features of the City.

Please note:

CITY OF Penticton

penticton.ca

Request to Appear as a Delegation

Preferred Council Meeting Date: May 4, 2015

Second choice(s): May 19, 2015

Subject matter:
1st Delegation – Update on local and regional health programs and services
2nd Delegation – Update on Healthy Communities Initiative

Name of person(s) making presentation:

1st Delegation – Lori Motluk, Health Service Administrator
2nd Delegation – Betty Brown, Community Health Facilitator

Address: _____ **Phone:** Contact: Lannea Parfitt, Mgr, Community Engagement

_____ **Email:**

Please provide details of your presentation:

Note: We are requesting two delegations at the same council meeting. Both will have PowerPoint presentations to share about their respective topics.

Please note:

- This form and its content is part of the public record.
- Written copies of your submission must be presented to the Corporate Officer by 9:30 a.m. on the Wednesday before the meeting either by email, fax or in person.
- PowerPoint presentations must be emailed no later than 9:30 a.m. the date of the meeting. We recommend you bring backup PowerPoint files with you on a memory stick.
- Delegations are limited to 5 minutes.

The Corporation of the City of Penticton

Bylaw No. 2015-21

A Bylaw to Amend Zoning Bylaw 2011-23

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2011-23;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw 2015-21".

2. **Amendment:**

2.1 Zoning Bylaw 2011-23 Schedule 'A' is hereby amended as follows:

Rezone Lot 26, District Lot 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1017, located at 1028 Dynes Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	7	day of	April, 2015
A PUBLIC HEARING was held this	20	day of	April, 2015
READ A SECOND time this	20	day of	April, 2015
READ A THIRD time this	20	day of	April, 2015
APPROVAL from Ministry of Transportation	23	day of	April, 2015
ADOPTED this		day of	, 2015

Notice of intention to proceed with this bylaw was published on the 10 day of April, 2015 and the 15 day of April, 2015 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

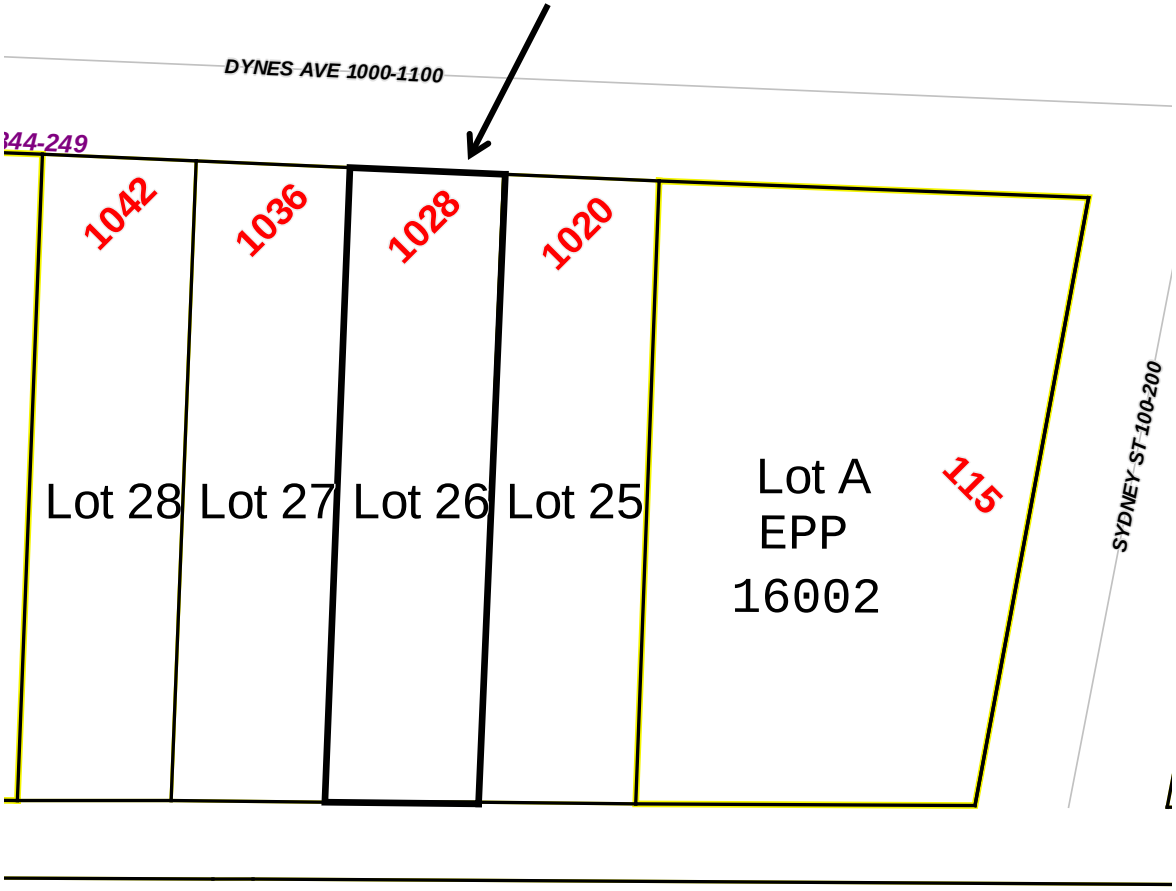
Approved pursuant to Section 52(3)(a) of the *Transportation Act* this 23 day of APRIL, 2015

for Minister of Transportation & Infrastructure

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

To Rezone 1028 Dynes Avenue
From R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2015-21

Date: _____ **Corporate Officer:** _____

Council Report

penticton.ca

Date: May 4, 2015 **File No:** DVP PL2014-094
To: Chuck Loewen, Interim City Manager
From: Lindsey Fraser, Planner I

Address: 4013 Lakeside Road

Subject: **Development Variance Permit PL2014-094**

Staff Recommendation

THAT Council approve "Development Variance Permit PL2014-094" for Lot 18A, Block 209, District Lot 190, Similkameen Division Yale District, Plan 466, located at 4013 Lakeside Road, a permit to decrease the minimum required side yard setback (north) from 1.2 m to 0.1 m, in order for a portion of the semi-constructed garage to be reconstructed, finished and come into conformance with City regulations.

AND THAT staff be directed to issue "Development Variance Permit PL2014-094".

Background

The subject property (Attachment 'A') is located along Skaha Lake in a low density, residential area of the city. The property is zoned R1 (Large Lot Residential) and is on the waterfront.

The property owner began constructing a garage in 2013 but failed to fully establish the property lines of his property and, subsequently, built the accessory structure too close to the north property line. Furthermore, the eaves of this structure extend past the property line onto the neighbouring property.

The applicant received a "stop work order" on July 4th, 2014. Since then, the Planning Department has worked with the applicant to come up with a solution, part of which is to seek Council's approval in reducing the side yard setback. Additionally, the applicant will be required to remove the eaves that extend into the neighbour's property.

Proposal

The applicant is requesting a development variance permit to vary the following section of Zoning Bylaw 2011-23:

- Section 10.1.2.6.ii: Decrease the minimum side yard (north) setback of an accessory building from 1.2m to 0.1m

Financial implication

N/A

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. In order for the north wall of the garage to conform to BC Building Code, a wall with a 45 minute rating will need to be installed. This item has been communicated to the applicant.

Analysis

Approve

In 2011 a variance was granted for this property, reducing the required front yard setback from 7.5m to 2.0m, thus allowing a garage to be built on the property. When planning his garage with these parameters, the applicant decided to use a pre-existing retaining wall as the foundation for the northern side of the garage. An engineer's report confirmed that, structurally, the retaining wall could be used.

After using the retaining wall the applicant discovered that the garage was situated too close to the property line and, in fact, overhung the property line.

The owners of the property onto which the eaves overhang (4009 Lakeside Road) have been willing to work with the applicant to find a resolution. They have kindly provided a letter stating that if the eaves are removed, they have no further objections to the variance being requested. Since this letter was provided, it is believed the house may have sold. This letter may not speak to the opinions of new owners, but it is hoped that information on this issue would have been transferred to new property owners.

The garage is next to a parking area for 4009 Lakeside Road, and does not directly interfere with sight lines, access, or other siting concerns. As such, Staff feel that the variance being requested is reasonable and recommend that Council support the variance and direct staff to issue the permit.

Deny

Council may feel that the variance is not justified and that the property owner should locate the structure in a way that conforms to the bylaw. If that is the case, Council should deny the variance. Alternatively, Council may wish to refer the application back to staff to work with the property owner in determining a more appropriate design for the accessory building.

Alternate recommendations

THAT "DVP PL2014-094" be denied.

THAT "DVP PL2014-094" be approved with conditions.

Attachments

Attachment A – Subject property location map
Attachment B – Images of subject property
Attachment C – Letter from applicant's agent
Attachment D – Letter from neighbour
Attachment E – Draft DVP

Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

Interim Director	Acting City Manager
BL	*MM*

Attachment A – Subject Property Location Map

Figure 1: Subject property highlighted in blue

Attachment B – Images of Property

Figure 2: Aerial photo of subject property, showing garage location

Figure 3: Looking west at front face of building

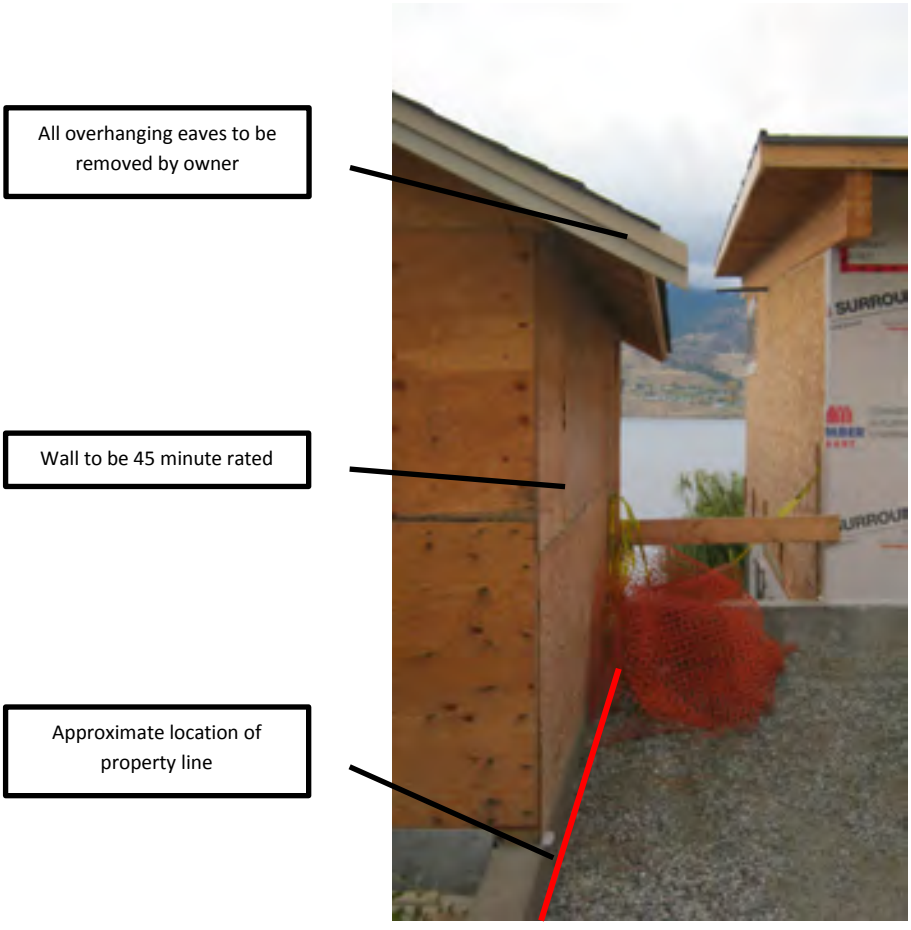


Figure 4: Looking west between 4013 and 4009 Lakeside Road

Attachment C – Letter from Applicant's Agent

Steven J. Buzikievich
Land Surveying (2013)Inc.
BRITISH COLUMBIA LAND SURVEYOR
CANADA LANDS SURVEYOR
34 Nanaimo Avenue East
Penticton, B.C. V2A 1L9
Phone (250) 492-0559 Fax (250) 492-9851

October 28, 2014 File: 11-009

City of Penticton
Planning Department
171 Main Street,
Penticton, BC.
V2A 5A9

Dear Sirs:

RE: DEVELOPMENT VARIANCE PERMIT APPLICATION – 4013 LAKESIDE ROAD, PENTICTON, BC – Owner: Mr. Paul Singla

The rational of submitting a Development Variance Permit Application on the "Garage Under Construction" on this property while there has already been a "Development Variance Permit" granted on this property for the garage location. Is that the garage was inadvertently built too close to the existing property lines. Please see the attached Sketch Plan to accompany this application.

From what I have been able to discern is that in the planning stage of this garage an engineer was hired to design the garage for structural purposes. On the engineers inspection of the property he saw an existing retaining wall on the north side of the property.

Somehow, it was suggested, decided or asked if the existing retaining wall could be used for the north foundation wall of the proposed garage. The garage was designed to use that wall. Apparently, with no consideration of where this existing retaining wall was in relation to the property lines and the granted Development Variance.

This non-compliance with the granted Development Variance was discovered by me when asked by the owner to prepare A British Columbia Land Surveyors Certificate of Location on the garage under construction.

From discussions with the owner the costs to have this garage moved to comply with the granted Development Variance would be substantial, as it would have to be removed, a new foundation built and then the garage rebuilt on the new foundation.

On behalf of the owner I request the consideration of a Development Variance Permit so this garage under construction may remain in place.

Yours truly,

Steven J. Buzikievich Land Surveying (2013) Inc.
Per: Steven J. Buzikievich B.C.L.S., C.L.S.
2011-009letter2.doc

The letter by Mr. Buzikievich refers to the variance granted in 2011. The issue with the side yard variance, however, is unrelated to this previously granted variance.

Attachment D –Letter of Support, 4009 Lakeside Road

Jonathan and Tanya Bowman
9809 Gould Ave
Summerland BC
V0H 1Z8

11 September 2014

To Whom It May Concern:

Re: Garage at 4013 Lakeside Road

As property owners at 4009 Lakeside Road in Penticton, we would like to state that we have no objection to the current location of the garage that has been recently constructed just to the south of our property at 4013 Lakeside Road. We understand that the current garage eaves overhang will be modified so as to not cross the property line and the walls will meet fire code regulations. Other than that, we have no objections to its current location.

Yours sincerely,

Jonathan Bowman

Tanya Bowman

Attachment E – Draft DVP

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Variance Permit

Permit Number: DVP PL 2014-094

Name
Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:

   Legal: Lot 18A, Block 209, District Lot 190, Similkameen Division Yale District, Plan 466
   Civic: 4013 Lakeside Road
   PID: 012-323-080

3. This permit has been issued in accordance with Section 922 of the *Local Government Act*, to vary Section 10.1.2.6.ii of Zoning Bylaw 2011-23 to decrease the minimum side yard (north) setback of an accessory building from 1.2m to 0.1m, as shown in Schedule A.

General Conditions

4. In accordance with Section 928(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

5. In accordance with Section 926 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the _____ day of _____, 2014

Issued this _____ day of _____, 2014

_____
Dana Schmidt,
Corporate Officer

Page 2 of 2


SKETCH PLAN TO ACCOMPANY A DEVELOPMENT VARIANCE PERMIT APPLICATION FOR THE GARAGE UNDER CONSTRUCTION ON LOT 18A, BLOCK 209, DL 190, SDYD, PLAN 466
CIVIC ADDRESS: 4013 LAKESIDE ROAD, PENTICTON, BC
SKAHA
LAKE
18
PLAN 466
209
SRW
PLAN A2840
BLOCK
18A
PLAN 466
PLAN EPP44578
EASEMENT
GARAGE UNDER CONSTRUCTION
EXISTING HOUSE
LAKESIDE ROAD
A
PLAN 19684
SCHEDULE A
DVP PL2014-094
ALL DIMENSIONS ARE METRIC
SCALE 1 : 250
FILE: 11-008E

Council Report

penticton.ca

Date: May 4th, 2015 **File No:** DP PL2015-011; DVP PL2015-012
To: Chuck Loewen, Interim City Manager
From: Lindsey Fraser, Planner I

Address: 152, 168, & 184 Power Street

Subject: **Development Permit PL2015-011 and Development Variance Permit PL2015-012**

Staff Recommendation

Development Permit

THAT the application for development permit approval for the construction of 15 townhouse style strata units on Lots 6,7 and 8, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 3979, located at 152,168, and 184 Power Street; and, be supported by Council;

Development Variance Permit

AND THAT Council approve "Development Variance Permit PL2015-012" for 152,168, and 184 Power Street, a permit to decrease the minimum interior side yard (north) from 4.5m to 3.0m and decrease the minimum rear yard from 6.0m to 3.0m in order to construct a 15 unit townhouse complex on the site;

Additional Recommendations

AND THAT Council pass a Section 939 "excess and extended services" resolution requiring the following additional works not required by Subdivision and Development Bylaw 2004-81:

- The design and construction of the lane for the full width, adjacent to the subject property in both the south and east lanes, as a condition of the building permit;
- The installation of a hydrant on Power Street, in a location approved by the Public Works department; and
- The design and construction of the sidewalk along the frontage of the property to an enhanced standard as shown on the drawings submitted with the development permit application including landscaping and boulevard trees.

AND THAT that a 3m x 3m corner cut at the intersection of the alleys, at the southeast corner of the development lands, be dedicated and registered with the land titles office at the developer's expense.

AND FURTHER THAT staff are directed to issue DP PL2015-011 and DVP PL2015-012 upon consolidation of the three properties.

Background

The subject lands (Attachment 'A') involve three properties, which are all designated by the City's Official Community Plan (OCP) as MD (Medium Density Residential) and are all zoned RM3 (Medium Density Multiple Housing). The intent of the applicant is to consolidate the properties and develop a 15 unit strata townhouse development in three phases. Both the OCP and zoning designations support the housing type being proposed on this property.

These properties, located behind the Villa Rosa restaurant, have long sat vacant. Aside from several bylaw complaints regarding overgrown weeds and trees on the property, the only historical information on the lots is with respect to the demolition of a small house in 2000 and the building of said house in the 1960s. Today, the lots are dotted with large, mature evergreen and deciduous trees. The properties were recently acquired by a local developer with the intent of creating a development that took advantage of the park-like quality of the lot. The developer, along with CEI Architecture, have developed a design scheme for a 15 unit townhouse complex that locates units around the perimeter of the lot, leaving a central, private courtyard for the residents. The developer has included an arborist's report detailing which trees are healthy enough to be preserved (outside of the building footprints).

The site presents a number of challenges, especially considering the unique arrangement of the townhouses along the alley. Additionally, the unique arrangement calls for particular attention to be paid, by the developer, to the streetscape along Power Street and in the lanes. As a result, Council will notice a number of recommendations that relate to addressing this uncommon design.

The design being proposed includes eight units with double garages and 7 with single garages. All units are three bedrooms, and have access to rooftop terraces.

Proposal

The applicant is requesting development permit approval to develop a 15 unit townhouse complex on the subject property. The applicant is also requesting a variance to the following sections of Zoning Bylaw 2011-23:

- Section 10.9.2.7.i: To decrease the minimum interior side yard setback from 4.5m to 3.0m; and
- Section 10.9.2.8: To decrease the minimum rear yard setback from 6.0m to 3.0m.

Financial Implication

Passing the extended services resolutions will require the developer to install a public hydrant and make lane and frontage upgrades/improvements. If Council does not pass the extended services resolution, the developer will only be required to do frontage upgrades to a minimal level and only upgrade the lane to the halfway point, and not install a hydrant. The City would then either be responsible for the costs incurred to complete the works or leave the lane in a substandard condition and not install the hydrant. It is estimated that the costs of these works would be between $55,000 and $70,000. The developer has offered to provide these works and is in agreement with Staff's recommendations.

Development Statistics

The following table outlines the proposed development statistics on the plans submitted with the rezoning application:

Item	Requirement RM3 Zone	Provided on Plans
Minimum Lot Width:	25m	64m
Minimum Lot Area:	1400 m2	5134 m2
Maximum Lot Coverage:	50%	38%
Maximum Density:	1.2 FAR	0.6 FAR
Vehicle Parking:	1 per unit + 0.25/unit for visitors	1.25 ++
Required Setbacks: Front yard (Winnipeg St): Side yard (north): Side yard (south): Rear yard:	 3.0m 4.5m 4.5m 6.0m	 3.0m 3.0m variance required 4.5m 3.0m variance required
Maximum Building Height:	18m	7.5m
Other Information:	➢ The DP area that the property is situated in is the 'downtown multiple' area.	

Phasing

This project is intended to occur in three stages with the amenity area (internal open space) to be included in Phase One. Phased strata developments are becoming more popular with developers on larger projects, because it allows them to build and sell strata lots without completing the project in its entirety, minimizing risk for the developer and ensuring that municipalities have more control over how the development is carried out. The main concern with phased developments is that each unfinished phase can stand alone. The phasing plan proposed by the developer does take this into consideration.

The three stage phased strata plan has been included in 'Attachment F'.

Technical Review

This application was forwarded to the City's Technical Planning Committee (TPC) and reviewed by various departments within the City. The main issue that was raised through this process was regarding firefighting capabilities to the units in the lanes. The developer and architect have worked with City staff and the Fire Department to develop a fire suppression strategy involving the use of a private hydrant on site, a public hydrant on Power Street, which will be paid by the developer, lane upgrades, and a corner cut in the alley for better mobility and access. The fire plan will be reviewed again at building permit stage to ensure full compliance with the BC Building Code. All other issues, including curbside garbage collection, engineering requirements and electrical upgrades have been communicated to the applicant.

Analysis - Development Permit

Support Development Permit

The subject property is located in the 'Downtown Multiple' Development Permit Area. As such, the development is expected to substantially comply with what the Official Community Plan (OCP) calls for with respect to siting, design and community impact. The project meets several objectives of the development permit area guidelines, including:

1. "Facades of buildings should be articulated with variations in materials and detailing of the building should add to the character of the building and surrounding area."
    - Materials include natural wood, brick, stucco and concrete. The combination works to create a visually appealing façade in a contemporary architectural style.
2. "Units should have street orientation and pedestrian entrance to the street."
    - Although not all units face the *street*, the use of alleys as streets is an urban building style becoming more commonplace in cities; the design rethinks alleys in a creative way. There will be a central pedestrian gate, with buzzers, on Power Street to connect pedestrians to respective units.
3. "Where residential units have attached garages, the units should be wide enough to allow the creation of attractive entrances to the individual units."
    - The plans submitted show landscaping in all front yards, and also an attractive front door area with landing.
4. "Private amenity space should be provided for each dwelling unit constructed. Furthermore, where a site is to contain several buildings, careful attention should be given to the provision of private usable open space and trail linkages between buildings."
    - This proposed development has done an exemplary job of creating amenity space within the development. A sizeable courtyard space, with communal area has been provided as well as paths that connect residents to the open space and circulate them back to the pedestrian entrance on Power Street.
5. "Landscape designs for new development should retain, where possible, existing mature trees."
    - This development has provided an arborists report detailing which trees are diseased or unsafe, and those that can be retained. Also included in the report are recommendations for care of the trees which will be kept. Out of 16 trees that are salvageable, seven mature trees will remain once buildings are established.
6. "All new multi-family developments shall have a landscaped design plan prepared by a landscape professional and boulevards and setback areas adjacent to streets should be planted with boulevard trees."
    - A professional landscape plan has been provided, with expenditures totaling close to $80,000.00 for the installation of trees, shrubs, turf, irrigation, etc. The plan includes the planting of trees along the boulevard and the installation of publicly accessible bike racks of the same variety as those currently located on the walkway along Okanagan Lake. This small detail will also help connect the development with the waterfront. As a requirement of DP approval the applicant will submit a cash bond or letter of credit in the amount of 100% of the landscaping estimate at the time of building permit approval.

The development is not limited to only the above items with respect to compliance. In general, the guidelines encourage buildings with architectural features that are varied and avoid a monotonous

appearance and are of a high architectural quality. The plans submitted by the architect show a project with strong curb appeal and high quality.

It is important to point out that there are also several points within the OCP that the development does not meet. Namely, the OCP discourages parking areas within the front yard setback if alley access is available. With this in mind, the design of the building is meant to be attractive, have a feeling of 'enclosure', and detract from parking areas. The architect has achieved this through, firstly, a strong building façade. Secondly, the natural wood elements incorporated into the garage doors, softens the impact of their large presence. Thirdly, there is a focus on landscaping in the front yard with shrubbery and turf, as well as street trees along the boulevard that are intended to mitigate any negative impact that parking along the street might have. Staff are recommending that the frontage improvements are 'locked-in' by passing the extended council resolution require these extra works.

Planning staff recognize that without parking in the front, the amenity space provided internally would not be possible and the overall design of the buildings would be compromised. Staff feel the mitigation measures to be adequate. As such, staff recommend that Council approve the development permit and direct staff to issue the permit.

Deny/Refer

Council may feel that the proposed development does not meet the full breadth of the OCP and should not be permitted to proceed as a result. If this is the case, Council should deny the development permit application.

Alternatively, Council may wish to refer the document back to Planning staff with certain conditions.

Analysis - Development Variance Permit

Support Development Variance Permit

The applicant is requesting two minor setback variances: a reduction from 4.5m to 3.0m of the side yard setback at the northern side of the property and a reduction from 6.0m to 3.0m for the rear yard. The side yard setback being requested to ensure an efficient and dense as development as possible, without compromising internal pathways and 'park-like' space within and adjacent to the development (Attachment F). Although this development is in the RM3 (Medium Density Multiple Housing) zone, the RM2 (Low Density Multiple Housing) zone, which also permits townhouses, only required a 3.0m setback. The 4.5m setback in the RM3 zone is targeted, primarily, towards apartment buildings that will have a more dominating presence. Given this, staff feel this variance will not have a negative effect on the neighbouring property and is in keeping with the intent of the bylaw.

The rear yard setback being sought is not for the entire back face of the buildings which abut the lane, but a small portion of the building in the southeast corner of the property. This building will be closer to the lane than the bylaw allows, but the building with driveways will observe the full setback distance (Attachment F). Again, this variance is being sought in order for the design to have internal corridors and a sense of spaciousness between units. Planning staff feel that this variance has no negative impact on surrounding properties.

Staff recommend that Council approve the variances being requested and direct staff to issue the permit.

Deny/Refer

Council may feel that the variances being requested are not reasonable and the architectural design of the building should be done in a way that observes all setbacks, as stated in the Zoning Bylaw. If this is the case, Council should deny the variance request.

Alternate recommendations

1. THAT Council deny "Development Permit PL2015-011" and deny support to "Development Variance Permit PL2015-012".
2. THAT Council support "Development Permit PL2015-011" but deny support to "Development Variance Permit PL2015-012".
3. THAT Council support "Development Permit PL2015-011" and "Development Variance Permit PL2015-012" with conditions.

Attachments

Attachment A:	Subject property location map
Attachment B:	Zoning map of neighbourhood
Attachment C:	OCP map of neighbourhood
Attachment D:	Images of subject property
Attachment E:	Letter of intent
Attachment F:	Proposed site plan and renderings
Attachment G:	Draft DP
Attachment H:	Draft DVP

Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

Director	Acting City Manager
BL	CF

Attachment A – Subject Property Location Map

Figure 1: 152, 168, & 184 Power Street highlighted in blue

Attachment B – Zoning Map of Neighbourhood

Figure 2: Zoning map of neighbourhood showing subject property as zoned RM3

Attachment C – Official Community Plan (OCP) Designation

Figure 3: OCP map showing subject property as Medium Density Residential

Attachment D – Images of Subject Property

Figure 4: 2013 aerial photo of subject property

Figure 5: Looking northeast onto subject property

Figure 6: Southeast corner of property where lanes intersect

Figure 7: Looking east onto subject property

Attachment E – Letter of Intent from Owner's Agent, CEI Architecture

CEI Architecture

BEECHWOOD RESIDENTIAL DEVELOPMENT

[illegible] Power Street, Penticton BC

Neighbourhood

Located in Penticton, close to Okanagan Lake, on Power Street, the proposed town-home development provides additional housing in an area located close to downtown and many amenities, such as:

1. Okanagan Beach
2. Downtown Penticton
3. Walking paths that lead to the KVR and river channel pathways
4. Penticton Community Centre, including the Aquatic Centre
5. Penticton Event Centre
6. Memorial Arena
7. Wine Centre
8. Various shopping outlets such as Canadian Tire and food outlets
9. Various Restaurants
10. Queens Park Elementary School
11. Local Parks, Playgrounds and Tennis Courts
12. Various hotels and motels

This neighbourhood is primarily single family, but is considered to be in transition, where more medium density development is being proposed. This neighbourhood is charming and highly desirable. The proposed town-home development is proposed as "low density" to fit more appropriately into the neighbourhood. The low scale minimizes traffic impact on the neighbourhood.

Design Methodology

The design scheme is centred around the concept of creating "place", organizing living space around the perimeter, to create a courtyard, as amenity for the owners. The courtyard celebrates the Okanagan landscape. It maintains many of the natural pine trees and vegetation found on the site. Outdoor gathering spaces for the inhabitants are proposed to allow for various groups to entertain or to escape away from the busy street. The courtyard is a safe zone where kids can play or where adults can entertain. The courtyard is physically accessible by all the units, which have a strong visual connection to create a sense of supervision and safety. Direct access from the street or lane is proposed.

The units are proposed as two storey residential living units, that incorporate either one or two car garages. Each of the units have access to a useable roof top that provides views to the lake and the ability for the inhabitants to enjoy private outdoor space. In addition to the roof top, the inhabitants have beautiful outdoor space on grade, accessible from the kitchen or den. The design celebrates the notion that residents can enjoy the indoor/outdoor Okanagan lifestyle.

The design of the buildings is contemporary, modern architecture that is as a reflection of the site. It proposes building forms that are simple but well finished. The overall design scheme is attractive, colourful, enhancing the street and the community. The modern design is appealing and contributes to the overall quality of our community.

Construction

Construction is proposed as wood frame with exterior finishes that include acrylic stucco, corrugated metal panels and brick masonry. Glazing is proposed as metal clad wood windows, allowing for a warm wood finish on the interior and metal for the exterior where protection from the sun is needed. Interior planning is simple with living space on the main floor and private bedrooms on the second. The building is constructed over a crawl space.

1. Garage Floor: 4" concrete slab over vapour barrier and compacted structural fill
2. Floors: 14" TJI wood joists @16" O.C., 5/8" T&G plywood
3. Exterior Walls: 1/2" painted GWB, 2x6 studs @16" O.C., R20 batt insulation, Vapor barrier, 1/2" Plywood sheathing. Finishes include, Arylic Stucco, Corrugated metal Panels or Brick Masonry
4. Interior Partitions: 2x4 studs @16" O.C., 1/2" painted GWB
5. Roofing: 14" TJI roof joists @16" O.C., 5/8" T&G plywood, R30, air/vapour barrier, polyisosanurate rigid insulation, SBS Roofing

Construction is intended to be simple and familiar to the local trades.

[illegible]

Attachment F - Proposed Site Plan and Renderings


PHASE 1
PHASE 2
PHASE 3
Architecture
IMPERIAL
BRENTWOOD
PHASING PLAN
2014-061
A1.2


Architecture
IMPERIAL
BRENTWOOD
EXTERIOR ELEVATIONS
2014-061
A3.0


Architecture
IMPERIAL
EXTERIOR ELEVATIONS
2014-061
A3.1


Architecture
IMPERIAL
2014-061
A6.0

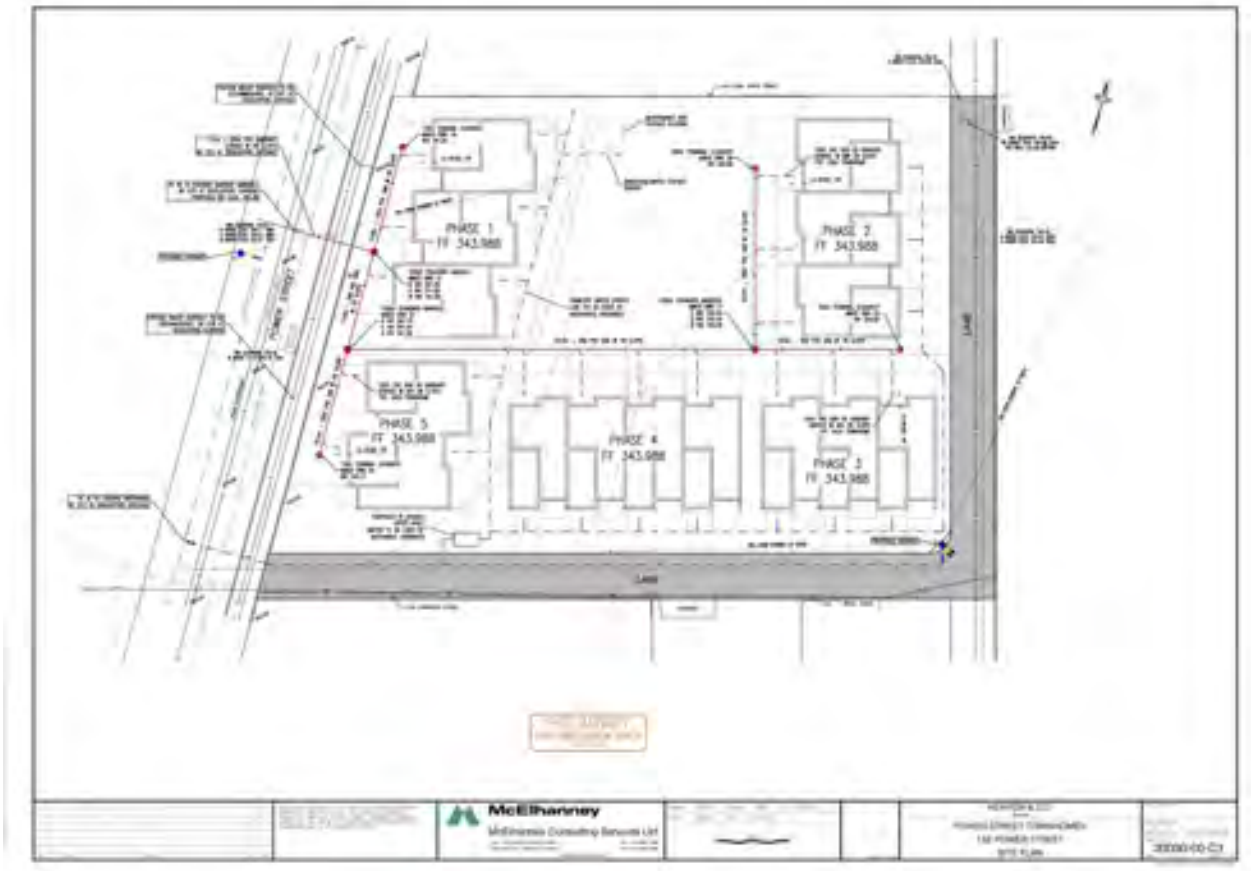

AERIAL LOOKING SOUTH
AERIAL LOOKING WEST
IMPERIAL
BIRCHWOOD
EXTERIOR PERSPECTIVES
2014-061
A6.1


LOOKING EAST FROM POWER STREET
LOOKING WEST FROM GREEN AMENITY SPACE
IMPERIAL
BIRCHWOOD
EXTERIOR PERSPECTIVES
2014-061
A6.2


LOOKING EAST FROM POWER STREET
LOOKING NORTH FROM LANE
CEI Architecture
IMPERIAL
BEECHWOOD
EXTERIOR PERSPECTIVES
2014-061
A0.3


10
05
03
01
04
06
BEECHWOOD
02.03.08
05.06.09
10
beechwood
CEI
LEGEND
01 ACRYLIC STUCCO (COLOR A: BM REVERE PEWTER)
02 ACRYLIC STUCCO (COLOR B: BM WENDALL CHARCOAL)
03 METAL CLAD WOOD WINDOWS; CHARCOAL/FIR; LOW E COATING
04 CONCRETE; LIGHT SANDBLAST; CLEAR SEALER MATTE
05 DH DOOR METAL INSULATED WITH FIRE&G OVERLAY, BRODA CLARITY
06 MAIN ENTRY DOOR + SIDELITE; FIR; BRODA CLARITY
07 GLASS GUARD
08 STRUCTURAL POST PAINTED
09 GLULAM BEAMS FIR; BRODA CLARITY
10 BRICK MIDNIGHT BLACK
material board


PLANTING LEGEND
L1


PHASE 1
FF 343.988
PHASE 2
FF 343.988
PHASE 5
FF 343.988
PHASE 4
FF 343.988
PHASE 3
FF 343.988
LANE
McElhanney

Attachment G –
Draft DP (Without Schedules)

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Permit

Permit Number: DP PL2015-011

Owner Name
Owner Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:

   Legal: TBC
   Civic: 166 Power Street
   PID: TBC

3. This permit has been issued in accordance with Section 920 of the *Local Government Act*, to permit the construction of a townhouse complex as shown in the plans attached in Schedule A.

4. In accordance with Section 925 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of $78,350.00 must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 925(7.1) of the *Local Government Act*, to undertake works or other activities required to:

   a. correct an unsafe condition that has resulted from a contravention of this permit,
   b. satisfy the landscaping requirements of this permit as shown in Schedule A or otherwise required by this permit, or
   c. repair damage to the natural environment that has resulted from a contravention of this permit.

5. The holder of this permit shall be eligible for a refund of the security described under Condition 5 only if:

   a. the permit has lapsed as described under Condition 8, or
   b. a completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.

6. Upon completion of the development authorized by this permit, an application for release of securities provided in Schedule B, must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security as follows:

   1st Inspection — No fee

2nd Inspection	$50
3rd Inspection	$100
4th Inspection or additional inspections	$200

General Conditions

7. In accordance with Section 928(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

8. In accordance with Section 926 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. These may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the _____ day of _____, 20__

Issued this _____ day of _____, 20__

_____
Dana Schmidt,
Corporate Officer

Attachment H –
Draft DVP (Without Schedules)

City of Penticton
171 Main St. | Penticton B.C. | V2A 5A9
www.penticton.ca | ask@penticton.ca

Development Variance Permit

Permit Number: DVP PL 2015-012

Name
Address

Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.

2. This permit applies to:

   Legal: TBC
   Civic: 166 Power Street
   PID: TBC

3. This permit has been issued in accordance with Section 922 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2011-23 to allow for the development of a townhouse complex, as shown in the plans attached in Schedule A:

   - Section 10.9.2.7: Decrease the minimum interior side yard setback from 4.5m to 3.0m; and
   - Section 10.9.2.8: Decrease the minimum rear yard setback from 6.0m to 3.0m.

General Conditions

4. In accordance with Section 928(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

5. In accordance with Section 926 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs,

please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the _____ day of _____, 2015

Issued this _____ day of _____, 2015

_____
Dana Schmidt,
Corporate Officer

Council Report

penticton.ca

Date: May 4th, 2015 **File No:** 4320-50
To: Chuck Loewen, Acting City Manager
From: Ken Kunka, Building and Permitting Manager
Address: 200 Ellis Street
Subject: Liquor-Primary Licence Application
Cronies Auto Parts Ltd.

Staff Recommendation

THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Cronies Auto Parts Ltd located at 200 Ellis Street for a Liquor Primary Licence Endorsement.

Strategic priority objective

N/A

Background

On April 7, 2015 Council directed staff (resolution 207/2015) to commence public notification of the proposed Liquor Primary Endorsement Licence application for Cronies Auto Parts Ltd. and that staff report back to Council on the May 4th, 2015 with the public consultation for Councils consideration.

Intent of the Proposal

The City has received an application from Christine Cronie, owner of Cronies Auto Parts, seeking a Liquor Primary Licence Endorsement with hours of operation from Sunday to Saturday 11:00am to 11:00 pm with a maximum occupant load of 30 persons interior and 10 persons exterior patio. The establishment is currently operating as an auto parts and wine making accessory retail business. The proposed business plan is to modify the existing building to operate a wine tasting venue for local wineries. Renovations are planned for the change of use and permits have been issued (Proposed floor plan - Attachment B).

Site Context

The Cronies auto parts property is zoned C6 – Mixed Use Commercial and the proposed use meets Zoning regulations. There are no restrictions on the hours of operation under the Zoning Bylaw. The property is located in a mixed residential and commercial area (Map – Attachment A). There are four compliant on-site parking spaces and no outstanding Building or Fire Code issues in relation to their current operations.

Current uses near the proposed property:

- East: mixed residential;
- North: mixed commercial and residential; (Cannery Brewery)
- South: mixed residential, commercial;
- West: mixed commercial, office and residential (downtown core).

There are 0 Liquor Primary, 3 Food Primary Licensed and one proposed Brewery Lounge (Cannery) premises within a 2 block (90 meter) radius of the property.

LCLB Legislation, Policy and Bylaw Review

Liquor Primary Any business in the hospitality, entertainment or beverage industry - including bars, pubs, lounges, nightclubs, stadiums, theatres, recreation and convention centers - may apply for a liquor-primary licence. The only exceptions are businesses geared to youth (which may not be licensed to serve liquor) and private clubs (which require a liquor-primary club licence.)

Liquor Control and Licencing Act

Section 11 of the Liquor Control and Licencing Act requires the LCLB to consult local government on liquor licence requests of a prescribed class or category prior to issuance of such a licence, giving the local government an opportunity to provide comments and recommendation(s) and to gather views of residents within the area.

To comply with Section 53 of the Liquor Control and Licensing Regulation, the City must review and provide resolution within 90 days of the application. The following criteria are to be considered:

- The potential for noise if the application is approved;
- The impact on the community if the application is approved (example - public nuisance (RCMP), traffic issues, etc.); and
- Indicate whether or not the views of the residents were gathered, and if not, provide reasons why they were not gathered (residents include business owners).

The LCLB application process for a Liquor Primary application requires a municipal resolution before the Province will consider the application further.

Financial implication

Mandatory public consultation notification costs will be offset through the City's Liquor application review fees.

Analysis

Technical Review

The Liquor Control and Licencing Branch (LCLB) require that the local government considers and comments on three specific criteria. In consideration of these criteria, the following information has been provided from the City's Liquor Licencing Technical Review Committee with regards to this application.

Noise & other disturbances

- Ellis Street is classified as an Urban Collector Commercial route with maximum speeds of 30 km/hr.
- There are 4 compliant on-site patron/staff parking,
- There are currently more than 100 street parking spaces along Ellis within two blocks of the proposed location with an additional 50 off-street parking spaces located at the Nanaimo parking lot.
- There is a mix of commercial, industrial and single/multi-family within the consultation area.

There are no concerns with additional vehicular traffic. Cronies ownership should advise patrons not to park in the residential areas.

The impact on the community if the application is approved:

- There are number of social and recreation facilities in the local area including:
    - FitKidz Gymnastics Club (across the road);
    - The Ooknakane Friendship Centre (one block north)

  There is no foreseen impact to existing social or recreational facilities based on the Brewery's business model.

- The proposal will complement the existing business model adding value to the existing community and tourism within the City.
- The proposed business model is not promoting late hours or full liquor service. See owners impact statement (Attachment C)
- Any potential impact to the surrounding neighbourhood will be governed by the City's existing regulations.

Public Consultation

As per Section 11 of the Liquor Control and Licensing Act, the City is required to gather comments or concerns of the residents within the area of the proposal. A notice of application and request for comment was mailed out to the business owners and residents within 90m of the subject property. Public Notice Signage placed along Ellis Street and three public notices were placed in the local newspapers.

As a result, there have been three letters of non-support received at the time of this reports completion (Attachment D). The main concerns were:

- Increased traffic creating parking issues in the residential neighborhood,
- Noise from patrons during and after hours.

These concerns were similar to the Cannery Lounge proposal located across the road and it is recommended that staff monitor the traffic and parking within the neighbourhood and if required bring proposal to Council to extend the residential parking program along Van Horne.

Citizens are also provided the opportunity to comment on the application the day of the regular Council meeting held May 4th, 2015.

LLTRC Recommendation:

Based upon the comments received by the Liquor Licensing Technical Review Committee and consultation with staff and public, it is recommended that the proposed application be supported with continued monitoring of the off-street parking within the adjacent residential area.

Council can choose to support the application as is or modify the request with further restrictions such as use or hours. Should Council deny the application then the applicant will be informed of Council's decision and a Council resolution outlining the reason for denial is forwarded to the LCLB.

Alternate recommendations

1. THAT Council denies support of the Cronies Auto Parts Ltd. Liquor-Primary application.
2. Refer back to staff for further review.

Attachments

Attachment A – Site and Public Consultation Map
Attachment B – Proposed Floor Plan
Attachment C – Owner Impact statement
Attachment D - Public comment letters

Respectfully submitted,

Ken Kunka AScT, RBO
Building and Permitting Manager
LLTRC Chairperson

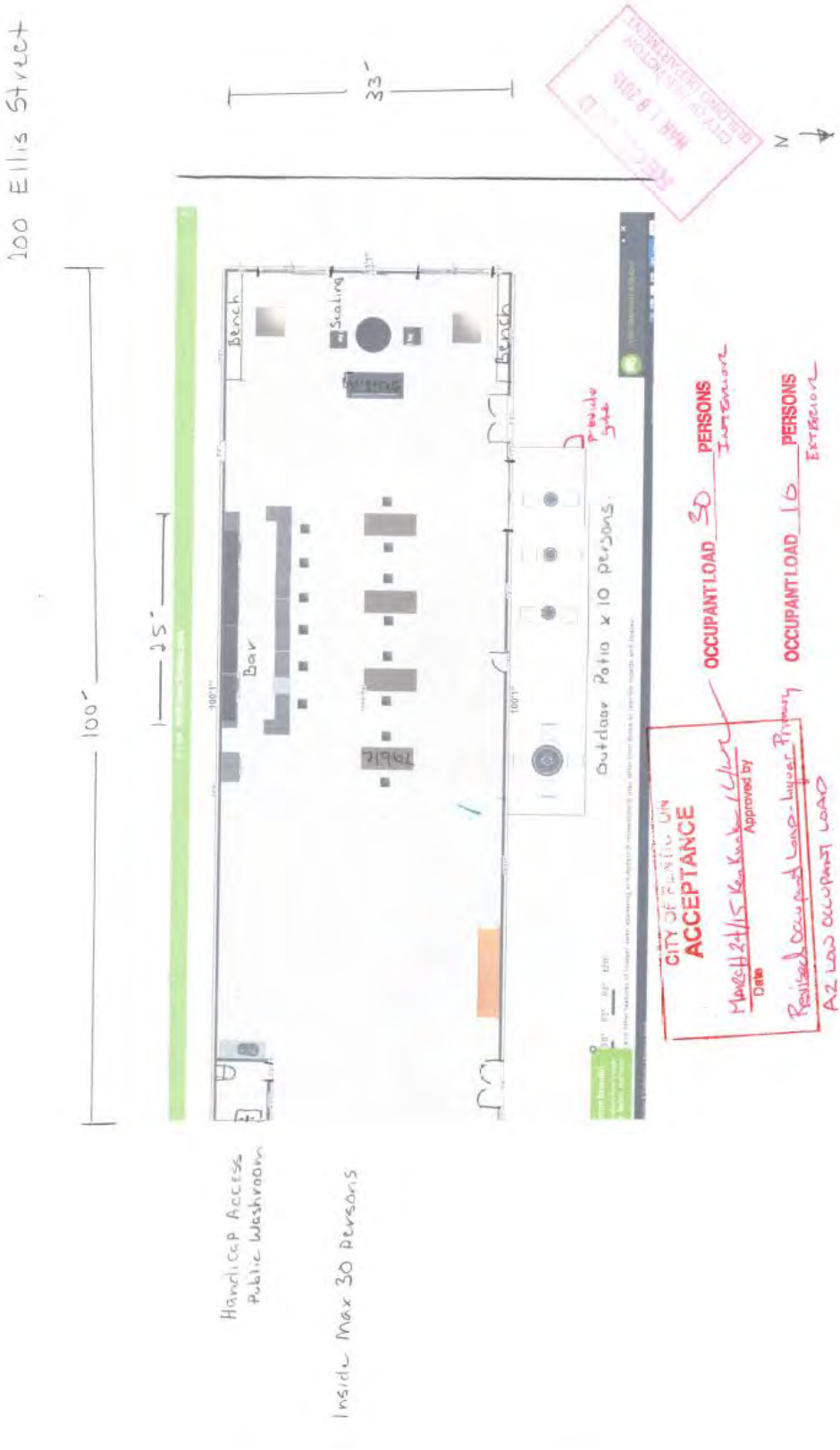
Approvals

Acting City Manager
CF

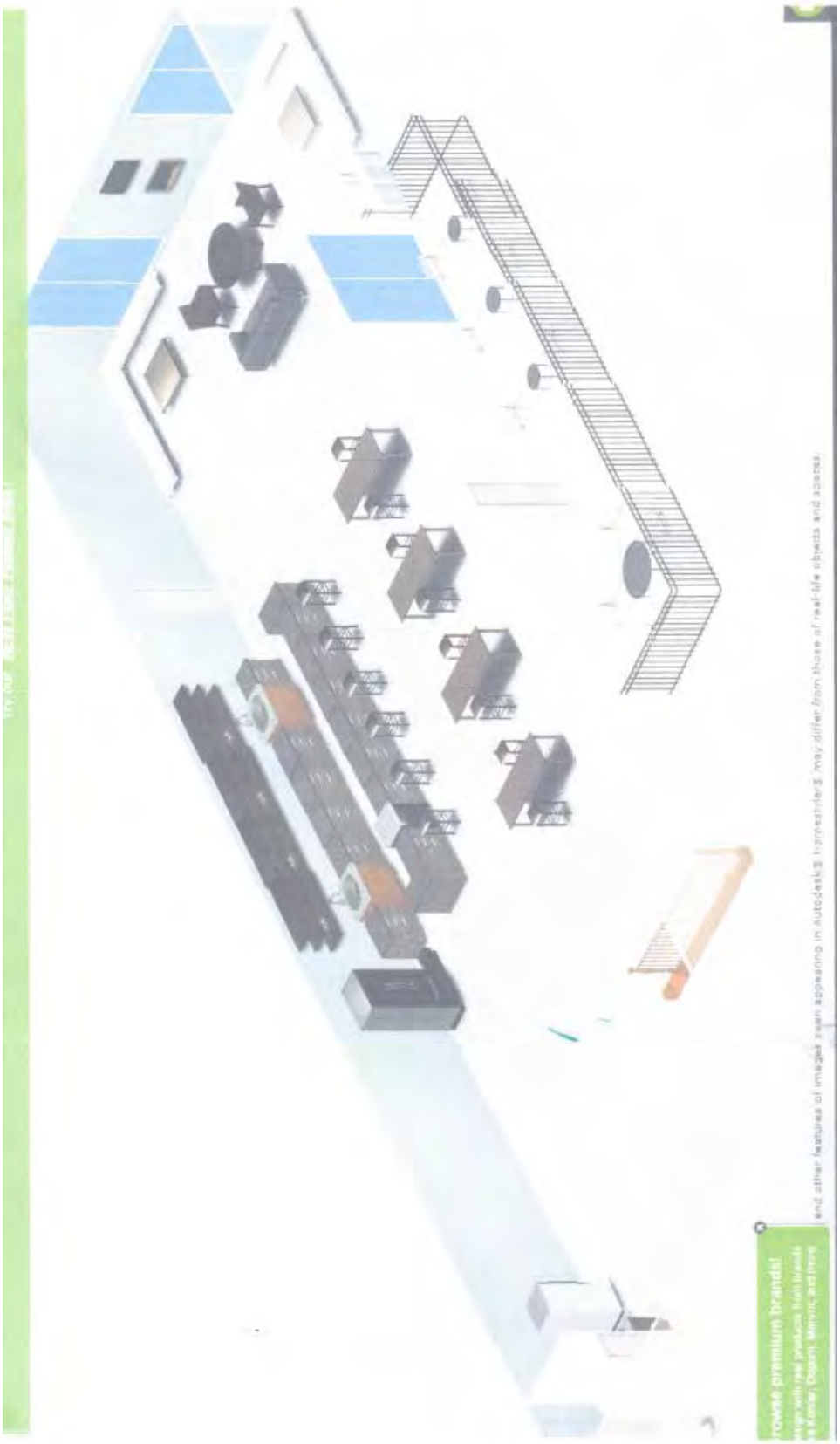
Attachment A
Site Map

Public Consultation Map – 90m radius

Attachment B
Proposed Floor Plan



Proposed Floor Plan



Attachment C
Owner Impact Statement

Letter of Intent
200 Ellis Street

Purpose
To operate a small wine lounge serving local wine by flights, glass pours and bottles. Offering limited amounts of beer, cider, non-alcoholic beverages and light snacks in an unpretentious, educational and casual setting. Our primary focus will be to promote BC wines.

Target Market
- Tourists
- Locals
- Wine industry personnel
- Media events
- Wine judging events
- Business groups
- Wine Tasting Seminars
- Wine Tours

Composition of Neighbourhood
- Our neighbourhood consists primarily of light industrial and commercial buildings
- Warehouse storage adjacent to our building to the south
- Warehouse gymnastics training centre across the street and to the west
- Cannery Brewing Co. and Tap House to the north
- Residential behind the back alley to the east

Benefits to the Community
Promote walk-in traffic as we are walking distance to downtown shopping, restaurants, coffee bars, pubs, lake, hotels and restaurants. Many tourists and locals are aware of the drinking and driving limitations of visiting wineries. Our tasting room will offer the benefit of tasting several wineries wines in one location without having to be concerned about driving from winery to winery.

Impact of Noise on the Community
Our hours of operation are 11:00 am – 11:00 pm seven days per week and will adhere to the local noise bylaws. We have very limited residential in our area. We have operated a very busy business in this very location since 1975 while keeping our good neighbour policy. We are cognisant of noise and will make sure we retain the good neighbour policy we have followed over these years. Our 10 seat outdoor patio will face directly at the Cannery Brewing Co. Tap House across the street. We see this as having a very limited impact in the neighbourhood. We have studied the noise levels from inside and outside the building by playing music louder than would be acceptable for our establishment. What we found was that we could not hear any noise from the east side of the building, very limited sound carried through the doors facing Cannery Brewing and virtually none facing Ellis Street. There is a building buffer between the wine lounge and a commercial/residential building to the south on Ellis therefore noise will be not be an issue.

Our site has seven dedicated parking spaces in the back of the building to accommodate our visitors.

Other Impacts on the Surrounding Community
None that we can think of.

Letter of Intent
200 Ellis Street

Additional Requests

It is our understanding that the liquor laws are currently under review. We are most interested in applying for a license allowing us to sell BC wineries wine '**off premise**' by the bottle or by the case in our location. After researching cooperative wine shops and tasting rooms in the United States, it is apparent that these types of winery cooperatives are very successful, efficient and offer walk in traffic the opportunity to taste and buy wines as if there were in the winery. This wine co-op would be staffed and operated by us throughout the year. By having one central tasting room in Penticton, we can offer continuity of service to the wineries and local community and tourists. Smaller wineries will benefit by exposure to traffic they may not be getting due to their rural location or seasonal closures.

Attachment D
Public Comments

225 Van Horne St
Penticton, BC
V2A 4K3

April 17, 2015

Ken Kunka,
Building & Permitting Manager
171 Main St
Penticton, BC, V2A 5A9

Dear Mr Kunka,

Re: Cronies Auto Parts application for a Liquor Primary License 200 Ellis St

I live just a few lots from this building. While I am pleased to see the revitalization of this area of Penticton, I do have two concerns:

1. Increased traffic on Ellis Street
2. Parking for the customers of this establishment

I would like to request that "Area Resident Parking" signs be placed on the 100 and 200 blocks of Van Horne St, and the 200 Block of Abbott St.

Thank you for the opportunity to provide input.

Yours truly,

Shirley Persson

Shirley Persson

April 18th 2015

217, van Horne Street
Penticton BC
V2A 4K3

Penticton City Council
Building and Permitting Manager
171, Main Street
Penticton B.C,
V2A 5A9

Dear Mr. Kunka,

RE – Application for a Primary Liquor Licence
For Cronie Auto Parts.

I have owned my house at 217 van Horne Street for over 10 years and I chose it for its quiet location and lack of through traffic.

My concern re the application by Cronie to turn their premises into a wine lounge is chiefly about the increase in traffic and the implication it has for parking on van Horne Street. This is now magnified because of the Cannery that will be operating in the same area. Noise also now becomes a potential issue.

Already during the tourist season and when the Farmers' Market is operating, the traffic in the area becomes an issue for local residents. It is difficult to turn onto Ellis Street at Westminster Avenue, and traffic often travels above the speed limit especially heading north on Ellis, making it hazardous, as the vehicles appear quickly over the bump over the bridge. It is made worse when there are a lot of parked vehicles along Ellis Street.

I can only see this getting much worse with the addition of a 40 seat wine bar with an outside patio. I believe there is no onsite parking for customers, meaning they will spill over into the side streets around the facility.

Also Cronie's is directly opposite my house across the back alley. I run a counselling practice, Life Force Counselling out of my garage (Licenced and approved). The addition of the wine bar across from my counselling studio is hardly appealing to me. It is such a major switch in use and is a double blow coming on top of the Cannery on the opposite corner.

I also have mobility issues and it will be a major problem if I am forced to park blocks from my house. I can see a scenario where I go out to buy groceries and return to find the space in front of my house occupied by patrons of the wine bar or Cannery, and I will not be able to park and unload my groceries.

I think it is imperative to create Resident Parking Only in the immediate vicinity of the Cannery, on van Horne Street and Westminster Avenue East.
I also believe the intersection at Ellis and Westminster Avenue East would need to be upgraded, and pedestrian safety addressed.

Thank you for listening to these concerns and I trust they will be addressed in a satisfactory manner

Sincerely

Anne Reinders

301-208 Ellis St

Penticton, BC V2A 4L6

April 24, 2015

Ken Kunka

City of Kamloops

Building and Permitting Manager

Dear Sir,

I am writing in regard to the notice I received concerning the application for a Liquor Primary Licence at the current location of Cronies Auto Parts Ltd.

The reasons I am opposed to the approval of this application are:

Parking - There is insufficient parking in the area for an additional high traffic business. It is my understanding that the application is for a 30 seat establishment, and the plans include seven available parking spots. The current structure has only three available parking spots that are not on the public streets.

Noise - I read the allowances online for a Liquor Primary Licence. It says that the establishment can be in operation anytime between the hours of 9:00 am and 4:30 am. As a homeowner in the area, I chose to purchase based on the quiet of the neighbourhood. I believe that allowing a drinking establishment to be able to operate until 4:30 am will take away from what I originally purchased and adversely affect my quality of life.

Whether or not this application is approved, I would like the parking in this area to be reconsidered. The area is covered by the two hour parking limit imposed in the entire downtown area. The residents of the building in which I reside have not been offered resident parking passes as I note so many other areas have. I recognize that we have an outdoor parking lot with our building, but I know that the residents at the corner of Winnipeg and Wade have underground parking, but have been given resident parking passes that enable them to park on the street. I think this opportunity should be made available to the residents at 208 Ellis as well.

Thank you for your time and attention. I will not be able to attend the Council meeting on May 4, 2015 due to a prior commitment.

Sincerely,

Cindy Sattelberger

Cindy Sattelberger

From: Shawn Brown <
Sent: April-28-15 10:15 PM
To: Lorraine Williston; Dana Schmidt
Subject: Liquor Primary license application for 200 Ellis Street.

Mayor Jakubeit and Council:

Please consider my comments regarding the application for a Liquor Primary License at 200 Ellis Street.

I have lived at 288 Van Horne Street (just around the corner from 200 Ellis) since 1996.

My conern centers around lack of parking. There is no onsite parking at 200 Ellis. In addition, there is no onsite parking at the Cannery Brewery at 198 Ellis.

In the summer, non-residents frequently park in our neighborhood. During special events such as the farmers' market, Ironman and the July 1st fireworks, it is very difficult to get a spot on our block. Simply advising "patrons not to park in the residential areas" (as per the March 2, 2015 staff report to council regarding the liquor license application for 198 Ellis) is grossly ineffective and an insult to neighboring residents.

It seems that another licensed venue without onsite parking will magnify the parking problem.

I look forward to hearing back from you.

Shawn Brown
288 Van Horne Street
Penticton, B.C.
V2A 4K4

April 23, 2014

Ken Kunka / Mayor & Council
Building and Permitting Manager
City of Penticton.

Re: Cronies Application for a Primary Liquor license.

My Concerns: - similar to the same concerns I had for "The Cannery".

① The hours of Operation: 7 days a week, - 11pm closing time every day.

What will the "noise" level impact be on this quiet neighborhood.

② Where is everyone going to park? With the "Cannery" across the street are our streets going to be the parking or is Ellis St. the parking expectation.

③ Is Ellis Street the new bar scene?

Ellen Kildare

Ellen Kildare
218 Van Horne St

Council Report

penticton.ca

Date: May 4th, 2015 File No: 4320-50
To: Chuck Loewen, Acting City Manager
From: Ken Kunka, Building and Permitting Manager
Re: **Liquor Application for a Winery Lounge and Special Event Area (SEA) Endorsement**
1775 Naramata Road, Penticton

Staff Recommendation

THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Bench 1775 Winery (0988081 BC) for the proposed Winery Lounge and Special Event Area (SEA) Endorsement for Bench 1775 Winery with a maximum SEA closure time of 12:00am (midnight).

Strategic priority objective

NA

Background

On April 7th, Council directed staff, resolution 208/2015, to commence public notification of the proposed Winery Lounge and Special Event Area (SEA) Endorsement for Bench 1775 Winery and that staff report back to the Council at their meeting on May 4th, 2015, with the results of the public consultation for Council's consideration

Intent of the Proposal

The City has received an application from Valeria Tait, General Manager of Bench 1775 Winery (0988081 BC Ltd) located at 1775 Naramata Road (Site Location - Attachment A). They are currently operating with a Winery Manufacturing and Retail Licenses. The winery is proposing to add a Winery Lounge and Special Event Area (SEA) to their current operations. (Attachment B – floor plan).

The winery will be adding an:

- interior lounge and overlapping SEA of 24 persons,
- Exterior lounge patio and overlapping SEA of 40 persons
- Additional interior SEA, tasting rooms and reception of 33 person

The proposed SEA also includes an exterior area parallel to the manufacturing and proposed lounge as outlined in the site plan (Attachment B). LCLB did not require occupant loads for the outdoor SEA.

The proposed hours of operation for the winery lounge are 10:00am to 11:00pm Monday to Saturday and 10:00am to 07:00pm Sunday. The hours proposed for the Special Event Area (SEA) were originally10:00am to 01:00am Monday to Saturday and 10:00am to 6:00pm on Sundays. However, the applicant had modified proposed SEA closure to 12:00am (midnight).

The applicant is proposing a primary business focus of the proposed lounge for food and beverage service with a primary business focus for the SEA for hospitality which includes weddings, private dinners and tastings separate from normal tasting room functions.

Site Context

The property is zoned A (Agricultural) with an OCP designation of Agricultural Use. The property is located in a mixed rural area of single family, farming and winery commercial uses. There are 5 wineries within 1.0km of this site. The other wineries currently do not have Lounge or SEA endorsements.

LCLB Legislation, Policy and Bylaw Review

Agricultural Land Reserve, Subdivision and Procedure Regulation

Part 2 of the Regulations designate a food and beverage service lounge as a farm use, provided that the area does not exceed 125m^2 indoors and 125m^2 outdoors. Furthermore, the Regulation permits licensed wineries on a parcel in the ALR, provided at least 50% of the farm products (fruit) used to make the wine is produced on the farm on which the winery is located. These uses may not be prohibited by a local government. The applicant has confirmed that over 50% of the grapes for their wine products are produced on-site.

Additionally, Part 2 identifies wedding receptions, parties, concerts and festivals unrelated to land that is classified as farm, and as such is classified as non-farm use. The hosting of such events within this space would require ALC for approval of these non-farm uses on the property, which will form part of an ALR non-farm use application.

Liquor Control and Licencing Act

Section 11 of the Liquor Control and Licencing Act requires the LCLB to consult local government on liquor licence requests of a prescribed class or category prior to issuance of such a licence, giving the local government an opportunity to provide comments and recommendations and to gather views of residents within the area.

Official Community Plan Bylaw No.2002-20

The subject property maintains a Future Land Use designation of Agricultural. This designation is anticipated for properties that are intended for agricultural operations, most of which are wholly or in part located in the ALR. The designation supports crop growing, food processing, agri-tourism and other industries in support of the agricultural sector.

Zoning Bylaw No.2011-23

The subject property is zoned Agriculture, A1. This zone is intended for the primary production of farm products such as dairy products, poultry products, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, orchards, vineyards or other field crops, and any other activity designated as farm use by the Agricultural Land Commission Act, and its regulations, and farm operations as defined in the Farm Practices Protection (Right to Farm) Act. This use may include the processing and marketing of on-farm products and those off-farm products permitted by the Agricultural Land Commission (ALC). Wineries and wine lounges are permitted uses in the A zone as accessory to the agricultural use of a property. A winery is only permitted in the A zone where at least 50% of the farm product is produced on the farm. A farm may include a number of properties under control of the owner.

Financial implication

The public consultation process costs will be offset by the Liquor Review application fee.

Analysis

Technical Review - Expected Regulatory Criteria to be considered

The Liquor Control and Licencing Branch (LCLB) require that the local government considers and comments on six specific criteria. In consideration of these criteria, the following information has been provided:

1. The location of the Winery Lounge and SEA areas

   - The subject property is located on a Rural Collector road, within the Naramata Bench area. This area is primary utilized for agricultural (orchard and winery) and low density residential uses.

     Although this is the first Lounge and SEA in this localized area it does not appear to be an issue with the remoteness of the buildings on the property. There were no concerns other than the SEA operational hours and building permits discussed below.

2. The proximity of the establishment to other social or recreational facilities and public buildings

   - Currently there are 5 other wineries within one kilometer of the subject property (Black Widow Winery, Laughing Stock Vineyards, Quidni Estate Winery and Tightrope and Moraine Wineries)
   - There are no schools or other social institutions within the local area.

     No concerns

3. The person capacity of the proposed areas (patios)

   - Proposed change in occupant load and use will require additional reviews through building permits prior to operation and business licence amendment approval.

     Staff has begun to work with applicant and Penticton Fire Department to address improvements to firefighting water supply.

4. The hours of liquor service of the establishment

   - Hours of service vary throughout the week. Concerns were raised about the original 1:00am late hour closure of the SEA. Most other wineries that have Lounge or SEA endorsements in the Naramata bench have an 11:00pm closure with some of having applied for temporary exemption of hours to midnight.
     It was agreed to by the applicant to restrict hours of closure to no later than 12:00am (mid night) for SEA.

5. Traffic, noise, parking and zoning

   - Naramata Road is classified as a Rural Collector,
   - The subject property has one main access point from Naramata Rd with one intersection within 0.5km of the site (Sutherland Rd.)
   - A social gathering of numerous people has the potential to generate some degree of noise. Unacceptable noise generation can be addressed under the Good Neighbour Bylaw or setting restrictions for hours of exterior use under the Business Licence.
   - The zoning bylaw does not require parking for outdoor uses. Staff considers the existing parking layout to be sufficient. The applicant has also provided confirmation that any additional parking can be accommodated within the property.
   - The ALC allows a certain number of special events a year and that area does not count towards the 125m^2 inside, 125m^2 outside rule. Note: 2012 ALC support of amended maximum winery patio areas.
     No concerns

6. The impact on the community if the application is approved

- The proposal will serve to add value to the existing community asset of wine tourism with the City.
- There appears to be no significant impact to traffic in the area as there are many wineries located along Naramata Road.

Public Consultation

As per Section 11 of the Liquor Control and Licensing Act, the City was required to gather comments or concerns of the residents with the area of the proposal, to be considered in concert with the proposal. As such, a notice of application and request for comment was mailed out to the residents within 500m of the subject property (Attachment A) and a public notice sign was erected on site. Three public notices were also placed in the local newspapers.

As a result, no letters of concern or support have been received by the time of the preparation of this report.

In recognition of the staff review and public consultation, the Liquor Licencing Technical Review Committee (LLRTC) are in support of the application with maximum service closure of SEA.

Council can support the application and request staff to place restrictions such as hours or amplified music as conditions of the operation as regulated by the Business Licence. Should Council deny the application, then the applicant will be informed of Council's decision and a Council resolution outlining the reason for denial is forwarded to the LCLB.

Alternate recommendations

1. THAT Council deny support of Bench 1775 Winery (0988081 BC) application to allow Winery Lounge and SEA Endorsement.

2. Refer Winery Lounge and Special Event Area (SEA) Endorsement for Bench 1775 Winery back to staff for further review.

Attachments

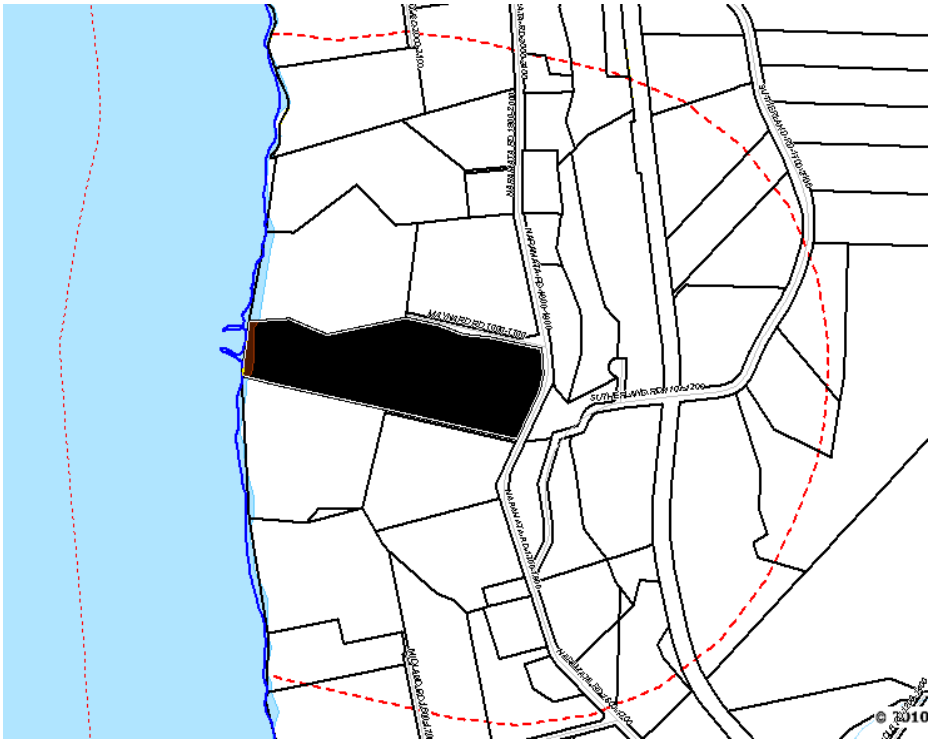
Attachment A – Location – Public Consultation map
Attachment B – Floor Plan

Respectfully submitted,

Ken Kunka
Building and Permitting Manager

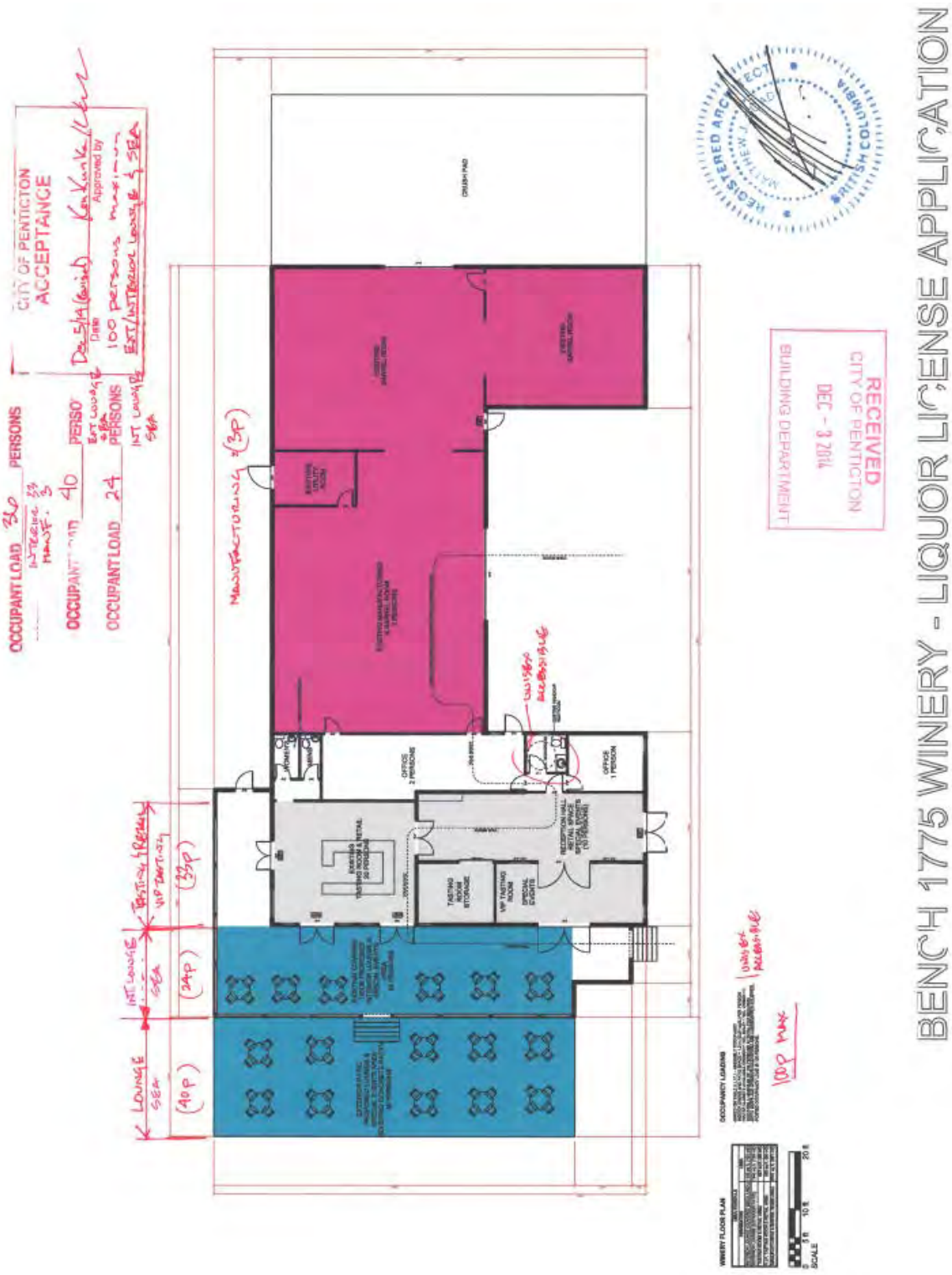
Acting City Manager
CF

Attachment A
Location and Public Consultation Map

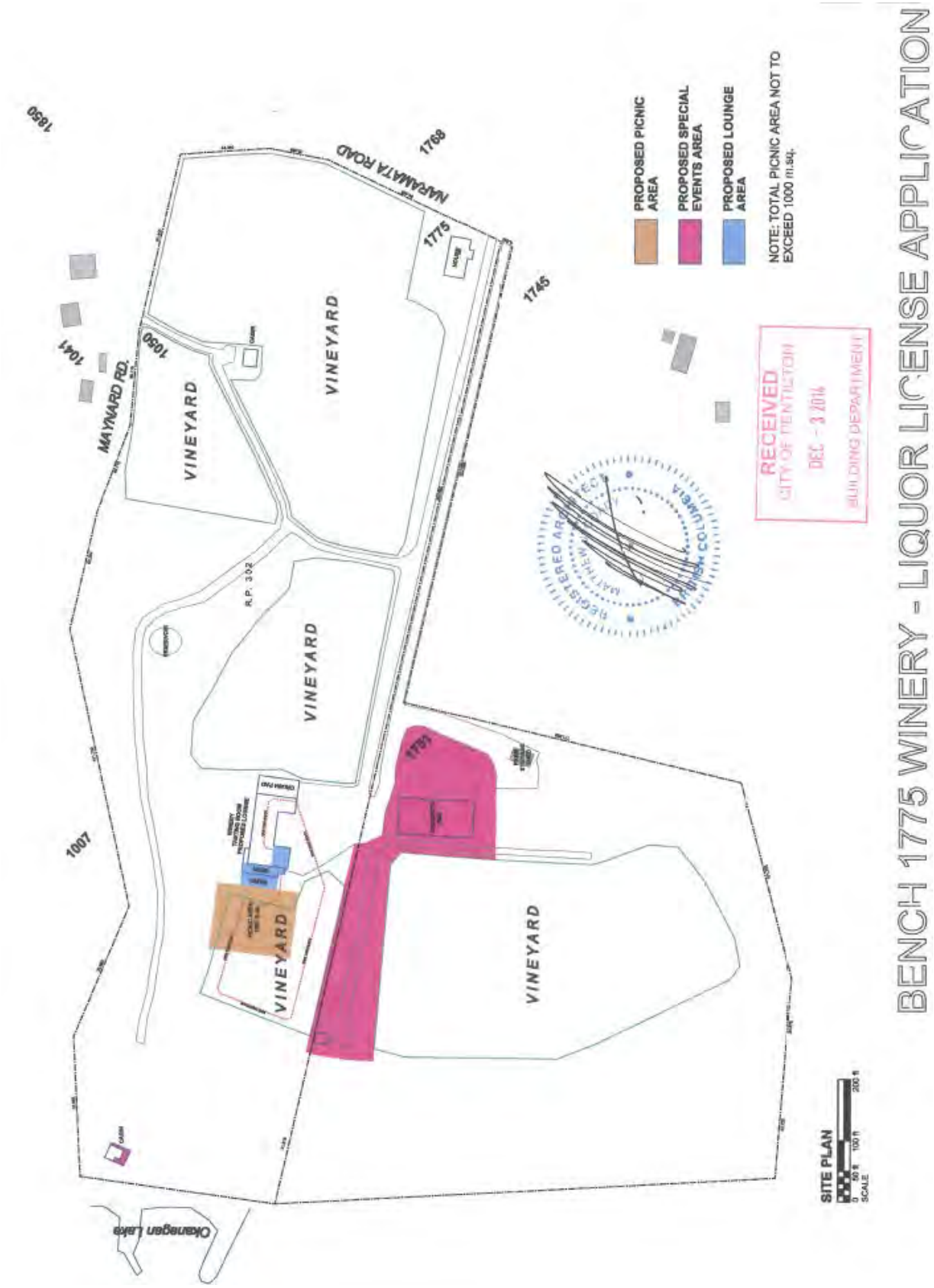


500m Radius

Attachment B
Proposed Floor Plan



Proposed Site Plan



April 30, 2015

Building and Permit Manager

Attn: Ken Kunka and City Councellors

RE: Bench 1775 Winery's Application for a Winery Lounge and Special Events Area

Dear Councillors,

Our family has resided at 1645 Naramata Road for 12 years. We chose to live in the Agricultural Land Reserve area to be able to enjoy the lifestyle of farm life. We strongly oppose this application for many reasons.

1. The narrow roadway on Naramata Road already feels overburdened with traffic and cyclists. To increase the traffic with wedding parties and events involving alcohol will have significant safety issues.
2. The noise generated at night is not appropriate for a farming neighborhood whose residents are early to bed and early to rise. This is their occupation and they need their rest.
3. If approved you are setting precedence which is concerning due to the number of wineries on our road – that would be devastating to many of the residents of Naramata Road.

Please consider the impact on the quality of our lives in the general area of Bench 1775. The peaceful farming environment is why we purchased our property. We do not want to live near a nightclub or be subjected to noise while we try to relax after a long day on our deck. It will negatively impact surrounding home owners health and happiness if you approve this application and set presedence. Please consider the home owners who chose to live there and pay significant taxes to do so. Our lifestyle will be detrimentally affected by this. We love our home and community and feel it brings a lot of tourists and economy to the taxpayers of Penticton just the way it is.

Thank you,

Blake and Christine Walkinshaw

1645 Naramata Road

Penticton, BC

T.S. Lighthall
1768 Naramata Road
Penticton, BC, V2A 8T8

Ken Kunka,
Building & Permitting Manager, City of Penticton
171 Main Street Penticton, B.C. V2A 5A9

April 28, 2015

Re: Application for Winery Lounge and Special Event Area (SEA) Endorsement at 1775 Naramata Rd Penticton

Dear Ken & City Council

The scope of this application /change in property is far too great a change to make, from farmgate winery to a licensed bar and concert and dance venue and that can hold events until midnight 6 nights a week. My 3 primary concerns are: nighttime noise / traffic / impact on residential neighbourhood

The entranceway to the farm is on a blind curve on a narrow 2 lane road with no sidewalks and little lighting. It's been the site of many accidents already, I know because my home is directly across the street and a little above the Bench 1775 winery property at 1768 Naramata Rd. so about 100 meters away. We hear and see the accidents from time to time. A license like this is more suitable to bigger wineries with more commercial facilities, better lighting and access and more options for transportation such as Poplar Grove Winery

This is a quiet medium density residential /farming neighbourhood and we also get a lot of commercial summer visitors to B&B's and Vacation Rentals that will be affected by the nightime noise and will not want to come back because of it. The noise alone from a dj (this was not in their original application but is a current use) or a band playing until midnight through the week and on weekends will keep so many people awake on hot summer nights on the bench when many have to sleep with windows open. The bench acts like a natural amphitheatre and calm lake waters carry the noise even further. Many people that will be affected by this change in land use are probably not even aware of it yet.

A licensed bar and concert venue is not a use that is synchronous with the quiet restorative ambiance of the bench and what people come here for …R&R. It is also a medium density residential neighbourhood of farmers and business people that have to get rest at night so they can get up and go to work in the morning.

We recommend that the days for SEAs be restricted to Friday, Saturday and Sunday and the closing time be 9 pm on weekdays and 11 pm on weekends. The application requests the maximum hours per day and seven days a week. No consideration is given to the adverse effects on the neighborhood.

We recommend that the issue be referred back to staff for revisions.

Sincerely,

.

Sincerely,
T. S. Lighthall
cc: Penticton Council via dana.schmidt@penticton.ca

April 29, 2015

Building and Permitting Manager
City of Penticton
171 Main Street
Penticton, B.C. V2A 5A9

Attention: Ken Kunka and City Counsellors

RE: Bench 1775 Winery's application for a Winery Lounge and Special Events Area

We reside at 1625 Midland Road, outside the 500m distance recognized for receiving official letters. However, we are certainly within "hearing distance" of Bench 1775 Winery. Last year we heard their music clearly; noise travels great distances in this area. With the hours of operation suggested we will be unable to have windows open for sleeping and will be driven inside from our patio area.

This is an agricultural/residential area and hours of operation for wineries needs to work with that designation. We farmed for 20 years and know that farmers rise early and end their days early. That is not a choice but a necessity. They also have times of the year when they work seven days a week. Spraying must be done when it is calm, usually early in the morning. Work must be done before it becomes too hot, meaning an early 5:00 a.m. start. In order to rise early they need to have the peace and quiet in the early evenings.

Our concerns are the setting of a precedent and lack of a plan. There are presently 12 wineries within walking distance of our house alone. We already hear the noise from Hillside Winery and now the possibility of Bench 1775. It appears as if the anti for what the wineries offer is being raised as time passes and competition in the industry becomes greater. It is time for some serious long-term planning before allowing this application to pass. It took considerable planning and many options to come up with an acceptable growth plan for the downtown core of Penticton. It is now time to do the same with our rural Penticton. If not, this area will become a hodgepodge of growth, not impressive to any.

Penticton is a place to stay forever, not a place to be driven from because of lack of foresight.

George and Cheryl Best

April 29, 2015
Ken Kunka,
Building & Permitting Manager, City of Penticton
171 Main Street Penticton, B.C. V2A 5A9

Re: Application for a Winery Lounge and Special Event Area (SEA) Endorsement at 1775 Naramata Road, Penticton

Whatever happened to the concept of "Farm Gate" wineries where the vintner grew grapes, made and sold wine? Local wineries have incorporated restaurants and now they want Special Event Areas and Lounges which sell hard liquor. The latter is not appropriate use of agricultural lands. Case in point is the recent application from Bench 1775 winery for a lounge and Special Events Area. The area mapped for SEA is of special concern to us because it appears to encroach on land zoned for agriculture.

The Public Consultation area of 500 m radius effectively excludes most of the residences effected by the Application. We reside at 1970 Sutherland Road, about 600 m from Bench 1775.

During July and August 2014 we were subjected to "music" (noise pollution) on Saturday nights coming from 1775. It was, at times, so loud we could hear vocalists or DJ's voices. We don't have air-conditioning and must keep our windows open. It is disturbing because we moved here in 1997 for peace and quiet. At that time there was one winery, Hillside, now there are 7 within a mile of our home. One is immediately across Sutherland Rd. from us.

Our concern is that once a precedent is set, other wineries will apply for a lounge and SEA permits.

We do not support the sale of hard liquor at the wineries and do not believe it is essential to the success of the business. Tipsy drivers are already a problem on Naramata Rd. It is bad enough during the day. Late hours and cars "loaded"in more ways than one make for a bad scene.

We recommend that the days for SEAs be restricted to Friday, Saturday and Sunday and the closing time be 9 pm on weekdays and 11 pm on weekends. The application requests the maximum hours per day and seven days a week. No consideration is given to the adverse effects on the neighborhood.

We recommend that the issue be referred back to staff for revisions.

Sincerely,

Anne & James Ginns
1970 Sutherland Road

cc: Penticton Council via dana.schmidt@penticton.ca

April 28, 2015

Building and Permitting Manager
City of Penticton
171 Main Street
Penticton, B.C. V2 5A9

Attention: Ken Kunka

Subject: Bench 1775 Winery's Application for a Winery Lounge and Special Events Area

I am writing in response to Bench 1775's application for a winery lounge and special events area (SEA). My spouse and I are opposed to the permit for a special events (SE) area that would result in the expansion of such an area on the property and an increase in the number of such events which are classified as non-farm uses of private property in the ALR.

As long time residents, we feel strongly that such events would have a negative impact on our rural agricultural and residential area. It would also set a precedence that every other winery within a kilometre might ask City Council for the same operating hours to host special events.

Our home at 1120 Sutherland Road is located diagonally opposite the Winery and is the first house on the right as you climb Sutherland Road. We do get echoes and reverberations of amplified music and noise from Bench 1775 as was the case in 2014 when the winery hosted several events with live bands. This year we were informed by a winery staff member that there will be seven weddings events as well as DJs and live bands playing amplified music every week including every Saturday night in July and August. (see attached emails from Bench 1775). Next year, they anticipate that the number of special events (i.e. weddings, ticketed concerts, private parties) would increase upon approval of the SE permit.

We run a bed and breakfast in our home which was established fifteen years ago. Guests keep coming back because it is rural and peaceful. This would change drastically if unlimited special events are held Monday to Saturday until midnight. It would also impact negatively on our vineyard work if we cannot get sufficient sleep. Like other farmers, we are early to bed and early to rise. The increased noise and traffic would not be welcomed and the fact that the Penticton Fire Department does not have adequate access to water to fight a fire at this property rises the stakes even higher when dealing with large numbers of people.

With regards to the lounge permit, we would support a lounge if it meets the ALC requirements of being a maximum of 125 sq. meters indoors and outdoors and the noise is kept to a minimum with sound barriers so that it does not disturb neighbours nearby (see letters from Sworder at 1725 Naramata Roads and other nearby residents re: this matter).

In writing this letter, I would like to make several points. First, the letter from City Hall only arrived late last week and there was not enough time to take action as a group. Second, amplified noise carries farther than 500 meters. Third, I could not find any by-laws or restrictions on special events that are held on private property in the ALR. Perhaps Council can shed some light on this. Fourth, it was unclear to me whether each special event would require

approval of the ALC (Agricultural Land Commission) as well as the Liquor Board. Finally, I was surprised that Bench 1775 did not make any effort to consult its neighbors and listen to their concerns before making an application to City Hall. Their application mentioned nothing about sound barriers or fire hazards.

As a result, I urge City Council not to rush the decision-making process and decide everything on the 4th of May. Instead there is a need for much more public consultation and with the ALC to find a solution that balances everyone's concerns. Those concerns should include City Hall developing clear and concise guidelines for lounge and special event permits in conjunction with the ALC in order to meet the changing liquor laws and ALC by-laws. Thank you.

Sincerely,

Nancy E Yildiz

Nancy E. Yildiz.
1120 Sutherland Road
Penticton, B.C. V2A 8T8

Attachments:
Bench 1775 Wedding Events
Bench 1775 Special Summer Events

From: Arta B&B and Vineyard
Sent: April-28-15 1:59 PM
To: Les Smith
Subject: Fwd: Wedding dates

Arta B&B and Vineyard

Begin forwarded message:

From: Aaron Hicks
Subject: Wedding dates
Date: April 24, 2015 at 12:28:49 PM PDT
To: '"

Hello Nancy,
It was great to chat with you the other day here at the winery. Here are the dates for the weddings this summer like we had talked about so the noise is not a surprise and like I had mentioned this year we let them all know that the music will be finished at 11pm. Feel free to let me know after the first dates how the noise situation is.

Bench 1775 Wedding Schedule
April 25th, May 16th, May 30th, June 28th, August 2nd, August 14th and August 28th.

As well I had verified with the General Manager about the licensing changes and what we are planning to do with the new freedoms that they would grant us is as follows.
We would be able to open a restaurant that would be open when the winery is open (this includes on dj nights until 9pm as well as event nights when we close a little later than normal, but we would not extend regular hours of the wine shop so that is open every evening for supper), it would also let us hold more "Events" meaning functions where we serve alcoholic drinks other than the wines we make here on site as well (this I didn't know last time we talked) any events where we want to charge an entry fee or sell tickets such as for special bands and/or theater events ect...

Thanks again and let me know if there is anything so we can keep it a great neighborhood for everyone

Aaron Hicks
Tasting Room Manager and Events Coordinator
BENCH 1775 Winery
Paradise Ranch & Whistler
250 490 4965 Ext 103

BENCH1775

Twitter: @bench1775
Facebook: bench1775
Instagram: bench1775

From: Arta B&B and Vineyard <
Sent: April-28-15 1:59 PM
To: Les Smith
Subject: Fwd: Bench 1775 Summer Events and Dates

Arta B&B and Vineyard

Begin forwarded message:

From: Aaron Hicks <
Subject: Bench 1775 Summer Events and Dates
Date: April 24, 2015 at 12:03:35 PM PDT
To: undisclosed-recipients:;

Hello everyone,
Thanks to those of you that had come down to visit us on may 18th, it was great to meet you all. Here is a list of our events for the 2015 season that you can share with your guests or even come down yourselves to enjoy our patio, wines and a bit of live music. This information is also available on the website/facebook. We are applying for a restaurant permit for next year to be able to have a more varied food selection but for this summer people are welcome to bring a pick-nick lunch for a pit-stop on their wine touring or to enjoy some live music while they eat. We do have Cheese/Charcuterie baskets that are great for sharing, available for 30$ and are looking into possible options to diversify our menu so that will be to look out for as we get into the swing of the summer season. If you are wanting any other information feel free to let me know.

Breaking Bud Party - Van Horne Trio

- May 2, 2015 (1:00 pm - 4:00 pm)
- Join us for the coming of Spring and try our new vintages. Enjoy great wine and music while soaking in the glorious view from our deck.

Rolling Out The Barrel - Blue City Trio

- May 9, 2015 (1:00 pm - 5:00 pm)
- A chance to try our new reds, straight from the barrel. Meet the winemakers and dance the afternoon away!

BENCH 1775 Party with Blue City Trio

- June 13, 2015 (1:00 pm - 5:00 pm)
- July 25, 2015 (1:00 pm - 5:00 pm)

- August 8, 2015 (1:00 pm - 5:00 pm)
- August 22, 2015 (1:00 pm - 5:00 pm)
- September 5, 2015 (1:00 pm - 5:00 pm)
- October 3, 2015 (1:00 pm - 5:00 pm)

BENCH 1775 Party with Uncorked Band

- June 27, 2015 (2:00 pm - 5:00 pm)
- July 11, 2015 (1:00 pm - 4:00 pm)
- August 22, 2015 (1:00 pm - 4:00 pm)

Chill and Groove Nights - DJ K

- July 17, 2015 (5:00 pm - 9:00 pm)
- July 24, 2015 (5:00 pm - 9:00 pm)
- July 31, 2015 (5:00 pm - 9:00 pm)
- August 7, 2015 (5:00 pm - 9:00 pm)
- August 14, 2015 (5:00 pm - 9:00 pm)
- August 21, 2015 (5:00 pm - 9:00 pm)
- August 28, 2015 (5:00 pm - 9:00 pm)

Aaron Hicks
Tasting Room Manager and Events Coordinator
BENCH 1775 Winery
Paradise Ranch & Whistler
250 490 4965 Ext 103

BENCH1775

Twitter: @bench1775
Facebook: bench1775
Instagram: bench1775
www.bench1775.com

April 29, 2015

Mr. Ken Kunka
Building and Permitting Manager
City of Penticton
171 Main Street
Penticton, B.C. V2A 5A9

Re: Application for a Winery Lounge and SEA Endorsement 1775 Naramata Road, Penticton, B.C.

Dear Mr. Kunka:

My brother and I both received public notices and are co-owners and long time residents of our home and vineyard at 1745 Naramata Road. Our property is adjacent to the proposed special event area. We are strongly opposed to this proposal.

We have many concerns with regards to this application: the hours of operation, the noise factor, increased traffic (our home is situated very close to the entrance of the winery) and a greater risk of fire. As well, it would also set a precedence for the other wineries located within a 1 km radius.

This proposal would have a negative impact on our residential and agricultural area.

Sincerely,

Maria Wiseman
Mario Vieira

Maria Wiseman
Mario Vieira

April 29, 2015

Mr. Ken Kunka
Building and Permitting Manager
City of Penticton
171 Main Street
Penticton, B.C. V2A 5A9

Re: Application for a Winery Lounge and SEA, 1775 Naramata Road

Dear Mr. Kunka:

My husband and I have been residents of 1725 Naramata Road, Penticton for over 32 years. Our property is situated directly south of the proposed special event area. We are vehemently opposed to this proposal and the hours of operation.

On numerous weekends over the past two summers, bands have played on the existing patio of Bench 1775. We have had music blaring from mid-afternoon until closing. This year 23 events have already been planned between April 25th and Oct. 3rd. Out of those, 4 weekends have consecutive days scheduled and another 2 weekends have double events booked. Extended hours combined with unlimited outdoor occupancy for the SEA are only going to add to the noise (the hours of operation on the Liquor Licences for lounge and SEA for Misconduct Wine Co. and Poplar Winery are until 11:00pm). Not only does the noise occur within the venue but also as patrons depart from the establishment. There are at least five families with young children whose homes lie between .5 km and 1 km of the winery. Sound carries and there are no barriers to absorb the noise.

Increased traffic also becomes a concern, as does policing when wine tasting now becomes full fledged drinking at an event. Party goers unfamiliar with our winding road will be a menace. There is also a greater risk of fire as patrons wander the area and perhaps toss a cigarette into dry grass or shrubs (and they been trespassing onto neighbouring property). There are five wineries within a one kilometre radius of our home and if this proposal goes through it sets precedence for them to apply for similar licensing.

Our property and the property at 1745 Naramata Road, Penticton (adjacent to the proposed SEA) are both working vineyards. At anytime during the day or evening farming activities may occur which could adversely effect SEA outdoor functions. As farmers we typically keep early hours.

This is a rural residential and agricultural area first and foremost, not the centre of Penticton. The peace and relative quiet of our neighbourhood is enjoyed by all of us. We are not in favour with this proposal and if it proceeds it will have a negative impact on our community's quality of life.

Sincerely,

Lyle and Debby Sworder

April 27, 2015

Building and Permitting Manager
City of Penticton
171 Main Street
Penticton, B.C. V2 5A9

Attention: Ken Kunka

Subject: Bench 1775 Winery's Application for a Winery Lounge and Special Events Area

We are writing in response to Bench 1775's application for a winery lounge and special events area (SEA). We are opposed to the permit for a special events (SE) area that would result in the expansion of such an area on the property and an increase in the number of such events which are classified as non-farm uses of private property in the ALR.

We are Christos and Sophie Dikeakos who have an old apple orchard on 1150 Sutherland Road and are in the process of an extensive rebuilding of our old orchard residence. We have a large extensive family and many visitors who love to visit us during the warm summer months. Our location is on the eastern upper bench of Naramata road right above Arta B&B and we do get echoes and reverberations of amplified and electronic music and outdoor winery evening parties. Our concerns are similar to every resident that have written to you regarding this Special events area application made by Bench 1775.

We feel strongly that such events would have a negative impact on our rural agricultural and residential area. It would also set a precedence that every other winery within a kilometre might ask City Council for the same operating hours to host special events. The outdoor evening amplified and electronic music will severely impact and affect the quality of lifestyle that we currently enjoy which include farmers, tourists who stay at local Bed And Breakfast establishments, and including families of young children where everyone's sleeping habits will be severely impacted.

If this winery is successful in its application for *late night special outdoor* events liquor permit it will mean that every other winery, a total of 24 on the bench may ask for the same.
This new liquor application by Bench 1775 creates a completely different and new business model for wineries ....in affect proposing a new form of entertainment destination venue for outdoor music with the consumption of liquor and a major departure from the wine tour experience.

This is not in keeping with the Naramata Wineries association mandate where they wish to provide first and foremost a unique experience of winemaking, viniculture and 'agro tourismo'.

As stated by Nancy Yildiz of 1120 Sutherland Road 'The increased noise and traffic would not be welcomed and the fact that the Penticton Fire Department does not have adequate access to water to fight a fire at this property rises the stakes even higher when dealing with large numbers of people.'

With regards to the lounge permit, we would support a lounge if it meets the ALR requirements of being a maximum of 125 sq. meters indoors and outdoors and the noise be kept to a minimum so that it does not disturb neighbors nearby (see Sworder at 1725 Naramata Roads and other residents' concerns).

In writing this letter, we could not find any by-laws or restrictions on special events that are held on private property in the ALR. Perhaps Council can shed some light on this. We were also unsure whether each special event would require approval of the ALC (Agricultural Land Commission) as well as the Liquor Board. Finally, we were surprised that Bench 1775 did not make any effort to consults its neighbours and listen to their concerns before making an application to City Hall. Therefore, we would like to urge City Council not to rush the decision-making process on the 4th of May. Instead there needs to be much more public consultation to find a solution that balances everyone's concerns. Those concerns may include City Hall developing clear and concise guidelines for special events in the ALR in order to meet the changing liquor laws and ALC by-laws.

Sincerely,

Christos and Sophie Dikeakos

1150 Sutherland Road
Penticton, B.C. V2A 8T8

April 28, 2015

Building and Permit Manager
City of Penticton
171 Main Street
Penticton, B.C. V2A 5A9

Attention: Ken Kunka and City Counsellors

Re: Bench 1775 Winery's Application for a Winery Lounge
and Special Events Area

We understand the above noted Winery is applying for a permit to hold special events complete with live music, and selling hard liquor, as well as staying open later than normal hours.

We live at 1130 Sutherland Rd. on a small acreage and are located directly above Naramata Rd. and would be effected by this application

We are completely opposed to this application by 1775 Winery for the following reasons -I am sure the noise that will be generated during the summer months when working people and / or other tourists lookng for peace and quiet are trying to sleep or get some rest will be intolerable

- Naramata Rd. is not the safest of roads as is and to add more traffic of people who have been drinking hard liquor while spending evening hours listening to event music will be a certain recipe for disaster

- If they are granted this permit probably most other winery's will want the same consideration

- The selling of hard liquor I am sure does not meet the Winery definition enabling them to receive farm status.

You must realize that this area is residentially populated with relatively small properties in close proximity to this Winery and all of us would be living under very unhappy conditions.

This Winery is completely within their rights to have a wine tasting area (which they do have), along with serving food in their lounge area if they so wish, as long as it is in normal working hours.

We are still within the Penticton City Limits and should be treated accordingly, if my memory serves me I believe Perseus Winery was denied late opening a couple of years ago for the same reason of the negative effect on the local adjoining residential properties.

Please give the above a good deal of thought before rushing into creating a situation that will negatively effect the surrounding properties, and maybe create a snowball of applications for similar venues in other residential areas, for once this is granted it would be impossible to retract.

Respectively Yours

Jim & Joanne Forsyth
1130 Sutherland Rd.
Penticton, B.C.

Council Report

penticton.ca

Date: May 4, 2015 File No: 0340.50
To: Chuck Loewen, Acting City Manager
From: Cathy Ingram, Purchasing Manager
Subject: **Amended Purchasing Policy**

Staff Recommendation

THAT Council approve the amended Purchasing Policy attached as Schedule A.

Strategic priority objective

To maintain a high standard of equity, honesty and open communication.

Background

The Purchasing Policy outlines the method of obtaining quotes for various values of purchases and assigns spending authority to positions to approve such purchases. The City's current Purchasing Policy was endorsed on October 4, 2004. The amended policy has been reviewed by the Leadership team prior to coming to Council.

Financial implication To ensure the best value is obtained for the City's dollar.

Analysis

Highlights of the amended Purchasing Policy include:

1. <u>Increase purchasing authority levels as follows:</u>

Authority for Goods	Current Value	Proposed Value
All staff as directed by their Supervisor	Up to $1,000	Up to $1,500
Supervisors	Up to $10,000	Up to $15,000
Managers	Up to $25,000	Up to $50,000
Directors	Up to $50,000	Up to $100,000
City Manager and Purchasing Manager	Up to $75,000	Over $100,000

Authority for Consulting Services without competitive quotes	Current Value	Proposed Value
Managers	Up to $25,000	Up to $50,000
Directors	Up to $25,000	Up to $50,000
City Manager and Purchasing Manager	Up to $50,000	Up to $75,000

2. <u>Sustainable Purchasing</u>

The City aims to support locally made and environmentally responsible products. Ethical and sustainable purchasing, including environmental and social factors, shall be taken into consideration for purchasing decisions in an effort to reduce the environmental and social impacts of purchases made. Benefits for consideration include, but are not limited to:

- Cost savings
- Enhancing corporate image
- Ensuring compliance with legislation
- Conserves natural resources
- Reduces pollution
- Reduces the amount of waste sent to landfill (Recycle)
- Carbon reduction

3. Single Source – Direct Award Purchasing

The acquisition of goods or services may be direct awarded if approved by the Department Manager or CAO and Purchasing Manager. Reasons for direct awarding include, but are not limited to, the following:

- Analysis of specifications and physical requirements determines that the products / services is manufactured or available through only 1 firm and distributed through a single dealer, supplier, or service provider.
- Only 1 qualified supplier (sole source) possesses unique and singular available capability to meet the requirement of the solicitation, such as technical specifications or ability to deliver at a particular time.

4. Permit Electronic Submissions

The policy has been amended to authorize the submission of RFQs, RFPs, EOIs and Tenders via e-mail or fax. Tenders must be submitted to a secure e-mail account, the process of which will be worked out with the IT Department.

Alternate recommendations

1. Approve the Purchasing Policy with reduced spending authority limits as directed by Council.
2. Approve the Purchasing Policy with amendments to or removal of the sustainable purchasing requirements.
3. Refer the Purchasing Policy back to staff for amendments as directed by Council.

Attachments

Attachment A – Purchasing Policy

Respectfully submitted,

Cathy Ingram
Purchasing Manger
Approvals

Director	City Manager

penticton.ca

Approval date: May 4, 2015 **Resolution No.:**

Subject: Purchasing Policy

Goal

The goal of this policy is to maximize the long-term value of the City's dollar recognizing the best value while considering price, quality, service, delivery, training, performance, experience and other criteria to determine the total cost of ownership. To maintain a high standard of equity, honesty and open communication and to ensure that all suppliers are given fair and equal access to do business with the City of Penticton.

Scope

The scope of this policy is:

- to outline the parameters for the acquisition of goods and services, operation of the inventory, managing and disposing of surplus material in a professional, responsible and cost-effective manner; and

- to delegate the authority with regard to the approval of purchases for goods and services and execution of contract.

TABLE OF CONTENTS

1. PURCHASING AUTHORITY

Only those persons delegated authority are permitted to commit the City for goods or services as approved in the budget (Refer to Purchasing Authority Thresholds).

All goods and services are to be acquired in accordance with this policy unless authorized on an exception basis by City Council or the Chief Administrative Officer (CAO).

The Purchasing Manager, Directors and Department Managers are responsible to ensure the Purchasing Policy is followed within their areas of control to ensure:

- expenditures comply with the City's budget;
- appropriate process has been followed;
- sufficient analysis and discussion has taken place;
- mitigation of risk of error or misappropriation;
- staff have appropriate signing authority for purchases they request; and
- goods and services purchased are of best value and meet City requirements.

Council shall approve the following:

- purchases which are not included in the budget;
- purchases which exceed the budget amount; or
- tender awards where the desired vendor is not the lowest qualified bid meeting requirements or specifications.

2. PURCHASING AUTHORITY THRESHOLDS

Authorization levels for Purchase Requisitions and Purchase Orders is a follows:

PURCHASE REQUISITIONS	
Value	**Position**
Over $100,000	CAO or Chief Financial Officer (CFO)
Up to $100,000	Directors
Up to $50,000	Department Managers
Up to $15,000	Supervisors
Up to $1,500	Designated Employee (Purchase Cardholder)

PURCHASE ORDERS	
Value	**Position**
Over $100,000	Purchasing Manager
Up to $100,000	Purchasing Manager
Up to $50,000	Storekeeper/Buyer
Up to $15,000	Storekeeper/Buyer
Up to $1,500	Designated Employee (Purchase Cardholder)

3. PURCHASING METHODS AND PAYMENT PROCEDURES – GOODS AND SERVICES

VALUE	GOODS PROCEDURE	SERVICES PROCEDURE
$0 - $1,500	• City Purchase Card • Standing PO • Direct purchase • Direct pay invoice with Manager signature	• PO authorized by Purchasing • PO from pre-qualified list
$1,501 - $2,500	• Obtain 1-2 written quotes • Standing PO • PO authorized by Purchasing	• Obtain 1-2 written quotes • Standing PO • PO authorized by Purchasing
$2,501 - $10,000	• Obtain 2-3 written quotes • PO authorized by Purchasing	• Obtain 2-3 written quotes • PO authorized by Purchasing
$10,001 - $74,999*	• Issue formal RFP or RFQ. Solicitation may be exclusive invitation or open procurement. • PO authorized by Purchasing	• Issue formal RFP or RFQ. Solicitation may be exclusive invitation or open solicitation • PO authorized by Purchasing • Contract > $50,000 signed by Director and Purchasing Manager
$75,000 - $100,000 ***NWPTA**	• Issue formal EOI, RFP, RFQ or Tender through open procurement solicitation. • PO authorized by Purchasing	• Issue formal EOI, RFP, RFQ or Tender through open solicitation. • PO authorized by Purchasing • Contract signed by Director

>$100,000	• Issue formal EOI, RFP, RFQ or Tender through open solicitation. • PO authorized by Purchasing Manager	• Issue formal EOI, RFP, or Tender through open solicitation. • PO authorized by Purchasing Manager • Contract signed by CAO or CFO and Purchasing Manager

* Routine warehouse inventory purchases may be excluded from the formal Tender or RPF process of obtaining prices.

4. PURCHASING METHODS - CONSULTING SERVICES

VALUE	SERVICES PROCEDURE
$0 - $75,000	• May direct award** with Director and Purchasing Manager approval • Prof Services PO authorized by Purchasing Manager
> $75,001	• NWPTA* regulations apply • Issue formal EOI, RFP, Tender or RFQ through open solicitation. • PO authorized by Purchasing Manager • Contract signed by CAO or CFO and City Manager

* New West Partnership Trade Agreement (NWPTA) regulates Open Procurement Process at $75,000.00 for Goods and Services and greater than $200,000 for Construction Projects.

** Consultant Direct Award

- Time is of the essence. Consultants are often hired when a solution to a problem has to be found quickly and a competitive selection process may take too long;
- Specialized knowledge or skill is required;
- Consultants who have been previously engaged by the City in the same or similar capacity require less start-up time, resulting in lower costs and taking less City staff time; or
- Fees are competitive between consultants.

Open Procurement Process – Competitive bid solicitation that is open to any and all interested bidders and is posted at a minimum to BC Bid and City of Penticton website.

Exclusive Invitation – Competitive bid solicitation that is issued to a minimum of three bidders.

Direct Purchase – Purchases that have been made outside of Standing PO's or supply agreements and Purchasing has not been involved in the process.

Direct Pay – Accounts Payable will pay an invoice (without a PO) providing a Supervisor / Manager has approved the invoice.

Informal Quote – Written quotes solicited by end user typically for low dollar purchases with straightforward specifications.

Formal Quote – Controlled formal request for quote process issued by Purchasing typically for higher dollar procurements with complex specification / service.

Formal Quote - For purchases exceeding $75,000, the decision between the use of a Tender, RFQ, EOI, or a RFP will be determined by the Purchasing Manager. Purchases exceeding $75,000 are NWPTA regulated and shall not be departed from.

Submissions – At the sole discretion of the Purchasing Manager, RFQs, EOIs, RFPs and Tenders can be submitted via e-mail or fax once a secure e-mail account has been provided.

5. REQUEST FOR QUOTES OR INFORMATION (RFQ or RFI)

RFQ or RFI are typically issued for standard goods available in the marketplace and may or may not develop into purchase commitment.

- May be open or exclusive invitation
- Clearly defined scope of requirements
- Bids solicited, received and managed by Purchasing

6. REQUEST FOR EXPRESSION OF INTEREST (EOI)

EOI call is an advertised open request to various firms or companies for an expression of interest in a particular project. There are no project details or prices in an EOI. Response to an EOI sets out the expertise of the firm in the area covered by the project, and details the qualifications of the persons who will be involved in the project as well as the qualifications and relevant history of the firm.

7. TWO PART PROPOSAL CALL

Consultants for large projects (>$75,000) should be selected using a two-part Proposal Call.

- Consultants are short-listed from an Expression of Interest call.
- Typically 3 Consultants are short-listed and invited to participate in the RFP call.
- CAO or CFO approves and executes consulting contract.

8. REQUEST FOR PROPOSAL (RFP)

An RFP is a formal request for submissions and describes an opportunity or problem and asks for solutions and costs for those specific opportunities or problems. There may be more than one solution presented in the submissions. The invitation to proponents to negotiate with the City for a contract is an indication of the City's intention to consider the proponents submissions and thereafter negotiate with one or more of the proponents.

- May be open or exclusive invitation.
- Provide Terms of Reference or Statement of Requirements.
- Weighted evaluation criteria clearly defined in the RFP to ensure bidders are aware of evaluation method and to provide a fair and equitable scoring process. Relevant experience, capability of assigned staff, understanding of the scope of work, corporate depth and quality of proposal should be the most compelling factors in consultant selection. Where applicable, environmental considerations should be part of the evaluation process.
- It is the responsibility of the Department Manager to prepare the necessary specifications for the RFP.

9. INVITATION TO TENDER

An Invitation to Tender is a formal request for sealed bids for specific goods or services. The purpose of a tender is to eliminate the need for negotiations with tenderers and replace this with competition between tenderers. This is used when specifications are clearly defined.

- Advertised open invitation.
- Clearly defined scope of requirements.
- Public opening managed by Purchasing Manager.
- Bid Bonds are required for MMCD Construction Projects or as deemed necessary by the Purchasing Manager.
- Tenders may not be called until required land and/or Rights-of-Way have been acquired, unless the prior approval of Council has been obtained.
- It is the responsibility of the Department Manager to prepare the necessary specifications for the Tender.

Tenders or RFPs resulting in construction or consulting contracts may require bid securities, bonding and additional insurance requirements. Refer to Bonding Requirements section.

For construction work, the security will be in the form of a performance bond and labour and material bond. For service contracts (such as garbage collection) performance should be secured by way of an irrevocable letter of credit or bank draft. The amount of such security should represent the additional costs to the City to ensure the service is provided or the work is performed if the contractor is unable to perform such work.

All bond securities including Letters of Credit or bank drafts shall be controlled by the Finance Department. Copies and receipts are to be retained in the file by Purchasing Department.

10. PURCHASE ORDER

Upon receipt of authorized requisitions, the Purchasing Department will issue a purchase order for goods / services in accordance with policy. Vendors will be issued authorized POs via e-mail or fax.

11. DIRECT PURCHASES UP TO $2,500.00

On occasion or in the case of an urgent situation, staff may be required to purchase goods prior to a PO being issued. These are typically low dollar non routine purchases where Standing PO or City Purchase Card is not available. Under these circumstances, staff may direct purchase goods. Finance will direct pay the invoice with a Supervisor / Manager signature.

12. ADMINISTRATION OF CONTRACTS

The Purchasing Manager will work with the Division in consultation with the project consultant to ensure the contract is fully executed and all bonding is in place.

The responsibility for ongoing administration of a contract shall reside with the originating Division / Project Manager in consultation with the project consultant (if any). Such administration shall include: ensuring the contract is signed before work begins; monitoring the performance of the contractors; managing payment to the contractors; tracking revenues and expenditures on the project; managing any changes to the contract documents; and managing the completion of the project.

13. CONFIDENTIALITY

Most transactions relating to purchasing are of a confidential nature. It is the responsibility of all City employees to ensure confidential information is respected and remains confidential. Access to information shall be subject to provisions of the *Freedom of Information and Protection of Privacy Act*.

A total bid price is public information; however, it is considered unethical as well as damaging to the City's position to allow **unit price** information from one vendor to pass to another vendor.

14. CONSULTING SERVICES

Consultants will be retained on the basis of expertise, experience, professional reputation, ability to complete the work and to provide cost-effective advice and solutions. The Divisions should not rely on one consultant to provide the majority of small project consulting services. The use of local consultants is encouraged when the capability of the firm matches the scope of work. A consultant will be recommended by the Project Manager and approved by the Division Director.

Rationale for hiring consultants without requesting competitive quotes include:

- Time is of the essence. Consultants are often hired when a solution to a problem has to be found quickly and a competitive selection process may take too long;
- Specialized knowledge or skills;
- Consultants who have been previously engaged by the City in the same or similar capacity require less start-up time, resulting in lower costs and taking less City staff time; or
- Fees are competitive between consultants.

15. CONSULTING SERVICES UP TO $75,000

Consultants for projects up to $75,000 may be selected without a proposal call. Approval from the Division Director and Purchasing Manager is required prior to engaging the consultant.

16. CONSULTING SERVICES OVER $75,001

Consultants for large projects should be selected using a two-part Proposal Call. Via EOI, short-list between 3 -5 consultants to be invited to participate in a subsequent RFP Process.

Consultant award shall be approved by Director up to $100,000 and CAO or CFO for awards over $100,000.

Consultants may be pre-qualified via an EOI process which will short-list candidates for an exclusive RFP process for several capital projects throughout the year.

17. ON-GOING PROFESSIONAL SERVICES

Where professional services are to be retained on an ongoing basis, a review will be undertaken three to five years. These services include but are not limited to:

- Auditing Services
- Banking Services

- Insurance Services
- Legal Services
- Employee Benefit Plan Brokerage Services

These services will be requested by way of an EOI and/or RFP. The terms of reference and evaluation criteria will be established by the relevant department and the proposal evaluation will be performed by appropriate Division staff as assigned by the Division Director.

18. PURCHASE CARDS

The use and management of Purchase Cards shall be in accordance with the Purchase Card Policy.

19. ANNUAL HIRED EQUIPMENT

Requests for registration and equipment rates will be made for 1 or 2 seasons Standing Purchase Orders will be set up with pre-qualified hired equipment contractors. Work will be awarded thought-out the year based on price, availability and contractor performance.

20. ANNUAL SUPPLY CONTRACTS / STANDING PO'S

Major Annual Supply Contracts expected to be in excess of $50,000 (eg: asphaltic paving, gravel, line painting) shall use an open procurement bid process. Approval from the CFO must be obtained if an open procurement process is not used.

Annual Supply Contracts expected to be less than $50,000 (eg: inventory stock, corporate supply items, Standing POs) shall use either an exclusive or open procurement bid process.

Contract terms will vary in length dependent of the service requirements and capital outlay required of the Contractor. The Procurement Manager in consultation with the Department Manager shall determine the appropriate contract term and maximum number of extension options. The contract term shall not exceed the term identified in the bid process and shall not exceed ten (10) years in total.

21. COOPERATIVE PURCHASING

Whenever practically possible, the Purchasing Manager should engage in co-operative purchasing with local or regional governments and agencies in order to obtain better value for public funds.

22. ENVIRONMENTAL / SUSTAINABLE PROCUREMENT

The City aims to support locally made and environmentally responsible products. Ethical and sustainable purchasing, including environmental and social factors, shall be taken into consideration; however, the City is not obligated to purchase sustainable goods. Vendors do not need to prove they are "green" but encouraged to share any green initiatives with the City.

Benefits for consideration include, but are not limited to:

- Cost savings
- Enhancing corporate image
- Ensuring compliance with legislation
- Conserves natural resources

- Reduces pollution
- Reduces the amount of waste sent to landfill (Recycle)
- Carbon reduction

23. ASSET INVESTMENT RECOVERY (SURPLUS AND SALVAGE MATERIAL)

All surplus equipment and salvage materials shall only be disposed of through the Purchasing Department. Working with the various departments, surplus will be disposed of by one of the following methods:

- Re-use by other City Departments
- Sales to public by bids or auction
- Sale by consignment
- Sale to scrap metal dealers
- Donate to non-profit organization
- Direct Scrap - arrange for disposal to the City landfill items deemed of no value/waste

NOTE: All Surplus Equipment is sold *As Is – Where Is* in present condition with no warranty, except ownership, to be given or implied, and on the basis that the buyer will remove and transport.

24. SOLE SOURCE PURCHASING – DIRECT AWARD

On occasion the competitive process may by waived and a Direct Award may be approved by Division Director and Purchasing Manager. Purchases exceeding $50,000 must be approved by the Purchasing Manager and CAO. At a minimum the following due diligence must be performed with a Direct Award Justification submitted for approval.

- Analysis of specifications and physical requirements determines that the products / services is manufactured or available through only 1 firm and distributed through a single dealer, supplier, or service provider.
- Only 1 qualified supplier (sole source) possesses unique and singular available capability to meet the requirement of the solicitation, such as technical specifications or ability to deliver at a particular time.
- Several qualified suppliers possess the availability and capability to meet the Solicitation requirements; however, only a 1 supplier (single source) is selected for an award of an agreement through negotiation for the reasons provided in an approved direct purchase request – justification.

NOTE: Certain procurements are subject to the provisions of AIT (Agreement on Internal Trade) a NWPTA (New West Partnership Trade Agreement) and therefore in specific circumstances a Direct Award may not be possible.

25. LIQUOR PURCHASES

Designated staff has authorization to purchase alcohol on the City's Purchase Card specifically for the South Okanagan Events Centre, Penticton Trade and Convention Centre inventory, or for other City organized special occasion liquor permits with the written approval of the CFO.

26. BONDING REQUIREMENTS

Contract Type	Bid Bond or Cash Equivalent	Performance Bond	Labour & Material Payment Bond
Construction, maintenance or service contracts under $150,000.	No	No	No
Construction contracts for structural or miscellaneous work over $150,000	Yes	Yes	Yes
Construction contracts for other high risk work on all types of contracts	Yes	Yes	Yes
Maintenance or service contracts over $75,000 per year. If contract is for more than one year; bid bond is based on first 12 months cost	Yes	At discretion of Purchasing Manager and/or Department Manager	At discretion of Purchasing Manager and/or Department Manager.

Bonding for construction contracts other than structural work, including underground work or unusual or high risk work on all types of contracts, may be increased at the discretion of the Purchasing Manager or Department Manager.

- MMCD Contracts - Insurance / bonding requirements shall be in accordance to MMCD document.

- MMCD Client Consulting Contracts – Insurance / bonding requirements shall be in accordance with MMCD Client Consulting document.

27. INSURANCE

Contract Value	General Comprehensive Liability (GCL)	Vehicle Liability	Builders Risk / Course of Construction	Wrap Up Liability	Professional Errors & Omissions
Up to $100,000	$2M	Yes	No	No	No
$100,001+	$5M	Yes	Yes for Reservoir, Bldgs & Booster Stations. • See Below	Yes When Contractor is subcontracting	No
Up to $500,000	$2M	No	No	No	$500,000
$500,001 - $2M	$2M	No	No	No	$1M
$2M +	$2M	No	No	No	To be determined

- Builders Risk / Course of Construction in not required for: Underground Utilities (water, sanitary, sewer, storm sewer) road construction, sidewalks and fencing

Previous revisions

October 4, 2004
Council Resolution 554/98

Approval

Council Report

penticton.ca

Date: May 4th, 2015 File No: Civic File 483 Maurice Street
To: Chuck Loewen, Acting City Manager
From: Blake Laven, Planning Manager
Address: 483 Maurice Street

Subject: Strata Conversion
483 Maurice Street, Phase II (The Arizona)

Staff Recommendation

THAT Council, after giving consideration to the following issues:

(a) the priority of rental accommodation over privately owned housing in the area,
(b) any proposals for the relocation of persons occupying a residential building,
(c) the life expectancy of the building,
(d) projected major increases in maintenance costs due to the condition of the building, and
(e) any other matters that, in its opinion, are relevant,

approve the strata-conversion application for Lot A, District Lot 2, Group 7, Similkameen Yale (Formerly Yale Lytton) District, Plan KAP84808, Except Strata Plan KAS3627(Phase 1), located at 483 Maurice Street;

AND THAT prior to final approval, confirmation be received from the Building and Permitting Department that the building substantially complies with the BC Building Code.

Background

The subject property (Attachment A) is part of a phased strata plan previously approved by the City. The development plans show two three-unit buildings. The first phase of the project began construction in 2007 and was issued occupancy and completion in 2010. Upon completion of the building a strata plan was registered with the Land Title Office to create 3 strata titles. Under Section 241 of the Strata Property Act unoccupied buildings, certified by a land surveyor, can be stratified through registration at the Land Title Office without approval from the local government.

Construction on Phase II began in 2011 and was completed in 2013. When the construction was completed, the owners of the units (the developers) moved into one of the units, while marketing the others for sale. In the letter provided by the applicant, it is made clear that they moved into one of the units without understanding the ramifications of that action. Under Section 242 of the Act, occupied buildings cannot be stratified without approval from City Council, which are required to consider things like rental availability in the City, building life expectancy, future maintenance costs and current occupancy relocation. The owners

were not aware of this provision and when they proceeded to go through the steps to register the building as a strata, they were informed that they would need Council approval prior to registration.

In addition to the requirements under the Strata Property Act, the existing "Conversion to Strata Title – Council Policy" requires the applicant provide documentation that at least 75% of the tenants are in favour of or do not object to the conversion.

Financial implication

N/A

Technical review

Normally in applications for strata conversion, a detailed report from a building profession, architect or building code specialist is required to make recommendations on meeting current Building Code provisions. In this case, however, this is a relatively newly built structure and was issued an occupancy permit within the last few years, so that oversight is not really required. The Chief Building Official though, does note that the building was constructed under a previous version of the BC Building Code. Under the Strata Property Act, substantial conformance to the most 'current' building code is required. What Building Department staff are recommending, is that they have the opportunity to re-inspect the building and sign off on code compliance rather than requiring a third party review. This inspection process may result in some minor upgrades to reflect some of the code changes.

Analysis

Approve

Strata conversion applications usually deal with buildings that have been occupied for many years and in some cases decades. Provincial legislation and Council's policies are set up to ensure that those conversions happen in a way where risk to future owners is minimized by ensuring compliance to minimum code standards and to minimize the effects of the conversion of large rental buildings to condos (which was a serious concern when strata conversions were first introduced). In this case, however, the building is a relatively new building with two of the three suites not having ever been occupied. Given this fact, staff feel that the considerations to current tenants, building life and the overall rental market in Penticton are not relevant considerations. The intent of this development has always been for strata ownership.

Given the above, staff recommend that Council, after consideration to the issues outlined in Section 424(6) of the Strata Property Act, approve the application with the condition that the building is shown to comply with the most recent BC Building Code as determined by a City of Penticton Building Inspector.

Deny / Refer

Council may wish to have more information before approval of the application. If that is the case, staff recommend that the application be referred back to staff for further investigation. Alternatively, Council may feel the considerations of Section 242 (6) do not warrant approval of the application. If that is the case, Council should deny the application.

Attachments

Attachment A – Subject property location map
Attachment B – Images of subject property
Attachment C – Letter from applicant`s surveyor
Attachment D – Council strata conversion policy
Attachment E – Strata plans

Respectfully submitted,

Blake Laven, RPP, MCIP
Planning Manager

Approvals

Acting City Manager
CF

Attachment 'A'
Subject Property Location Map

Attachment 'B'
Images of proposed location

Figure 1: Phase 1, showing the architectural style and character

Figure 2: Phase 1, showing the architectural style and character of the project

Attachment 'C'
Letter from Land Surveyor

Steven J. Buzikievich
Land Surveying Inc.
BRITISH COLUMBIA LAND SURVEYOR
CANADA LANDS SURVEYOR
54 Nanaimo Avenue East
Penticton, B.C. V2A 1L9
Phone: (250) 492-0559 Fax: (250) 492-9851

April 27, 2015

City of Penticton, Development Services
171 Main Street
Penticton, BC
V2A 5A9

RE: PHASE 2, STRATA PLAN KAS3627 – 483 MAURICE STREET, PENTICTON, BC

Dear Sirs:

Please find attached an Application for a Strata Conversion on the above noted building and property.

This is a very unique situation in that the building under this application is Phase 2 of a 2 Phase Strata development previously approved by the City of Penticton. Phase 1 of this strata development was registered in the Kamloops Land Title Office in 2008, as a new development strata, therefore not needing any City of Penticton approval under Section 241, Strata Property Act. After the registration of Phase 1 the owner completed construction of this building as Phase 2 of Strata Plan KAS3627 but failed to sell any of the units so they delayed registration of Phase 2.

The owners have now completed an agreement to sell one of the strata lots in Phase 2 but no longer qualify under Section 241, Strata Property Act for an "Endorsement of Nonoccupancy" as the owners moved into one of the strata units in this Phase 2 building some time ago. The other 2 units in this Phase 2 building have remained unoccupied since the completion of construction of this building some time ago.

Registration of this Phase 2 of Strata Plan KAS3627 in the Land Title Office under the Strata Property Act has certain criteria that must be met. The Strata Property Act requirements have no direct correlation to the City of Penticton development requirements and Building Inspections requirements and occupancy permits.

Because of this oversight by the owners that they moved into this building without knowing the potential ramifications that their occupancy may have under the Strata Property Act. Even though they complied with City of Penticton building inspection and occupancy requirements there is NO leniency under the Strata Property Act for this oversight.

Therefore to proceed with registration in the Land Title office the owner will have to receive approval as a Strata Conversion by the City of Penticton prior to proceeding with registration.

Yours truly,

Steven J. Buzikievich Land Surveying Inc.
Per: Steven J. Buzikievich B.C.L.S., C.L.S.

2011-199 letter 1.doc

Attachment 'C'
Council`s Strata Conversion Policy

City of Penticton

COUNCIL POLICY

CONVERSION TO STRATA TITLE

1. The applicant is required to provide documentation to the satisfaction of the City that at least 75% of the tenants are in favour or do not object to the conversion;

2. The applicant must provide a report outlining the availability of similar types of rental accommodation with rental rates comparable to the subject building;

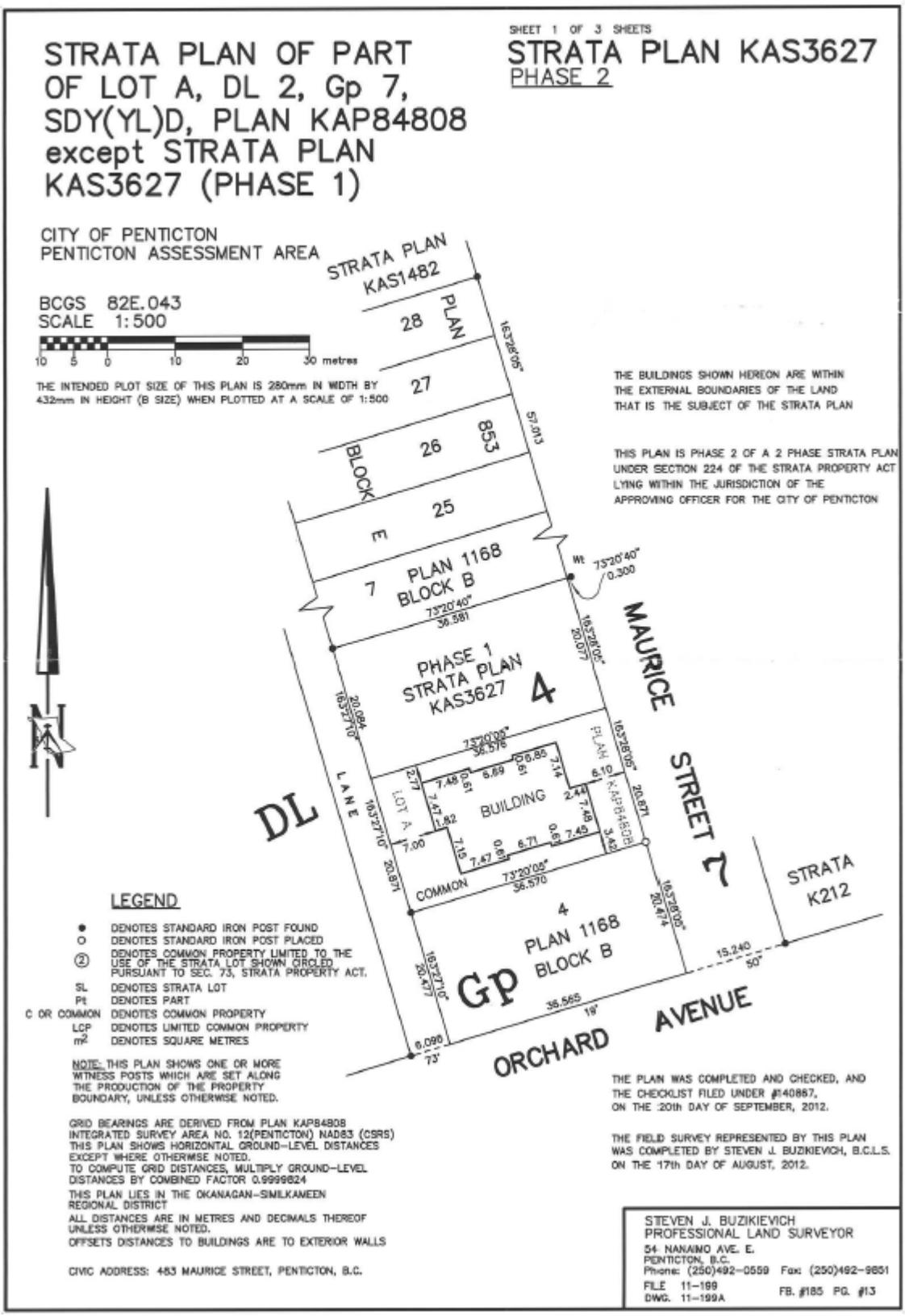
3. The building must substantially comply with the existing Building Code of British Columbia requirements with respect to safety, structural, and health aspects;

4. The building must substantially comply with the existing City of Penticton Zoning Bylaw regulations giving special consideration to use and density.

These policy guidelines are, of course, in addition to say statutory requirements that regulate condominium conversions.

I:\490-09 Forms Management\Planning\Applications & Packages\Current Apps & Pkgs\Strata\Conversion to Strata Title

Attachment 'E'
Strata Plan



SHEET 2 OF 3 SHEETS

FLOOR PLANS

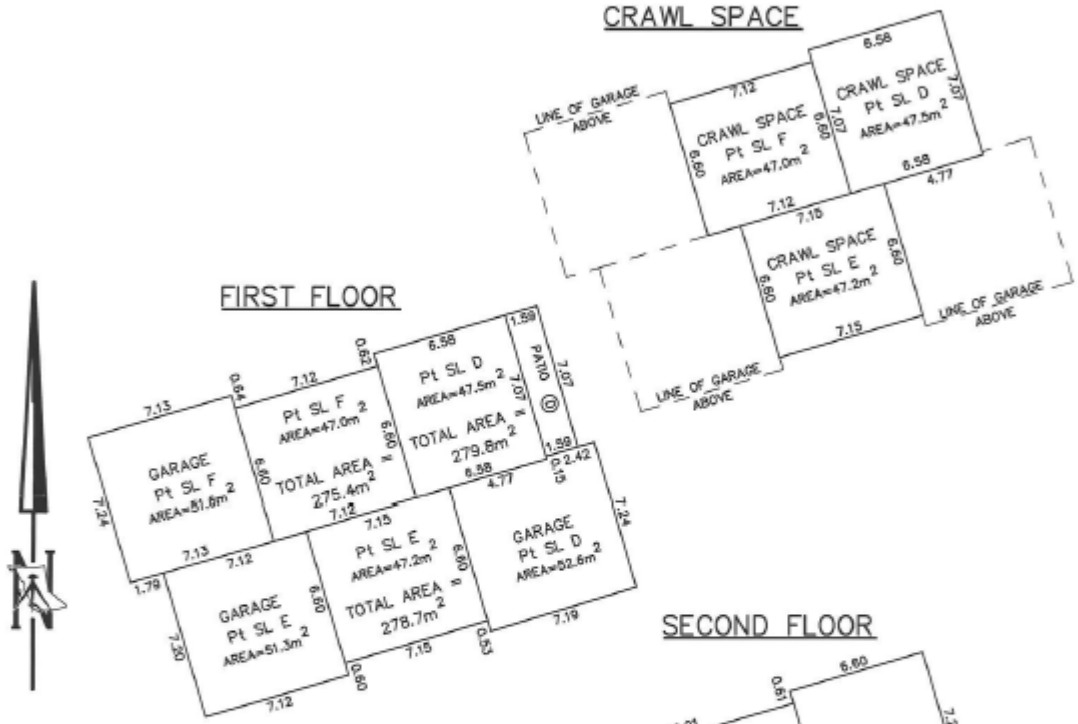
STRATA PLAN KAS3627

PHASE 2

BCGS 82E.043
SCALE 1:200

5 4 3 2 1 0 5 10 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED.

STEVEN J. BUZIKIEVICH, BCLS DATED THIS 17th. DAY OF AUGUST, 2012.

STEVEN J. BUZIKIEVICH
PROFESSIONAL LAND SURVEYOR
54 NANAIMO AVE. E.
PENTICTON, B.C.
Phone: (250)492-0559 Fax: (250)492-9851

FILE 11-199
DWG. 11-199B

SHEET 3 OF 3 SHEETS

STRATA PLAN KAS3627

PHASE 2

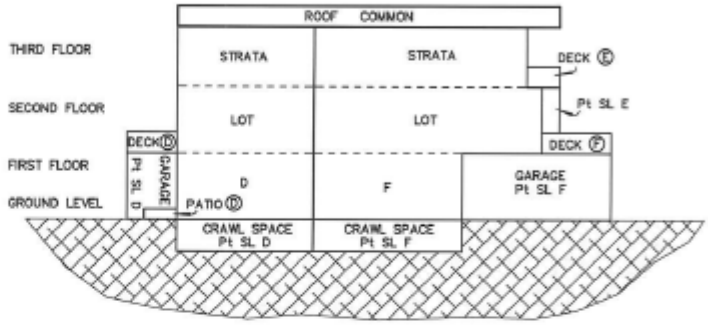
ELEVATIONS

BCGS 82E.043
SCALE 1:200

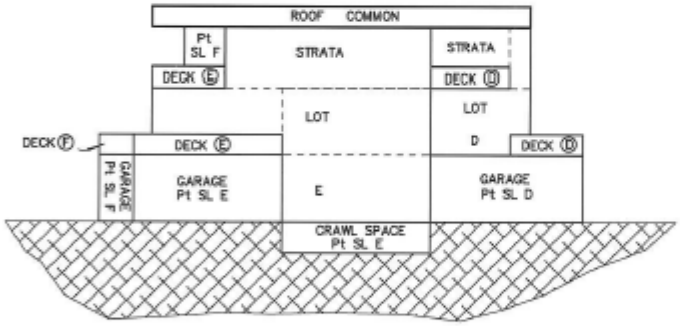
5 4 3 2 1 0 5 10 metres

THE INTENDED PLOT SIZE OF THIS PLAN IS 280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:200

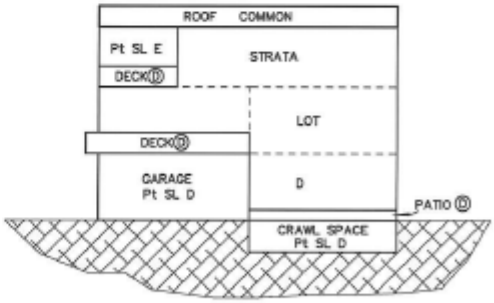
NORTH



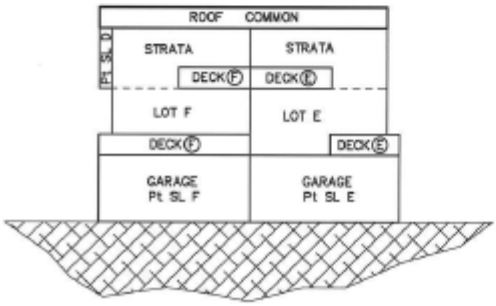
SOUTH



EAST



WEST



STEVEN J. BUZIKIEVICH, BCLS DATED THIS 17th. DAY OF AUGUST, 2012.

STEVEN J. BUZIKIEVICH
PROFESSIONAL LAND SURVEYOR
54 NANAIMO AVE. E.
PENTICTON, B.C.
Phone: (250)492-0559 Fax: (250)492-9851

FILE 11-199
DWG. 11-199C

Council Report

penticton.ca

Date: May 4, 2015 File No:
To: Chuck Loewen, Acting City Manager
From: Dana Schmidt, Corporate Officer
Subject: **Fees and Charges Amendment Bylaw No. 2015-22**

Staff Recommendation

THAT Council give three readings to "Fees and Charges Amendment Bylaw No. 2015-22".

Background

On March 16, 2015, Council gave staff direction to amend Appendix 7 of the Fees and Charges Bylaw. Attached is the amendment bylaw with the requested changes.

178/2015 **It was MOVED and SECONDED**

THAT Council direct staff to amend Appendix 7 of the Fees and Charges Bylaw No. 2014-07 with the following: "Non-Payment: Site Visit without a Disconnect": $34.00.

CARRIED

179/2015 **It was MOVED and SECONDED**

THAT Council approve the establishment of an Electrical Service Payment Plan for new electrical services and/or service upgrades as described in Attachment "A"; AND FURTHER THAT Council direct staff to amend Appendix 7 of the Fees and Charges Bylaw No. 2014-07 by adding the following Note:

4. All customers are eligible to access the "Electrical Service Payment Plan" for the installation of City Electrical Infrastructure that supplies power to their properties. The details of this program are summarized as follows:

- Payment Plan range: A customer can put a minimum amount of $5,000 up to a maximum amount of $50,000 on a Payment Plan;
- Payment Plan terms: 5 year payback in equal monthly amounts on the Electric Utility Bill plus interest calculated at the Prime Interest Rate +0.5%. (Prime rate at the time of signing the Payment Plan agreement);
- The customer has the ability to end the Payment Plan at any time by repaying the balance owing in full at any time without penalty;

- Eligibility Requirements:
  - Must be for a new or an upgrade to an Electrical Service;
  - Must be a City of Penticton Electric Utility customer;
  - Must have a minimum credit score of 650;
  - Must have a maximum of 19 City of Penticton Utility Credit Point;
  - The customer must own both the land and building where the service is required; and
- Protection: Any defaults on the Payment Plan will be subject to the normal City of Penticton utility collection procedures, including service disconnect and ultimately transfer of outstanding amount to taxes. Any outstanding payment plan amounts must be paid in full upon sale of the property. **CARRIED**

Analysis

The following amendment bylaw reflects the approved changes to the Electrical Schedule of the Fees and Charges Bylaw as well as housekeeping issues to fix fees that were missed in the last amendment.

The other changes to this schedule were discussed in the March 2nd Report to Council "Disconnect-Reconnect Fees and Options". These changes were all adjustments to reflect the true/current cost of providing these services.

Alternate recommendations

THAT Council direct staff to make further changes to Appendix 7 of the Fees and Charges Bylaw before reading of the amendment bylaw.

Attachments

Attachment A – Fees and Charges Amendment Bylaw No. 2015-22

Respectfully submitted,

Dana Schmidt
Corporate Officer

Approvals

Electric Operations Manager	Acting City Manager **CF**

The Corporation of the City of Penticton

Bylaw No. 2015-22

A bylaw to amend the Fees and Charges Bylaw No. 2014-07

WHEREAS the Council of the City of Penticton has adopted a Fees and Charges Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend the "Fees and Charges Bylaw No. 2014-07";

NOW THEREFORE BE IT RESOLVED that the Council of the City of Penticton in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title:

   This Bylaw may be cited as "Fees and Charges Amendment Bylaw No. 2015-22".

2. Amendment:

   i. Amend "Fees and Charges Bylaw No. 2014-07" by deleting and replacing the following appendix in its entirety:

      - Appendix 7 – Electric

   ii. Appendix 7 attached hereto forms part of this bylaw.

READ A FIRST time this	day of	, 2015
READ A SECOND time this	day of	, 2015
READ A THIRD time this	day of	, 2015
ADOPTED this	day of	, 2015

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Appendix 7

ELECTRIC	2014	Effective February 1,2015	Bylaw No. 2015-22 Effective May 19, 2015
Utility Administration Rates			
Utility credit references (current or recent account)	$15.75	$15.75	
Archived account	$26.25	$26.25	
Utility account history	$15.75	$15.75	
Interest rate on delinquent utility accounts	10% per annum	10% per annum	
Special electric meter reading	$26.25	$26.25	$34.00
Special electric meter inspection fee	$26.25	$26.25	$34.00
Postage / Printing Fee (per invoice)	$1.00	$1.00	
AMR OPT OUT			
AMR Opt Out manual electric ~~water~~ meter reading for an individual meter	$11.00 per meter read	$11.00 per meter read	
AMR Opt Out manual combined electric and water meter reading for an individual for an individual meter read	$13.00 per combined meter read	$13.00 per combined meter read	
AMR Opt Out manual water meter reading for a meter bank installation	$11.00 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter	$11.00 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter	
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	$13.00 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.	$13.00 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.	
~~City padlocks~~	~~$20.00~~	~~$20.00~~	
~~City lock boxes (installed by City)~~	~~$63.00~~	~~$63.00~~	
~~City lock boxes (installed by customer)~~	~~$47.25~~	~~$47.25~~	
Utility application fee – next day service	$30.00	$30.00	$40.00
Utility application fee – same day service (accounts with combined electric and water)	$90.00	$90.00	
Utility application fee (electric only) same day service (accounts that only have electric services)	$42.00	$42.00	$52.00
Non-Payment: Electric disconnect and re-connect fee ~~(for non payment~~ during City hall hours only)	$68.00	$68.00	
Non-Payment: Site visit without a disconnect (during City hall hours only)			$34.00
~~Electric diconnect / re-connect fee (for non payment after hours without call-out)~~	~~$97.00~~	~~$97.00~~	
Electrical disconnect or re-connect or site visit ~~fee~~ (cost per visit ~~for non payment~~ after hours with call-out)	$319.00	$319.00	$405.00
Electrical disconnect or reconnect or site visit (cost per visit ~~customer / agent request~~ during City hall hours)	$34.00	$34.00	
Electrical disconnect or reconnect or site visit (cost per visit ~~customer / agent request~~ after hours without call-out)	$63.00	$63.00	$68.00

~~Electrical disconnect (customer / agent request after hours with call-out)~~	~~$285.00~~	~~$405.00~~	
~~Electrical re-connect (customer / agent request during City hall hours)~~	~~$34.00~~	~~$34.00~~	
~~Electrical re-connect (customer / agent request after hours without call-out)~~	~~$63.00~~	~~$63.00~~	
~~Electrical re-connect (customer / agent request after hours with call-out)~~	~~$285.00~~	~~$285.00~~	
Illegal reconnection administration charge	$255.00	$0.00	$255.00
Utility fee - Leave on Authorized	$10.20	$0.00	$10.20
Electrical Disconnect~~ion~~ and reconnect from pole ~~(for non-payment)~~	$204.00	$0.00	$348.00
Special Administration charge per service	$25.50	$0.00	$25.50

Electric Rates

Rate Code 10 - Residential

Basic Charge	$16.17 per billing plus	$16.88 per billing plus
Energy Charge	$0.1111 per kwh for all consumption during the billing period	$0.1160 per kwh for all consumption during the billing period

Rate Code 15 - Residential/Special Service

Basic Charge	$16.17 per billing plus	$16.88 per billing plus
Energy Charge	$0.1278 per kwh for all consumption during the billing period	$0.1334 per kwh for all consumption during the billing period

Rate Code 20 - General - Secondary metered and City owned Transformation

Basic Charge	$16.17 per billing plus	$16.88 per billing plus
Energy Charge: First 10,000 kwh per billing	$0.1304 per kwh	$0.1362 per kwh
Next 90,000 kwh per billing	$0.1027 per kwh	$0.1072 per kwh
Additional kwh per billing	$0.0720 per kwh	$0.0751 per kwh
Demand Charge	$9.20 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$9.60 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months

Rate Code - 25, 30 and 35

Are subject to the same base rates for consumption and demand as set out in Rate Code 20 with the following discounts:

Primary Metering	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only

Rate Code 25 - General - Primary metered and City owned Transformation

Basic Charge	$16.17 per billing plus	$16.88 per billing plus

Energy Charge

First 10,000 kwh per billing	$0.1285 per kwh	$0.1342 per kwh
Next 90,000 kwh per billing	$0.1011 per kwh	$0.1055 per kwh

Additional kwh per billing	$0.0711 per kwh	$0.0742 per kwh
Demand Charge	$9.05 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$9.45 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months

Rate Code 30 - General - Secondary metered and customer owned Transformation

Basic Charge	$16.17 per billing plus	$16.88 per billing plus

Energy Charge

First 10,000 kwh per billing	$0.1304 per kwh	$0.1362 per kwh
Next 90,000 kwh per billing	$0.1027 per kwh	$0.1072 per kwh
Additional kwh per billing	$0.0720 per kwh	$0.0751 per kwh
Demand Charge	$8.36 per KVA of billing demand which is the greater of: a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$8.73 per KVA of billing demand which is the greater of: a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months

Rate Code 35 - General - Primary metered and customer owned Transformation

Basic Charge	$16.17 per billing plus	$16.88 per billing plus

Energy Charge

First 10,000 kwh per billing	$0.1285 per kwh	$0.1342 per kwh
Next 90,000 kwh per billing	$0.1011 per kwh	$0.1056 per kwh
Additional kwh per billing	$0.0710 per kwh	$0.0742per kwh
Demand Charge	$8.23 per KVA of billing demand which is the greater of: a) the maximum KVA demand in excess of 45 KVA for the current billing: or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$8.59 per KVA of billing demand which is the greater of: a) the maximum KVA demand in excess of 45 KVA for the current billing: or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months

Rate Code 45 - General - City Accounts

Energy Charge	$0.0758 per kwh for all consumption	$0.0792 per kwh for all consumption

Rate Code 55 - Street Lighting & Other Un-metered Loads

Per fixture watt or volt ampere per billing subject to Section 3.b of Bylaw 2000-36 (Electrical Regulations)	$0.0846 per fixture watt or volt ampere per billing	$0.0883 per fixture watt or volt ampere per billing
Per watt or volt ampere per billing based on equipment name plate data or customer information, or where data is insufficient, the City will determine by appropriate measurement and calculation what equipment watt or volt ampere loading shall be used for billing purposes.	$0.1598 per watt	$0.1668 per watt
Monthly minimum charge per fixture or service connection	$16.17 per billing plus	$16.88 per billing plus

Net Metering

Energy Credit – The City will apply a credit for the purchase of power from all City customers generating and transmitting power into the City electrical grid at the appropriate rate code that the City charges for power for the class of the said customer. Furthermore no additional City Fees related to electrical will be applied for participating in the Net Metering program. Customers will be responsible for all on-site costs of their Distribution Generation system including, but not limited to, design, permits, installation, repairs and maintenance.

Electrical Service Calls

Service Call – 1 stop (1 hr. max)	$200.00	$200.00	$205.00
Service Call – 2 stops (1.5 hr. max)	$300.00	$300.00	$305.00

Electrical Service Connections

Temporary Service Connection

1 Phase up to 200 amps	$190.00	$190.00	$205.00
all except 1 phase up to 200 amps	Actual Cost	Actual Cost	

Service Relocate

1 phase up to 200 amps	$288.75	$288.75	$340.00

Service Upgrade

~~1 phase up to 200 amps~~	~~$288.75~~	~~$288.75~~
1 phase over 200 amps	Actual Cost	Actual Cost
3 phase overhead (all)	Actual Cost	Actual Cost

Service Connection

1 phase per unit (200 amps max -includes 1 meter) overhead and underground	$315.00	$315.00	$380.00
Additional meters	Actual Cost	Actual Cost	
1 phase overhead over 200 amps	Actual Cost	Actual Cost	
3 phase overhead (all)	Actual Cost	Actual Cost	
1 phase underground over 200 amps	Actual Cost	Actual Cost	
3 phase underground (all)	Actual Cost	Actual Cost	
Electrical Utility Ext. Agreement	Actual Cost	Actual Cost	
Primary Underground Cable	Actual Cost	Actual Cost	
Terminate and Energize underground - Per lot	Actual Cost	Actual Cost	
Installation of electrical poles, vaults, road-crossings, etc	Actual Cost	Actual Cost	
~~Replace Broken Meter Glass~~	~~$85.00~~	~~$85.00~~	
~~Reseal Electric Meter~~	~~$45.00~~	~~$45.00~~	
Electrical Call Out Rate	$330.00	$330.00	$405.00
~~Service Call – 1 stop (1 hr. max)~~	~~$200.00~~	~~$200.00~~	
~~Service Call – 2 stops (1.5 hr. max)~~	~~$300.00~~	~~$300.00~~	
AMR Opt Out electric meter use of a digital non radio frequency electric meter	$105.00 per meter	$105.00 per meter	$125.00 per meter

Electrical Pole Contacts

Telus	$22.86	$22.86	As per Contract
Shaw Cable	$19.25	$19.25	As per Contract
Shaw Cable per Power Point Contact + Energy as Per Rate Code 55			As per Contract
Recoverable Sign Installations	Actual Cost	Actual Cost	

City Electrical Infrastructure[2]:

Due to the nature and timing of the various process's involved with the installation of electrical infrastructure a request for refund will be entertained at any time and will require evaluation as to the customer's and/or the Electric Utility's involvement, investment to date and further investment required to complete the works to a stage where they are deemed, by the Operations Manager of the Electrical Utility, to be safe for the public and the customer and have no negative effect on the electrical systems integrity or configuration. Calculation or determination of refund amounts will be completed by the General Manager of the Electrical Utility.

Notes:

#1. Any applicable Federal or Provincial taxes are in addition to the above charges. A discount forfeit equal to 10% of the "current charges" (excluding Goods and Services Tax) will result if full payment of current charges is not received. a) on "residential and residential/special services" (rate codes 10 and 15), on or before the expiration of fifteen (15) days after the date of the mailingof the invoices therefore. b) on all other services not included in the definition of "residential or residential/special services" on or before the expiration of twenty-two (22) days after the date of the mailing of the invoices therefore, provided that when the said day falls on Saturday, Sunday, or holiday, the discount shall apply if payment is received on the next succeeding day which is not a holiday. In the event of a partial payment of the current charges on or before the discount date, a proportionate discount shall be allowed.

#2. Basic charges will be applicable to accounts that are disconnected from electric for seasonal or temporary purposes when the electric is being turned off at the account holders request but the account holder(s) is not altering.

#3. City Electrical Infrastructure is defined as: Any items related to the City of Penticton Electrical Utility distribution system including but not limited to primaryduct and secondary duct, street lighting, power cables, transformers and associated appurtenances.

#4. All customers are eleibible to access the "Electrical Service Payment Plan" for the installation of City Electrical Infrastructure that supplies power to their properties. The details of this program are summarized as follows:

- Payment Plan range: A customer can put a niminum amount of $5,000 up to a maximum amount of $50,000 on a Payment Plan;
- Payment Plan terms: 5 year payback in equal monthly amounts on the Electric Utility Bill plus interest calcualted at the Prime Interest Rate +0.5%
- The customer has the ability to end the Payment Plan at any time by repaying the balance owing in full at any time without penalty;

Elegibility requrements:

-Must be for a new or an upgrade to an Electrical Service;
-Must be a City of Penticton Electric Utility customer;
-Must have a ninimum credit score of 650;
-Must have a maximum of 19 City of Penticton Utility Credit Point;
-The customer must own both the land and building where the service is required; and

-Protection: Any defaults on the Payment Pllan will be subject to the normal City of Penticton utiility collection procedures, including service disconnect and ultimately transfer of outstanding amount to taxes. Any outstanding payment plan amounts must be paid in full upon sale of the property.

Council Report

penticton.ca

Date: May 4, 2015 File No:
To: Chuck Loewen, Acting City Manager
From: Ian Chapman, City Engineer
Subject: **Penticton Creek Restoration**

Staff recommendation

THAT Council endorse moving forward with Penticton Creek Restoration project in accordance with the following Plan of Action:

1. Use an Instantaneous 1 in 200 year design flow of 60 cubic meters per second for detail design purposes;
2. That the showcase project be designed with a "No-Rise" philosophy adjusted where possible to enhance fish habitat while not significantly increasing the risk of flooding;
3. Utilize privately owned lands contained within the M-178 Plan in the construction of the Flood Control / Habitat restoration measures;
4. Proceed with permit applications for the showcase project and with public consultation;
5. Following permit approvals proceed with construction of an 80m showcase project directly upstream of the Ellis Street Bridge in 2015;
6. Include in the 2016 Budget a Master Plan for Flood Protection and Aquatic Habitat Restoration for the length of Penticton Creek from Okanagan Lake to the Penticton Creek II Dam by the Water Treatment Plant; and
7. Actively seek out funding sources for the Master Plan work.

Strategic priority objective

The Penticton Creek Restoration project supports the Council priority of a vibrant waterfront community and is consistent with strategic priority objective to revitalize the Downtown.

Background

In 2012, Council identified the enhancement of the Downtown as a strategic priority and staff were tasked with preparing a comprehensive plan for the area. One of the key components of the plan was recognition of the importance of Penticton Creek. Staff were approached in October of 2012 by the South Okanagan Similkameen Conservation Program with a proposal to request funding from the Habitat Conservation Trust Foundation (HCTF) to develop a restoration plan for Penticton Creek. The City obtained grant funding to cover the cost of designing a restored creek channel from HCTF in the spring of 2013 and was provided with $277,880 in funding over four years. In the summer of 2013 City Council established the Penticton Creek Restoration Committee to work with staff to make this project a reality in the summer of 2013 and a consultant was hired through a RFP process in early 2014 to work on preliminary design.

This Council Report will address the following:

- Project Location and Objectives
- Milestones Achieved
- Design Flow
- Flood Protection Risk Issue
- The M-178 Plan and Bylaws
- The Showcase Project

Project Area and Objectives

The Project Area is as depicted in Figure 1 below.

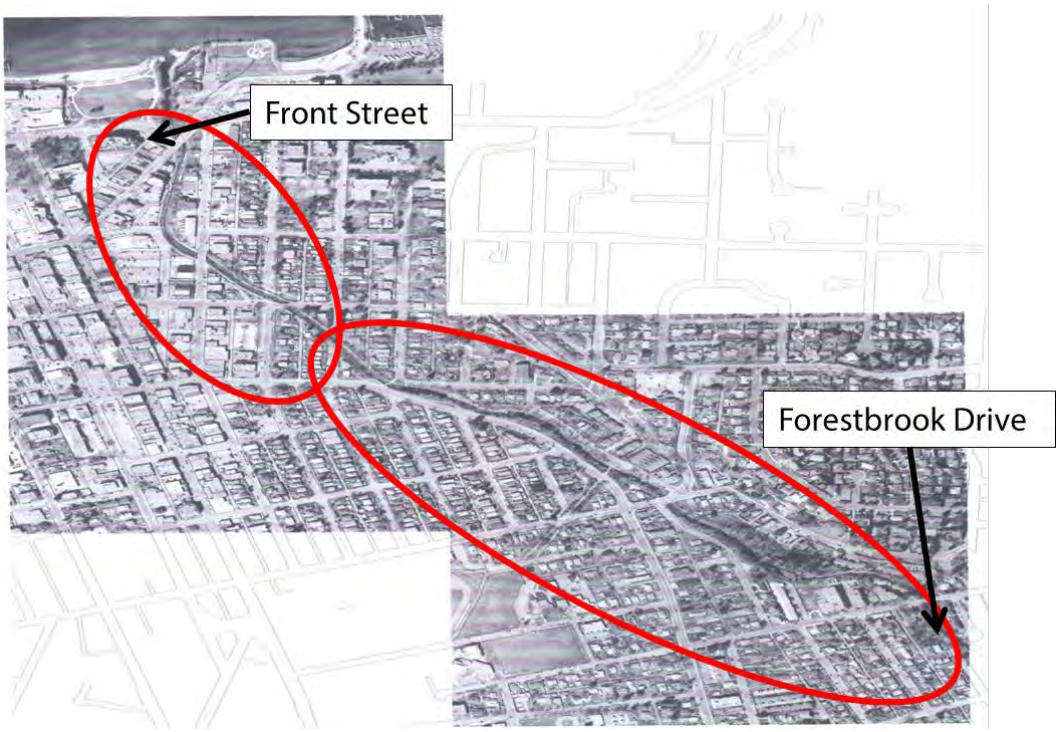


Figure 1 Project Area

The Objectives of the project are as follows:

- Return Penticton Creek to a more healthy stream state with a focus on habitat features that benefit Kokanee, Rainbow Trout and Riparian wildlife;
- Address existing failing flood protection infrastructure;
- Meet or exceed existing flood protection measures;
- Improve aesthetic and social values; and
- Increases economic contributions to the local community.

The project is consistent with the Downtown Plan which recognizes Penticton Creek as an important natural amenity. The project is also in step with the OCP which promotes protection of critical species habitat and the restoration of fish stocks in Okanagan Lake.

Milestones Achieved

- The Design flow has been finalized;
- The Showcase Project Area has been defined;
- Funding of $333,000 has been secured for construction of the showcase project for this year;
- Preliminary Design underway for Showcase Project.

Design Flow

The City's consulting engineering firm, Mould Engineering, has determined a Design Flow consistent with Provincial flood requirements that will be used for hydraulic analysis and detailed design. The Design flow considers historic flow information and makes adjustments for peak flow and climate change. The Design Peak flow was determined as follows:

- Historical information = 40 m^3/s
- + 25% for peaking factor = 10 m^3/s
- + 20% for climate change (recommended by APEG) = 10 m3/s

Recommended Design Flow = 60 m^3/s

STAFF RECOMMENDATION – That an Instantaneous 1 in 200 year design flow of 60 cubic meters per second be used for detail design purposes.

Flood Protection Considerations

The City of Penticton has considered flood protection as part of this project, as it is vitally important to protect adjacent property owners and the community at large from flooding. This means addressing real and perceived risks of flooding with respect to water levels and freeboard, in particular.

As part of the process leading up to construction the City will have to obtain approval for the work under the Water Act. This process provides an opportunity for landowners and the public to object to the design and appeal the granting of a permit. In order to increase the probability of a successful permit process the City, the Ministry and Mould Engineering have reflected on what the significant public issues will be and determined that it will most likely be any decrease in freeboard.

The original concepts for the showcase area maintained the minimum freeboard required for dike construction and resulted in a modest rise in water levels (a decrease in freeboard), with a corresponding decrease in water velocity and a reduced risk of erosion failure. In consultation with Ministry of Environment officials, it was highlighted that any rise in water levels could be seen by the public as presenting an increased flood risk, or at least the perception of risk. In the interest of protecting the public and adjacent property, staff felt it best to develop new designs that do not present any less freeboard than the original design, a "No-Rise" approach with modifications where fish habitat can be improved without having an impact on flood risk.

Mould Engineering has established that the showcase project could be designed and constructed to achieve a "No-Rise" situation but would require the use of privately owned lands within the M-178 Plan. However there is a balance. Lowering the risk of flood also lowers the fish habitat improvement values. Within the showcase area Penticton Creek Fish Habitat is currently rated as Low "-". The original design yielded a Fish Habitat rating of Moderate "+" and the "No-Rise" approach yields a Habitat rating of Low "+". An increase in habitat value is achieved but not as large a one as could be achieved if the water level in Penticton Creek was allowed to rise.

Staff have also had further discussions with funding agencies and determined that the biggest value from this project will be generated from the showcase component of the project. Being able to actually see what Penticton Creek restoration will look like will build support for the long term, larger scale restoration work to come in the future. It is anticipated the current funders will continue to support this project on the basis of the long term benefits, provided there is commitment toward long term restoration planning/implementation.

STAFF RECOMMENDATION – That the showcase area be designed utilizing a "No-Rise" philosophy adjusted where possible to enhance fish habitat while not significantly increasing the risk of flooding.

<u>The M-178 Plan and Bylaws</u>

Between 1948 and 1973, five bylaws were enacted by the City of Penticton related to the channelization of Penticton Creek. The area encompassed within these Bylaws are set out in the M-178 Plan. The purpose of the bylaws was to establish a corridor of land on which the City could construct, maintain, repair and replace creek flood protection works. Prior to undertaking any work in the M-178 Plan the City is obliged to provide clear notification to property owners of intended work on their land. The M-178 Plan appears as a miscellaneous note on title and property owners may be unaware of it. Under current practice this plan would be registered as a legal notation, encumbrance on title. Today's legislation, under Section 34 of the Community Charter, would also permit the City to appropriate land for flood control works.

Figure 2 illustrates the M-178 Plan area in the showcase area.

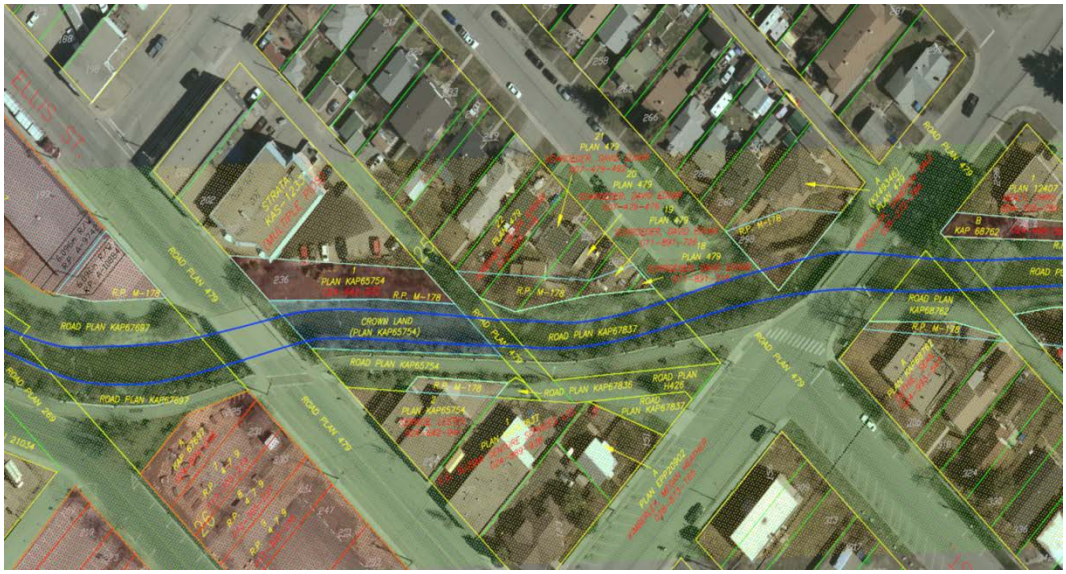


Figure 2 M-178 Plan in Showcase Area

Moving forward with the showcase project it is proposed to work on private property reserved for that purpose under the previously noted bylaws and the M-178 Plan. The work will be restricted to the limits of the actual construction undertaken previously. The showcase project could be constructed without impact to private land however other sections of the creek upstream cannot be restored without re-utilizing private property reserved for that purpose under the M-178 Plan. For that reason staff recommends that the M-178 Plan lands should be used in the construction of the showcase project.

STAFF RECOMMENDATION – That privately owned lands contained within the M-178 Plan be utilized in the construction of the Flood Control / Habitat restoration of Penticton Creek.

The Showcase Project

Several different areas were investigated above and below Ellis Street for a possible showcase location. An 80m section of creek directly upstream of the Ellis Street Bridge was selected as this location is highly visible to the community, can be built with in the M-178 Plan area and can also be built without increasing the risk of flood, see Figure 3. Figure 4 to 8 show what this reach of Penticton Creek would look like after construction. Figure 9 shows how the Riparian Area will change following construction.

In order to meet the summer construction window it will be necessary to proceed with permit application now.

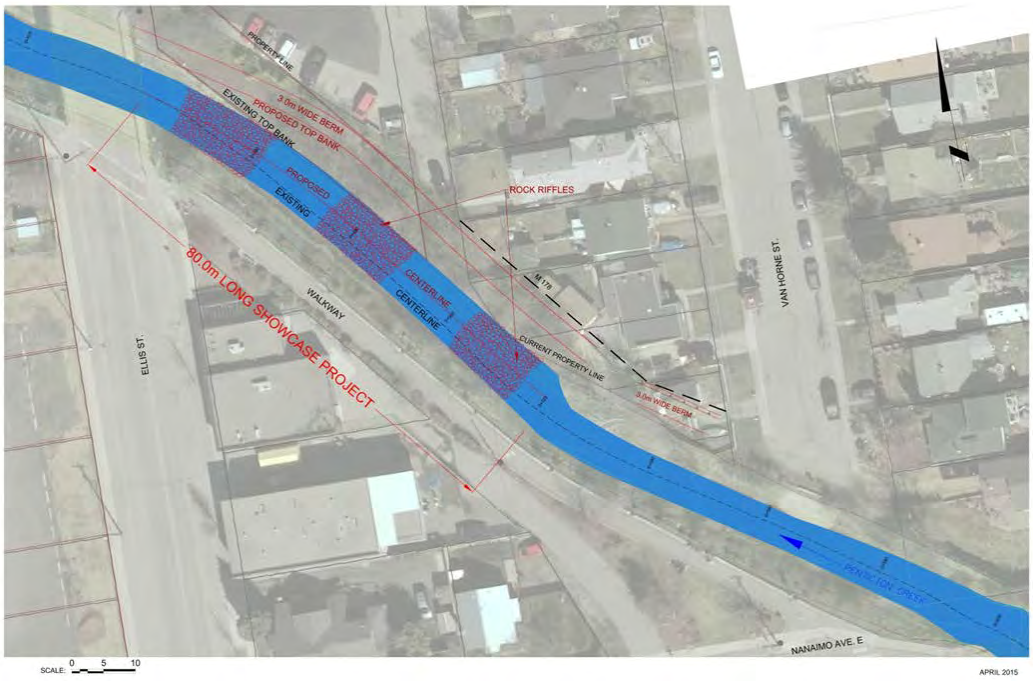


Figure 3 Showcase Location

Figure 4 Before Construction

Figure 5 After Construction

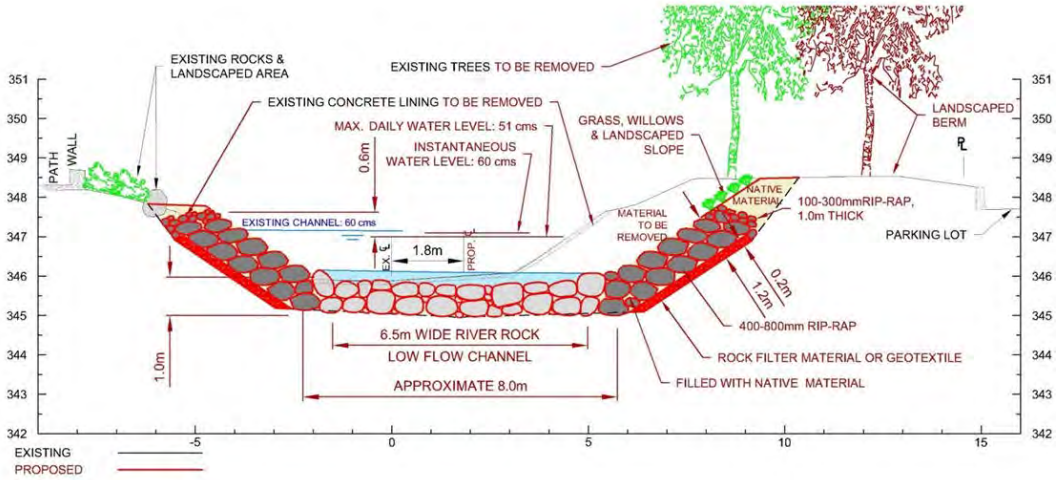


Figure 6 Cross Section

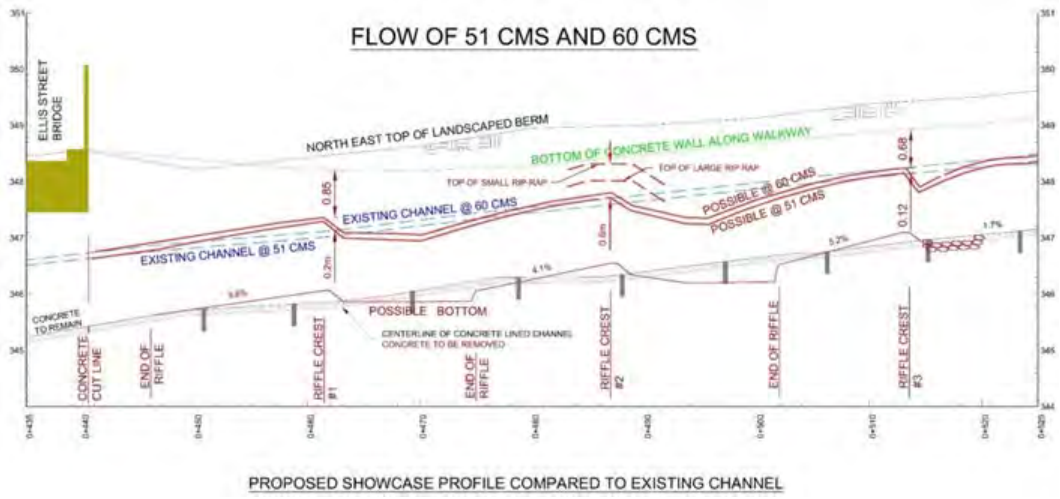


Figure 7 High Water Flow Profile

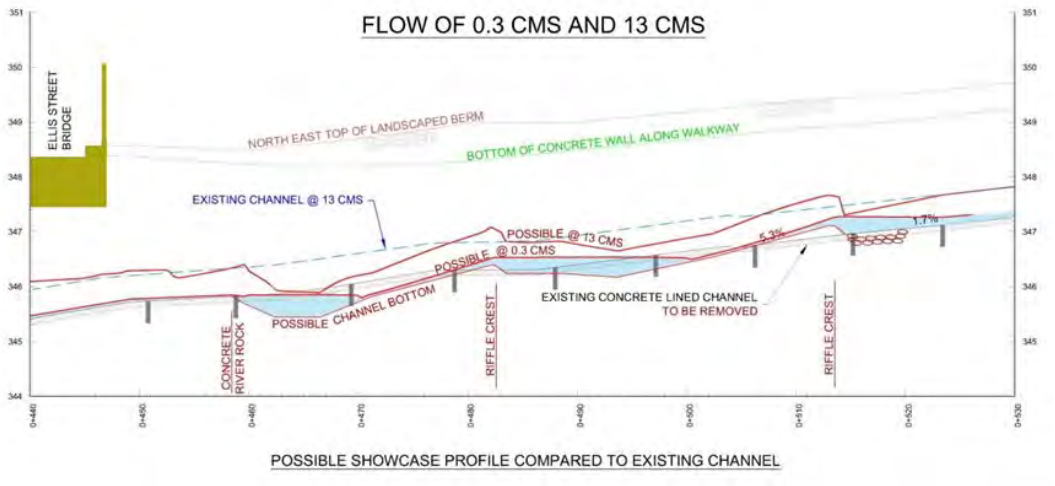


Figure 8 Low Water Flow Profile

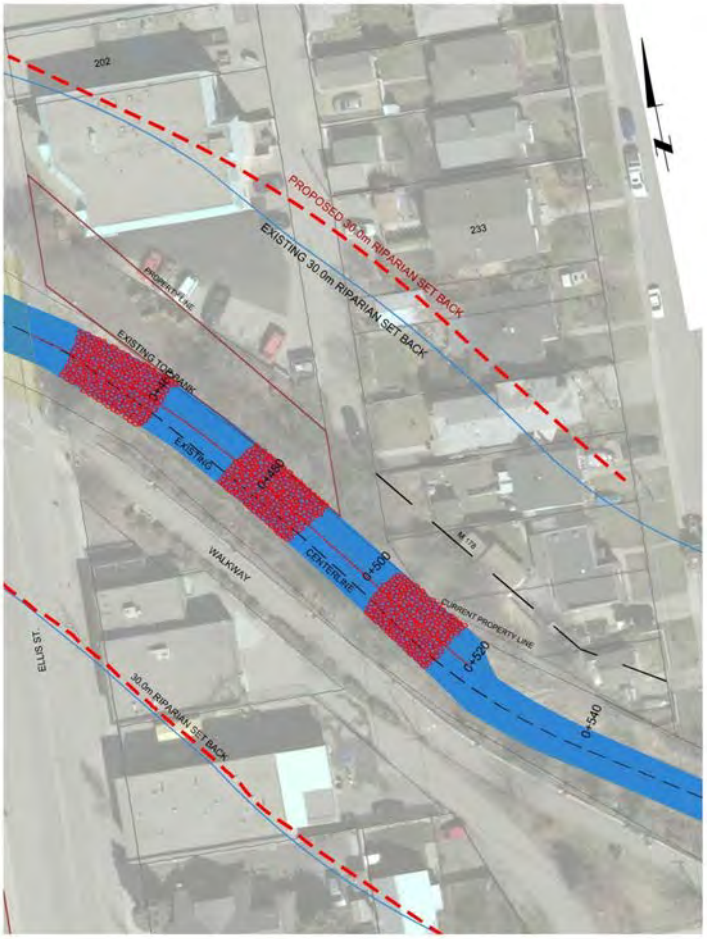


Figure 9 Change to the Riparian Area

STAFF RECOMMENDATION – That the City proceed with permit applications for the showcase project and with public consultation and following permit approvals, proceed with construction of an 80m showcase project directly upstream of the Ellis Street Bridge in 2015.

Master Plan

The creation of a showcase project in a highly visible and well-travelled area will create a huge benefit toward the long term success of the Penticton Creek Restoration Project. However, in order to properly understand all of ramification of full creek restoration: cost, flood protection, fish habitat improvement and impact on adjacent land staff see the need to develop a Master Plan for the Penticton Creek project from Okanagan Lake to the Penticton Creek II Dam. Once this is completed, the City will also be much better positioned to seek funding from both Habitat and Flood Protection agencies and to better engage with the property owners. It is estimated that this will cost approximately $125,000.

STAFF RECOMMENDATION – That the 2016 Budget process include a Master Plan for the Penticton Creek Restoration project and that staff actively pursue funding for this project.

Financial implications

The financial implication the 2015 construction work is estimated to cost $333,000 and funding has been secured. The 2016 Master Plan work will cost an estimated $125,000 and will be discussed during 2016 budget deliberations.

Analysis

The recommendation put forward by staff would see the showcase project proceed in 2015 and a Master Plan developed in 2016. The showcase project will maintain flood protection, improve fish habitat and will provide a highly visible showcase of what Penticton Creek restoration will look like. The 2015 work can be constructed within the secured funding amounts. The Master Plan will provide a blue print for the remainder of the Penticton Creek restoration.

Should Council choose they could suspend work on the Showcase Project until a Master Plan is completed. This would ensure that the most appropriate area for a showcase was selected and would provide a much higher level of knowledge with respect to the entire project. However, this approach would likely put at risk the $333,000 of construction funding dollars secured for 2015.

As a second alternative Council could provide specific direction to staff as to what they would like to see done with the Penticton Creek Restoration Project.

Alternate recommendations

1. THAT Council direct staff to cease work on the Showcase Project until such time as a Penticton Creek Flood Protection and Aquatic Habitat Restoration Master Plan for the length of Penticton Creek from Okanagan Lake to the Penticton Creek II Dam is completed;

   AND THAT Council direct staff to bring forward to the 2016 Budget the above noted Master Plan project;

   AND THAT staff pursue funding sources for the Master Plan work.

2. That Council provide other such direction to staff as they wish.

Respectfully submitted

Ian Chapman P.Eng.
City Engineer
Approvals

Director of Operations	Acting City Manager
	CF

Skaha Benches

Strata Plan KAS 1543, 190-3948 Finnerty Road, Penticton, BC, V2A 8P8

April 20, 2015

City of Penticton
171 Main Street,
Penticton, British Columbia
V2A 5A9

Attention: Mayor Andrew Jakubeit and Council

Subject: $1.00 Postal Charge for all City of Penticton Electrical Customers who receive "Hard Copy Bills" mailed out by the City of Penticton.

Dear: Mayor Andrew Jakubeit and Council

As the President of Strata Plan KAS 1543, our Council has requested I write to you and the Council in protest over the City of Penticton's intent to charge $1.00 for each hard copy Electrical Invoice the City mails to their customers.

While we applaud any efforts of the City to save money, the failure of the City to change its procedures has caused the extra costs which are now being downloaded to the Strata. We are a self administrated Strata which does not have an E Mail address.

The magnitude of the problem exists because the City insists that it can only mail to us 11 invoices each month in 11 separate envelopes with 11 separate postage costs, which are now being downloaded unto our Strata. We might add that it also means 11 cheques coming out of our bank account each month, While $132 per year is not a huge number, the point is far more important than the money involved.

We might point out that this problem is greater than just our Strata. There are many others in the City, whether senior citizens, self managed Strata's or others, who do not have email addresses and cannot take steps to avoid this extra cost being downloaded by the City unto its customers.

While we have suggested to the Administration, that they can and should consolidate all 11 statements into a single statement, or assemble all 11 statements into a single mailing, that has not been accepted and the computer system is blamed for this inefficiency.

We suspect that we are not the only Strata or Business that suffers from the same problem.

We offer the following solutions to our problem:

1. Re-Program the City of Pentictons Computer Program to recap all the Strata Meters into one Invoice per/month. This would then reduce the Postage Fee to one envelope at a cost to our Strata of $1.00. We do not know how many customers have more than 1 meter, but suspect that there are many in which case the savings in postage to the City could be significant

2/

2. Have the 'City's systems altered to provide that there is a single mailing which would include all 11 of our invoices
3. Change the policy to permit any individual (whether senior citizen, strata or other) that does not have an email address to be exempted from this downloaded expense.
4. Any other solution that the City of Penticton can implement that will reduce our monthly invoice for Electricity to, one Invoice per month.

We trust the above meets with your and the Councils attention and we look forward to a positive solution to the problem

Yours Sincerely.

Strata Plan KAS 1543.

Norman T. Davies—President

c/c
All Strata 1543 Council Members

Sandy Cameron	Treasurer
Carolae Donoghue	Secretary
Lloyd Wright	Vice President
Robert Smith	Member at Large
Judith Bernard	Member at Large
Pat Sweeney	Member at Large

Assistance to Council

Bob Zoppi	Co-Treasurer
Ron Murphy	Past President

Minutes

penticton.ca

Affordable Community Task Force Meeting

held at City of Penticton Committee Room A
171 Main Street, Penticton, B.C.

Tuesday, March 31, 2015
at 9:00 a.m.

Present: Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Tarik Sayeed, Councillor
Ann Howard, BC Housing Representative
Garry Gratton, South Okanagan Real Estate Board Representative
Deborah Guthrie, Habitat for Humanity Representative
Marjorie King, Member at Large
Susan Mulligan, Member at Large
Milton Orris, Member at Large
Kevin Ritcey, Member at Large
Linda Sankey, Member at Large
Heather Shedden, Member at Large
Shelagh Turner, Member at Large

Staff: Blake Laven, Planning Manager
Lindsey Fraser, Planner
Simone Blais, Communications Officer
Lorraine Williston, Corporate Committee Secretary

Guests: Ken Gauthier, Urban Matters
Henri Cullinan, Urban Matters

1. Call to Order

The Affordable Community Task Force was called to order by Judy Sentes at 9:06 a.m.

2. Task Force Member Introductions

Roundtable introductions were done by all members and staff. Mayor Jakubeit and Councillor Sentes welcomed everyone and gave a brief overview of the mandate and vision for this task force.

3. Adoption of Agenda

It was MOVED and SECONDED
THAT the Affordable Community Task Force adopt the agenda for the meeting held on March 31, 2015 as circulated.

CARRIED UNANIMOUSLY

4. Appointment of Task Force Chair & Vice Chair

Tabled to the next meeting.

5. Confidentiality, Conflict of Interest and Commercial Electronic Message Consent Forms

Confidentiality, Conflict of Interest and Commercial Electronic Message Consent Forms were distributed to members and collected.

6. New Business

6.1 Terms of Reference

Terms of Reference were reviewed as circulated.

6.2 Affordable Housing Initiatives Presentation

The Planning Manager presented information on the topic of what is housing affordability including statistics on: current subsidized housing in the RDOS; private market rental housing costs in Penticton; affordability of rental housing; private market rental housing vacancy rates in Penticton and rental housing demand.

6.3 Urban Matters – 'Overview of Affordable Housing as a Societal Challenge'

Urban Matters Representatives provided background information on their non-profit organization and presented information on global challenges, perspectives, myths and realities of affordable housing. Four levels, strategies and examples that can narrow the affordable housing gap were identified as follows: securing land for affordable housing at the right location; developing and building housing at lower cost; operating and maintaining properties more efficiently; and improving access to financing for home purchases, development and rental assistance.

Roundtable discussion on the presentation, identification of priorities and the next steps. Task Force agreed there is a need for a thorough community profile to identify Penticton's demographic.

It was MOVED and SECONDED
That the Affordable Community Task Force endorse Urban Matters as the facilitator in creating a strategy and priorities in the next ninety (90) days.

CARRIED UNANIMOUSLY

7. Next Meeting

The next regularly scheduled meeting of the Affordable Community Task Force is scheduled for Tuesday, April 28, 2015 at 10:00 a.m.

8. Adjournment

The Affordable Community Task Force adjourned the meeting at 12:11 pm.

Minutes

penticton.ca

Affordable Community Task Force Meeting

held at City of Penticton Committee Room A
171 Main Street, Penticton, B.C.

Tuesday, April 28, 2015
at 1:00 p.m.

Present: Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Maggie Chinnery, BC Housing Representative
Garry Gratton, South Okanagan Real Estate Board Representative
Deborah Guthrie, Habitat for Humanity Representative
Marjorie King, Member at Large
Susan Mulligan, Member at Large
Kevin Ritcey, Member at Large
Linda Sankey, Member at Large
Heather Shedden, Member at Large

Staff: Blake Laven, Planning Manager
Lindsey Fraser, Planner
Simone Blais, Communications Officer
Lorraine Williston, Corporate Committee Secretary

1. Call to Order

The Affordable Community Task Force was called to order by Judy Sentes at 1:05 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED
THAT the Affordable Community Task Force adopt the agenda for the meeting held on March 31, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED
THAT the Affordable Community Task Force adopt the minutes of the March 31, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Appointment of Task Force Interim Chair

It was MOVED and SECONDED
THAT Judy Sentes be appointed as interim Chair and Andrew Jakubeit be appointed as interim Vice-Chair.

CARRIED UNANIMOUSLY

5. Business Arising from Prior Meetings

5.1 Urban Matters

The Planning Manager provided a review about Urban Matters. Urban Matters is a community contribution company. The difference between a C3 and private corporation is that a C3 corporation has a strict cap on the dividends that are paid out to shareholders with the remainder being reinvested into the community. Urban Matters' proposal will fulfill the role of facilitator, guiding and directing the committee through a series of actions/steps to develop a strategic plan. Urban Matters' proposal includes a series of three workshops to be held in May & June with a deliverable of a comprehensive strategic housing framework report. Total cost is $15,000 with Urban Matters contributing $5,000 in-kind and $10,000 paid by the City of Penticton.

It was MOVED and SECONDED that the Affordable Community Task Force recommend:

THAT Council engage Urban Matters as facilitator to create a strategy and framework for affordable housing, costing no more than $10,000 from the Short Term Opportunity Fund.

CARRIED UNANIMOUSLY

6. Adjournment

It was MOVED and SECONDED
THAT the Affordable Community Task Force adjourn at 2:00 p.m. to a closed meeting pursuant to the provisions of the *Community Charter* sections 90 (1) as follows:

(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*.

CARRIED UNANIMOUSLY

Minutes

penticton.ca

Waterfront Revitalization Sub-Committee Meeting

held at City of Penticton Committee Room A
171 Main Street, Penticton, B.C.

Tuesday, March 28, 2015
at 8:00 a.m.

Present: Campbell Watt, Councillor
Rod King, Chair
Doug Eaton, Chamber of Commerce Representative
Wayne Lebedow, Marina Representative
Jim Cooper, Member at Large
Lauren Cornish, Member at Large
Sharon Hickey, Member at Large
Cal Meiklejohn, Member at Large
Janice Taylor, Member at Large

Staff: Ian Chapman, City Engineer
Simon Blais, Communications Officer
Colleen Pennington, Economic Development Officer

1. Call to Order

The Waterfront Revitalization Sub-Committee was called to order by the Chair at 8:00 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED
THAT the Waterfront Revitalization Sub-Committee adopt the agenda for the meeting held on April 28, 2015 as amended.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED
THAT the Waterfront Revitalization Sub-Committee adopt the minutes of the March 27, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Okanagan Lake Walkway Peach to Beach Update

The City Engineer provided an update of the project. The project is scheduled to be completed in approximately six weeks. An important milestone to be achieved is the completion of the Peach Plaza by the May long weekend. The schedule for the path that continues around to the Kiwanis Pier and the Lakeside Resort may have to be reconsidered depending on the progress of the current project.

4.2 Kiwanis Pier Park Area Concept Designs

The City Engineer presented two additional concept designs for the Kiwanis Pier Park walkway and amenities as follows:

- Concept #5 – Features a path that winds through the park space to a park-like area including an extended boardwalk, shelters, steps and seating above the rip-rap along the waterfront, trees, moorage for commercial marine vessel operations and a potential restaurant/concession space.
- Concept #5a – Similar layout as Concept #5, but instead of a food service area, there would be a plaza space to showcase public art.

Discussion ensued on the additional concepts, what amenities would be appropriate for the park area, the location and design of the walkway and whether to allow more time for a conceptual review of Kiwanis Pier Park before construction of the walkway.

It was MOVED and SECONDED that the Waterfront Revitalization Sub-Committee recommend:

THAT Council direct staff to suspend construction of the Okanagan Lake walkway, short of the Kiwanis Pier Park until September, in order to develop options for the design of the Kiwanis Pier Park

CARRIED UNAIMOUSLY

4.3 SS Sicamous Master Plan Update

The City Engineer reported that Council has adopted the SS Sicamous master plan into the Official Community Plan. The Director of Operations is currently developing terms of reference for the design work. Concept development is scheduled to be complete for the 2016 budget planning. Concept development and design will be brought back to the committee at a future meeting for review and discussion.

5. New Business

5.1 Vendors on Okanagan Lake – Peach Plaza

The committee would like a presentation by staff on the beach vending program. The GM, Recreation Services to be invited to the next regular meeting to present.

6. Next Meeting

The next regularly scheduled meeting of the Waterfront Revitalization Sub-Committee will be May 26, 2015 at 8:00 a.m.

7. Adjournment

The Waterfront Revitalization Sub-Committee adjourned the meeting at 8:36 a.m.