

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

Monday, December 7, 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 November 16, 2015 Committee of the Whole 1-2 Receive
 - 4.2 Minutes of the November 16, 2015 Regular Council Meeting 3-8 Adopt
 - 4.3 Minutes of the November 30, 2015 Special Council Meeting 9-10 Adopt
5. **Presentations:**
 - 5.1 "Vibrant Winter" - holiday card and exhibit
6. **Delegations:**
 - 6.1 Community Foundation of the South Okanagan Similkameen – Aaron McRann 11
Re: 2015 Vital Signs Report
 - 6.2 Dementia Friendly Communities Initiative – Barb Stewart, Hilma LaBelle 12
Cpt Tim Leslie, Salvation Army
7. **Reconsideration of Bylaws and Permits:**
 - 7.1 Development Procedures and Delegation Amendment Bylaw No. 2015-55 13 Adopt
Re: Strata Conversion Applications
8. **Staff Reports:**
 - 8.1 Liquor-Primary Licence Permanent Amendment Application 14-29 Del/Sub
Re: Mile Zero Wine Bar - 200 Ellis Street
Staff Recommendation: THAT Council recommends to the Liquor Control and Licensing Branch (LCLB) that it supports the application from Mile Zero Wine Bar located at 200 Ellis Street for a Permanent Amendment (structural change) to increase:
 - interior occupant load from 30 to 60 people; and
 - hours of service from 11:00am to 11:00pm to 11am to 12:00am (midnight), Sunday to Saturday.

BPM

DDS	8.2	Development Variance Permit PL007557 Re: 468 Pickering Street <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL007557", for Lot 23, Block B, District Lot 202, Similkameen Division Yale District, Plan 1041, located at 468 Pickering Street, a permit to allow for vehicular access from the front of the building, along Pickering Street, in order to build a front-to-back duplex; AND THAT staff be directed to issue "Development Variance Permit PL007557".</i>	30-41	Del/Sub
DDS	8.3	Development Variance Permit PL2015-087 Re: 190 Middle Bench Road South <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2015-087" for that part of Lot 41 shown red on Plan B3087 District Lot 188 Similkameen Division York District Plan306, located at 190 Middle Bench Road South, a permit to reduce the minimum lot area from 2ha (5acres) to 0.35 ha (0.9 acres), to increase the maximum lot coverage for residential buildings from 10% to 15% and to reduce the minimum interior yard setback for an accessory building from 4.5m to 1.5m; AND as a condition of approval that, a minimum 3m buffer between the property line and the agriculture use, as shown on Attachment 'G', be erected; AND THAT staff be directed to issue "Development Variance Permit PL2015-087".</i>	42-59	Del/Sub
DDS	8.4	Development Permit PL2015-086 & Development Variance Permit PL2015-085 Re: 265 Orchard Avenue <i>Staff Recommendation: THAT Council approve "Development Permit PL2015-086 for Lot 11, Block A, District Lot 4, Group 7 Similkameen Division Yale District, Plan 853, located at 265 Orchard Avenue, a development permit for the construction of a front-to-back duplex with the required parking coming from the lane; AND THAT Council approve "Development Variance Permit PL2015-085" Lot 11, Block A, District Lot 4, Group 7 Similkameen Division Yale District, Plan 853, located at 265 Orchard Avenue, a development variance permit to allow for a front yard setback reduction from 4.5m to 3.5m; AND THAT staff are directed to issue both the Development Permit and Development Variance Permit, upon Council approval.</i>	60-75	Del/Sub
DDS	8.5	Zoning Amendment Bylaw No. 2015-61, DVP PL2015-077, DP PL2015-078 Re: 511 Forestbrook Drive <i>Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2015-61", a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the January 18, 2016 public hearing; AND THAT prior to adoption of the bylaw, a 3m x 3m road dedication (corner cut) at the intersection of the two lanes adjacent to 511 Forestbrook be registered with the Land Title Office; AND THAT Council provide an opportunity for delegations and submissions at the January 18, 2016 Public Hearing for "Development Variance Permit PL2015-077" for Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, a permit to reduce the required number of parking stalls from eight to four, reduce the rear yard setback from 6.0m to 3.6m, and reduce the interior side yard (east) setback from 3.0m to 1.5m; AND THAT Council support "Development Permit PL2015-078" for Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, a permit to allow for the construction of two duplexes, with a secondary suite per principal unit, for a total of eight units on the lot. AND THAT staff are directed to issue the permit subject to the adoption of "Zoning Amendment Bylaw 2015-61".</i>	76-98	
PWM	8.6	Solid Waste and Recycle Collection Re: Survey Results and Cart Program Update <i>Staff Recommendation: THAT after reviewing the residential curbside needs and feedback received from the Garbage and Recycling Survey Council approve the proposed design of the Solid Waste & Recycle Collection Cart program as contained in this Council Report; AND THAT it include yard waste collection; AND FURTHER THAT within the second quarter of 2016, staff prepare the required Fees and Charges and Solid Waste Collection Bylaw changes for Council's consideration.</i>	99-106	

DDS	8.7	Backyard Hen Pilot Program Update 107-129 <u>Staff Recommendation:</u> THAT Council extends TUP 2014-026, a permit allowing for backyard hens on 12 properties within the City of Penticton, for an additional 6 months (ending in May 2016); AND THAT Council direct staff to include regulations for the keeping of 'urban hens' on a city wide basis in the next Zoning Bylaw revision, scheduled for early 2016.
GMI	8.8	2016 – 2020 Utility Rate Increases 130-169 Re: Fees and Charges Amendment Bylaw No. 2015-60 <u>Staff Recommendation:</u> THAT the November 2015 City of Penticton Utility Rate Review Report as presented by Andrew McLaren of Intergroup Consultants Ltd., whose Executive Summary is included as Attachment "A" and whose entire report is available in the Councilor area and on line be received and accepted; AND THAT after receiving public comment as contained in this report Council adopt the following recommendations that flow from the Report: 1. Ensure Utility Rates are sufficient to maintain at least minimum reserve balance in each year; 2. Ensure Utility Rates are sufficient to recover full utility revenue requirements including an average annual capital program by 2020; 3. Phase-in changes to Administration Fees and Electric Utility Dividend by 2020; 4. Target Utility Rates for each rate class equal to the cost of service by 2020; 5. Implement a new Sanitary Sewer Rate structure based on treated water use in 2017; 6. Implement monthly billing for water, sanitary sewer and electrical; 7. Do not adopt an Institutional Utility Rate; 8. Do not implement an increasing block rate structure for residential electrical rates and water use; 9. Finance a portion of major expansions and upgrades in Utility Capital Programs with long-term debt in order to smooth out the required rate increases; 10. Accept the 2016 – 2020 Utility Rates as contained in Attachment "B"; 11. Review Utility expenses and revenues in 2019 and make any adjustments as required to ensure rates continue to fairly reflect the cost to serve each customer class; 12. Undertake future detailed rate studies every 3 to 5 years and set forward looking Utility rates to provide customers with some predictability on utility costs; 13. In 2016 examine implementing a second monthly basis charge for all utilities where there are secondary suites; and 14. Rescind the Electric Utility Rate Policy as contained in Attachment "C" and consider changes to Utility Rates as part of the annual budget process. AND FURTHER THAT Council give 1st, 2nd and 3rd Reading to Bylaw 2015-60, as contained in Attachment "D", a bylaw to amend Fees and Charges Bylaw 2014-07 to set new Electric, Sanitary Sewer Electric Utility rates and fees.
GMI	8.9	Amendment to City FortisBC Supply of Electricity Wholesale Service Agreement 170-175 <u>Staff Recommendation:</u> THAT Council approve the Amending Agreement as contained in Attachment "A" to remove and replace Appendix A to the December 1, 2013 "Agreement For The Supply of Electricity Wholesale Service" between FortisBC and the City of Penticton; AND THAT Council authorize the Mayor and Corporate Officer to execute the Amending Agreement.
CFO	8.10	Implementing Monthly Water Consumption Reading & Billing Cycles 176-181 <u>Staff Recommendation:</u> THAT Council direct Staff to immediately commence a customer notice process with respect to the implementation of monthly water billing; AND THAT Council direct staff to implement a monthly reading and billing cycle for the Water Utility in sync with the current monthly reading and billing cycle of the Electric Utility in the 2016 billing year and endorse the updated Billing Policy.
CFO	8.11	Community Grants Program – Administration by the Community Foundation 182-203 <u>Staff Recommendation:</u> THAT Council approve entering into an agreement with the Community Foundation of the South Okanagan Similkameen (CFSOS) for the establishment of a "City of Penticton Community Grants Fund" for the administration of that portion of the City's municipal grants program earmarked for the non-standing-

grant applications from not-for-profit organizations; AND THAT Council authorize staff to execute the agreement on behalf of the City commencing with the 2017 grant year; AND THAT Council approve an update to the Municipal Grants Policy and Application Form with additional terms for the City to enter into an agreement with a qualified community foundation for the purpose of managing municipal grants on its behalf.

CFO	8.12	Signing Officers and Banker 204-205 <u>Staff Recommendation:</u> THAT Council approve VALLEY FIRST CREDIT UNION, Main Branch, 184 Main Street, Penticton, BC as the City's banker and approve • Colin Fisher, Chief Financial Officer, A signer • Angela Campbell, Controller, A signer • Eric Sorensen, Chief Administrative Officer, A signer • Mitch Moroziuk, General Manager of Infrastructure, A signer • Andrew Jakubeit, Mayor, B signer • Helena Konanz, Councillor, B signer • Judith Sentes, Councillor, B signer • Tarik Sayeed, Councillor, B signer • Andre Martin, Councillor, B signer • Maxwell Picton, Councillor, B signer • Campbell Watt, Councillor, B signer as signing officers for memberships 727214 and 1319244 (City of Penticton) for the calendar year ended December 31, 2015 and subsequent years until changed; AND THAT Council approve • Colin Fisher, Chief Financial Officer, City of Penticton • Angela Campbell, Controller, City of Penticton • Eric Sorensen, Chief Administrative Officer, City of Penticton • Carla Relvas, Director of Finance, South Okanagan Events Centre • Dean Clarke, General Manager, South Okanagan Events Centre • Kevin Webb, SOEC Director of Events, South Okanagan Events Centre • Paul O'Beirn, PTCC Director of Sales, Penticton Trade and Convention Centre as signing officers for membership 727313 (South Okanagan Events Centre) for the calendar year ended December 31, 2015 and subsequent years until changed.	
9.	Correspondence		
	9.1	BCLC – Proposed relocation of Penticton Casino	206-207
	9.2	Penticton – Ikeda Sister City Society	208
10.	Committee and Board Reports		
	10.1	Agriculture Advisory Committee meeting of October 28, 2015 209-212 <u>Recommendation:</u> THAT Council receive the minutes of the Agriculture Advisory Committee meeting of October 28, 2015. <u>Committee Recommendation:</u> THAT Council deny the subdivision application for 1571 Naramata Road as presented. <u>Committee Recommendation:</u> THAT Council support the subdivision application for 190 Middle Bench Road as presented subject to a covenant being placed on property requiring a vegetative buffer and fencing be built between the proposed Lot B and the adjacent properties. <u>Committee Recommendation:</u> THAT Council deny the ALR Exclusion application for 3860/3810 Valleyview Road as presented.	
	10.2	Community Sustainability Committee meeting of November 4, 2015 213-215 <u>Recommendation:</u> THAT Council receive the minutes of the Community Sustainability Committee meeting of November 4, 2015.	

- 10.3 Economic Development & Prosperity Task Force meeting of November 10, 2015 216-218
Recommendation: THAT Council receive the minutes of the Economic Development & Prosperity Task Force meeting of November 10, 2015.
- 10.4 Arts, Creative & Cultural Innovations Committee meeting of November 12, 2015 219-221
Recommendation: THAT Council receive the minutes of the Arts, Creative & Cultural Innovations Committee meeting of November 12, 2015.
- 10.5 Transportation Advisory Committee meeting of November 17, 2015 222-223
Recommendation: THAT Council receive the minutes of the Transportation Advisory Committee meeting of November 17, 2015.
- 10.6 Heritage and Museum Committee meeting of November 19, 2015 224-226
Recommendation: THAT Council receive the minutes of the Heritage and Museum Committee meeting of November 19, 2015.
- 10.7 Downtown Revitalization Committee meeting of November 26, 2015 227-229
Recommendation: THAT Council receive the minutes of the Downtown Revitalization Committee meeting of November 26, 2015.
Committee Recommendation: THAT Council supports the enhanced LED light canopy option and directs staff to address the additional cost within the budget process accordingly.
- 10.8 Tourism Development Task Force meeting of November 26, 2015 230-232
Recommendation: THAT Council receive the minutes of the Tourism Development Task Force meeting of November 26, 2015.

Committee Recommendation: THAT Council approve funding in the amount of \$1,800 towards the cost of the fireworks display for the July 1, 2016 Canada Day celebration and support a partnership with the Downtown Penticton Association to raise the additional funds required.
- 10.9 Penticton Creek Restoration Committee meeting of November 27, 2015 233-235
Recommendation: THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of November 27, 2015.

11. **Notice of Motion**

12. **Other Business**

13. **RDOS Update**

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

The following appointments were made to the City of Penticton Parks and Recreation Master Plan Steering Committee:

Representing	Appointed
Penticton School District	Doug Gorcek
Penticton Indian Band	Kevin Gabriel
Organized Field Sport	Ezra Cremers Roland Curnow
Special Event Group	Barb Hoolaeff
Development Community	Adolf Steffen
General public with interest in parks	James Palanio Peter Dooling Ron Ramsay Sharon Devlin
Tourism	
Council Representatives	Mayor Jakubeit & Councillor Sentes

THAT Council reappoint Linda King, Wes Nickel, Ernie Ingles and Connie Redknap to the Penticton Public Library Board for the January 1, 2015 to December 31, 2017 term.

THAT Council appoint Drew Barnes to the Development Services Committee.

15. **Media and Public Question Period**

16. **Adjournment**

Minutes

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

Monday, November 16, 2015
at 3:00 p.m.

Present:	Mayor Jakubeit Councillor Konanz Councillor Sentes Councillor Picton Councillor Martin Councillor Sayeed Councillor Watt
Staff:	Eric Sorensen, Chief Administrative Officer Colin Fisher, Chief Financial Officer Mitch Moroziuk, General Manager Infrastructure Dana Schmidt, Corporate Officer Jules Hall, Director of Development Services Simone Blais, Communications Officer Lori Mullin, Recreation and Culture Manager Gillian Kenny, Human Resources Manager
Guests:	Daniel Pizarro, Senior Regional Transit Manager Danielle Harriott, Accessibility Program Manager

1. Call to order

The Mayor called the Committee of the Whole meeting to order at 3:00 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on November 16, 2015 be adopted as circulated.

CARRIED UNANIMOUSLY

3. Presentations

3.1 BC Transit – handyDART Registration Project

Daniel Pizarro, Senior Regional Transit Manager and Danielle Harriott, Accessibility Program Manager, BC Transit, provided Council with an overview of the handyDART Registration Project and requested Council approve implementation for 2016 and send a letter to BC Transit formally adopting the registration project.

4. Media and Public Question Period

5. Adjournment

It was MOVED and SECONDED

THAT the Committee of the Whole adjourn at 3:31 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* sections 90 (1) as follows:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Minutes

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

Monday, November 16, 2015
at 6:00 p.m.

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

Staff: Eric Sorensen, Chief Administrative Officer
Dana Schmidt, Corporate Officer
Colin Fisher, Chief Financial Officer
Jules Hall, Director of Development Services
Lori Mullin, Recreation and Culture Manager
Mitch Moroziuk, General Manager Infrastructure
Simone Blais, Communications Officer
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 6:00 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

542/2015

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on November 16, 2015 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the November 2, 2015 Public Hearing

543/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the November 2, 2015 Public Hearing as presented.

CARRIED UNANIMOUSLY

4.2 Minutes of the November 2, 2015 Regular Council Meeting

544/2015

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 2, 2015 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

5. Presentations

6. Delegations

6.1 Fortis BC – Carol Suhan

Carol Suhan, Fortis BC, provided Council with an overview of the residential assistance and rebate programs available to customers and residents of Penticton.

7. Community Partners

7.1 RDOS – Lindsay Bourque, Regional Projects Coordinator

Re: Regional Heritage Conservation Service Establishment Bylaw No. 2706, 2015

Lindsay Bourque, Regional Projects Coordinator, RDOS, provided Council with an overview of the Heritage Program and proposed Regional Heritage Conservation Service Establishment Bylaw No. 2706, 2015.

545/2015

It was MOVED and SECONDED

THAT Council endorse the Regional Heritage Conservation Services Establishment Bylaw No. 2706, 2015.

CARRIED

Councillors Watt and Konanz, Opposed

7.2 Gordon Ferguson

Re: Lakawanna Park Concession

Gordon Ferguson, lease holder for Lakawanna Park Concession, provided Council with an overview of the open houses held and positive public comments received regarding the proposed changes to the concession and lawn area at Lakawanna Park.

Councillor Watt declared a conflict of interest and left the meeting at 6:36 p.m.

546/2015

It was MOVED and SECONDED

THAT Council refer the proposed project for Lakawanna Park Concession to staff to continue to work with Mr. Ferguson to achieve improvements to the area.

CARRIED UNANIMOUSLY

Councillor Watt returned to the meeting at 6:41 p.m.

8. Reconsideration of Bylaws and Permits

- 8.1 Zoning Amendment Bylaw No. 2015-53
Re: Indoor Amusement, Entertainment & Recreation text change

547/2015

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2015-53".

CARRIED UNANIMOUSLY

- 8.2 Zoning Amendment Bylaw No. 2015-54
Re: Eckhardt Avenue W.

548/2015

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2015-54".

CARRIED UNANIMOUSLY

- 8.3 Council Procedure Amendment Bylaw No. 2015-57
Re: Electronic Participation at Council Meetings

549/2015

It was MOVED and SECONDED

THAT Council adopt "Council Procedure Amendment Bylaw No. 2015-57".

CARRIED UNANIMOUSLY

9. Staff Reports

- 9.1 Development Variance Permit PL2015-054
Re: pay parking lot on 341, 347, 353, 357, 359, 363 Main Street

Delegations/Submissions:

- Kerrie Milton, DPA, on behalf of land owner, has agreed to upgrades requested by City, would like it to not be asphalt.

550/2015

It was MOVED and SECONDED

THAT Council defer "Development Variance Permit PL2015-054" to the next meeting of Council to allow staff to gather more information on temporary use permits.

CARRIED

Councillors Picton, Konanz, Watt, Opposed

- 9.2 Development Variance Permit PL2015-068
Re: 745 Ross Avenue

Delegations/Submissions:

- Peter Krieger, owner of property, requested council support the DVP.

551/2015

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2015-068", for Lot 4, District Lot 250, Similkameen Division Yale District, Plan 8343, located at 745 Ross Avenue, a permit to locate a double garage 3.19m from the front property line.

CARRIED

Councillor Sentes, Opposed

- 9.3 Renewal of Vacant Building Registration Permit
Re: 597 Martin Street

552/2015

It was MOVED and SECONDED

THAT Council approves a 12 month renewal for the Vacant Building Registration Permit for 597 Martin Street, Lot 2 Block 17 Plan 977.

CARRIED
Councillor Sentes, Opposed

- 9.4 Renewal of Vacant Building Registration Permit
Re: 167 Warren Avenue West

553/2015

It was MOVED and SECONDED

THAT Council approves the 12 month renewal for the Vacant Building Registration Permit for 167 Warren Ave W., Lot 1 Plan 7405.

CARRIED UNANIMOUSLY

- 9.5 Sidewalk & Walkway Inspection and Maintenance Policy

554/2015

It was MOVED and SECONDED

THAT Council after full consideration including budgetary restrictions and the availability of City of Penticton personnel and equipment, approve the Sidewalk and Inspection and Maintenance Policy dated November 16, 2015.

CARRIED UNANIMOUSLY

- 9.6 Development Permit PL2015-067
Re: 3388 Skaha Lake Road

555/2015

It was MOVED and SECONDED

THAT Council approve "Development Permit PL2015-067", on that portion of Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254, shown on Attachment 'A' of this report and located at 3388 Skaha Lake Road; AND THAT Staff are directed to issue the permit.

CARRIED
Councillor Sayeed, Opposed

- 9.7 Development Procedures and Delegation Amendment Bylaw No. 2015-55
Re: Strata Conversion Applications

556/2015

It was MOVED and SECONDED

THAT "Development Procedures and Delegation Amendment Bylaw No. 2015-55", a bylaw that amends "City of Penticton Development Procedures and Delegation Bylaw 2010-92" delegating Council's approving authority with regard to 'strata conversion applications' for buildings of 4 or less strata units to the Development Officer, be given first, second and third reading and be forwarded to the December 7, 2015 Regular Meeting of Council for adoption.

CARRIED UNANIMOUSLY

9.8 2016 Council Meeting Dates

557/2015

It was MOVED and SECONDED

THAT Council select the following dates for the 2016 Regular Meetings of Council: January 11, 18, February 1, 15, March 7, 21, April 4, 18, May 2, 16, June 6, 20, July 4, 18, August 2, 15, September 6, 19, October 3, 17, November 7, 21, and December 5, 19.

CARRIED UNANIMOUSLY

10. Correspondence

11. Committee and Board Reports

11.1 Transportation Advisory Committee meeting of October 20, 2015

558/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Transportation Advisory Committee meeting of October 20, 2015.

CARRIED UNANIMOUSLY

559/2015

It was MOVED and SECONDED

THAT Council direct staff to include \$8,000 for the annual cost of BC Transit's Custom Registration Program for Penticton's handyDART service in the 2016 budget process;
AND THAT Council direct staff to forward a letter of intent to BC Transit upon approval of the budget.

CARRIED UNANIMOUSLY

11.2 SOEC Select Committee meeting of October 21, 2015

560/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the SOEC Select Committee meeting of October 21, 2015.

CARRIED UNANIMOUSLY

11.3 Waterfront Revitalization Sub-Committee meeting of October 27, 2015

561/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Waterfront Revitalization Sub-Committee meeting of October 27, 2015.

CARRIED UNANIMOUSLY

11.4 Development Services Advisory Committee meeting of November 5, 2015

562/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Development Services Advisory Committee meeting of November 5, 2015.

CARRIED UNANIMOUSLY

11.5 Penticton Creek Restoration Committee meeting of November 6, 2015

563/2015

It was MOVED and SECONDED

THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of November 6, 2015.

CARRIED UNANIMOUSLY

12. Notice of Motion

13. Other Business

14. RDOS Update

15. Business Arising from In-Camera

16. Media and Public Question Period

17. Adjournment

564/2015

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Monday, November 16, 2015 at 8:01 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Minutes

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Special Meeting of Council held in Council Chambers, City Hall 171 Main Street, Penticton, B.C.

Monday, November 30, 2015
at 1:00 p.m.

Present: Mayor Jakubeit
Councillor Sentes
Councillor Konanz
Councillor Picton
Councillor Martin
Councillor Watt (arrived 1:05 p.m.)
Councillor Sayeed (via electronic participation)

Staff: Eric Sorensen, Chief Administrative Officer
Colin Fisher, Chief Financial Officer
Mitch Moroziuk, General Manager Infrastructure
Lori Mullin, Recreation and Culture Manager
Jules Hall, Director of Development Services
Simone Blais, Communications Officer
Angela Campbell, Controller
Deb Clipperton, Budget Analyst
Angie Collison, Deputy Corporate Officer

1. Call to Order

Mayor Jakubeit called the Special Meeting of Council to order at 1:00 p.m.

2. Adoption of Agenda

565/2015

It was MOVED and SECONDED

THAT Council adopt the agenda for the November 30, 2015 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

3. Public Comment

- Nil

4. Staff Reports:

The Chief Financial Officer provided Council with an introduction of the general capital funding sources and gave an overview of the 2016 capital budget projects proposed by various city departments.

4.1 2016 Capital Budget

566/2015

It was MOVED and SECONDED

THAT Council support in principle the 2016 capital budget as presented.

CARRIED UNANIMOUSLY

5. Media and Public Question Period

6. Adjournment

567/2015

It was MOVED and SECONDED

THAT the Special Council Meeting adjourn at 3:40 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* sections 90 (1) as follows:

- (e) *the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- (g) *litigation or potential litigation affecting the municipality;*
- (i) *the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Deputy Corporate Officer

Andrew Jakubeit
Mayor



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Request to Appear as a Delegation

Preferred Council Meeting Date: December 7, 2015

Second choice(s): _____

Subject matter: Presentation of the 2015 Vital Signs report.

Name of person(s) making presentation:

Aaron McRann, Executive Director, Community Foundation of the South Okanagan Similkameen.

Address: 390 Main Street, Penticton

Phone: _____

Email: _____

Please provide details of your presentation:

The Community Foundation has recently published its 3rd Vital Signs report on the health
of communities in our region. The goal of the report is to educate citizens about what's
working and what's not working as well as to inspire action at a grassroots level.

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

Request to Appear as a Delegation

Preferred Council Meeting Date: _____ December 7, 2015 _____

Second choice(s): _____ Next meeting _____

Subject matter: _____ Creating Penticton as a Dementia Friendly Community _____

Name of person(s) making presentation:

Barb Stewart, Hilma La Belle and additional Salvation Army Staff

Address: _____ 2469 Main Street _____ **Phone:** _____

_____ Penticton, BC _____ **Email:** _____

Please provide details of your presentation:

Penticton is positioned, because of our demographics, to take leadership in creating a Dementia
Friendly Community. Indeed, it is our responsibility because of our high population of seniors and the
premise that we are what Canada will be in 2030. The World Health, Alzheimer Association &
Alzheimer Society has a tool kit for communities to work through. We will collaborate to do this.

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

The Corporation of the City of Penticton

Bylaw No. 2015-55

A bylaw to amend the Development Procedures and Delegation Bylaw 2010-92

WHEREAS the Council of the City of Penticton has adopted a Development Procedures and Delegation Bylaw pursuant to the *Local Government Act* and the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend "The City of Penticton Development Procedures and Delegation Bylaw No. 2010-92";

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 "Development Procedures and Delegation Amendment Bylaw No. 2015-55".

2. Amendment:

Amend "The City of Penticton Development Procedures and Delegation Bylaw No. 2010-92" by adding the following title and section 15.1:

Delegation of Strata Conversion Approval/Refusal Authority to the Development Officer

15.1 In accordance with Section 242 (10) of the *Strata Property Act*, Council delegates its powers under section 242(3) to approve or refuse a strata plan of a previously occupied building with four (4) dwelling units or less to the City's Development Officer.

READ A FIRST time this	16	day of	November, 2015
READ A SECOND time this	16	day of	November, 2015
READ A THIRD time this	16	day of	November, 2015
ADOPTED this		day of	, 2015

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer



Council Report



Date: December 7, 2015
To: Eric Sorensen, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 200 Ellis Street
Subject: Liquor-Primary Licence Permanent Amendment Application
 Mile Zero Wine Bar

File No: 4320-50

Staff Recommendation

THAT Council recommends to the Liquor Control and Licensing Branch (LCLB) that it supports the application from Mile Zero Wine Bar located at 200 Ellis Street for a Permanent Amendment (structural change) to increase:

- interior occupant load from 30 to 60 people; and
- hours of service from 11:00am to 11:00pm to 11am to 12:00am (midnight), Sunday to Saturday.

Strategic priority objective

N/A

Background & Proposal

The City has received a permanent amendment application (November 10th, 2015) from Christine Cronie, co-owner of Mile Zero Wine Bar at 200 Ellis Street (Attachment A), seeking a structural change to their Liquor Primary Licence to increase operating hours from the current Sunday to Saturday 11:00am to 11:00 pm; to proposed hours of 11:00 am to 12:00am (midnight) and a maximum interior occupant load increase from 30 to 60 people. The owners wish to make this change due to the demand from patrons. An explanation has been provided as Attachment B. The owners had originally requested a 1:00am closure but after initial comments from staff and the City's Liquor Licencing Technical Review Committee, it was determined that midnight would be a more suitable request (see owner impact statement -attachment C). There are no changes requested to the exterior patio endorsement of a maximum 10 people. The patio has not been in operation to date as final land use lease agreement options are being reviewed.

Plans have been prepared for the increase of occupant load by way of building permits (see floor plan - Attachment D). The occupant load maximum is related to the number of washrooms currently provided for patrons as regulated under the BC Building Code.

On May 4th, 2015 Council supported a recommendation to the Liquor Control and Licensing Branch (LCLB) for an application from Cronies Auto Parts Ltd, located at 200 Ellis Street, for a Liquor-Primary Licence Endorsement and that staff investigate resident only parking options in this neighbourhood (247/2015). During the initial public consultation some residents and businesses owners had concerns over the potential

for noise generation from a liquor establishment during and after hours. There were also concerns regarding patrons parking in residential areas.

To date, there have been no complaint case files recorded for noise or parking related issues from the neighboring residents since the opening of the business in September. Staff has monitored the area and has not witnessed any issues relating to parking since the opening of Mile Zero.

Site Context

The current property is zoned C6 – Mixed Use Commercial and the 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 include:

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

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

LCLB Legislation, Policy and Bylaw Review

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 towards 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 issuing 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 permanent amendment (structural change) for a Liquor-Primary licence requires a municipal resolution before the Province will consider the application further. The amendment process differs slightly from a new Liquor-Primary application in that LCLB and Local Government reviews work in a parallel process. Staff has provided an initial confirmation of the occupant load approval as per

code to engage the parallel review process and is awaiting resolution from Council to complete local government confirmation.

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) requires that 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.
- No off-street parking is required. 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 residential development within the consultation area.

There are no concerns with additional vehicular traffic or parking. It was suggested that the hours of operation on the exterior patio be restricted by the owner to 10:00pm. Noise and traffic related issues can be regulated under current City regulations.

The impact on the community if the application is approved:

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

Concerns were raised by some members of the Committee in relation to the initial request for expanded hours to 1:00am and were communicated the applicant. These concerns revolved around the applicants original business model review in April/May of this year (see attachment E) and the potential for the business to be sold to a new operator, running the business as a full service Liquor Primary operation.

Staff considers the reduction in closure hours, as reflected in the recommendation and impact statement by the owner, help to mitigate these concerns. Any potential impact to the surrounding neighborhood 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 two public notices were placed in the local newspapers.

As a result, there have been one (1) letter of support (Attachment F) and two (2) letters of non-support received at the time of preparation of this report (Attachment G).

Citizens are also provided the opportunity to comment on the application the day of the regular Council meeting held December 7th, 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.

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

Alternate recommendations

1. THAT Council denies support of Mile Zero Wine Bar Amendment application.
2. Refer back to staff for further review.

Attachments

Attachment A – Site and Public Consultation Map
Attachment B – Owner request for change
Attachment C - Owner impact statement
Attachment D – Revised floor plans and exterior view
Attachment E - Original Owner impact statement (April/15)
Attachment F - Letter of support
Attachment G – Letters of non-support

Respectfully submitted,

Ken Kunka ASCT, RBO
Building and Permitting Manager
LLTRC Chairperson

Approvals

Director of Development Services JGH	CAO ES
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Attachment A
Site Map



Public Consultation Map – 90m radius



Attachment B
Initial Owner Request

November 4, 2015

Att: Ken Kunka

City of Penticton

Liquor Licence Review Application

Regarding Amended Primary Licence for 200 Ellis Street

Due to the increase in customers from the beginning of our opening and requests for private wine industry and business functions we are requesting the following;

We are asking to increase our occupancy from 30 persons to 60 persons. We were advised that we were to have an architect investigate improvements needed for this increase. We have not complied with architects' recommendations.

We are also requesting to extend our closing time from 11:00 pm until 1:00 am.

Kind Regards,

Christy and Allan Cronie

Mile Zero Wine Bar

200 Ellis Street

Penticton

Attachment C
Revised Owner Impact Statement

Ken Kunka

From: Mile Zero <mile.zero@shaw.ca>
Sent: Saturday, November 14, 2015 11:11 AM
To: Ken Kunka
Subject: RE: Liquor Amendment Application update

Hello Ken,

We talked it over and agree that in lieu of a 1 am closing we will revise it to a midnight closing with the six extension of hours if required. The 12 am closing time is parallel to other businesses closing times such as Earls and Hooded Merganser.

The feedback from our customers have been overwhelmingly positive with the addition to Mile Zero on Ellis Street. The only negative comments from the customers is that 10:30 for last call is far too early and we are turning away business with limited seating of 30 persons. Both of which we hope to remedy with this amended application.

When we open the patio next year, we will be posting a closing time of 10 pm as initially stated in our original application.

We certainly understand the concerns for Pathways, as Christy's previous occupation was that of an addictions counsellor and with the Ministry of Social Services for 10 years.

Our building on 200 Ellis has been in the family since the 1970's and we have no intention of selling the building or business. We have confidence in our business to be successful and to be a positive community partner for local commerce and tourism.

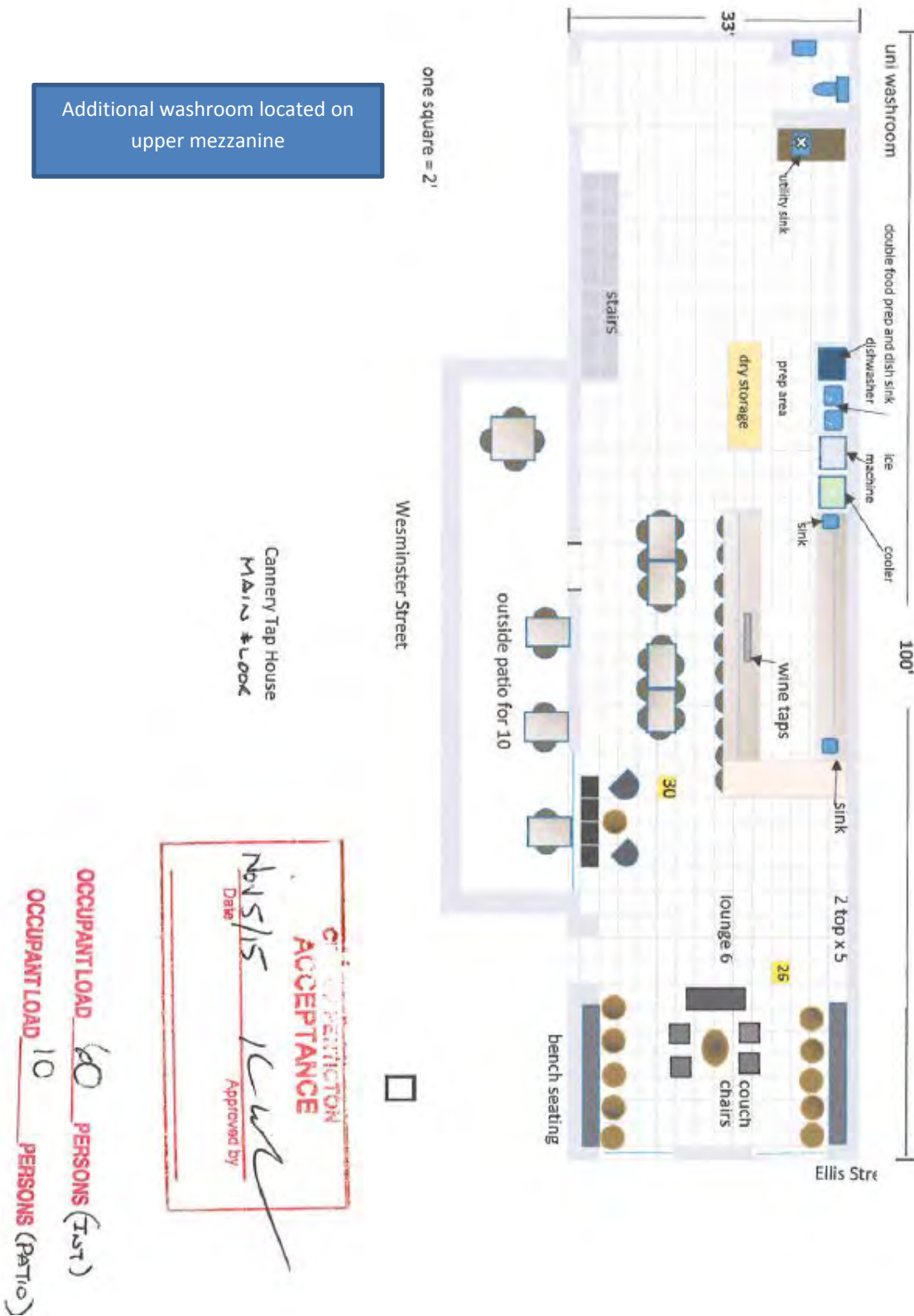
We hope this clarifies matters Ken, and our request will go through without too much dissention.

Regards,

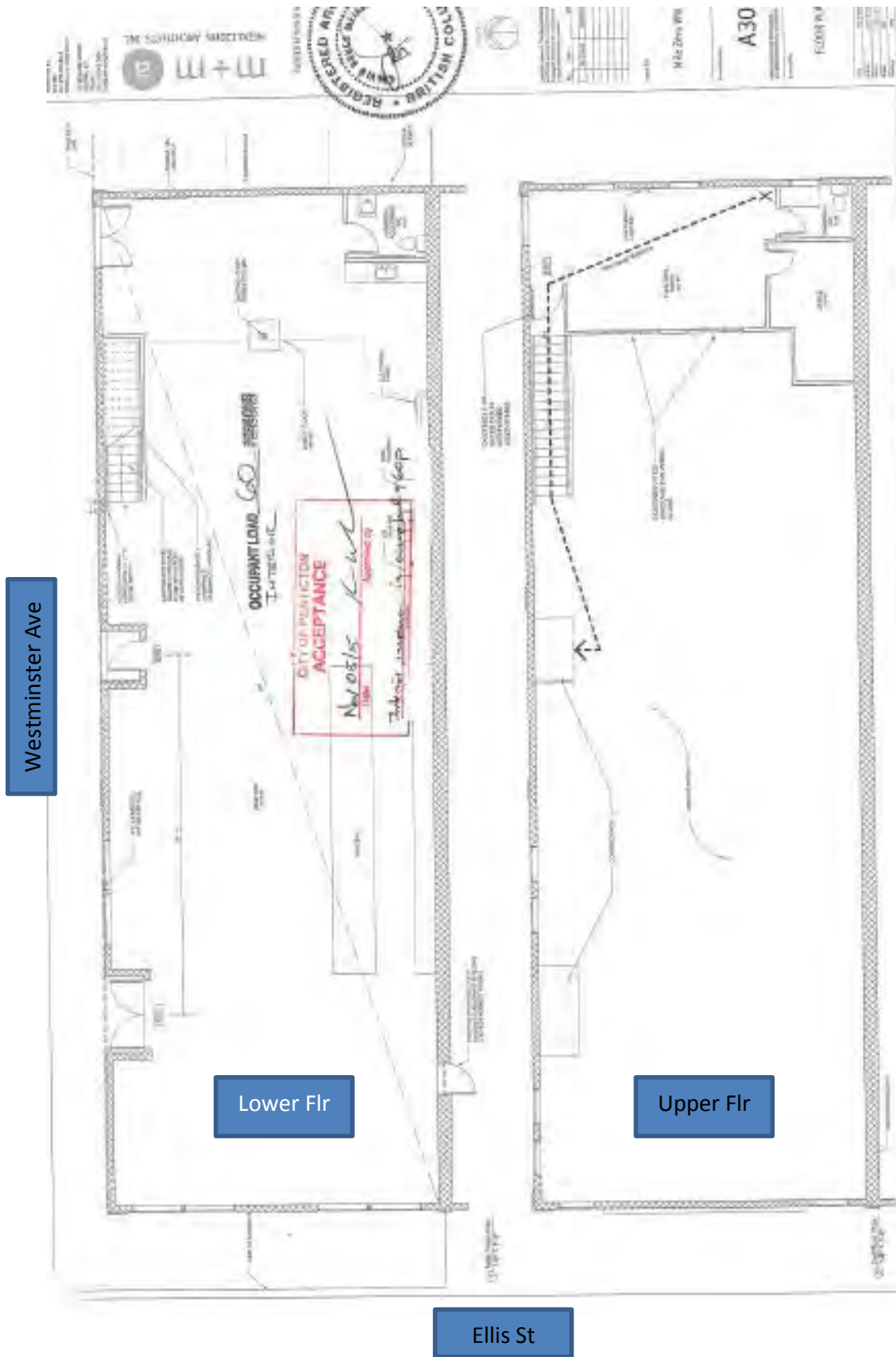
Christy and Allan Cronie
250-809-6669

 **MILE ZERO**
Wine Bar

Attachment D
Proposed Amended Floor Plan



Attachment D
Upper and Lower areas



Attachment D
Exterior View



Attachment E
Original Liquor Primary 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 F
Letter of Support

Dear Sirs,

I live at 258 Van Horne Street and have received the November 18, 2015 Public Notice regarding the above Application to increase the seating and hours of operation at the Mile Zero Wine Bar.

My wife and I went to the Mile Zero Wine Bar for the first time yesterday and enjoyed sampling some local wines. I'm sure that friends and relatives will also enjoy this facility when visiting Penticton. I can see that more seating is needed, especially during the peak tourist season /convention seasons. Although parking is always a question with new developments, there is reasonable parking available nearby, especially on Ellis Street later in the day. Therefore my wife and I support this application.

We like the recent changes to land use in this area that Council has approved in the last few years. The previous industrial area around Ellis and Westminster used to look dark and deserted in the evenings. Now, with the Mile Zero Wine Bar, Cannery Brewery Tasting Room and Fitkidz Gymnastics, our neighborhood is a bit more lively. We hope that Council will continue with these types of land use changes in our neighborhood.

Regards
Igor Zahynacz and Joan McBride
258 Van Horne Street

Attachment F
Letters of Non-support

November 27th 2015

Ken Kunka
Building and Permit Manager
City Hall
171 Main Street
Penticton BC
V2A 4K3

RE: Amended Liquor Licence for Mile Zero Wine Bar
200 Ellis Street.

Dear Sir,

I own and reside at 217 van Horne Street. This means that I am directly across the back Alley from Mile Zero Wine Bar. I am writing to oppose the application to double the occupancy and increase the hours of operation.

At the time of the original application and that of the application for the Cannery I wrote with concerns about parking, increased traffic and noise in this residential neighbourhood. All of these issues have come to reality and are only going to multiply exponentially with the new request.

It seems to me that the owners of the Wine Bar have been underhanded in originally requesting the application for shorter hours and limited seating. If you will excuse the pun it is like they were granted an inch and now are taking a mile.

The parking in the neighbourhood is becoming a problem and is certainly spilling over onto van Horne Street. This is already a problem and I cannot imagine what it is going to be like if the occupancy is doubled, and the much busier summer months arrive. I have a significant physical disability and not being able to park in front of my house is a major concern.

The noise at time of closing has also been an issue especially on the weekends. Again this is going to increase in the summer and having a large number of patrons who have been drinking leaving after midnight is not something I look forward to.

My neighbour has also raised a valid concern about the patrons smoking outside and the increased possibility of a fire caused through neglect. The houses on the 200 block of van Horne are old and close together and therefore vulnerable

Please note my opposition to the amended request.

At the very least I am asking that resident only parking be put in place along the 100, and 200 blocks of van Horne.

Sincerely,

Anne Reinders

225 Van Horne St
Penticton, BC
V2A 4K3

November 28, 2015

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

Dear Mr Kunka,

Re: Application to double occupant load and to extend hours of operation at Mile Zero Wine Bar @ 200 Ellis St

I live across the alley and 3 houses down from this business. I would like to express my **opposition** to doubling the occupant load and extending the hours.

Last August, when this business made their initial application for licensing, I wrote to you about my concerns re: increased traffic and parking issues. I had requested that "Area Resident Parking" signs be placed on the 100 and 200 blocks of Van Horne St, and the 200 Block of Abbott St. This has not been done.

Certainly since the Wine Bar & Cannery Brewery opened this summer there has been increased traffic, parking issues and noise in this residential neighbourhood. I feel the wine bar has been given an inch and now they want a mile.

Since staff and patrons are not allowed to smoke inside, they go outside to smoke. My house was built in the 1940s and I do not have brush around my home. The houses closest to the wine bar were probably built around that time and many do have bushes in their yards. We know how dry our city gets in the summer, and it upsets me to see more cigarette butts behind my garage. If one building caught fire, these older neighbouring homes would be at a great risk of burning too.

In summary, I am opposed to increasing the occupant load and the hours of operation because of:

1. increased traffic in this residential neighbourhood
2. parking issues
3. noise
4. smoking outside of the business and increased risk of fire

Yours truly,

Shirley Persson

December 2, 2015

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

City of Penticton
171 Main Street
V2A 5A9

Mayor Jakubeit and Council:

Please consider my comments regarding the proposed change to the Liquor Primary License for 200 Ellis Street.

I have lived at 288 Van Horne Street since 1996. My concern centres around lack of parking and the impact of increasing the seating capacity at 200 Ellis Street. Please see my earlier correspondence of April 28, 2015 for additional details regarding my concerns.

The minutes of the May 4, 2015 council meeting indicate that it was moved and seconded *"That staff investigate resident only parking options in this neighbourhood."*

Mr. Ken Kunka's report of May 4, 2015 (file 4320-50) states *"....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."*

In addition, his report references the LLTRC recommendation *"...with continued monitoring of the off-street parking within the adjacent residential area."*

Has there been any staff follow-up to the May 4th directive from council, as well as Mr. Kunka's and the LLTRC recommendations, to look into parking options?

I look forward to hearing from you.



Shawn Brown.



Council Report



Date: December 7, 2015
To: Eric Sorensen, Chief Administrative Officer
From: Lindsey Fraser, Planner I
Address: 468 Pickering Street
Subject: **Development Variance Permit PL007557**

File No: DVP PL007557

Staff Recommendation

THAT Council approve "Development Variance Permit PL007557", for Lot 23, Block B, District Lot 202, Similkameen Division Yale District, Plan 1041, located at 468 Pickering Street, a permit to allow for vehicular access from the front of the building, along Pickering Street, in order to build a front-to-back duplex;

AND THAT staff be directed to issue "Development Variance Permit PL007557".

Background

The subject property (Attachment 'A') is located in a residential area of the city with a diversity of housing types including single family residential dwellings, townhomes, and apartment buildings. The property abuts a single-family residence to the north west, another duplex to the south east (a Development Permit application for which is currently under review) and a townhouse complex to the north (rear). The property is zoned RD2 (Duplex Housing: Lane).

The RD2 zone calls for parking to be located at the back of a property, where a lane is available. In the case of this application, although a lane is available, the developer feels a better design can be achieved by having one car access the front dwelling unit from Pickering Street. In the case of 476 Pickering Street, there is not sufficient lane access to enable parking for both units. As a consequence 476 Pickering does not require a variance as there is only suitable lane access for one of the units. The developer for this Development Variance Permit application is looking to provide continuity for this site (468) and the neighbouring 476, which in turn requires a variance for this specific parcel.

This property lies within the General Multiple Development Area. As such, the owner applicant will also be required to obtain a Development Permit which will be issued by staff.

Proposal

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

- Section 10.6.3.2: Allow for access from the front of the property (Pickering Street)

Financial implication

N/A

Analysis

Approve

468 Pickering Street has been vacant for a significant period of time and has been listed for sale for a number of years. There are a number of factors that have likely contributed to the lack of uptake for this parcel, including topographical challenges and the location of the townhouse development directly behind the property.

A developer is now interested in redeveloping this property as well as neighboring 476 Pickering St. The design scheme for a front-to-back duplex takes advantage of the existing slope, locating a downward-angled driveway and garage off of Pickering Street. Additionally, the proposed design is intended to mirror the proposed duplex next door at 476 Pickering Street necessitates front access and does not require a variance. Allowing for front access at 486 Pickering St will create a more cohesive façade for both properties.

Parking is generally encouraged at the rear of properties in order to enhance the streetscape . However, it is also important to consider the overall design for a property and its relationship to neighbouring development. In this case, the developer is presenting a design concept with modern elements and strong architectural value. Although there is parking proposed from the front appropriate space for landscaping and walkways to the front-facing doors of all 4 units is retained. Furthermore, the below grade garages means their overall impact on the streetscape is reduced.

The request for this variance is appropriate and hence the staff recommendation that Council supports the application and directs staff to issue the permit.

Deny

Council may feel that the variance is not justified and that the property owner should follow the bylaw. If that is the case, Council should deny the variance.

Alternate recommendations

THAT "DVP PL007557" be referred back to staff to work with the property owner in determining an alternative design for the building.

THAT "DVP PL007557" be approved with such conditions that Council considers relevant.

Attachments

- Attachment A – Subject property location map
- Attachment B – Images of subject property
- Attachment C – Letter of intent
- Attachment D – Draft DVP

Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

Director JGH	Chief Administrative Officer ES
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Attachment A – Subject Property Location Map

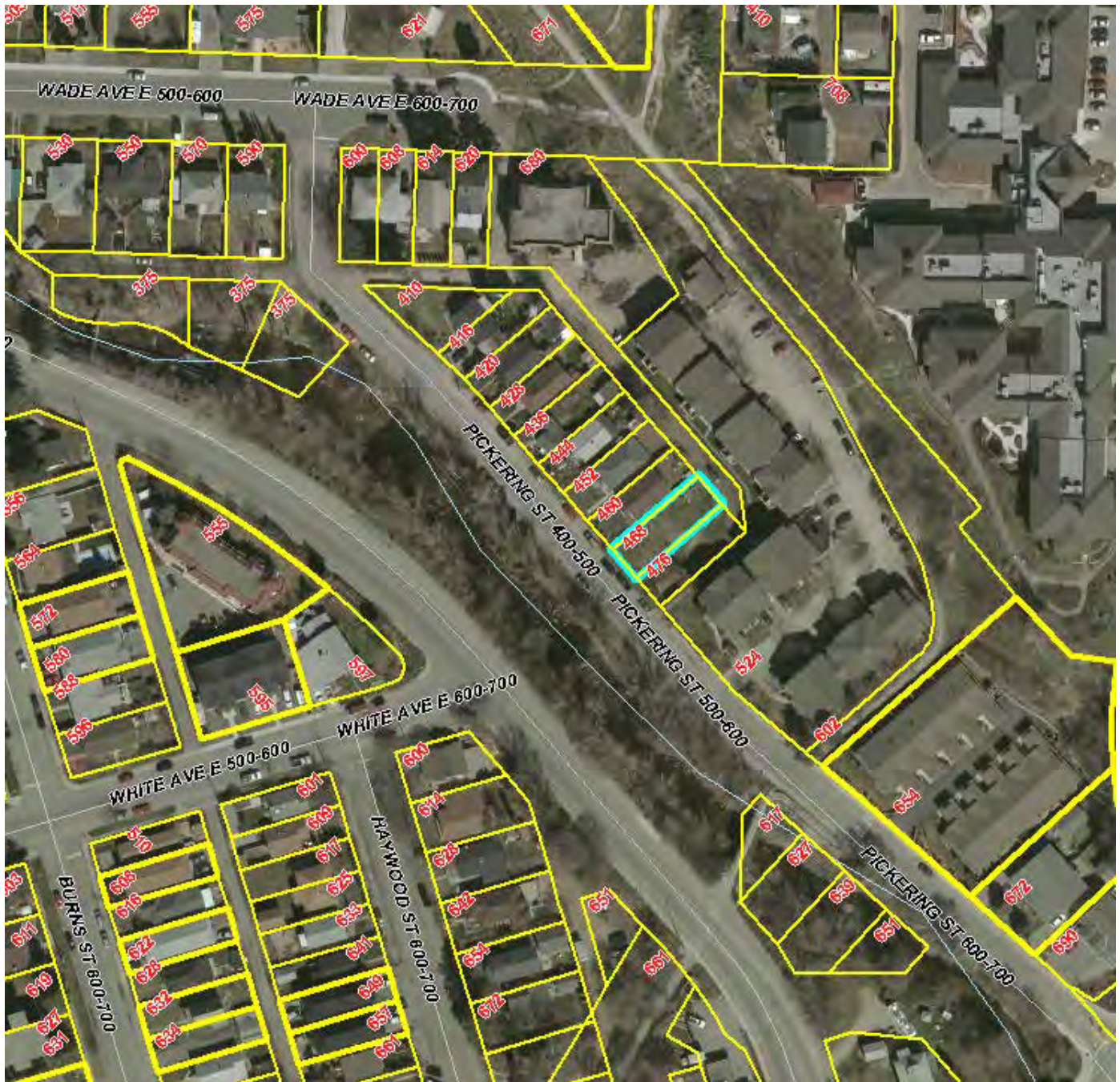


Figure 1: Subject property highlighted in blue

Attachment B – Images of Subject Property



Figure 2: Close-up showing subject property and townhouse complex at rear



Figure 3: Looking north east at subject property



Figure 4: Looking south east from rear of both 468 and 476 Pickering Street

Attachment C – Letter of Intent



November 11, 2015

Development Variance Rationale

468 Pickering Street, Penticton, BC

The attached application for Development Permit and Development Variance Permit is submitted by Radeo Group Inc. on behalf of Joseph Wallers and Noah Russell, the future owners of the subject property and the neighbouring lot located at 476 Pickering Street. Radeo Group has discussed the development with the City of Penticton's Planning Department and the preliminary concept was supported. The proposed development is targeted to meet the growing demand for quality housing for Penticton's families.

The subject property's Future Land use is designated as Medium Density Residential (MDR) by the Official Community Plan. This zone permits Baresland Strata developments. Currently, the subject property is zoned RD2 - Duplex housing Lane. Radeo Group proposes to construct a two-and-a-half storey duplex on both 468 and 476 Pickering Street. The area features a mix of single-family, townhomes, and multi-family uses.

This property is located on a quiet street facing Penticton Creek and is centrally located close to the downtown core. Also nearby are the public library and three schools, making this an ideal location for families.

The subject property is 10.09 m x 330.48 m (33'-0" x 108'-0"). At the rear of the property is a lane with a width of approximately 6.0 m. The lane narrows substantially to a dead end at rear of 476 Pickering Street. Per Zoning Bylaw 2011-23, where a rear lane is provided, vehicular access must be from the rear lane. It was determined that for 476 Pickering St, the narrowed lane provides only access for one vehicle, so the front unit will require vehicular access from Pickering Street. In an effort to create harmony and balance, Radeo Group proposes to mirror the design of the duplexes, and requests a variance to permit vehicular access from the front for one unit at 468 Pickering Street. It should be noted that the lot width would not permit two side-by-side single car garages at the rear of the property. By providing a garage and a driveway, two tandem parking stalls are provided for each dwelling unit, minimizing street parking.

Each two-and-a-half story residence will have a well-defined street-oriented entrance, 3 bedrooms on the upper floor, an open-concept living area on the main floor, and a sunken lower level featuring a single-car garage and multi-purpose area. The units have a net living area of 1,555 SF and 1,241 SF each, for a total net floor area of 2,796 SF. Design elements include cedar tongue & groove siding and board & batten cladding painted a deep warm grey. The homes feature oversized windows and flat roofs for a contemporary appearance.

As part of our proposal, we enclose a preliminary perspective, rendered elevations, site plan, landscape plan, floor plans and elevations. Key features of this development are the provision of ground-oriented three bedroom residences with a high standard of livability, thoughtful architecture and design, densification, and entry-level home-ownership for Penticton's families. Therefore, we respectfully request a variance to provide vehicular access from Pickering Street for one residence.

Radeo Group Inc.

1680-336 Dawson Avenue, Penticton, BC V2A 3A6 T: 250.492.0009 525 East 16 Avenue, Vancouver, BC V5T 2V3 F: 604.678.0088

Attachment D – Draft DVP



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

Development Variance Permit

Permit Number: DVP PL007557

Radic Group
625 East 16th Avenue
Vancouver, BC V5T 2V3

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 23, Block B, District Lot 202, Similkameen Division Yale District, Plan 1041
Civic: 468 Pickering Street
PID: 011-843-683
3. This permit has been issued in accordance with Section 922 of the *Local Government Act*, to vary Section 10.6.3.2 of Zoning Bylaw 2011-73 to allow for vehicular access from the front of a duplex, where land access is available, as shown in the plans attached 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 _____, 2015

Issued this _____ day of _____, 2015

Dana Schmidt,
Corporate Officer

Page 2 of 2



PROJECT INFORMATION

ARCHITECT	RADEC ARCHITECTURE
DATE	2024-01-15
CLIENT	JOHN & JANE DOE
LOCATION	123 MAIN ST, SUITE 100
PROJECT TYPE	COMMERCIAL RENOVATION
STATUS	CONCEPT PHASE
CONTACT	JOHN DOE
PHONE	555-123-4567
EMAIL	JOHN.DOE@RADEC.COM
WEBSITE	WWW.RADEC.COM

CONTACT

NAME	JOHN DOE
PHONE	555-123-4567
EMAIL	JOHN.DOE@RADEC.COM
WEBSITE	WWW.RADEC.COM



RADEC

ARCHITECTURE

123 MAIN ST, SUITE 100

555-123-4567

WWW.RADEC.COM

PROJECT INFORMATION

DATE: 2024-01-15

CLIENT: JOHN & JANE DOE

LOCATION: 123 MAIN ST, SUITE 100

PROJECT TYPE: COMMERCIAL RENOVATION

STATUS: CONCEPT PHASE

CONTACT: JOHN DOE

PHONE: 555-123-4567

EMAIL: JOHN.DOE@RADEC.COM

WEBSITE: WWW.RADEC.COM

POWERS OF ATTORNEY

JOHN DOE

555-123-4567

WWW.RADEC.COM



RADEC

ARCHITECTURE

123 MAIN ST, SUITE 100

555-123-4567

WWW.RADEC.COM

PROJECT INFORMATION

DATE: 2024-01-15

CLIENT: JOHN & JANE DOE

LOCATION: 123 MAIN ST, SUITE 100

PROJECT TYPE: COMMERCIAL RENOVATION

STATUS: CONCEPT PHASE

CONTACT: JOHN DOE

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EMAIL: JOHN.DOE@RADEC.COM

WEBSITE: WWW.RADEC.COM

POWERS OF ATTORNEY

JOHN DOE

555-123-4567

WWW.RADEC.COM

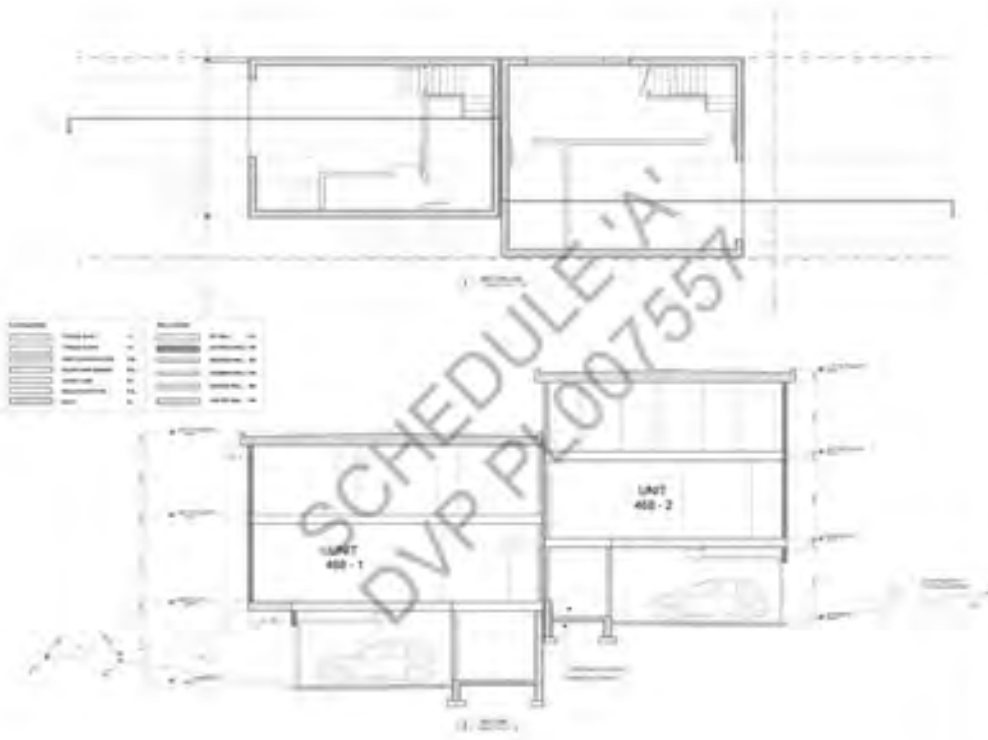




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Tel: 604-681-1111
Fax: 604-681-1112
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PROJECT INFORMATION
Project Name: [Blank]
Client: [Blank]
Address: [Blank]
City: [Blank] Province: [Blank] Country: [Blank]
Project Number: [Blank]
Drawing Number: [Blank]
Drawing Title: [Blank]
Drawing Date: [Blank]
Drawing Scale: [Blank]
Drawing Status: [Blank]

DESIGNER INFORMATION
Designer Name: [Blank]
Designer Title: [Blank]
Designer Contact: [Blank]
Designer Email: [Blank]
Designer Phone: [Blank]
Designer Fax: [Blank]
Designer Website: [Blank]



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PROJECT INFORMATION
Project Name: [Blank]
Client: [Blank]
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City: [Blank] Province: [Blank] Country: [Blank]
Project Number: [Blank]
Drawing Number: [Blank]
Drawing Title: [Blank]
Drawing Date: [Blank]
Drawing Scale: [Blank]
Drawing Status: [Blank]

DESIGNER INFORMATION
Designer Name: [Blank]
Designer Title: [Blank]
Designer Contact: [Blank]
Designer Email: [Blank]
Designer Phone: [Blank]
Designer Fax: [Blank]
Designer Website: [Blank]



Council Report



Date: December 7, 2015
To: Eric Sorensen, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 190 Middle Bench Road South
Subject: Development Variance Permit PL2015-087

File No: DVP PL2015-087

Staff Recommendation

THAT Council approve "Development Variance Permit PL2015-087" for that part of Lot 41 shown red on Plan B3087 District Lot 188 Similkameen Division York District Plan306, located at 190 Middle Bench Road South, a permit to reduce the minimum lot area from 2ha (5acres) to 0.35 ha (0.9 acres), to increase the maximum lot coverage for residential buildings from 10% to 15% and to reduce the minimum interior yard setback for an accessory building from 4.5m to 1.5m;

AND as a condition of approval that, a minimum 3m buffer between the property line and the agriculture use, as shown on Attachment 'G', be erected;

AND THAT staff be directed to issue "Development Variance Permit PL2015-087".

Strategic priority objective

N/A

Background

The subject property is a 1.99 Acre (0.80 ha) parcel located on Middle Bench Road South. The lot is comprised of a single family dwelling and a smaller ancillary building. The site is bordered by vineyards to the North and East and an orchard and residential property to the South.

The subject property is designated AG – Agriculture in the City's Official Community Plan (Bylaw 2002-20) and A – Agriculture in Zoning Bylaw 2011-23. The property is also located in the Agricultural Land Reserve (ALR). Restrictions on the use of agricultural land do not apply to properties that were issued separate title under the Land Registry Act prior to 21 December 1972 and that comprised parcels of less than 2 acres. The subject site has an area of 1.99957 acres and has been under a separate certificate of title since before 21 December 1972. Upon approval of the variances, the applicant will be submitting a subdivision application.

Agriculture Advisory Committee

As a courtesy, staff presented this application to the, the Agricultural Advisory Committee on October 28th, 2015 which passed the following motion:

“THAT Council support the subdivision application for 190 Middle Bench Road as presented subject to a covenant being placed on the property requiring a vegetative buffer and fencing be built between the proposed Lot B and the adjacent properties.”

This motion was carried, with three members of the Committee opposed.

The Committee considered that the proposed subdivision would not negatively impact the agricultural use on the current property but was also mindful that, if a new lot was created, there may be conflicts between the residential uses of the site and the existing neighbouring agricultural uses. Therefore, the committee supported the application subject to a covenant registered on title to require a buffer zone. This is reflected in this application and the recommendation.

Proposal

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

- Section 9.2.2.2: To vary the minimum lot area from 2ha to 0.35ha
- Section 9.2.2.3 i. : To increase the maximum lot coverage for residential buildings from 10% to 15%
- Section 9.2.2.8 ii a. : To vary the minimum interior setback for an accessory building from 4.5m to 1.5m

The eventual aim of the property owners is to subdivide the property to create an additional panhandle lot and add a new residence. The new proposed lot would roughly be 1.08 acres (0.367ha).

Development Engineering Review

The Engineering Department have reviewed the proposed variances and have no concerns at this time. A complete and comprehensive analysis of the proposed development will be completed when a subdivision application is submitted to the City.

Financial implication

N/A

Analysis

Support Variance

When considering a variance to a City bylaw, staff encourages Council to be mindful of any hardship on the property that makes following the bylaw difficult or impossible; whether approval of the variance would cause a negative impact on neighboring properties; and if the variance request is reasonable.

Section 9.2.2.2: To vary the minimum lot area from 2ha to 0.35ha

The applicant is requesting a minimum lot area reduction to accommodate an additional parcel to the current one. Although this property is located in the Agricultural Land Reserve, restrictions on the use of agricultural land including subdivision do not apply. There are some concerns that, with the reduction in the lot area and without some form of buffer, a new lot will create potential conflict between the existing agricultural uses and the proposed residential use. Whilst staff fully considered the Committee's recommendation to place a covenant on the land, it is sufficient to require the buffer planting without the need to take additional legal steps and register on title. The buffer zone is a requirement of this Development Variance Permit application and is reflected in the recommendation to Council. The buffer planting would need to be constructed at the owner's cost. This information was communicated to the applicant and the property owners have committed to the provision of a 3m vegetative buffer between the buildings on the new proposed lot and the adjacent agricultural uses (Attachment G).

Section 9.2.2.3 i. To increase the maximum lot coverage for residential buildings from 10% to 15%

The applicant is requesting an increase in the maximum allowable lot coverage for residential buildings, in order to keep the existing detached garage as part of the newly created lot. Staff considers that the increase in lot coverage will not have a negative impact on any of the neighboring properties.

Section 9.2.2.8 ii a. To vary the minimum interior setback for an accessory building from 4.5m to 1.5m

A 1.5m interior setback reduction along the South property line is also requested as part of this application in order to keep the existing detached garage on the property and maintain a 6m panhandle for a new residential parcel. Staff does not consider that the variance will have a negative impact on any of the neighboring properties.

Before the final approval of a subdivision application, a number of requirements will need to be addressed, as indicated in the Subdivision and Development Bylaw 2004-81, including the fence and vegetative buffer.

Given the above, staff recommends that the variances requested are reasonable and that Council supports the application with the condition that the vegetative buffer be installed prior to final subdivision approval.

Deny/Refer

Should Council feel that the proposed variances represent a negative impact on the agricultural character of the area they may deny the Development Variance Permit. If this is the case, the property will be restricted to one single family use. Alternatively, Council may refer the application back to staff with further instructions.

Alternate Recommendations

1. THAT Council THAT Council support "DVP PL2015-087" without the condition to bond for and construct the vegetative buffer.
2. THAT "DVP PL 2015-087" be denied.
3. THAT "DVP PL 2015-087" be referred back to staff.

Attachments

Attachment A: Subject Property Location Map
Attachment B: OCP Map
Attachment C: Zoning Map
Attachment D: Images of Subject Property
Attachment E: Letter of Intent
Attachment F: Subdivision Plan
Attachment G: Proposed Vegetative Buffer
Attachment H: DVP

Respectfully submitted,

Audrey Tanguay, MCIP
Senior Planner

Approvals

Director JGH	Chief Administrative Officer ES
---------------------	--

Attachment A - Subject Property

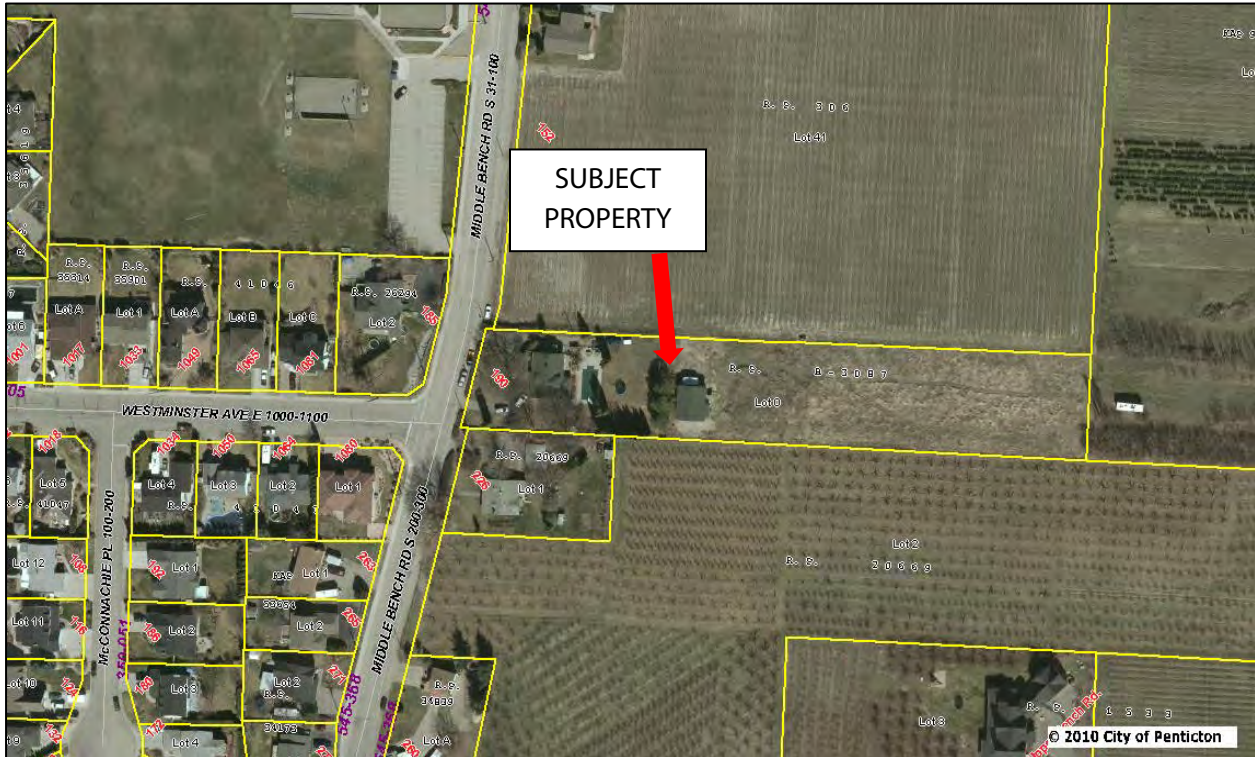


Figure 1: Location Map



Figure 2: Location of existing buildings

Attachment B - OCP Map

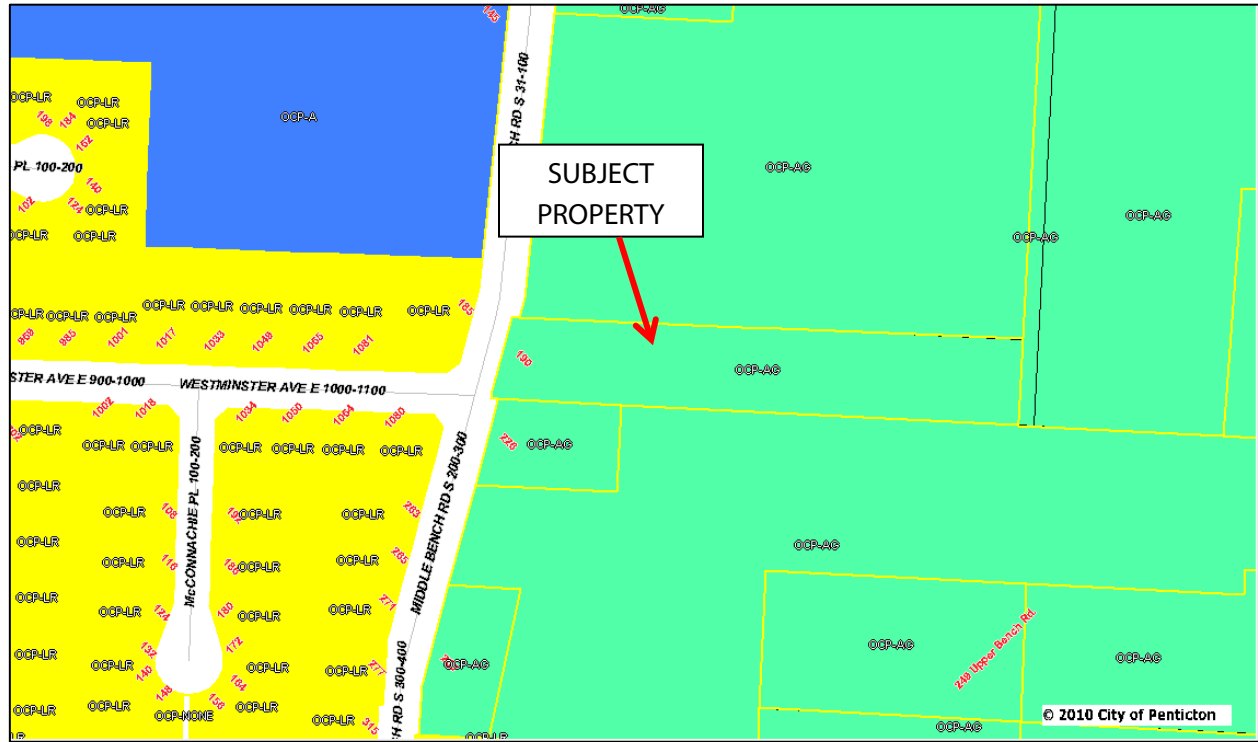


Figure 3: OCP Map

Attachment C - Zoning Map

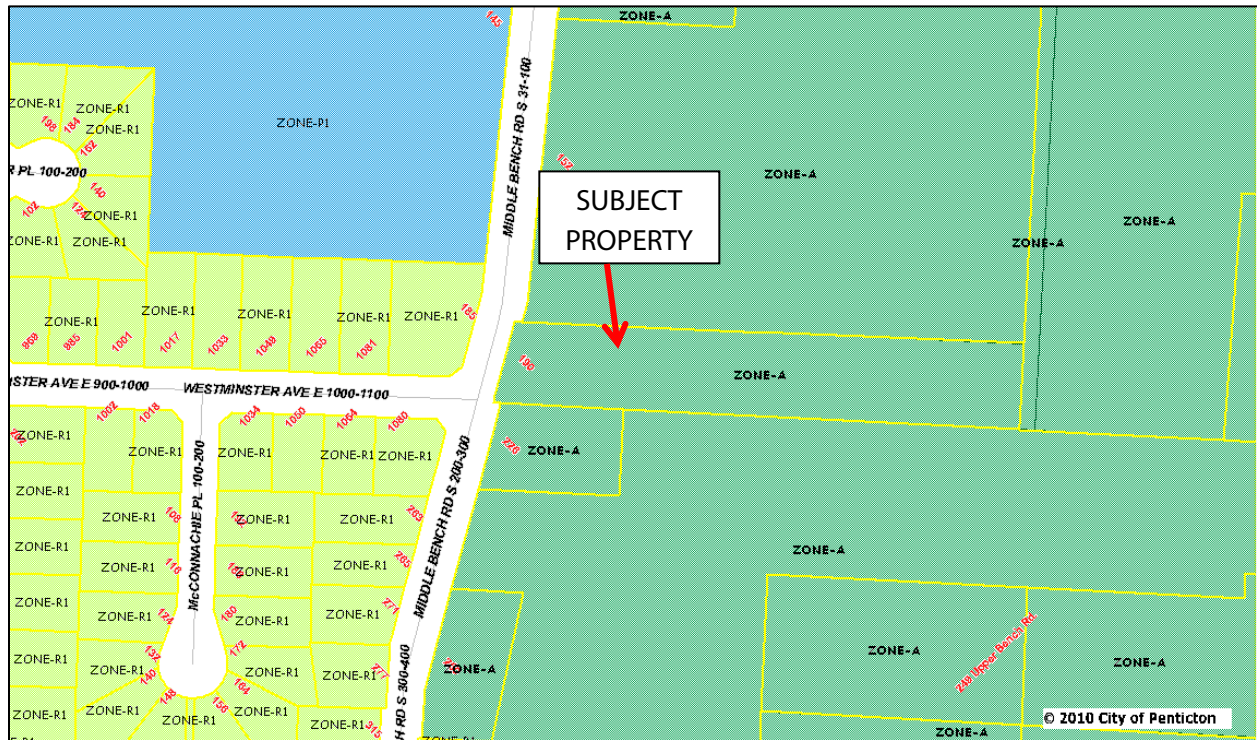


Figure 4: Zoning Map

Attachment D - Images of the Subject Property

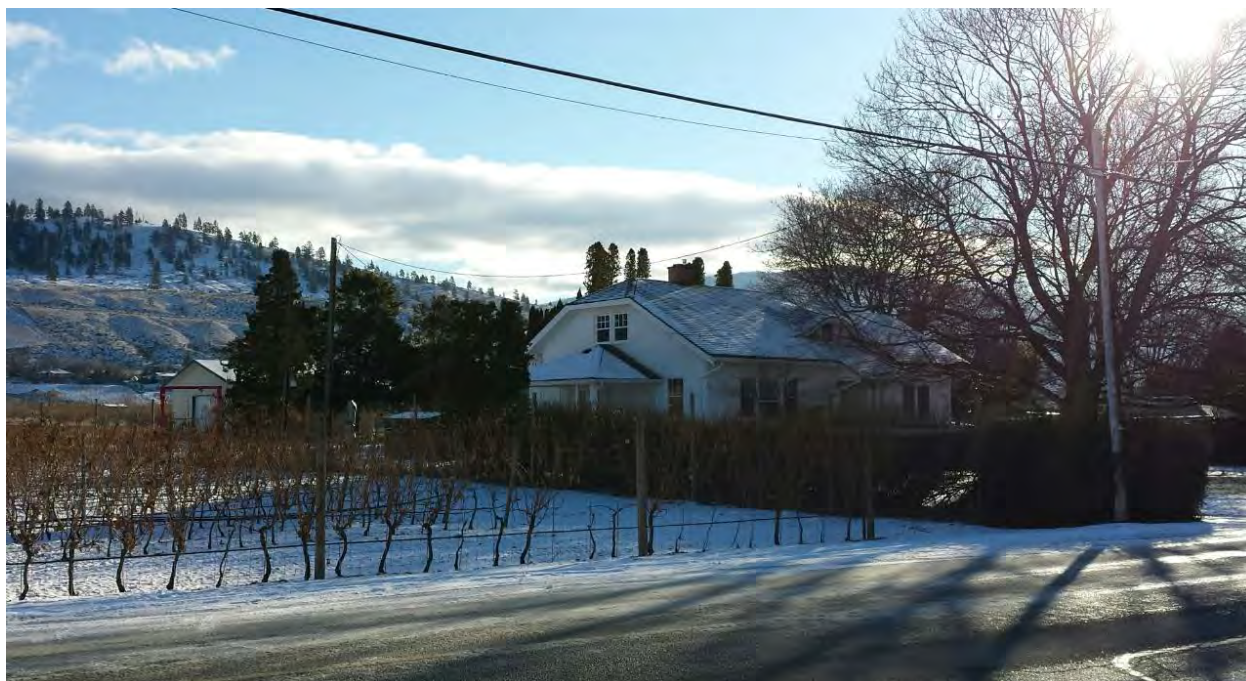


Figure 5: View Middle Bench Road South



Figure 6: View Middle Bench Road South

Attachment "E" –

Letter of Rationale

SUPPLEMENTARY INFORMATION

**CITY OF PENTICTON
DEVELOPMENT VARIANCE PERMIT APPLICATION**

**THAT PART OF LOT 41 SHOWN RED ON PLAN B3087 DL
188 SDYD PLAN 306**

**Prepared for:
Ryan and Brittany Griffith**

October 2015



OCT 14 2018

Ryan and Brittany Griffin - Development Variance Permit Application

PURPOSE

The purpose of this Development Variance Permit application is to request that the City of Penticton authorize three variances to the existing Agriculture zoning on the property which will allow the 0.809 hectare sized property to be subdivided to create one additional panhandle lot.

EXISTING LAND USE

The 0.809 ha property is presently used for single family rural residential use with the property containing a single family dwelling and a detached garage located on the west portion of the property. The east side of the property is vacant.

Although the land is within the ALR, the lands are not subject to the provisions of the *Agricultural Land Commission Act* pursuant to section 23 of the *ALC Act* which states: "Restrictions on the use of agricultural land do not apply to land that, on December 21, 1972, was, by separate certificate of title issued under the *Land Registry Act*, R.S.B.C. 1960, c. 208, less than 2 acres in area." The subject property is 1.99957 acres in area.

USES ON ADJACENT LANDS

North

The property north of the subject property is approximately 3 ha. in area and is presently contains a vineyard and a farm house.

East

The property east of the subject property is approximately 2.7 ha. in area and is presently contains a vineyard and a farm house.

South

There are properties adjacent to the south side of the subject property. The eastern parcel is covered with orchard and is approximately 3.5 ha. in area and contains a farm house. The west parcel is small rural residential lot approximately 0.2 ha. in area which contains a residence.

West

The west side of the subject property is adjacent to Middle Bench Road and there is a single family residential neighbourhood west of Middle Bench Road.

PROPOSAL

Ultimately, the owner's goal is to subdivide the property to create one additional lot from the parcel by creating a new "panhandle" lot. The panhandle portion of the new would be lot adjacent to the south property line with the new lot being located on the east portion of the parent parcel. A copy of the proposed subdivision is attached to this information.

In order to facilitate the proposed pan handle subdivision, the owners are requesting two variance to section 9.2, the Agriculture zone in the City of Penticton Zoning Bylaw 2011-23. The proposed two variances are as follows:

1. Section 9.2.2.2 – Minimum Lot Area

The minimum lot area for the creation of new lots with the Agriculture zone is 2 ha. The proposed variance is to reduce the minimum lot area to 0.35 ha. to accommodate the two new parcels proposed lots to be created from the current parent parcel.

2. Section 9.2.2.3 – Maximum Lot Coverage

The maximum lot coverage allowed for residential buildings is 10%. If a detached garage is considered a "residential building" the maximum 10% lot coverage may be too small and the proposed variance would include an increase in the maximum lot coverage from 10% to 15%. If a detached garage is not considered a "residential building", then the 10% maximum lot coverage should be acceptable.

3. Section 9.2.2.8 ii (a) – Accessory Building Minimum Interior Side Yard

The minimum setback from an accessory building to an interior property is 4.5 m. There is an existing detached garage that will remain on proposed Lot A, and will be 1.5 meters (measured from the wall of the building) from the proposed panhandle of proposed Lot B. As such, the proposed variance is to reduce the interior side setback requirement for that accessory structure from the required 4.5 m to 1.5m.

With the three variances proposed to the Lot Area, Lot Coverage, and Interior Side Setback, the owners will be able to proceed with the submission of a subdivision application to create the desired additional lot.

The applicant has agreed to provide a trespass fence and establish a vegetative buffer along the perimeter of proposed Lot B (not including the panhandle) that is adjacent to the north, east and west farm parcels.

RATIONALE AND JUSTIFICATION

The following rationale and justification is provided in support of the proposed variances to the Agriculture zone for the purpose of creating one additional lot.

1. The parcel is too small to economically farm but is too large for one residence. The east side of the parcel has been vacant for decades and is underutilized and could be used to create an additional dwelling.
2. The parcel is not subject to the provisions of the *Agricultural Land Commission Act* pursuant to s. 23 of *ALC Act*.
3. There is an elementary school within 30 meters of the subject property and creation of an additional lot could provide a home for a family within walking distance to the school.
4. The proposal could be considered a residential infill proposal that utilizes under developed land that is presently not suited to its present zoning.
5. The property owners are committed to mitigating potential impacts with the adjacent farm properties by installing a trespass fence and a vegetative buffer between the buildings on the new proposed lot and the adjacent farm parcels.
6. The owners have contacted the adjacent farm owners and have determined that they are not interested in acquiring the east portion of the subject property for agricultural use.
7. The proposed subdivision is consistent with the City of Penticton's Panhandle Policy.
8. As there are no homes located in close proximity to the proposed panhandle lot, the proposed subdivision will not have an adverse effect upon the use, privacy, and quiet enjoyment of surrounding property owners.
9. The proposed variance and subsequent proposed subdivision is consistent with the Growth Management Policies outlined in the city of Penticton Official community Plan.
10. The proposal utilizes existing road, sewer and water infrastructure without the need for infrastructure improvements.
11. Panhandle subdivisions have been approved in numerous locations within the Middle Bench area.

Attachment G: Buffer

SCHEDULE A: BUFFER TYPES

A.1: Minimum Vegetative Screen
(Evergreen Hedge)

Minimum visual screening and protection of farmland from trespass and vandalism.

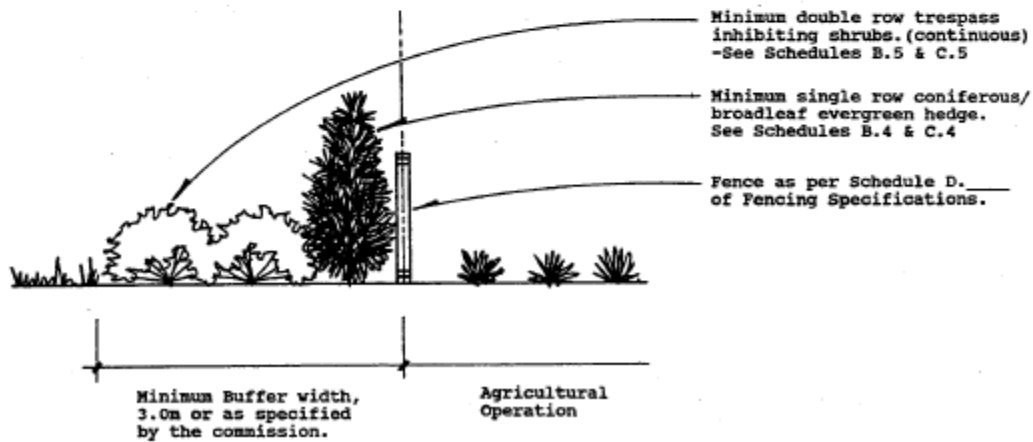


Figure 8: Future Vegetative Buffer

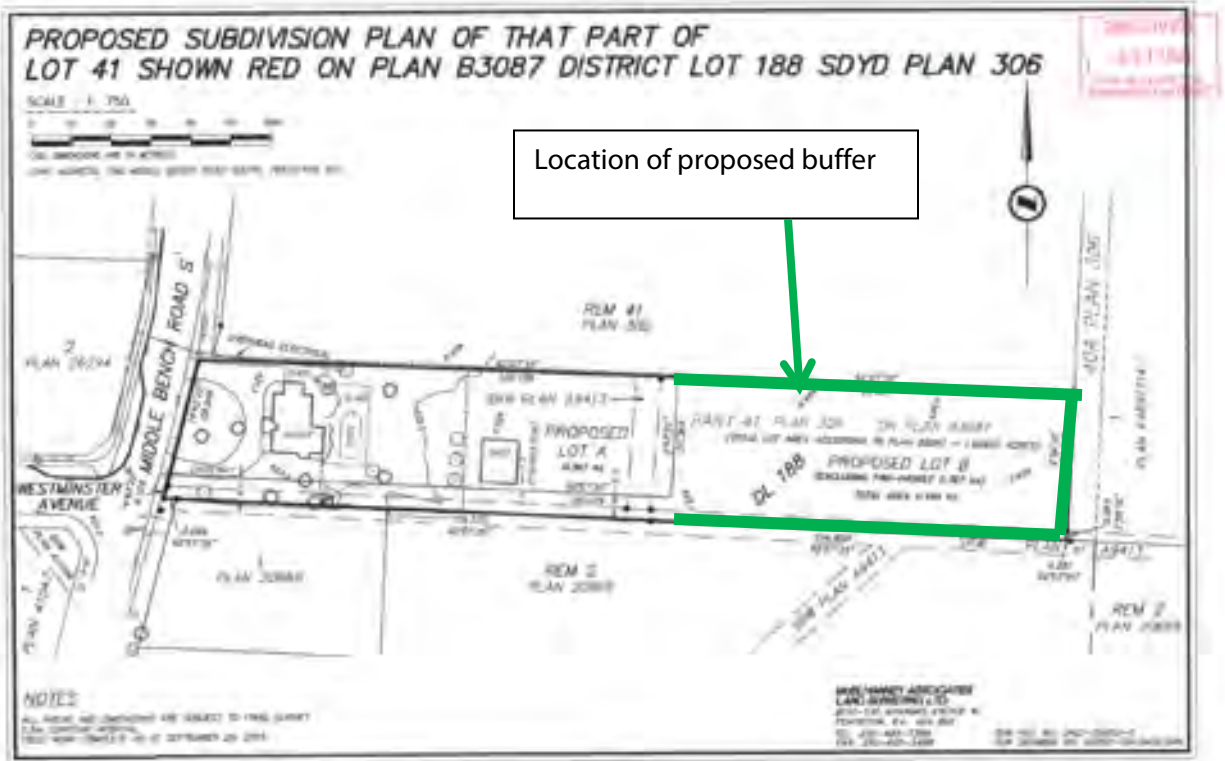


Figure 9: Location of Vegetative Buffer



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Development Variance Permit

Permit Number: DVP PL2015-087

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: That part of Lot 41 Shown Red On Plan 83087 District Lot 188 Similkameen Division
 Yale District Plan 306
 Civic: 190 Middle Bench Road South
 PID: 005-476-500
3. This permit has been issued in accordance with Section 922 of the *Local Government Act* to vary Section 9.2.2.2 of Zoning Bylaw 2011-23 to reduce the minimum lot area from 2ha to 0.35 ha, vary section 9.2.2.3 i. to increase the maximum lot coverage for residential buildings from 10% to 15% and vary Section 9.2.2.8 ii a. to reduce the minimum interior yard setback for an accessory building from 4.5m to 1.5m as shown in the plans attached in Schedule A.

General Conditions

4. In accordance with Section 926(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.

- ii. 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 7th of December, 2015

Issued this _____ day of _____, 2015

Dana Schmidt,
Corporate Officer

MADE OF 11/11



Council Report



Date: December 7, 2015
To: Eric Sorensen, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 265 Orchard Avenue
Subject: Development Permit PL2015-086
Development Variance Permit PL2015-085

File Nos: DP PL2015-086DVP PL2015-085

Staff Recommendation

THAT Council approve "Development Permit PL2015-086 for Lot 11, Block A, District Lot 4, Group 7 Similkameen Division Yale District, Plan 853, located at 265 Orchard Avenue, a development permit for the construction of a front-to-back duplex with the required parking coming from the lane;

AND THAT Council approve "Development Variance Permit PL2015-085" Lot 11, Block A, District Lot 4, Group 7 Similkameen Division Yale District, Plan 853, located at 265 Orchard Avenue, a development variance permit to allow for a front yard setback reduction from 4.5m to 3.5m;

AND THAT staff are directed to issue both the Development Permit and Development Variance Permit, upon Council approval.

Strategic priority objective

N/A

Background

The subject property located at 265 Orchard Avenue is a vacant lot with an area of 0.083 acres (336m²). All of the required parking for the development will be accessed from the lane. The property is designated as HR - High Density Residential in the City's Official Community Plan and is currently zoned RD2 - Duplex Housing: Lane in Zoning Bylaw 2011-23. The proposed use conforms to both OCP and zoning designations.

This is an area of the city that features other a number of other duplex developments. The site is located on the outer periphery of the downtown core and the proposed development will assist in achieving increased residential densities close to downtown.

This Development Variance Permit application is for a reduction in the front yard setback from 4.5m to 3.5m to efficiently utilize the site and maintain some private amenity space for each unit, whilst complying with current standards to provide all parking at the rear.

Proposal

The applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw 2011-23:

- Section 10.6.2.6: Decrease the minimum front yard setback from 4.5m to 3.5m

The applicant is also requesting Development Permit approval.

Technical Review

This application was forwarded to the City's Technical Planning Committee on 12 November 2015. No issues were raised by TPC. As this property is vacant City services will need to be installed, including water and sanitary sewer. Sizing for those services will be done at the BP stage of the project.

Development Statistics

The following table outlines the proposed development statistics for each lot. Both lots are identical and will feature substantially similar buildings on them:

Item	Requirement RD2 Zoning	Provided on Plans
Minimum Lot Size:	390 m ²	336m ² (no variance required as the lots are already in existence)
Maximum Lot Coverage:	40%	37.2%
Maximum Density:	0.95 FAR	0.77FAR
Vehicle Parking:	2 spaces required	2 spaces provided
Required Setbacks Front yard: Side yard (west): Side yard (east): Rear yard (Lane):	4.5m 1.5m 1.5m 6.0m	3.5m (Variance required) 1.5m 1.5m 6.1m
Maximum Building Height:	10.5m	7m
Other Information:	Property is in the High Density Development Permit Area	

Financial implication

N/A

Analysis

Development Permit

Approve

The subject property is in the High Density Development Permit Area. When evaluating an application in this DPA, the proposed plans are reviewed against the DPA guidelines contained in the Official Community Plan. The guidelines for development within the High Density DPA are generally intended for projects that are larger in scale than this proposal. This development meets many of the intended components of the development permit guidelines, such as providing a street-oriented development, visually compatible with the exiting adjacent properties; and ensuring high levels of transparency to the street. Staff considers that the plans conform to the DPA guidelines and the zoning regulations of the RD2 zone recommends approval and issuance of the permit.

Deny /refer back to staff

Council may consider that the plans do not meet the intent of the DPA guidelines. If that is the case, Council may deny the application. Alternatively, the application may be supported with conditions that Council feels are appropriate.

Development Variance Permit

Approve

When considering a variance to a City bylaw, staff encourages Council to be mindful of any hardship on the property that makes following the bylaw difficult or impossible; whether approval of the variance would cause a negative impact on neighbouring properties; and if the variance request is reasonable. The applicant is requesting a 1.0m front setback reduction. As with other infill projects throughout the City, it is often difficult to build within required setbacks on lots that were originally intended for a different form of development. The reduced setback is requested in order to place all the required parking at the rear. Staff does not consider that, given the magnitude of the variance requested, that there will have an adverse impact on neighbouring properties.

Council is recommended to support the application and direct staff to issue the permit.

Deny/ refer

Council may consider that the variance requested would result in a negative impact on the residential neighborhood. If this is the case, Council should deny the proposed variance. Alternatively, Council may want to refer the application back to staff for further work with the applicant.

Alternative Recommendations

1. THAT Council deny "Development Variance Permit PL2015-085", and refer "Development Permit PL2015-086 back to staff".
2. THAT Council refer "Development Variance Permit PL2015-085" and "Development Permit PL2015-86" back to staff to work with the applicant on an alternative design.

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: OCP Map
- Attachment C: Zoning Map
- Attachment D: Images of Subject Property
- Attachment E: Letter of Intent
- Attachment F: Site Plan
- Attachment G: Elevations
- Attachment H: DVP
- Attachment I: DP

Respectfully submitted,

Audrey Tanguay, MCIP
Senior Planner

Approvals

Director JGH	Chief Administrative Officer ES
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Attachment A - Subject Property

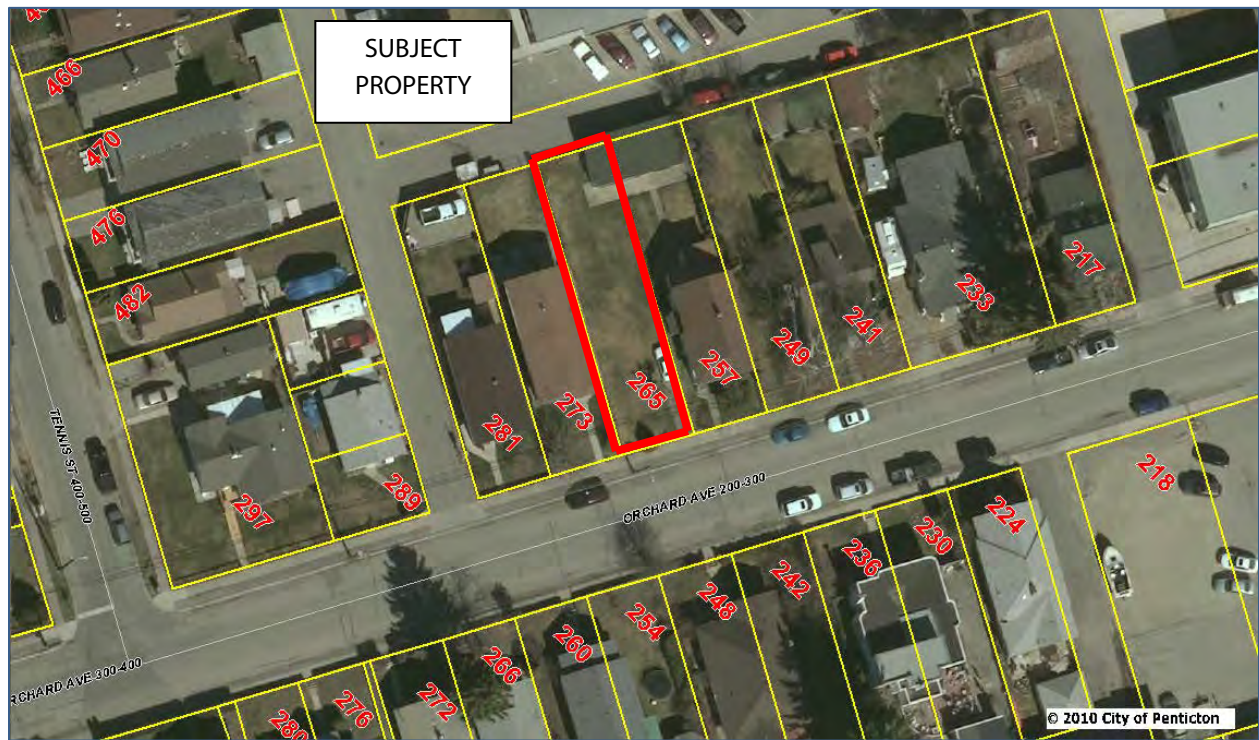


Figure 1: Location Map

Attachment B - OCP Map

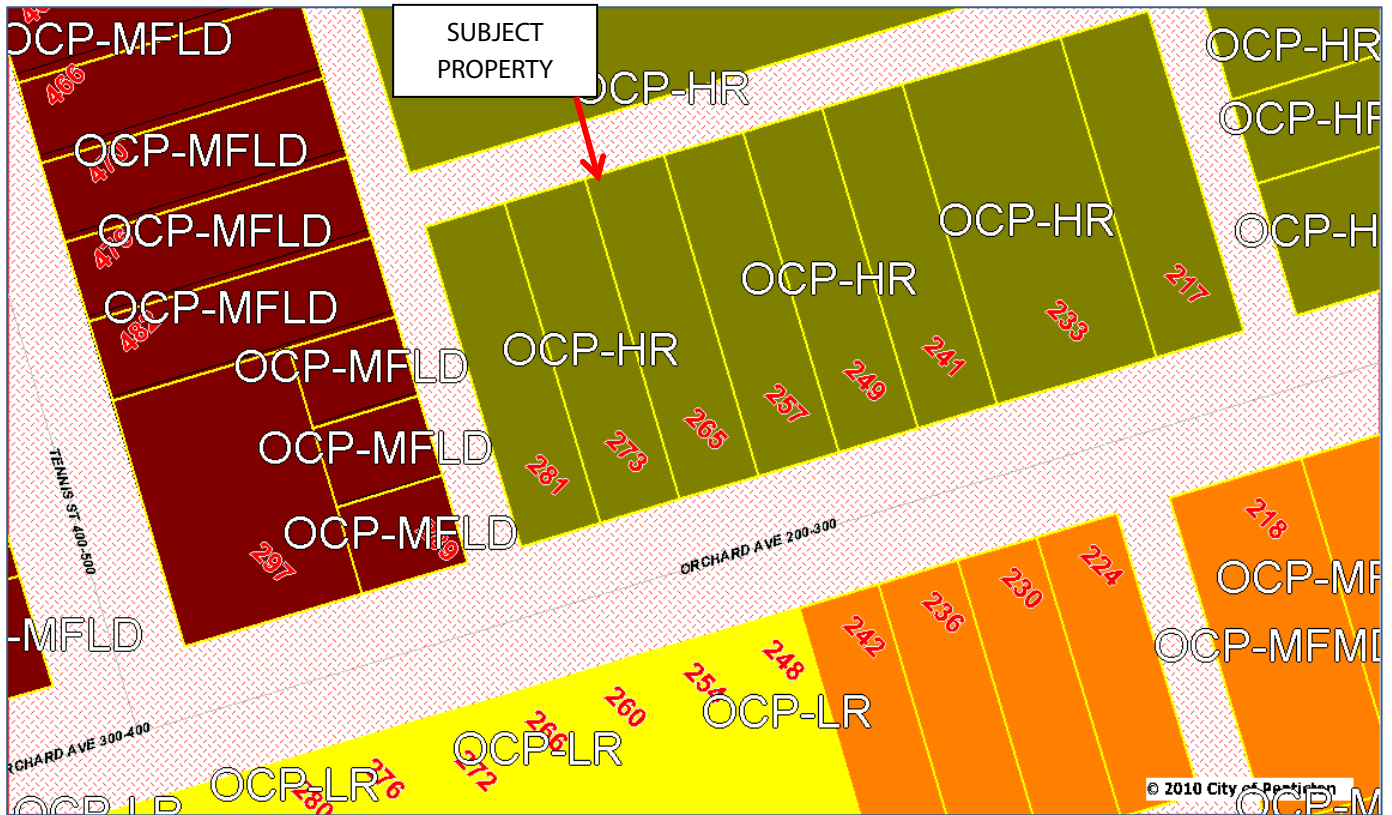


Figure 2: OCP Map

Attachment C - Zoning Map

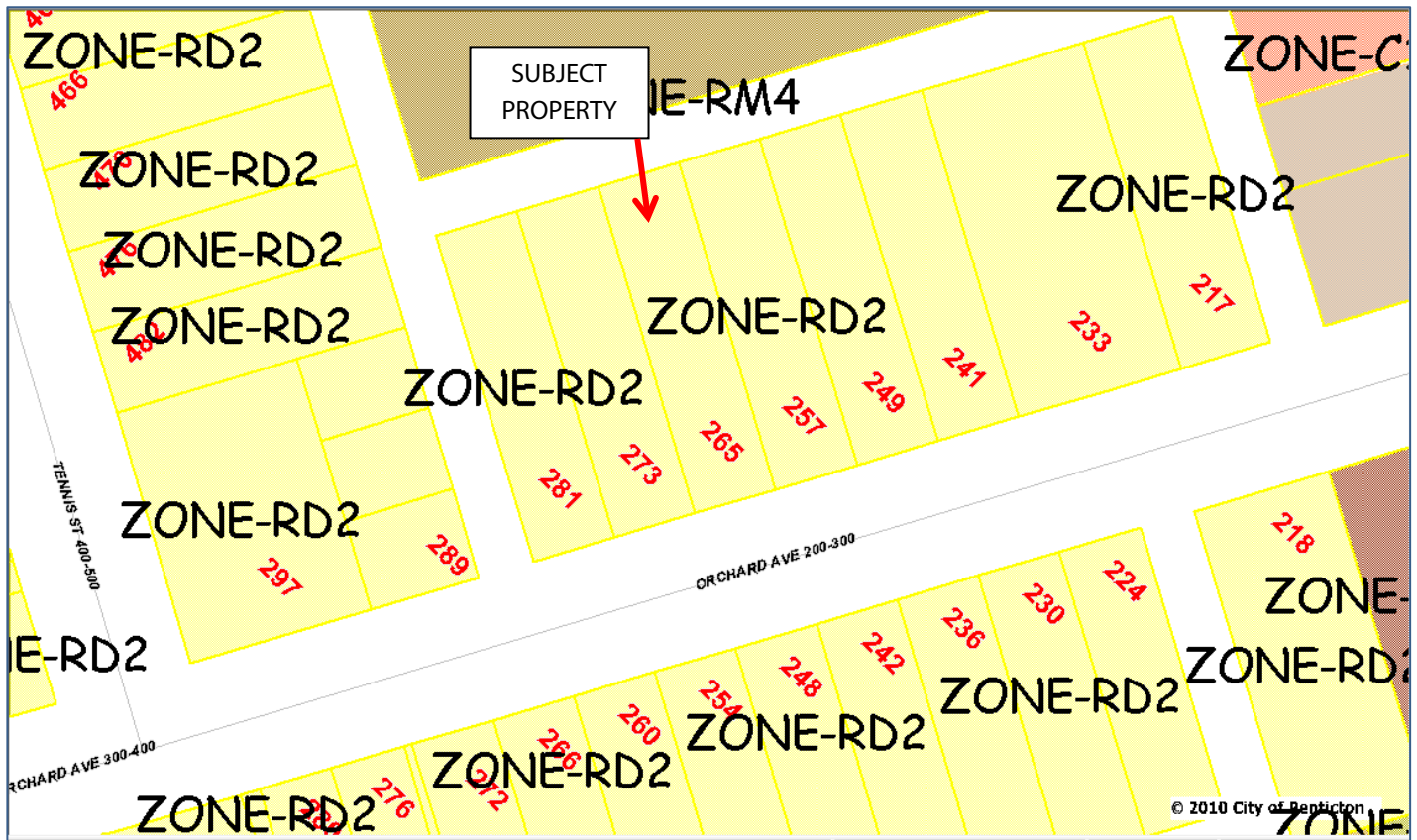


Figure 3: Zoning Map

Attachment D - Images of the Subject Property



Figure 4: View Orchard Avenue



Figure 5: View Lane

Attachment E –Letter of Rationale

TLM Ventures

Exceptional Construction since 1984
Specializing in General Contracting and Quality Construction
Fully Insured and Work Safe covered
Kevin & April Thompson-Proprietors
250-490-7715

09/10/15

To whom it may concern,

My partners and I have purchased 265 Orchard Ave.
This building lot is 30' wide x 121' deep and zoned for a duplex building.
We are planning to build a front to back duplex with each unit approx. 1450 sq.' living space and a footprint of 15' 6" wide by 44' 9" deep for each unit. This will give lot coverage of 37.2%.

We are requesting a front setback (orchard ave.) of 3.5 meters to the foundation so we can maximize back parking to 19' 8".

We are hoping this meets with the city planning approval.

Sincerely

Kevin Thompson
250-490-7715

Attachment F – Building Rendering



Figure 11: Front and Side Elevation (Facing East)



Figure 11: Front and Side Elevation (Facing West)

Attachment G: Site Plan

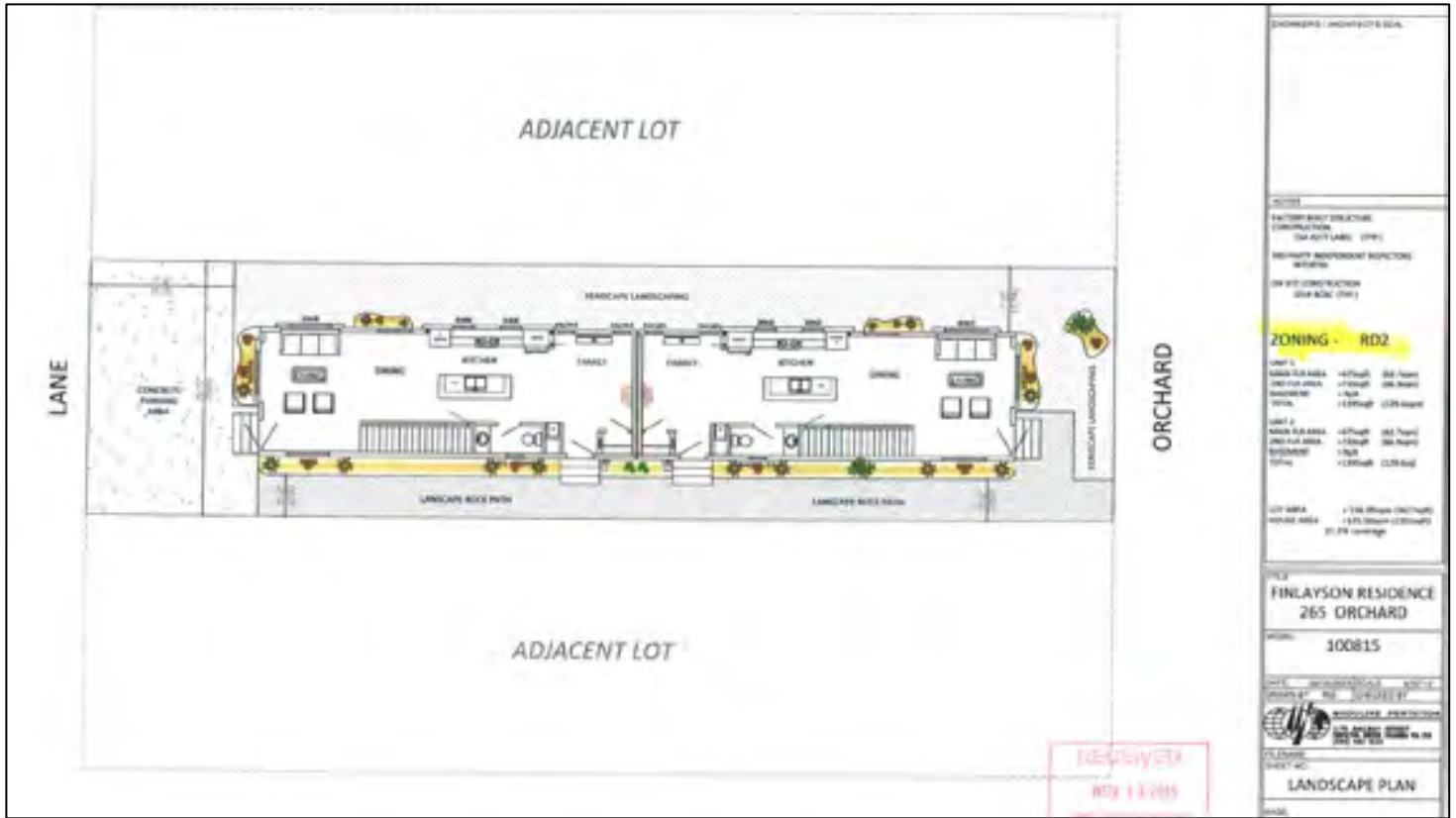


Figure 10: Site Plan

Attachment H: DVP



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Development Variance Permit

Permit Number: DVP PL2015-085

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 11, Block A, District Lot-4, Group 7 Similkameen Division Yale District, Plan B53
Civic: 265 Orchard Avenue
PID: 012-021-393
3. This permit has been issued in accordance with Section 922 of the *Local Government Act* to vary **Section 10.6.2.6**: to reduce the minimum front yard setback from 4.5m to 3.5m as shown in the plans attached 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.

- II. 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 7th of December, 2015

Issued this _____ day of _____, 2015

Dana Schmidt,
Corporate Officer

MADE IN CANADA

Attachment I: DP



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

Development Permit

Permit Number: DP PL2015-086

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 11, Block A, District Lot 4, Group 7 Similkmeen Division Yale District, Plan 853
Civic: 265 Orchard Avenue
PID: 012-021-393
3. This permit has been issued in accordance with Section 920 of the *Local Government Act* to permit the construction of front back duplex with all of the parking from the lane 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 \$ 2,888.00 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(2.1) 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 4 only if:
 - a. the permit has lapsed as described under Condition 4, 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 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:

1 st Inspection	No fee
2 nd Inspection	\$50

3 rd Inspection	\$100
4 th 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. 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 7th of December, 2015

Issued this ____ day of _____, 2015

Dana Schmidt
Corporate Officer

From: Rita Mayo
Sent: November-30-15 11:52 AM
To: Public Hearings
Subject: Development Variance Permit PL2015-085

I strongly object to the lane parking unless you limit the number of vehicles as the lane is already crowded.
I am at #1 471 Winnipeg Street.
Thank you

Council Report



Date: December 7, 2015 **File No:** RZ PL2015-076; DVP PL2015-077; DP PL2015-078
To: Eric Sorensen, Chief Administrative Officer
From: Lindsey Fraser, Planner I
Address: 511 Forestbrook Drive
Subject: **Zoning Amendment Bylaw No. 2015-61, Development Variance Permit PL2015-077, and Development Permit PL2015-078**

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2015-61", a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the January 18, 2016 public hearing;

AND THAT prior to adoption of the bylaw, a 3m x 3m road dedication (corner cut) at the intersection of the two lanes adjacent to 511 Forestbrook be registered with the Land Title Office;

Development Variance Permit

AND THAT Council provide an opportunity for delegations and submissions at the January 18, 2016 Public Hearing for "Development Variance Permit PL2015-077" for Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, a permit to reduce the required number of parking stalls from eight to four, reduce the rear yard setback from 6.0m to 3.6m, and reduce the interior side yard (east) setback from 3.0m to 1.5m;

Development Permit

AND THAT Council support "Development Permit PL2015-078" for Lot 2, District Lot 249, Similkameen Division Yale District, Plan 3350, located at 511 Forestbrook Drive, a permit to allow for the construction of two duplexes, with a secondary suite per principal unit, for a total of eight units on the lot.

AND THAT staff are directed to issue the permit subject to the adoption of "Zoning Amendment Bylaw 2015-61".

Strategic priority objective

This development is proposing to accommodate secondary suites within each dwelling unit, which is an initiative in-line with the strategic objective of creating an affordable community.

Background

The subject property (Attachment A) is zoned R2 (Small Lot Residential) and is designated in the City's Official Community Plan as MR (Medium Density Residential). The application for rezoning is for a "Low Density Multiple Housing" (RM2) designation, which does fit into the intended classification; two duplexes with secondary suites is a housing type that could appropriately be classified as "medium density". The proposed development form is that of a cluster housing project, specifically anticipated in the RM2 District.

The property is uniquely situated on the perimeter of the KVR Middle School. The property has a lane on both its west and north sides. The owner/developer of this lot intends to capitalize on views across the KVR Middle School grounds, and has chosen to orient the building to the west in order to take advantage of these views.

The surrounding area is composed of a mix of single-family homes and small apartment buildings. Many of the homes in the area are older and are relatively small given their lot size, indicating a potential for additional medium density infill housing projects in time.

Proposal

The applicant is requesting that the subject property be rezoned from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing) and is requesting development permit approval. In addition, the applicant is requesting a development variance permit to vary the following sections of Zoning Bylaw 2011-23:

- ☐ Section 7.6: reduce the minimum number of parking spaces from a duplex unit with secondary suite from eight to four
- ☐ Section 10.8.2.7.i: reduce the interior side yard setback (east) from 3.0m to 1.5m
- ☐ Section 10.8.2.8: reduce the minimum rear yard setback from 6.0m to 3.5m

Financial Implication

N/A

Technical Review

This application was forwarded to the City's Technical Planning Committee (TPC) and reviewed by various departments within the City. Other than some relatively minor aesthetic considerations raised in the TPC process, no prominent issues were identified. All items were communicated to the applicant.

Development Statistics

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

Item	Requirement RM2 Zone	Provided on Plans
Minimum Lot Width:	18 m	18.3 m
Minimum Lot Area:	670 m ²	815 m ²
Maximum Lot Coverage:	40 %	34 %
Maximum Density:	0.75 FAR	0.6 FAR
Vehicle Parking:	1.0 /main unit + 1.0/secondary suite for a total of 8	4 spaces variance required
Required Setbacks Front yard (Winnipeg St): Side yard (west): Side yard (east): Rear yard:	3.0m 3.0m 3.0m 6.0m	3.7m 5.7m 1.5m variance required 3.6m variance required
Maximum Building Height:	12.0m	8.4m
Other Information:	➤ Property is in the 'General Multiple' Development Permit Area and a Development Permit (DP) will be required.	

Analysis – Zoning Amendment

Support Zoning Amendment

Staff considers that rezoning the lot from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), to enable this cluster housing development is an appropriate use for the lot for the following reasons:

- The Official Community Plan designates 511 Forestbrook Drive for Multi-Family Residential development. Cluster housing is a permitted use in the RM2 District.
- The property has a lot area large enough to accommodate higher density than a single-family home or duplex. Single family houses are usually contained on lots from 390m² to 650m². Duplex housing usually occurs on lots in the 390 m² to 750 m² range. At just over 800 m², this property can support higher densities.
- According to Penticton's OCP, residential development should be accommodated through infill development. Set in an area with a blend of single family homes, small apartment buildings, and large duplexes, this development will not be out of place and is an example of creative infill.
- The proximity to downtown and a wealth of nearby services, including a grocery store and multiple schools, encourage more walking and active forms of transportation.

The design for this building includes the incorporation of secondary suite into the construction. Although secondary suites have been legal within duplexes for some time, this will be one of the first developments to purpose-build suites into the duplex. By providing secondary suites, the developer is giving more choice to potential buyers, providing the possibility for a 'mortgage helper', a space for a family member, etc.

Increasing the housing stock in Penticton is an important step in addressing housing challenges faced by the city.

Deny

Council may feel that the lot is too small to support the addition of two duplexes with secondary suites. Council may also feel that neighbouring residents will be negatively impacted by the proposal; if this is the case, Council should deny first reading of the amendment bylaw.

Alternatively, Council may wish to refer the document back to Planning staff with recommendations it considers appropriate.

Analysis – Development Permit

Approve Development Permit

The subject property is within the General Multiple Development Permit Area. The application has been cross-referenced with the development guidelines for this area and meets a satisfactory level of conformance. In particular, the development shows strong attention to the following:

- Architectural value, using articulated elevational treatments to break up the massing of the building
- Building shape, exterior finishes and rooflines are varied and create visual interest
- The design and siting of units take advantage of views and natural amenities (park space)

The OCP also speaks to the importance of fronting the units, or a single unit, onto roadways in order to create a better street presence. In this case, that would require a frontage to orient toward Forestbrook Drive. The developer has elected to orient the buildings away from the street, opting to plant landscaping as a means of softening the resultant building form. Staff considers the design response is appropriate in this instance as it results in landscape improvements to the streetscape and accommodates the challenges of the site.

Overall this building presents strong architectural value and its design has taken advantage of views across the nearby school's parkland. It is an appropriate addition to the neighbourhood. In addition, the siting of the building creates opportunities for natural surveillance of the open space. Staff recommends that Council approve the development permit application and provides direction to issue the permit.

Deny Development Permit

Council may feel that the applicant should make changes to the building design that created a better street frontage. If this is the case, Council may wish to deny the development permit.

Alternatively, Council may wish to refer the application back to staff or approve the permit with conditions.

Analysis – Development Variance Permit

Support Development Variance Permit

Council may support the rezoning application but feel that the variances being requested are not reasonable. In considering this application, staff recognized the limitations of this lot in constructing multi-family buildings and determined that the variances being requested are in keeping with the intent of the OCP. Infill development of this nature – where single family lots are used to accommodate multiple-family development – variances are often required to satisfy the greater benefit that the development represents.

The applicant is requesting a reduction of the rear-yard setback from 6.0m to 3.6m. Typically, the rear of a property is reserved for parking. However, the parking in this case is along the side of the building, abutting the lane. The building scheme presented makes use of the long lot, spreading the buildings out over a wider area, creating amenity space in the middle of the development for two of the secondary suites. By reducing the rear-yard setback a better laid-out design and use of the site results.

To the rear of the property is a three storey apartment building which utilizes the area off the lane for parking, resulting in a stand-off distance from the proposed building in excess of 20m. There will be no negative impacts of the proposed development on neighbouring properties by reducing the rear-yard setback.

The second variance being requested is a reduction in parking from eight stalls to four. The developer has applied for this variance in order to allow for the construction of secondary suites within each unit. Although the request to vary parking by 50% is significant, the Planning Department supports the request for two main reasons:

1. Secondary suites typically provide more affordable housing options.
2. There is available on-street parking immediately next to the subject property (Attachment D).

The third variance being applied for is to reduce the minimum interior side-yard setback on the east side of the property from 3.0 to 1.5m. This variance is not for the whole building (an important element in Planning's decision to lend support to this request). The majority of the building will be located 4.0m from the property line. However, as illustrated in the plans (Attachment F) a small, attached storage shed will project into the setback. Additionally, the rear entry to these buildings has a small landing and steps that will project past the 3.0m setback to within 1.5m of the side setback line. Given the low-impact of these projections, and the fact that the principal building walls are 4.0m back from the interior lot line, staff considers there will not be any negative impacts on the neighbouring property to the east.

Given the above, staff recommends that Council approve the variance and provide direction to issue the permit.

Deny

Council may consider that, although the application represents a high quality development, that doesn't warrant the approval of all requested variances and it may disagree with the assessment in this report. Consequently, if Council does not support the application in its current form, it can deny the variances requested.

Alternative Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw 2015-61" and deny support to both "DP PL2015-078" and "DVP PL 2015-077"

- 2. THAT Council support “Zoning Amendment Bylaw 2015-61” and deny support to either or both “DP PL2015-078” and “DVP PL 2015-077”
- 3. THAT Council refer the application back to staff to work with the applicant and prepare a more appropriate development proposal.

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 DVP
- Attachment H: Draft DP

Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

Director	Chief Administrative Officer
JGH	ES

Attachment A – Subject Property Location Map



Figure 1: Subject property highlighted in blue

Attachment B – Zoning Map of Neighbourhood



Figure 2: Subject property zoned R2 (Small Lot Residential)

Attachment C – OCP Map of Neighbourhood



Figure 3: OCP Designation MR (Medium Density Residential)

Attachment D – Images of Subject Property



Figure 4: Illustration of on-street parking available



Figure 5: Subject property looking north from Forestbrook Drive



Figure 6: Subject property looking north west at KVR Middle School grounds



Figure 7: Subject property looking north east from lane



Figure 8: View of neighbouring property from alley (looking south)

Attachment E – Letter of Intent



September 15, 2015

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

Attention: Blake Laven, Planning Manager

Re: Development Proposal
 511 Forestbrook Drive, Penticton, BC
 Lot 2, DL 249, Plan 3350, PID # 010-861-106

We are requesting a rezoning of the property located at 511 Forestbrook Ave from R2: Small Lot Residential to RM2: Low Density Multiple Family. The purpose of the rezoning application is to allow for the construction of a multi-family development made up to include 4 two storey residential units with partial in-ground basements finished to include one bedroom, self-contained suites. Reference is made to the attached development plans.

As part of this rezoning application we are requesting a relaxation in the number of on-site parking stalls from 8 to 4. A further relaxation of the rear yard setback from 6.0 m to 3.6 m is also being requested.

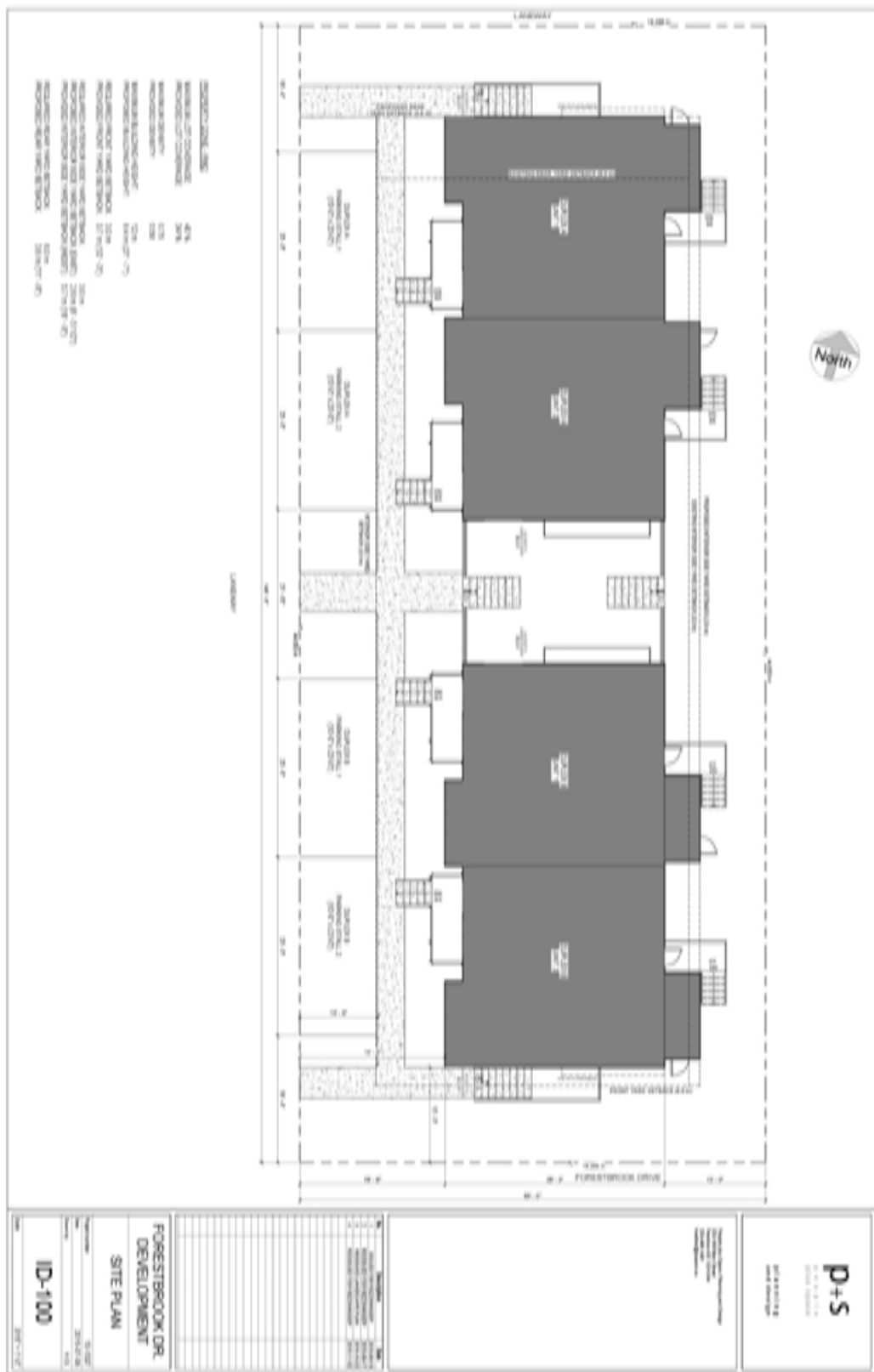
Respectfully submitted

Bruce Schoenne, RL, AACI
 President
 Schoenne Homes Inc.

Additional interior side yard
 setback variance discovered in
 review process



Attachment F – Proposed Site Plan and Rendering









Attachment G – Draft DP



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

Development Permit

Permit Number: DVP PL2015-077

Schoenne Homes Inc., Inc.No. BC1028671
101-144 Front Street
Penticton, BC V2A 1H1

Walco Development Corp., Inc.No. BC0806891
101-123 Martin Street
Penticton, BC V2A 7X6

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 2, District Lot 249, Similkameen Division Yale District, Plan 3350
Civic: 511 Forestbrook Drive
PID: 010-861-106
3. This permit has been issued in accordance with Section 920 of the Local Government Act to permit the construction of two duplex units with secondary suites 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 \$_____ TBC _____ 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(2.1) 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 4 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:

1 st Inspection	No fee
2 nd Inspection	\$50
3 rd Inspection	\$100
4 th 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. 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

Attachment H - Draft DVP



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

Development Variance Permit

Permit Number: DVP PL2015-077

Schoenne Homes Inc., Inc.No. BC1028671
101-144 Front Street
Penticton, BC V2A 1H1

Walco Development Corp., Inc.No. BC0806091
101-123 Martin Street
Penticton, BC V2A 7X6

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 2, District Lot 248, Similkameen Division Yale District, Plan 3350
 - Civic: 511 Forestbrook Drive
 - PID: 010-861-106
3. This permit has been issued in accordance with Section 922 of the *Local Government Act* to vary the following section of Zoning Bylaw 2011-23 to allow for the construction of two duplexes with secondary suites, as shown in the plans attached in Schedule A:
 - Section 7.6: reduce the minimum number of parking spaces from a duplex unit with secondary suite from eight to four
 - Section 10.8.2.7.: reduce the interior side yard setback (east) from 3.0m to 1.5m
 - Section 10.8.2.8: reduce the minimum rear yard setback from 6.0m to 3.5m

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.

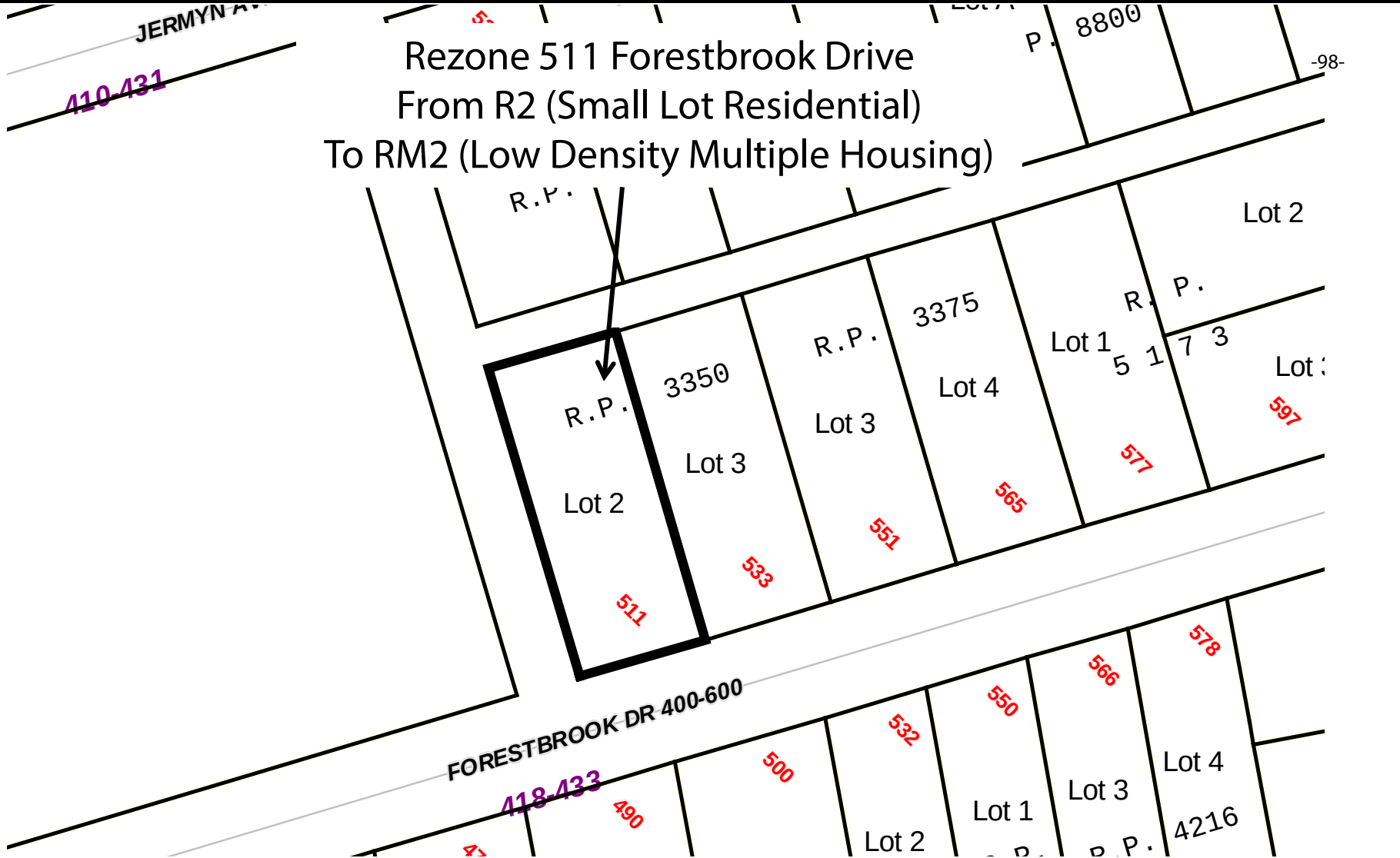
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information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

A Bylaw to Amend Zoning Bylaw 2011-23



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2015-61

Date: _____

Corporate Officer: _____



Council Report

penticton.ca

Date: December 7, 2015 **File No:** 5360
To: Eric Sorensen, Chief Administrative Officer
From: Len Robson, Public Works Manager
Subject: **Solid Waste and Recycle Collection – Survey Results and Cart Program Update**

Staff Recommendation

THAT after reviewing the residential curbside needs and feedback received from the Garbage and Recycling Survey Council approve the proposed design of the Solid Waste & Recycle Collection Cart program as contained in this Council Report;

AND THAT it include yard waste collection;

AND FURTHER THAT within the second quarter of 2016, staff prepare the required Fees and Charges and Solid Waste Collection Bylaw changes for Council's consideration.

Strategic priority objective

N/A

Background

On September 28, 2015 Council by resolution 485/2015 (Attachment A) approved a solid waste and recycling cart based program.

Subsequent to this approval new information was received from Progressive Waste Solutions (PWS), the City of Penticton's collection contractor, discussions with other municipalities that run a cart program and the Garbage & Recycle Collection Survey that was conducted. Prior to commencing with the procurement and implementation process Staff is requesting Council consider this report and recommendations.

New Information – Yard Waste Collection – Progressive Waste Solutions

Subsequent to the Council Resolution 485/2015 PWS expressed concerns with implementing a partial cart program. The concern is most Automated Side Load (ASL) cart systems are not designed to be loaded by way of the traditional manual process. The trucks are operated from within the cab of the truck and are designed to securely tip the carts with a mechanical arm. Loading these trucks manually would require operators to toss bags over a barrier of approximately 2 to 3 meters in height.

With efficiencies and environmental responsibilities in mind PWS is planning to continue the collection of garbage along with recyclables and yard waste (every other week) with one ASL split truck equipped with an ASL system. Manual collection of yard waste would require an additional truck and operator which is not efficient and doubles their carbon foot print. If yard waste is to be collected by traditional means additional collection fees would apply as the efficiencies of the program cannot be realized.

Following a review of other successful cart programs, the garbage and recycle survey results, and the count of fall yard waste volumes collected by PWS an acceptable solution to the concerns of collecting yard waste in carts was presented.

The bi-weekly yard waste collection in carts will be supplemented with the following:

- Residents will be able to upsize or receive an additional cart for a fee.
- During 2 of the regular fall yard waste collection weeks (first or second week in November and first week of December), in addition to their carts, residents will be able to place unlimited amounts of yard waste in brown paper bags or bundled prunings at the curb for collection.
- During the first yard waste collection in the spring (March) in addition to their carts, residents will be able to place unlimited amounts of yard waste in brown paper bags or bundled prunings at the curb for collection.
- A Tag – a – Bag System will be offered for those that want to place an additional bag at the curb at times that are not addressed by the unlimited collection weeks. The Tag-a-Bag rate of \$3.50 per bag (currently \$2.75) will be set with the implementation of the cart program.

Garbage and Recycling Survey – Summary

In November 2015 a Waste and Recycling survey was conducted by Discovery Research on behalf of the City of Penticton. The survey was intended to gather information with regards to how the residents of Penticton use the current curbside collection services and their respective levels of satisfaction. The Survey also queried the support of transitioning the City of Penticton to a curb side cart program.

The survey consisted of 303 residents providing responses by telephone , which provides a statistically relevant sample with accuracy of +/-5.7%, 19 times out of 20. In addition, an online survey was also made available for residents who chose to provide their input. The online survey had 274 respondents.

The survey results were comprised of an even distribution of age groups between the ages of 19 to greater than 70 years of age. 79% of the respondents represent a household of 3 or less persons.

Overall, the survey results indicated high levels of satisfaction with the current collection services of garbage, recycling and yard waste; public interest in a cart-based system; a need to educate the public about what a cart-based system is and how it works; measured success on prior education program (such as the MMBC recycling rules); and what residents needs and expectations are with respect to yard waste, should the program scope expand to include this waste stream.

Summary of Garbage Related Survey Results

Topic / Question	Survey Findings	Comments / Online Survey
2 Bags – Weekly Collection - Customer Satisfaction with this service level	90% Satisfied (24%) to Very Satisfied (66%)	On line survey results indicate a lower satisfaction level of 79% Satisfied to Very Satisfied
How many bags or containers do you discard per week?	98% discard 2 bags or less per week	Online survey results indicate that 91% of residents discard 2 bags or less per week
Should rates be charged in accordance with volumes per residence or one charge for all?	63% of residents favour all residents charged the same	Online survey results indicate that 49% of residents favour all residents being charged same rate – 8% are unsure

Summary of Recycle Related Survey Results

Topic / Question	Survey Findings	Comments / Online Survey
Unlimited quantities – bi-weekly Collection - Customer Satisfaction with this service level	79% Satisfied (25%) to Very Satisfied (54%)	On line survey results indicate a lower satisfaction level of 70% Satisfied to Very Satisfied.
How many bags or containers do you discard per week?	88% discard 2 bags or less per week	Online survey results indicate that 69% of residents discard 2 bags or less per week. Online respondents appear to be participating more in recycling.
Are you familiar with the new recycling program that has been implemented across BC (MMBC)?	81% indicate that they are familiar with the changes in the program	Online survey 79% corresponds closely to the phone survey.

Summary of Yard Waste Collection Related Results

Topic / Question	Survey Findings	Comments / Online Survey
Unlimited quantities – bi-weekly Collection - Customer Satisfaction with this service level	74% Satisfied (17%) to Very Satisfied (57%)	On line survey results indicate a higher satisfaction level of 76% Satisfied to Very Satisfied.
How often do you put out yard waste for collection?	36% every 2 weeks, 26% once per month, 37% less than 5 times per year	Online survey results indicates; 51% every 2 weeks, 25% once per month, 24% less than 5 times per year
How many bags or containers do you discard per collection?	Spring - 81% - 5 or less, Summer – 91% - 3 or less, Fall – 70% - 5 or less and 29% - 6 or more	Online survey results indicates; Spring - 71% - 5 or less, Summer – 74% - 3 or less, Fall – 60% - 5 or less and 38% - 6 or more
How many bags do you feel should be collected at the curb?	22 % of residents indicated 5 or less bags and 69% felt the collection should be unlimited	Online survey indicated that 40 % of residents felt 6 bags or less should be collected at the curb and 44 % felt collection should be unlimited.

Should rates be charged in accordance with volumes per residence or one charge for all?	79% of residents favour all residents charged the same	Online survey results indicate that 57% of residents favour all residents being charged same rate – 11% are unsure
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Summary of Cart Collection Program Related Results

Topic / Question	Survey Findings	Comments / Online Survey
Do you support the implementation of a cart program for garbage and recycle collection in 2016?	64% of residents support (24%) or strongly support (40%) 19% are unsure or need more information 10% low to no support	Online survey indicates: 55% of residents support (13%) or strongly support (42%) 27% are unsure or need more information 12% low to no support
Would you support a cart program for yard waste?	47% of residents support (19%) or strongly support (28%) 17% are unsure or need more information 25% low to no support 12% are neutral	Online survey indicates: 43% of residents support (7%) or strongly support (36%) 29% are unsure or need more information 19% low to no support 8% are neutral

Other relevant survey information includes:

- 81% of residents are aware of the changes to the recycle program (MMBC)
 - o Residents require more information on what is and is not included in the curb side program
- Less than 50% of the residents compost organics on their property
- 53% of residents are not familiar with a cart program
- 54% of residents support or strongly support a kitchen organics collection program in the future
- Preferred future communications about the cart program should be by way of:
 - o 40% annual Solid Waste Calendar
 - o 25% print delivery (mail, newsletter, flyer, utility bill)
 - o 20% internet, website
 - o 18 % newspaper advertising
 - o 10% letter or booklet with cart delivery

Proposed Cart Program Design

Based on best practises, survey information, and research staff recommends the following garbage, recycle and yard waste collection program for residential curb side customers:

Garbage – Weekly Collection

- 1 - 135 liter (35 US Gallon) cart / residential property

- Upsize to a 246 liter (65 US Gallon) cart or add a second cart – Additional Fee 85% of current solid waste collection rate (85% of 2016 rate = \$112.20 / year)
- Other than Accessibility reasons there are no option to refuse cart

Recycle – Bi-weekly Collection

- 1 - 246 liter (65 US Gallon) cart / residential property
- Upsize to 360 liter (95 US Gallon) cart or add a second 246 liter (65 US Gallon) cart – No additional fees
- Downsize to 135 liter (35 US Gallon) cart – No reduction of fees or additional fees
- Maximum 2 recycle carts per property
- No option to refuse cart

Yard Waste - Bi-weekly Collection – March to and including first week of December

- 1 - 246 liter (65 US Gallon) cart / residential property
- Upsize to 360 liter (95 US Gallon) cart – Additional Fee 25% of current solid waste collection rate (25% of 2016 rate = \$33 / year)
- Add a second 246 liter (65 US Gallon) or a 360 liter (95 US Gallon) cart - Additional Fee 50% of current solid waste collection rate (50% of 2016 rate = \$66 / year)
- Downsize to 135 liter (35 US Gallon) cart – No reduction of fees
- Request no cart - No reduction of fees
- The bi weekly yard waste cart program will be supplemented with the following:
 - 2 collections in the fall (typically – 2nd week November and first week December) and the first collection in the spring (March) will be unlimited yard waste collection at the curb. Residents will be able to place additional unlimited amounts of yard waste in brown paper bags or bundled prunings at the curb for collection.
 - Tag – a – Bag System will be offered for those that want to place an additional bag at the curb at times that are not addressed by the unlimited collection weeks. The Tag-a-Bag rate will be set with the implementation of the cart program. The Tag-a-Bag rate will be increased from \$2.75 per bag to \$3.50 per bag.

Cart Exchange

For the first 3 months following the program implementation residents will be able to exchange their cart for an alternate size at no cost (additional costs for upsizing will still apply). Upon expiration of the 3 month initial period cart exchanges will be subject to an administration charge.

Accessibility

Residents with mobility challenges can apply for assistance if taking a cart to the curb on a weekly basis is not possible. Upon approval of an application process that may include a physician's assessment, the resident will be allowed to take their waste and recyclables to the curb in the container of their choice.

Financial implication

N/A

Analysis

Customer Satisfaction

Overall the majority of residents are satisfied with the levels of service for the curbside collection of garbage, yard waste and recyclables.

Garbage and Recycling Cart Program

The telephone survey results indicate that 64% of the residents support the implementation of a cart based garbage and recycling program and 10% do not support. The remaining 26% of respondents are neutral or unsure with regards to the program. Online survey results indicate similar levels of support.

Based on the survey responses the Proposed Cart Program design noted in the Background section of this report will meet the majority of the residences needs.

Yard Waste Collection

The telephone survey results indicate that 74% of respondents are satisfied with the current level of service for yard waste collection and 17% of those surveyed do not use this service.

Of the respondents that use the yard waste service 62% indicate that they will put yard waste at the curb at least once per month and 36% are consistent bi-weekly users. 91% of the respondents indicated that during the summer months they would place less than 3 bags of yard waste at the curb for collection. During the early spring and late fall seasons the volume increases such that an average of 24% put more than 6 bags of yard waste at the curb for collection.

Residents were asked if they support a cart program for yard waste. Survey results indicate that 47% indicated they support moving to a cart program and 25% do not support the cart for yard waste. The remainder of the respondents were neutral or unsure.

The yard waste program that is being proposed will meet the needs of the majority of the public and will allow for unlimited yard waste collection during the peak spring and fall time. In addition to the standard cart that will be provided to each resident those that require more service will have the ability to upsize or receive an additional cart for a fee. Residents that require additional services periodically can purchase a Tag-a-Bag sticker to allow the additional bag to be collected.

Alternate recommendations

1. That Council provides staff with direction and that a follow up report be brought back to Council for consideration.

Attachments

- A. Council Resolution 485/2015

Respectfully submitted,



Len Robson, ASCT
Public Works Manager

Approvals

Director	City Manager
	<i>ES</i>

Attachment A - Council Resolution 485/2015

485/2015

It was MOVED and SECONDED

THAT Council approve the implementation of a cart based solid waste and recycle collection program that does not include yard waste to be implemented in 2016, the design of such will be based on a review of the residential curbside needs and feedback received;

AND THAT the city borrow \$500,000 from city reserves for thirteen (13) months, to fund a portion of a cart based solid waste and recycle collection program; AND THAT Council approve the use of Multi Material BC funds for the costs associated with the program;

AND FURTHER THAT once the debt for the capital cost of the cart based collection program is retired that the future Multi Material BC incentives be used as follows: \$156,000 be retained in the Solid Waste and Recycle Reserve Fund for the future cart replacement or related use and the remainder be used to offset the recycle fees levied on the rate payers.

CARRIED

Councillors Picton, Sentes, Watt, Opposed



Council Report

penticton.ca

Date: December 7, 2015
To: Eric Sorensen, Chief Administrative Officer
From: Blake Laven, Planning Manager
Subject: **Backyard Hen Pilot Program Update**

File No: 6700-20

Staff Recommendation

THAT Council extends TUP 2014-026, a permit allowing for backyard hens on 12 properties within the City of Penticton, for an additional 6 months (ending in May 2016).

AND THAT Council direct staff to include regulations for the keeping of 'urban hens' on a city wide basis in the next Zoning Bylaw revision, scheduled for early 2016.

Strategic priority objective

The permitting of urban hens promotes local food systems and waste reduction within the City of Penticton in-line with the City's vision of becoming a sustainable community.

Background

In May of 2014, City Council supported the implementation of a 'backyard hen pilot program'. 12 properties applied to join the program from a variety of areas in the city (Attachment A). As part of the approval process, neighbours of all of the participating properties were notified of the program and were given the opportunity for comment. Council issued temporary use permits for twelve properties, granting the use for a period not to exceed 18 months. Those permits expired on November 30th of this year.

The permits included the following conditions, which the participants were required to adhere to:

- ☐ No more than 5 hens may be kept per property participating in the program
- ☐ No roosters are permitted
- ☐ Proper cleaning and animal husbandry must be followed at all times
- ☐ Hens may not be slaughtered on site
- ☐ The hen structure / enclosure shall be sited to the rear of the principal building on the property, be setback from any property lines and not be visible from the street
- ☐ At the completion of the pilot program, if it is decided not to move forward with permanently allowing backyard hens, all hens and structures must be removed within 60 days of Council's decision

All participants in the program agreed to the conditions.

Since the initial launch of the program, staff have conducted two series of inspections of the participating properties, surveyed both participants and neighbouring residents and received correspondence both in support and against the pilot program. The first inspections were conducted in the fall of 2014 and the second, June of this year (roughly one year after the program began). In addition, staff has continued their research into the experience of urban hen keeping in other communities as well as the positive and negative benefits of the practice in general.

Following are the findings of those inspections, correspondence and research:

- Two of the original 12 participants have moved and are no longer in the pilot. All the other sites have healthy egg laying hens (between 1 and 5 chickens per site). Staff spoke with the new owner of one of the properties and that person mentioned that the chickens left a bit of a mess in the yard when he took over the property and he had to replant grass where the chickens had eaten it all away. The other new resident, was supportive of the program and mentioned that the coop was removed and there was no evidence of the hens. One of the two participants did respond to the survey that was sent out and commented that they had moved out-of-town but continue to keep hens and are very supportive of the program.
- Upon staff inspection, for the most part, the hen areas were kept clean and tidy and the hen enclosures looked secure. Staff heard that some breaches of the enclosures from racoons in one case and a dog in another led to further reinforcements of the enclosures. If the program is to continue on a city wide basis, further regulation around the enclosures should be considered.
- Chickens are not silent! They cluck and coo and squawk a bit, but it is quieter and much less jarring than a dogs bark. The noise is very much in-line with the normal milieu of urban sounds – song birds, vehicles starting, bogs barking, wind chimes, air conditioner and heat pump units running etc.
- During inspections there was very little noticeable odor at any of the sites.
- Most of the participants have young family members who partake in the care of the hens (Attachment B).
- Half of the participants have lost at least one chicken (raccoon attack, dog attack, one instance where a chicken got in a greenhouse and overheated). One neighbouring respondent mentioned that they heard a racoon killing a chicken and was disturbed by the experience. Reinforced hen enclosures are one solution to this. Some hen death, however, may be unavoidable. Such is the case, however, for many household pets (cats in particular) as well as birds (again as a result of pet cats) and is a natural occurrence.
- Neighbouring residents that we spoke to during the inspections, with the exception of at one site, were all generally supportive of the program, and enjoyed living next to the chickens.
- It should be noted that the neighbouring residents of one site who were in opposition to the program have been very vocal. They have kept a noise log and have expressed a decline in their quality of life as a result of the program (see attached letters). In consideration of expansion of the program, how does one balance the weight of this opposition against the other very positive experiences from the participants and other neighbours? The hope is that through effective regulation, the negative experience can be mitigated through screening and noise attenuation.
- Few incidences of rodents were reported.
- We didn't see any roosters, but heard from one participant that they had to send a 'chicken' back, because it turned out to be a rooster.

When originally presenting the pilot program for Council's consideration, staff presented an overview of what other communities in the Okanagan and elsewhere were doing in regard to this issue. Staff reported

that there were several communities in BC that allowed backyard hens, under a variety of restrictions including limiting the number of birds, restricting hens to properties over a certain minimum size, having setbacks from property lines for hen structures and limiting the size of the structures themselves.

Since the inception of the program, many other communities have begun to allow backyard hens in some form or another. Most recently, Summerland Council has adopted a bylaw permitting hens. Staff in Penticton have received numerous inquiries into how our pilot program is progressing from other communities that are considering a similar program. Allowing, with regulations, the keeping of urban hens is becoming common place in BC.

Financial implication

Council requested that staff keep track of hours spent and costs of the operation and enforcement of the pilot program. To that, staff can report the following:

- Preparation of permits including advertising etc.: \$500.00
- Staff time for inspections (2 inspections of properties with 2 staff each time): 14 hours
- Staff time for enforcement: 4 hours cumulative
- Other administrative work (reports, research etc.): 10 hours

Results of the survey

As mentioned above, staff recently provided surveys to all participants and neighbouring residents of the pilot program. Many of the survey respondents also provided letters. The content of those letters were summarized and synthesized into the discussion above and are attached to this report. The results of the actual survey questions are as follows:

From participants:

Participants were asked to rate their overall experience with the program. Without exception, all the respondents agreed that the program was a 'very positive experience' and that they would continue to participate if the program were extended.

When asked about the regulations that were put in place and if they were adequate / too onerous / or should be expanded, most agreed that the regulations were adequate and effective. One respondent suggested an expansion to 8 chickens be allowed. Another respondent suggested that a minimum setback from neighbouring properties should be established.

From neighbouring residents:

When asked about their overall experience with living next to a program participant, respondents were more mixed in their responses than the actual participants. Of the 10 returned surveys, 4 of the surveys indicated that it was not a positive experience. 4 responses indicated a very positive experience with living next to the chickens. 2 respondents selected the option 'generally positive experience, with minor impacts that were no more disturbing than other normal neighbourhood sounds (dogs barking, birds chirping etc.).

Of the nine completed surveys, 4 indicated that they did not support the continuation of the program. The other 6 did support the continuation of the program. It should also be noted here that two of the negative respondents were from the above mentioned strata building. All four of the negative responses were from people who were vocally opposed to the program before commencement.

In response to adequacy of the regulations put in place, the responses again were mixed, with some calling for greater regulations and others affirming that they were adequate. The survey provided some examples of regulations that could be put in place. Some of the regulations supported were 'limiting the number of chickens to less than five', 'exempting specific zones from the program' (one person commented that hens should not be allowed next to multi-family zones), 'having property size requirements' (R1 properties and up), 'requirements to keep hens in the coops and enclosures' (not roam free) and a 'requirement for a licence or permit to keep hens' (with perhaps a requirement to notify and/or get support from neighbouring residents).

Analysis

Support for the extension of the current temporary use permit and establishment of a city wide program

Despite some dissatisfaction with the process and some negative experiences from neighbouring residents, staff concludes that the 'backyard hen pilot program' has been a success and recommends that Council give consideration to a city-wide program.

The keeping of urban hens, if done in a proper manner and within the regulations, can have many positive benefits for a community. Those benefits include providing a learning opportunity for children, the companionship benefits that keeping pets has, and many sustainability aspects, including the promotion of food security, support for local food systems, natural garden fertilizer and waste diversion. This is an easy way for the City to promote sustainability, by giving its citizens the opportunity to participate in what is becoming a normal urban household practice.

Much like the keeping of any pets, if not done in a proper manner, the keeping of urban hens will have negative impacts, particularly on neighbouring residents. It is this aspect that staff has struggled with in the recommendation. The negative experiences of the neighbouring residents must be considered in an assessment of the validity of the program. The decline in quality of life that they feel the chickens are responsible for is something that staff has not ignored. Ultimately though, staff considers that through proper regulation, the noise and sightliness issues brought up can be mitigated to the point where the urban hens are no more disturbing than other elements that contribute to a normal din of a neighbourhood.

Primarily, what staff gave final consideration to was: would it be fair to deny residents of Penticton the ability to keep urban hens and participate in an activity that is seen, more-and-more, as a *normal* urban practice and one that seems on face value to have so many positive benefits? The conclusion was that it would not be fair. Trust must be given to people who chose to take on the responsibility of caring for urban hens that they will take measures to educate themselves beforehand and be respectful of their neighbouring residents – much like the considerations caring for any pets brings.

Given the above, staff are recommending that the Temporary Use Permit issued to the program participants be extended for a six month period to May 2016 and that City Council endorse a *city wide* program by

directing staff to include regulations in the zoning bylaw for the keeping of urban hens, during the next zoning bylaw update scheduled for Spring 2016.

The regulations that staff are suggesting should be in that update include the following:

- Urban hens are restricted to properties with one single detached dwelling
- No more than 5 hens may be kept per property
- No roosters are permitted
- Proper cleaning and animal husbandry must be followed at all times
- Hens may not be slaughtered on site
- The hen structure / enclosure shall be sited to the rear of the principal building, be setback from any property lines, not be visible from the street, and be constructed in a way to eliminate infiltration from predatory animals and rodents as well as for sound attenuation
- Chickens must be kept in a hen house without access to the larger enclosure at night

Deny or refer

Council may feel that the keeping of urban hens is not in the interest of the community and that the negative impact of having farm animals in an urban atmosphere outweighs the positive benefits. If that is the case, Council should not support the expansion of the program city wide and will have to put their mind to what to do with the existing program participants.

Under the original conditions of the permit, the participants were granted 60 days from the expiration of the permit to remove the chickens and enclosures from their properties. Council could decide to allow the existing hens an exemption and carry on for the life of the hens, or Council could require adherence to the 60 day rule.

Alternatively, Council may wish to provide the public the opportunity to provide further comment on the issue. If that is the case, Council should direct staff to hold further public input sessions. Staff, however, do not recommend this approach as we feel the public voice has been adequately heard and all of the facts have been accounted for.

Alternative Recommendations

THAT Council decide to not extend "Temporary Use Permit 2014-026" and not support a city-wide 'urban hen program.

THAT Council not support a city wide urban hen program, but allow the existing participants to keep their hens until the end of their natural lives

Attachments

Attachment A – List of program participants

Attachment B – Inspection photos from participating properties

Attachment C – Spreadsheet from one participants operation showing the costs to operate a back yard hen

Attachment D – Various letters from survey

Respectfully submitted,

Blake Laven, MCIP, RPP
Planning Manager

Approvals

Director	Chief Administrative Officer
JGH	ES

Attachment A
List of participating properties

	Name	Street Address	Property Zone
1.	Christy and Zack Raynolds	671 Victoria Dr	RD2
2.	Carsten von Dein	421 Scott Ave	R2
3.	Jane Bruff	330 Wade Ave West	RD2
4.	Chris and Nadine Remington	322 Woodruff Ave	R2
5.	Tammy and James Reid (MOVED NO LONGER PART OF PROGRAM)	496 Edna Ave	R2
6.	Anne and Wayne Ross	751 Armstrong Dr	R1
7.	Lam Duong	198 Murray Dr	R1
8.	Aaron Quast and Lana Barr (MOVED, NO LONGER PART OF PROGRAM)	2721 South Main St	R2
9.	Raina Lutz	366 Rigsby St	RD2
10.	Marsha & Nicholas Ibuki	2533 Nicholson St	R1
11.	Manda Maggs and Mike Dunn	2746 Eraut Street	R2
12.	Joseph Chawachka	1306 Edgewood Dr	R2

Attachment B
Inspection photos from participating properties



Figure 1: Chicken coop at 751 Armstrong Drive



Figure 2: Hens: Clara and Florence, at 751 Armstrong Drive



Figure 3: Hen enclosure on Woodruff Drive



Figure 4: Elaborate hen house at 330 Wade Avenue

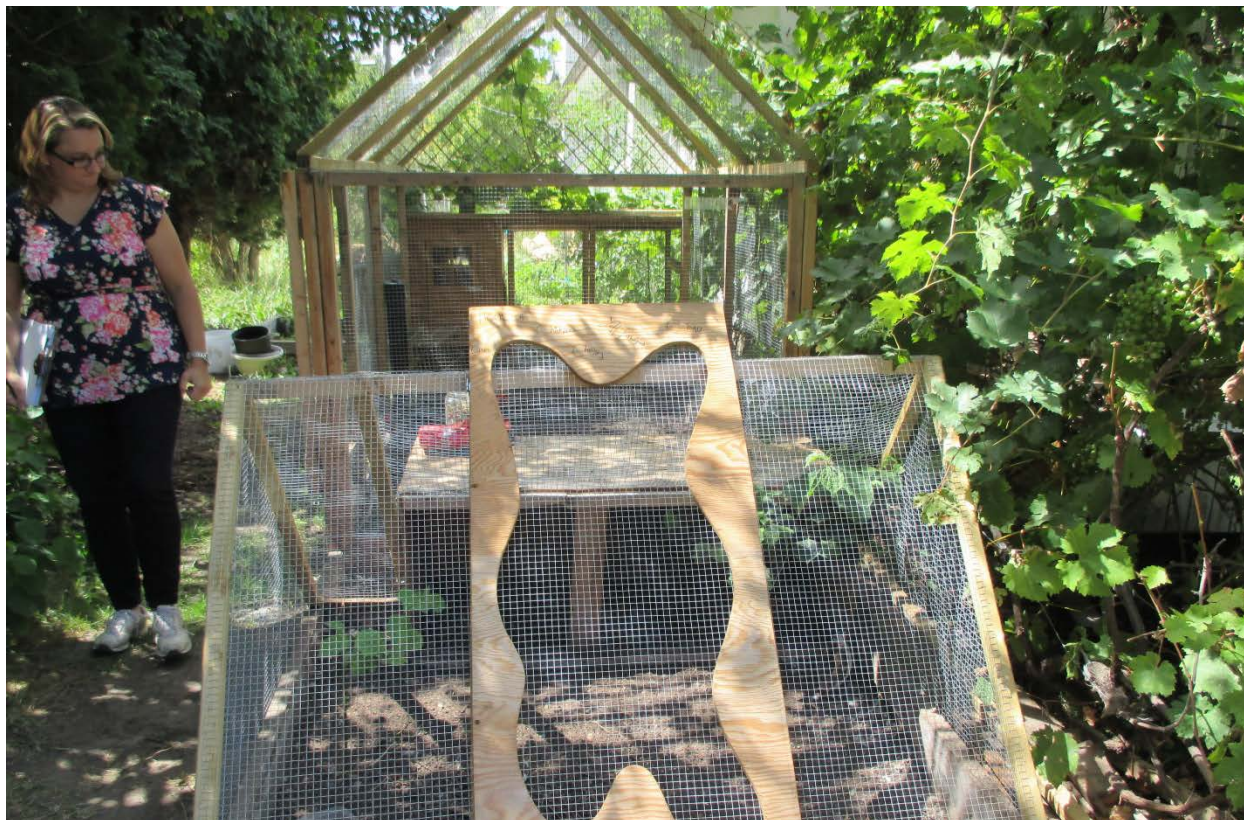


Figure 5: Hen enclosure at 366 Rigsby Street



Figure 6: Healthy hen at 366 Rigsby Street



Figure 7: Five healthy hens at 1306 Edgewood Drive

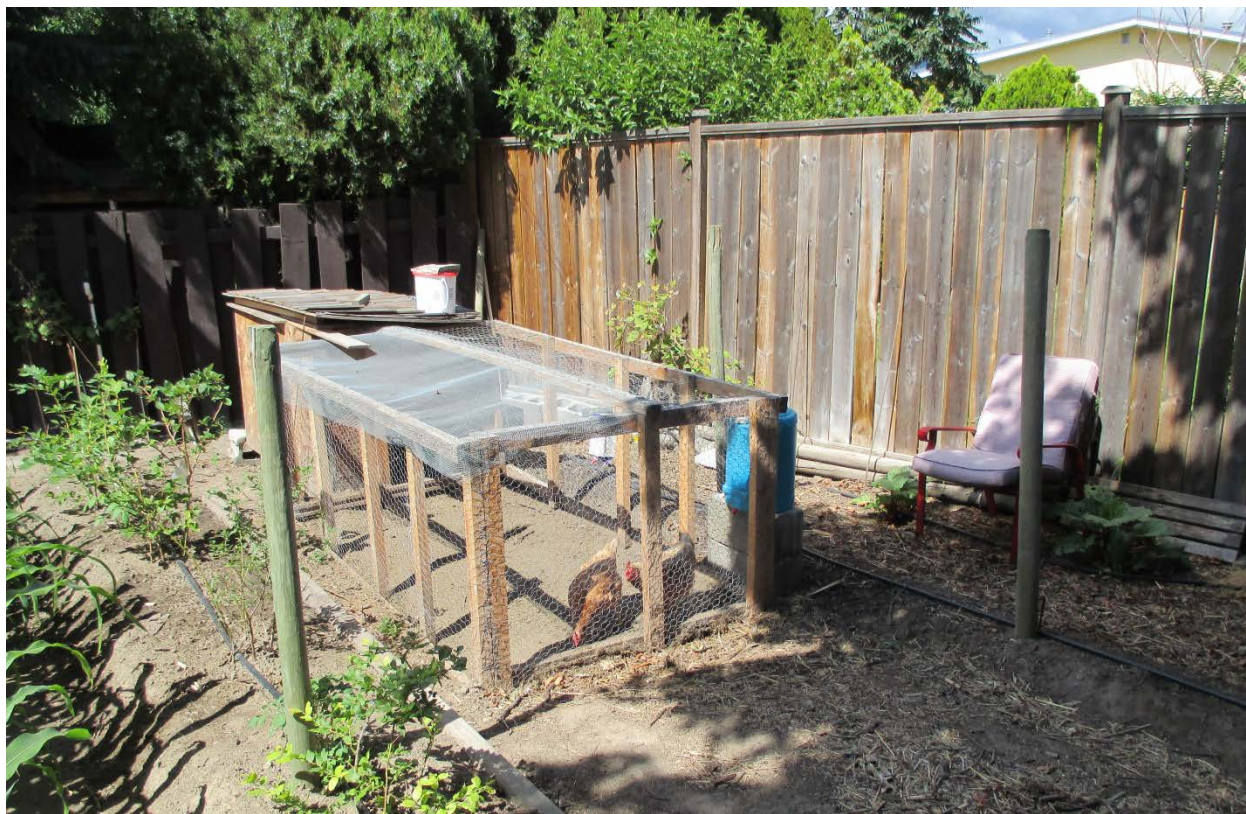


Figure 8: Chickens in the garden at 2533 Nicholson Street

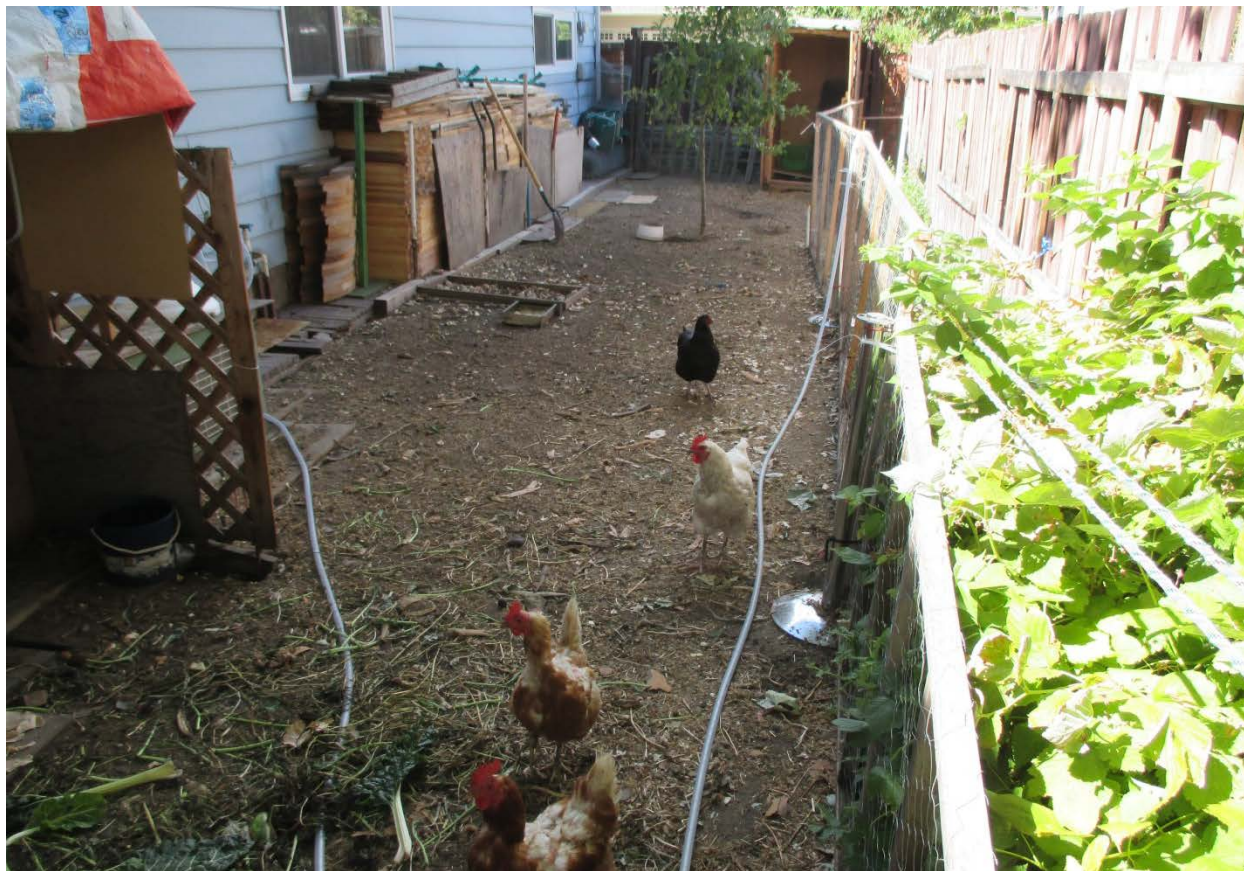


Figure 9: Chicken run at 198 Murray Drive



Figure 10: Backyard hen enclosure at 2746 Eraut Drive

Attachment C

Spreadsheet from one participants operation showing the costs to operate a back yard hen

Expenditures and Returns:					
2746 Eraut Street					
	Type of Expense	YEAR 1	YEAR 2	YEAR 3	YEAR 4
EXPENSES					
Coop - Home Hardware	One-time	\$180.00	\$0.00	\$0.00	\$0.00
Feeder - Recycled	One-time	\$0.00	\$0.00	\$0.00	\$0.00
Waterer - Amazon.ca	One-time	\$30.00	\$0.00	\$0.00	\$0.00
Wire Understructure - Home Hardware	One-time	\$15.00	\$0.00	\$0.00	\$0.00
Feed - Total Pet	Per annum	\$54.72	\$54.72	\$54.72	\$54.72
ISA Brown Chickens (x3) - Local farmer	Per three years	\$45.00	\$0.00	\$0.00	\$45.00
Bedding - Local farmer	Per annum	\$8.00	\$8.00	\$8.00	\$8.00
Health Treatment - Sweet Grass Tack and Feed	One-time	\$16.00	\$0.00	\$0.00	\$0.00
Maintenance	Per annum	\$10.00	\$10.00	\$10.00	\$10.00
TOTAL EXPENSES		\$358.72	\$72.72	\$72.72	\$117.72
RETURN					
320 Eggs (26.6 doz)/yr x 3 hens x fair market value*	Per annum	\$400.00	\$400.00	\$400.00	\$400.00
Compost removal (100g x 365 days x 3 hens =109.5 kg)	Per annum	\$0.00	\$0.00	\$0.00	\$0.00
Manure (100g x 365 days x 3 hens=109.5kg)**	Per annum	\$54.75	\$54.75	\$54.75	\$54.75
Natural Insect Removal***	Per annum	\$13.95	\$13.95	\$13.95	\$13.95
Whole Organic Chicken x 3	Per three years	\$0.00	\$0.00	\$0.00	\$45.00
TOTAL RETURN		\$468.70	\$468.70	\$468.70	\$513.70
NET		\$109.98	\$395.98	\$395.98	\$395.98
ACTUAL					
IN PROGRESS					
PROJECTED					
* Assumes \$5 per dozen					
** Assumes \$0.50 per kg for organic manure					
*** Equivalent to 1 application of organic insecticide spray for 244m ² (2600ft ²)					
Total \$\$ spent in local economy PER HEN PER YEAR: \$45.99					
Added expenses from Year 1 to Year 4 spent at local businesses only, divided by number of years and number of hens. ((\$551.88/3 hens)/5 years)=\$45.99					

Attachment D

Various correspondences received from participants and neighbour residents

We feel the hen pilot project was a very positive experience for our entire family. We were able to teach our children and their friends many important lessons.

Our children got to see where our hens were raised alongside other animals such as geese, ducks, goats, cows and roosters at a local Okanagan homestead.

Once our hens were settled in at their new home and named, (Luna, Bubbles, Trina, Mina and Broody) our children were taught how to care for them. Ensuring that food, oyster shells and water were always clean and available to them, this was a great lesson in responsibility and caring for a animals.

We are very conscientious about reducing/reusing/recycling in our home so it was even more of a bonus that we could show our children that the hens like to eat our kitchen food scraps. This in turn reduces our household garbage that would normally end up in our landfill. (Between recycling, composting and having chickens, our household garbage is one small bag per week.) These food scrap treats for the hens are a daily chore that our children are responsible for giving them. They have learned that by caring for the hens, the hens in return give us eggs. The kids proudly bring in eggs every day and see that that's where their breakfast comes from.

We have had such a great success with our laying hens that we have been able to share our eggs with family, friends and neighbours.

The hens are a great conversation starter during family meals as there is so much to learn about them and the children share their experiences with them and ask many questions.

Our kids then learned that the egg shells go into a separate compost (not back to the hens) along with raw fruit and veggies scraps that hens should avoid. This compost is mixed in to a worm farm attached to the back of the chicken coop underneath a rabbit hutch. The worms break down the rabbit waste, kitchen food scraps and create nutrient rich soil that we use for our vegetable garden every spring to grow our own food. The worms are in turn fed back to the chickens.

By having a full food chain cycle in our own back yard, we are reducing our environmental footprint and that is something that everyone should be striving towards.

Blake Laven;

Re: Backyard Chicken Program

November 8, 2015.

This Pilot Program of Backyard Chickens that started in May, 2014 may be alright for some neighbourhoods, but in this area it has been horrible. The area I am talking about is 2746 Eraut St.

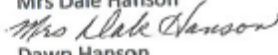
The chickens were very vocal, bauking and squawking as early as 5 am and up to at least 9 am. Sometimes even later in the day. It is the early mornings that have been worse. We started keeping a file on the noise and have recorded their noises numerous of times. We faxed our copies to Tina at bylaws, of the records we kept.

On July 23, 2015, we were awoken to their dog Aurora (who rarely barks) behind us of 2746 Eraut St. She was barking, growling and when I looked out my bedroom window, I could see shadows walking along the fence. My window is in direct line of their yard and as it got lighter, I could see two racoons on the fence trying to get to the chickens. One racoon got into their plum tree, (close to the fence) and fell into the yard. The dog was trying to protect her property and went after the racoon and was attacked. This all happened between 3:10 am to 5:20 am. Not once did the lights come on in the house behind us (2746 Eraut St.) or did they even check to see why their dog was barking. Other neighbours were awoken. This also impacts my daughter whose bedroom window is also in direct line of the chickens.

We have put up with noise that vibrates to our units excessively and sounds like a train coming thru. It was suggested putting up a hedge or higher fence, but this will 'not' solve the problem. We contacted By-laws often with the Daily Log of Noise Concerns by faxing them to their office. We were only told twice of Bylaws inspecting the chickens. We (neighbours) told bylaws about the early morning noise and no one came to check it out, or let us know they had even come to do so.

We like to have our windows open at night and especially when it is hot, as we don't have central air in our units. My daughter and I don't feel that this particular area should have chickens, due to the way our units are laid out.

Mrs Dale Hanson



Dawn Hanson



Unit 106-62 Dauphin Ave. Penticton BC

NOV 18 2015

Joy Brown

From: "Joy Brown"
Date: Wednesday, November 18, 2015 12:02 PM
To: "city council penticton"
Subject: backyard hen pilot

Dear Council, Mayor Jakubeit

We know you will soon be deciding whether the city should continue with the backyard hen program. We also know that your staff have collected surveys from all participants and some of their neighbors. Although we were not sent a survey, we managed to copy one from a neighbor in our complex that did. We have filled it in and also provided data and a letter to the city staff showing how the backyard hen coop at 2746 Erault Street has impacted us and three of the neighboring units (Our strata buildings are in foursquares).

We were before council eighteen months ago as they made the decision to go ahead with the pilot program. We voiced our concerns about noise, smell and predators. It was within the first two weeks of having the coop set up that we realized we were going to have a lot of morning noise. To date, we have recorded over 180 early morning (from 5 am to 9 am) noises. Many were multiple times in the morning as not all hens squawk at the same time. Their "laying" is often triggered by first light. These "bagaaawks, squawks and boks" go on for several minutes and were loud enough to have woken us. Our bedroom windows are open in Spring, Summer and Fall. (All of the bedroom windows in our strata block look out over the chicken coop). The by-law officers that inspect the coops, do not work early enough in the morning to be present when the noise is occurring. There has also been an increased presence of rats and raccoons in the area. One July morning from 3:10- 5:20....raccoons were trying to get into the hen yard and were faced by the owner's dog. We heard the altercation for most of that time period. The pilot hen coop at 2721 South Main Street had their chickens killed by raccoons in February of this year.

We and our neighbors strongly believe the coop should not have been approved in this area. Our complex has two stories and noise from the backyards opposing our building is echoed due to it's design. Chickens make these noises throughout the day, but they are most disruptive in the morning. Chicken noise, unlike barking dog noise, can't be corrected by an owner's command or by "bringing the animal inside". We believe our building is the only strata location that has a neighboring hen coop amongst all the pilot locations. This is a "red flag" if hen coops are allowed on a wider basis!

We are sending this letter to you because we were notified by your staff that public input would not be accepted at the December 7th council meeting. We were hoping to show you our data and plead with you to restore the peaceful neighborhood we had prior to the hen coop being placed there. We hope that the Good Neighbor By-Law that helps to ensure residents can enjoy their property, has some weight and can help us out. Please carefully consider our plea. We are greatly impacted by this decision.

Respectfully,
Joy and Kerry Brown

11/18/2015

5. Please provide us with any other comments or observations that you feel we should consider in making our final recommendations to Council.

We love living next to the hens! They are a great learning tool for my kids and have become members of our extended family. Any "noise" is minimal and to be honest, it is not really "noise", it is pleasant animal sounds. I would prefer the sounds the hens make over barking dogs. Please keep the program running!!
(ps we live right beside 5 hens)

5. Please provide us with any other comments or observations that you feel we should consider in making our final recommendations to Council.

He had the misfortune to be next to chickens before they were actually allowed at 222 S. Main. He is retired & was awoken from 5:20 A.M till 11:30 depending on when they laid their eggs. Very annoying. The night they were killed by raccoons or coyotes was very upsetting at 1:30 A.M listening to the the ~~brave~~ horrible death they had all because somebody wants to play farmer. Anyone I've talked to is not happy to be living beside chickens. They may have chickens in big cities but it's still not the place for them. They belong in a farm. With the ~~an~~ large population of raccoons in town I think it would be a very bad idea for the chickens as well as the neighbours.

Backyard Hen Pilot Project

With regards to the Backyard Hen Pilot Project, we (my family and I), have found it very rewarding to say the least. Personally I have owned many types of pets in the past including dogs, cats, birds, and fish. Plus I have spent time living on a ranch during my youth and then later working around professional K9s through SAR (Search & Rescue). However, for nearly 20 years now, I chose not to be a pet owner for a number of reasons, some of which boils down to cost, time, and care.

Moreover, the ever increasing population of irresponsible dog and cat owners, who allow their pets to run freely at large defecating in other yards and barking at all hours, has had a negative impact on my decision to own another pet. Thus, my youngest daughter had never experienced owning a pet. However, when the opportunity arose to be part of the backyard hen pilot project, I realized that this made good sense. Below I have listed some of the benefits and experiences of the program.

Hens are inexpensive to acquire and care for.

Caring for our hens has not taken the same time and energy that a dog would have. We have raised them from chicks. Their pen is nearly automated with food and water delivery. The cost to feed is nominal. Keeping a few hens makes for easy pen house keeping too. No different from keeping a couple of hamsters if you will. It's not like the big farm coop with 50+ chickens! And unlike some pet owners who find it difficult to obtain a pet sitter, we had several unsolicited offers from would-be pet sitters, if we ever needed to get away. Besides, who doesn't like eggs?

The hens are very quiet.

Unlike dogs, we barely ever hear our hens make a peep. Perhaps it's because the dogs in the neighborhood bark so loud that we often cannot have a conversation in our own yard. This is becoming a real problem, but is another matter to address.

The Hens are easy to train.

Yes that's right! We have found that they learn very quickly and remember things like yard boundaries, pen location, and where we let them scratch for bugs. The hens are entertaining and fun too. My daughter has taught them to jump for treats, and another to ride on her bicycle handlebars. The idea came from one of our neighbors who grew up with chickens. Apparently, would-be professional dog whisperers often start learning with chickens too.

Hens are good for the backyard.

Their pen waste is good for the compost. Unlike the cat feces in my daughters sandbox. Besides, have you ever heard of a dog poop compost?

Public re-education is key. We have spent a lot of time re-searching backyard hens and have found very positive results in communities that allow such. And the misconceptions of backyard-hen keeping are quickly dispelled. Yes it's true, some believe a rooster is needed to have eggs. Some believe chicken nuggets come from a food replication machine of sorts. When speaking to people, it's easy to see their amazement when they learn the facts.

If the backyard hen idea is accepted, this will allow an alternative choice for those considering acquiring a pet. I would however, advocate that the few regulations imposed during the pilot program be maintained with perhaps the following considerations and re-iterations:

- 1) No property limitations for those who wish to have hens: be the property detached or not, where the property owner would normally allow a pet, and within the bylaws regarding pet owners and their responsibilities. I mention this in fairness to others who would like to have backyard hens. We personally however, own a detached dwelling on a large lot.
- 2) Coops and runs definitely need to be a reasonable size to avoid inhumane treatment of the animal. Square footage per animal is debatable. However, there is lots of online information regarding this. We have built ours to allow ample room, but we also let them free range in the yard daily.
- 3) Raising of backyard hens should not be for commercial gain of any sort. The treatment of the animals may be at risk here, and I would not want to live next to a puppy mill either.
- 4) I would personally be comfortable with less than five (5) hens, but greater than one needs to be allowed. We started with five, but currently have only three hens. Having said that, it would be wise to impose a restriction of the total amount of *any animal/pet combination* per residence.

I would also note that:

- a) Dog houses and kennels should follow suit with coops and not be visible from a street or neighboring property.
- b) Licensing for a few backyard hens is ridiculous unless it is across the board to include hamster, gerbils, goldfish, canaries, a worm farm, etc. such as it is with dogs and should be for cats, if it isn't already.
- c) Definitely no roosters, but a greater bylaw enforcement for noisy dogs and stray cats is a must!
- d) It should be mandatory that neighbors be informed of any animal acquisitions by would-be owners of dangerous or nuisance animals. This of course would not include backyard hens.

Nevertheless, our experience in the Backyard-hen Pilot Project has been very positive. We hope to continue this. Best of all, we (including neighbors), have enjoyed the wonderful fresh eggs, and my daughter had a chance to enjoy pet ownership. I would be happy to answer further questions in detail concerning this pilot project, our experience, and the care of our hens.

Regards,

Carsten von Dein
421 Scott Ave.
Penticton, B.C. V2A 2J7

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Penticton City Staff.....Re: Backyard Hen Pilot

We came before city council in June of 2014. This was because we learned from other neighbors, that our neighbors at 2746 Erault Street, had applied to be part of the hen pilot program. There had been no consultation with us. Our two story strata complex backs on to their property. Our bedroom windows are 12 feet away from their fence. We voiced our concerns about noise, smell and the attraction of predators. We were accompanied by two of our neighbors whose units are also directly across from the proposed hen coop.

Despite our pleas, council felt that "this had to be given a try", even though the applicant did not meet all the criteria set out by the program developers.

We have kept records of the impacts of the noise. The first month we learned very quickly that noise was going to be a big issue. Hens are quite vocal in the first light of day. We recorded "bagawkking, bokking, and squawking" as early as 5 am. The early morning noise has woken us up many times. Hens will make noise throughout the day, but it is the early morning noise that is most disruptive to us. We have the windows to our bedrooms open throughout the Spring, Summer and Fall as we have no central air conditioning. We have recorded over 180 noise concerns. Our two story building amplifies the sound coming from the backyard hen coop. It is the nature of our building that makes this location a poor one. This is also a multi family building.....not just one house affected, but four separate "houses".

During the early morning hours of July 23rd this year, we were awoken by the dog at this address barking in an agitated manner. It was approximately 3:10 in the morning. This went on and off until 5:20 am. We were not the only ones bothered by this noise. Our neighbors observed the dog was barking due to raccoons walking along the fenceline and in the neighbors backyard tree. We don't know if the owners of the dog were aware and what steps were taken to mitigate the noise (if any).

We also know that raccoons killed the chickens in the backyard coop at the address on 2746 South Main Street in February of this year. Were you aware of it? We do not want to see or hear of attacks in our neighborhood. This is greatly disturbing. Although the owners of the coop next to us assure us that they have taken steps to address the impact of pests, we have noticed increased evidence of rats in our area....drawn to the chicken coop. They might not be in the chickenpen....but they are attracted to it and will keep scouting the location.

We have left all our data with Tina Siebert at the bylaw office. We were there in the summer to talk with her. We have had discussions and e-mails with our neighbors about the noise. "Keeping our windows closed" is not an option.....nor is planting a hedge on Strata property to "muffle the noise". This is different than a barking dog complaint. An owner of a barking dog can train it to stop barking or....can bring the dog into the house. What can one do to quiet a noisy chicken? Doesn't the good neighbor bylaw adopted by this city say that you should not subject your

neighbors to consistent noises like this?

We are pleading with you to restore the quality of our neighborhood. This particular location is not suitable for backyard hens.

If there is any further information you require before making recommendation to council on this matter.....please call us.

Joy and Kerry Brown

#105 62 Dauphin Ave
Penticton B.C.

Joy Brown

Kerry Brown

5. Please provide us with any other comments or observations that you feel we should consider in making our final recommendations to Council.

My Neighbor has Hens + we enjoy Them
its The BARKING dogs THAT Should
be REGULATED NOT CHICKENS. IN
A Neighborhood, Years Ago I had
CHICKENS (up To 16) Long before THIS
project ever STARTED & Nobody ever
bothered us + I had A good BACKYARD
Run etc. Everyone (ALL) Neighbors
enjoyed Them.

5. Please provide us with any other comments or observations that you feel we should consider in making our final recommendations to Council.

our experience has been very positive and we have had
only positive feedback from our neighbours. Having
the hens fits in perfectly with keeping a garden and
compost. The hens eat a lot of food waste, and
produce manure for the gardens. There have been a
number of neighbours asking how they can go
about having their own hens. Programs like this
work very well in numerous cities and
Penticton should be one of them. Home owners
should be able to produce their own eggs
along with the fruits and vegetables that many
grow.

NOV 27 2015

Mayor Andrew Jakubeit

2015-11-26

Regarding the Backyard Chickens:

I understand that there will be "no" council meeting regarding the backyard chickens. We understand this was to be an Eighteen month trial session. We are asking that you consider this area of 2746 Eraut St. plus the owners of the Condos directly behind at 62 Dauphin Avenue to be reconsidered and that you stop this idea. We live in a condo complex that is right behind the 2746 Eraut house. All the noise from the Chickens is like a vacuum. We like to keep our windows open in the spring, summer and fall as we don't have Central Air Conditioning. Our bedroom windows are directly behind the Chickens and their back yard.

We don't appreciate being woken up at 5 am from the Chickens squawking and bwawking that early in the morning. They have also attracted other noises to the neighbourhood, such as Racoons, trying to get to them; as this happened on July 23/ 2015 at 3:10 am to 5:20 am. Their dog Aurora was protecting their property. She was growling and barking. Other people in our complex were all awoken by the noise as well. I could see the shadows of the racoons along the fence trying to get into their yard. Also we have found mice running along the fence line, so it has not been pleasant for us. Other areas may not be impacted the same, but we feel this area is "not" a good idea to have chickens.

Please consider this when you decide what to do.

Unit 106-62 Dauphin Ave.

Mrs Dale Hanson



Dawn Hanson





Council Report



Date: December 7, 2015
To: Eric Sorensen, City Manager
From: Mitch Moroziuk, General Manager of Infrastructure
Subject: **2016 – 2020 Utility Rate Increases**

File No:

Staff Recommendation

THAT the November 2015 City of Penticton Utility Rate Review Report as presented by Andrew McLaren of Intergroup Consultants Ltd., whose Executive Summary is included as Attachment “A” and whose entire report is available in the Councilor area and on line be received and accepted;

AND THAT after receiving public comment as contained in this report Council adopt the following recommendations that flow from the Report:

1. Ensure Utility Rates are sufficient to maintain at least minimum reserve balance in each year;
2. Ensure Utility Rates are sufficient to recover full utility revenue requirements including an average annual capital program by 2020;
3. Phase-in changes to Administration Fees and Electric Utility Dividend by 2020;
4. Target Utility Rates for each rate class equal to the cost of service by 2020;
5. Implement a new Sanitary Sewer Rate structure based on treated water use in 2017;
6. Implement monthly billing for water, sanitary sewer and electrical;
7. Do not adopt an Institutional Utility Rate;
8. Do not implement an increasing block rate structure for residential electrical rates and water use;
9. Finance a portion of major expansions and upgrades in Utility Capital Programs with long-term debt in order to smooth out the required rate increases;
10. Accept the 2016 – 2020 Utility Rates as contained in Attachment “B”;
11. Review Utility expenses and revenues in 2019 and make any adjustments as required to ensure rates continue to fairly reflect the cost to serve each customer class;
12. Undertake future detailed rate studies every 3 to 5 years and set forward looking Utility rates to provide customers with some predictability on utility costs;
13. In 2016 examine implementing a second monthly basis charge for all utilities where there are secondary suites; and
14. Rescind the Electric Utility Rate Policy as contained in Attachment “C” and consider changes to Utility Rates as part of the annual budget process.

AND FURTHER THAT Council give 1st, 2nd and 3rd Reading to Bylaw 2015-60, as contained in Attachment "D", a bylaw to amend Fees and Charges Bylaw 2014-07 to set new Electric, Sanitary Sewer Electric Utility rates and fees.

Strategic priority objective

Providing for sustainable electrical, sanitary sewer and water infrastructure.

Background

In February of 2015 City staff undertook a Request for Proposal process to select a consultant to review and provide recommendations on how to structure Utility Rates to find the appropriate balance between: The operating and capital revenue requirements of Penticton's three Utilities; Return on investment; Consumer affordability; and Business competitiveness. In March of 2015 the project was awarded to Intergroup Consulting Ltd.

Over the last eight months the Intergroup has worked with City staff, a focus group and the public to complete their assignment. They have created a plan that:

- Will see the City's Electrical, Sanitary Sewer and Water Utilities become sustainable;
- Created a five year rate structure that will provide predictability for our customers and that allocates costs to the correct customer;
- Have made adjustments to the distribution of Administration Fees;
- Have put in place an Electric Dividend that is consistent with the industry;
- Have created a new rate structure for sanitary sewer consistent with that used in other locations;
- Examined but not supported the creation of an Institutional Electrical Rate; and
- Recommended moving to monthly billing for all utilities.

The recommended Utility Rates will have the following impacts on our three classes of customers:

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BILL COMPARISON - ELECTRICITY

Customer Classes	Monthly Average Bill at 2015 Existing Rates	2016		2017		2018		2019		2020	
		Increase Over 2015		Increase Over 2016		Increase Over 2017		Increase Over 2018		Increase Over 2019	
		\$	%	\$	%	\$	%	\$	%	\$	%
<i>Scenario 1: Only capital enhancement projects (higher than \$2 million) are funded by debt; maintain minimum un-audited reserve; balance; and target 100% MCG ratio for each customer class by 2019</i>											
Residential	\$112.6	\$4.7	4.2%	\$4.7	4.2%	\$4.9	4.3%	\$5.1	4.5%	\$4.2	3.7%
Small Commercial	\$219.4	\$16.7	7.7%	\$6.4	2.9%	\$6.5	3.0%	\$6.9	3.2%	\$21.4	9.7%
Large Commercial/Industrial	\$2,549.8	\$93.0	3.7%	\$91.8	3.6%	\$92.5	3.6%	\$96.1	4.1%	\$193.8	7.5%

Parameters used in the bill calculation:

- The existing rates are effective July 1, 2015 (after 1 A/R increase)
- Residential - Electricity consumption of 914 kWh/month, based on the average monthly consumption for Rate Code 10
- Small Commercial - Electricity consumption at 6,000 kWh / 10 kW, based on the average monthly consumption for all general service customers consuming less than 10,000 kWh per month
- Large Commercial/Industrial - Electricity consumption at 50,000 kWh / 100 kW, based on the average monthly consumption for all general service customers consuming more than 10,000 kWh per month

It is noted that the 2016 FortisBC Electrical increases for the sale of Wholesale Power for 2016 are estimated to be 4.62%, while the planned Penticton increases are 1.7% and 4.1% respectively.

BILL COMPARISON – WATER											
Water Bill Impact Summary for 2016 - 2019											
Water Sizes	Monthly Average Bill at 2015 Existing Rates	2016		2017		2018		2019		2020	
		Increase Over 2015		Increase Over 2015		Increase Over 2017		Increase Over 2017		Increase Over 2019	
		\$	%	\$	%	\$	%	\$	%	\$	%
Scenario 1: Only capital enhancement projects (higher than \$1 million) are funded by new debt; minimum of least minimum combined reserve balances each year; and target 40% RDC ratio for each customer class by 2019											
10mm (3/4 inch)	\$23.2	\$4.7	20.7%	\$5.2	22.4%	\$2.5	10.8%	\$2.4	10.3%	\$5.1	21.9%
20mm (1 inch)	\$19.9	\$2.2	11.1%	\$26.8	134.6%	\$26.8	134.6%	\$26.7	133.7%	\$19.8	-1.0%
30mm (1 1/2 inches)	\$204.8	\$18.1	8.9%	\$16.8	8.2%	\$4.0	1.9%	\$4.0	1.9%	\$12.9	6.3%
40mm (2 inches)	\$475.3	\$47.9	10.1%	\$32.3	6.8%	\$33.3	7.0%	\$37.1	7.8%	\$31.1	6.5%
70mm (3 inches)	\$1,164.1	\$46.7	4.0%	\$52.7	4.5%	\$5.8	0.5%	\$5.8	0.5%	\$5.8	0.5%
100mm (4 inches)	\$2,655.7	\$58.8	2.2%	\$72.1	2.7%	\$5.0	0.2%	\$5.0	0.2%	\$5.0	0.2%
By Rate Class											
Residential	\$53.1	\$4.9	9.2%	\$5.4	10.2%	\$2.6	4.9%	\$2.5	4.7%	\$1.8	-3.4%
Small Commercial	\$119.1	\$16.7	14.0%	\$21.8	18.3%	\$4.8	4.0%	\$4.8	4.0%	\$13.7	11.5%
Large Commercial/Industrial	\$555.2	\$17.8	3.2%	\$43.8	7.9%	\$18.3	3.3%	\$23.2	4.1%	\$18.8	3.4%
Parameters used in the bill calculation:											
Residential - Water usage at 20 cubic metres/month, based on the average monthly consumption for residential with water size of 10mm/15mm/20mm (1/2 inch, 3/4 inch and 1 inch).											
Small Commercial - Water consumption at 200 cubic metres, based on the average monthly consumption for customers with meter size of 30mm (1 and 1 1/2 inches).											
Large Commercial/Industrial - Water consumption at 800 cubic metres, based on the average monthly consumption for customers with meter size of 100mm (2 inches).											

BILL COMPARISON – SANITARY SEWER

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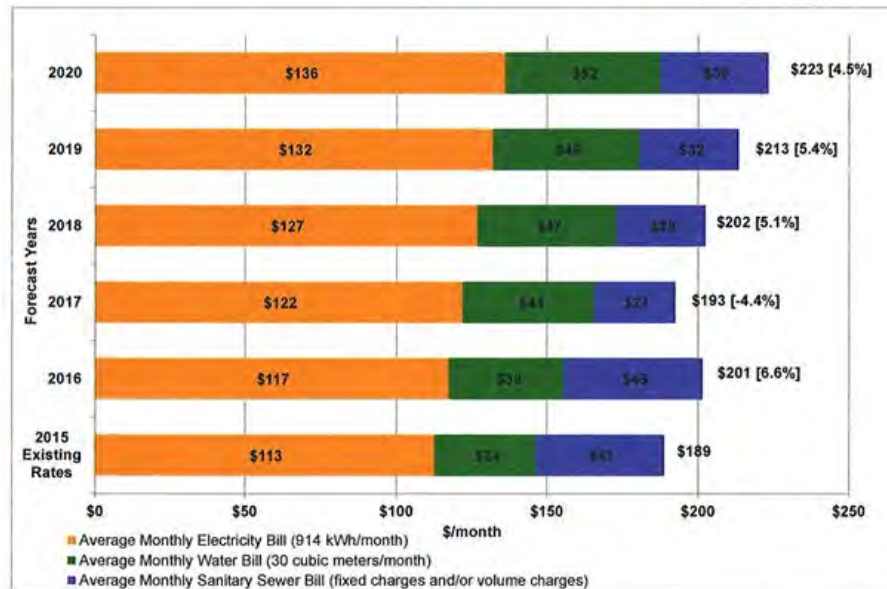
Meter Sizes	Number of Customers	Number of Properties	Monthly Average Bill at 2015 Existing Rates - (based on) Number of Properties	Monthly Average Bill at 2015 Rates - based on number of Properties	2017 (with Fixed and Variable rates)		2018 (with Fixed and Variable rates)		2019 (with Fixed and Variable rates)		2020 (with Fixed and Variable rates)	
					Increase Over 2015	% Increase Over 2015	Increase Over 2017	% Increase Over 2017	Increase Over 2017	% Increase Over 2017	Increase Over 2019	% Increase Over 2019
			Average Monthly Average Bill at 2015 Rates - (based on) Number of Properties		\$	%	\$	%	\$	%	\$	%
Scenario 1: Only capital enhancement projects (higher than \$1 million) are funded by new debt; minimum of least minimum combined reserve balances each year; and target 40% RDC ratio for each customer class by 2019												
10mm (3/4 inch)	1,030	1,037	10	\$42.9	\$2.9	6.8%	\$19.0	-41.7%	\$2.4	5.7%	\$3.3	17.2%
20mm (1 inch)	1,543	1,543	0	\$159.2	\$5.8	3.6%	\$45.9	-25.9%	\$15.2	9.5%	\$2.8	1.8%
30mm (1 1/2 inches)	910	222	25	\$130.7	\$3.8	2.9%	\$40.2	-34.2%	\$14.8	11.3%	\$13.3	9.4%
40mm (2 inches)	780	132	4	\$140.9	\$4.0	2.8%	\$106.8	-13.1%	\$33.1	23.5%	\$24.8	17.5%
70mm (3 inches)	3,447	48	0	\$152.9	\$7.9	5.2%	\$165.7	8.4%	\$64.9	42.5%	\$12.3	7.5%
100mm (4 inches)	658	47	0	\$140.4	\$5.5	3.9%	\$1,226.7	873.2%	\$129.9	9.2%	\$87.4	6.2%
By Rate Class												
Residential				\$42.9	\$2.9	6.8%	\$19.0	-41.7%	\$2.4	5.7%	\$3.3	17.2%
Small Commercial				\$159.2	\$5.8	3.6%	\$40.2	-34.2%	\$14.8	11.3%	\$13.3	9.4%
Large Commercial/Industrial				\$140.4	\$5.5	3.9%	\$1,226.7	873.2%	\$131.1	9.3%	\$87.4	6.6%

Notes:

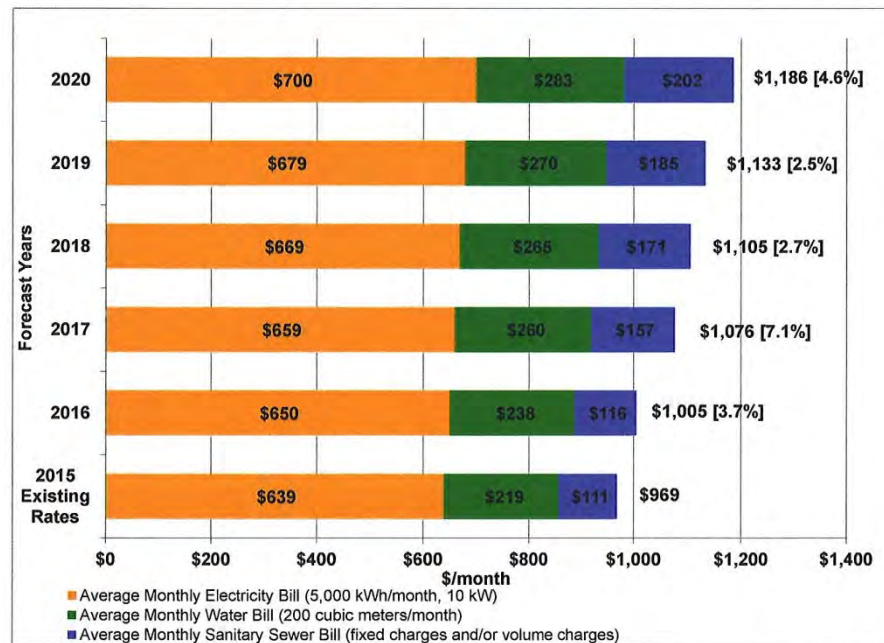
1. The bill impacts are different from expected results due to projected changes in rate structure based on least minimum combined reserve balances and target 40% RDC ratio. Other water rates remain constant for existing rates at 4.0% per year.

For illustrative purposes the following three strip charts show the total impact of the proposed Utility Rate increases on each customer class:

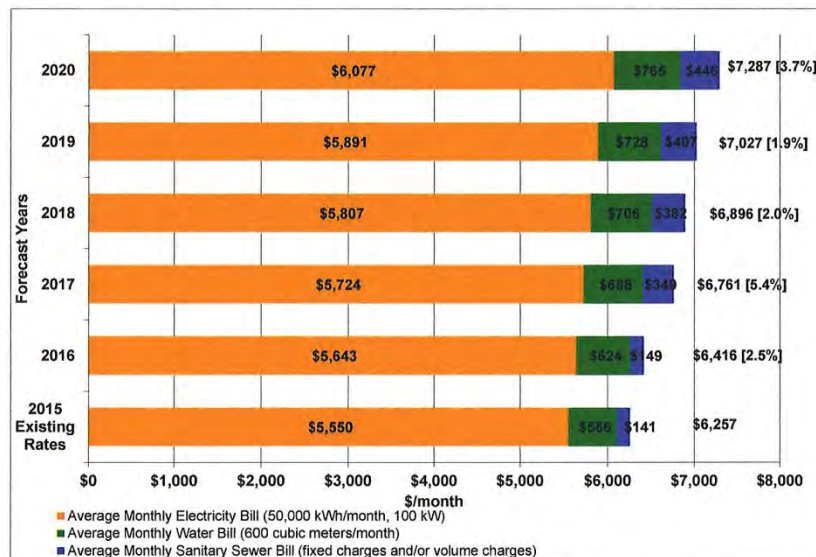
City of Penticton Residential Bill Comparison for 2015 through 2020



City of Penticton Small Commercial Bill Comparison for 2015 through 2020



City of Penticton Large Commercial/Industrial Bill Comparison for 2015 through 2020



In addition to Utility Rate changes, staff are also proposing an annual increase in other utility charges contained in the Electrical, Sanitary Sewer and Water Schedules of the Fees and Charges Bylaw 2014-07 to reflect increases in labor rates, materials and exchange rates.

The PowerPoint Presentation, Executive Summary and Final Report were placed on the Web site on Monday November 9, 2012. This was advertised in the Penticton Herald on November 11, 16 and 23 and in the Penticton Western News on November 13, 20 and 25. The public was invited to email comments to Mitch Moroziuk, General Manager of Infrastructure until November 27, 2015.

A summary of the comments received is as follows:

1. Concern expressed from fixed income resident about the ability to pay for the increases.
Staff comment: The ability to pay for those on a fixed income is an unfortunate reality. This could be addressed by the creation of a means test and a new rate for low income customers. The loss of revenue would have to be made up by increasing rates to other customer classes. It is not recommended that this be pursued.
2. Concern over the proposed sanitary sewer billing system:
 - a. The 50% reduction for summer billing for irrigation use.
Staff comment: The 50% reduction for irrigation use was determined by examining the relationship, on an annual basis, at the treatment plant level between water produced and sewage treated.
 - b. People will not understand how the change in sewer rates will affect them.
Staff comment: Any change in rate structure presents challenges. The new method to charge for sanitary sewer will not occur till 2017 leaving a good portion of 2016 to develop and educate the public about the new rates. Another way of looking at it is when you move to a new City they do not always have the same rate structures and people quickly learn to adapt.

- c. The City will just increase property taxes to make up for removing the fixture charges and sewer levy from property tax bills.

Staff comment: This is not the intent of the change to the method by which sanitary sewer is charged for.

3. Concern that the City isn't charging people enough for secondary suites that use more services.

Staff comment: If there is only one electric meter and one water meter to the residence then the City will not recover the monthly basic charge from secondary suites. For residential properties this revenue loss is estimated at \$443.52 per year per secondary suite. The City has 147 registered secondary suites resulting in an estimated \$65,197 in possible additional revenue. It is recommended that this be explored in 2016.

4. Concern that utility bills don't show the units of consumption and the rates being charged.

Staff comment: The utility bills do show the units of consumption for both electricity and water but not the cost per unit. This would require a change to our CIS billing software and may not be possible due to lack of room on the bill. The cost per unit is however available online in the Fees and Charges Bylaw or it could be calculated by dividing the extended cost by the number of units.

5. Concern expressed that the percentage rate increase over a five year period to residential customers for water and electrical (5.2% to 14.6% and 3.2% to 4.1%) is too high compared to the percentage increase to commercial industrial (2.3% to 9.7% and 1.4% to 3.2%) The percentage increase between the three customer classes should be closer.

Staff comment: One of the aspects of the Utility Rate Review was to examine the cost of providing service. That analysis indicated that residential customers were not paying enough and commercial industrial customers were paying too much for water and electrical. The analysis also found that residential customers were paying too much for sanitary sewer and commercial industrial customers were paying too little. The Utility rates set will correct these discrepancies over a five year period. This is why the percentage rate increases are different between customer classes.

Financial implication

The financial implications of the proposed Utility Rate increases in terms of Revenues and Expenditures and Utility Reserve Accounts are as follows:

REVENUE AND EXPENSE FORECASTS FOR EACH UTILITY

Electric Utility

	2016	2017	2018	2019	2020
Proposed Expenditures (Revenue Requirement)	\$38,518,113	\$39,740,803	\$41,792,878	\$43,060,679	\$46,220,868
Non-Rate Revenues	\$218,720	\$221,088	\$225,469	\$230,014	\$234,400
Revenues at proposed rates	\$40,220,439	\$41,628,910	\$43,228,519	\$44,800,693	\$48,462,868

Water Utility

	2016	2017	2018	2019	2020
Proposed Expenditures (Revenue Requirement)	\$6,603,270	\$6,181,087	\$6,038,899	\$6,827,699	\$7,453,900
Non-Rate Revenues	\$420,000	\$431,808	\$444,363	\$457,235	\$470,588
Revenues at proposed rates	\$6,738,450	\$7,045,908	\$6,033,787	\$6,438,334	\$6,980,748

Sewer Utility

	2016	2017	2018	2019	2020
Proposed Expenditures (Revenue Requirement)	\$6,713,468	\$7,023,059	\$6,172,024	\$6,322,826	\$7,016,075
Non-Rate Revenues	\$610,170	\$623,914	\$632,026	\$631,514	\$630,100
Revenues at proposed rates	\$6,576,550	\$6,668,564	\$5,154,648	\$5,691,312	\$6,383,853

RESERVE BALANCES FOR EACH UTILITY

Electric Utility Combined Reserve Balance by End of Year (\$)

	2015 Forecast	2016 Forecast	2017 Forecast	2018 Forecast	2019 Forecast	2020 Forecast
Closing Balance	6,325,732	6,656,342	6,478,909	6,128,157	5,173,895	5,684,663
Required Minimum Combined Reserve Balance	3,100,000	3,100,000	3,100,000	3,100,000	3,100,000	3,100,000

Water Utility Combined Reserve Balance by End of Year (\$)

	2015 Forecast	2016 Forecast	2017 Forecast	2018 Forecast	2019 Forecast	2020 Forecast
Closing Balance	1,980,296	2,263,188	1,124,875	1,079,130	1,161,831	1,085,847
Required Minimum Combined Reserve Balance	990,000	990,000	990,000	990,000	990,000	990,000

Sanitary Sewer Utility Combined Reserve Balance by End of Year (\$)

	2015 Forecast	2016 Forecast	2017 Forecast	2018 Forecast	2019 Forecast	2020 Forecast
Closing Balance	6,032,854	5,681,454	3,944,785	3,617,714	3,671,890	3,628,023
Required Minimum Combined Reserve Balance	713,000	713,000	713,000	713,000	713,000	713,000

Analysis

The City engaged an expert in Utility Rate setting to review and develop a new Utility Rate Structure that: helps create a sustainable utility; apportions costs correctly to customer classes and has made changes that bring City Utilities more in line with industry and other municipalities. It is now time to move forward and adopt the recommendations provided by the consultant and move to amend the new Utility Rate structure into the Fees and Charges Bylaw.

Alternatively should Council choose they could send the matter back to staff with direction.

Alternate recommendation(s)

Alternative 1

THAT Council send the matter back to staff with direction.

Attachments

Attachment "A" – Executive Summary November 2015 Intergroup Consultants Ltd. City of Penticton Utility Rate Review

Attachment "B" – Intergroup Consultants Ltd. recommended Utility Rates

Attachment "C" - Electric Utility Rates Policy

Attachment "D" – Bylaw 2015-60

Respectfully submitted,

Mitch Moroziuk P.Eng. MBA

General Manager of Infrastructure
City of Penticton

Approvals

Chief Financial Officer 	City Manager 
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Attachment "A" – Executive Summary November 2015 InterGroup Consultants Ltd. City of Penticton Utility Rate Review

**CITY OF PENTICTON
UTILITY RATE REVIEW**

Submitted to:

City of Penticton

Prepared by:

InterGroup Consultants Ltd.

500-280 Smith Street

Winnipeg, MB R3C 1K2

November 2015



Executive Summary

The City of Penticton ("City") owns and operates electric, sanitary sewer and water utilities serving approximately 17,000 residential, commercial and industrial customers. InterGroup Consultants Ltd. ("InterGroup") was retained by the City to review and make recommendations for rate adjustments for the City's electric, water and sanitary sewer utilities for the period from 2016 through 2020. The City requested rate proposals that reflected an appropriate balance between return on investment, consumer affordability and business competitiveness.

The review of the City's electric, water and sewer rates provides the basis for the City to implement rates that will allow each utility to be financially sustainable. Proposed rate adjustments between customer classes will also help ensure rates reflect the costs to serve different types of customers. The five-year time horizon also provides customers with information on what they can expect for utility rate changes over the next several years. In particular, rate adjustments for electricity customers are proposed that will be lower than currently forecast rate increases for Fortis BC. Proposed changes to administration fees, the electric utility dividend to the City and revenue to cost coverage adjustments are phased in over time to avoid rate shock.

InterGroup reviewed City budgets for each utility in order to develop rate proposals. This review included reviewing the administration fees charged to each utility and the level of the dividend paid by the electric utility to the City. Based on a review of key cost drivers for the existing administration charges, it is recommended that the administration charges to the electric utility be reduced and the administration charges to the water and sewer utilities be increased. This would more properly reflect the true cost of support services required by the utilities. It is also recommended that the City change the method for calculating the dividend from the electric utility to align with common practice for other utilities.

Based on the review of the budgets it was determined that rate revenues would need to increase for each utility to maintain minimum reserve balances and ensure sufficient revenue to fund ongoing operating costs and an average annual capital program. Based on this review, the average annual rate increases proposed for each utility are:

- 3.19% each year from 2016 to 2020 for the electric utility
- 11.5% for 2016 and 2017 and 4.43% for 2018 to 2020 for the water utility
- 6.78% each year from 2016 to 2020 for the sewer utility

A cost of service analysis was also undertaken for each utility to determine the relative increases for each type of customer. The cost of service analysis indicated that residential customers were generally underpaying for electricity and water service and overpaying for sewer service. Commercial and industrial customers were generally overpaying for electricity and water service and under paying for sewer service.

A review of rates with other municipalities in Canada indicated in particular that Penticton's existing electricity rates are higher than similar sized communities in British Columbia. The review also indicated that the City's existing fixture charge rate structure for sewer service is not consistent with most other municipalities. Therefore it is recommended the City transition to a sewer rate structure based on a fixed charge and a variable charge based on water consumption. It is recommended the City delay this change in sewer rate structure until 2017 in order to effectively communicate the change in rate structure to customers.

Public consultation opportunities were provided during the course of the study, including:

- A small working group was established with some key stakeholders identified by the City. Presentations and discussions were held with members of this stakeholder group on April 15th, April 16th, July 27th and November 2, 2015.
- **Public open houses:** Public open houses were held August 24th at the City Council Chambers; August 25th at Cherry Lane Mall; and August 26th at the Penticton Library. The open houses included story boards with information about the rate study, surveys that participants could fill out and the opportunity to discuss results with City staff and the consultant.
- **City Website:** Information about the study was provided on the City's website and an online survey was available for interested parties to fill out.

Rates were developed that would provide sufficient revenue to pay for operating costs and an average annual capital program and transition all customers toward full cost of service by 2020. Preliminary rate options were developed and presented at public open houses in August 2015. Final rate proposals were developed based on feedback from the City and residents. The combined effect of the rate proposals on electric, water and sewer bills for average customers are estimated as follows:

- Between 4.5% to 6.6% annual increases for residential customers. The transition to the new sewer rate structure is expected to reduce sewer bills for residential customers so these customers may see a small decrease in their overall utility bills when this new rate structure is implemented.
- Between 2.5% to 7.1% annual increases for small commercial customers. The transition to the new sewer rate structure is expected to slightly increase utility bills for these customers when the new rate structure is implemented.
- Between 1.9% to 5.4% annual increases for industrial customers. The transition to the new sewer rate structure is expected to slightly increase utility bills for these customers when the new rate structure is implemented.

Electricity rates are generally the largest portion of each customer's total utility cost, therefore the average rate increases for each type of customer reflect a heavier weighting on the electricity portion of the total utility bill.

Figures 1-1 to 1-3 provide an illustration of the combined effects to the customers from proposed electric, water and sanitary sewer rate changes.

Figure 1-1:
City of Penticton Residential Bill Comparison for 2015 through 2020

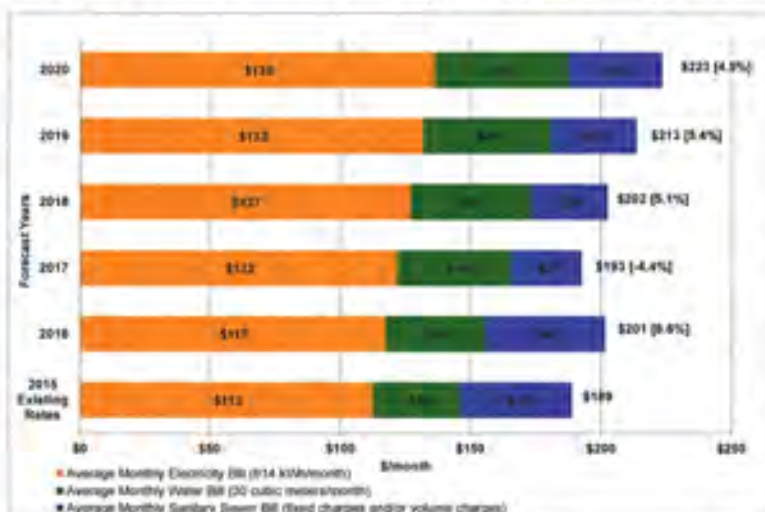


Figure 1-2:
City of Penticton Small Commercial Bill Comparison for 2015 through 2020

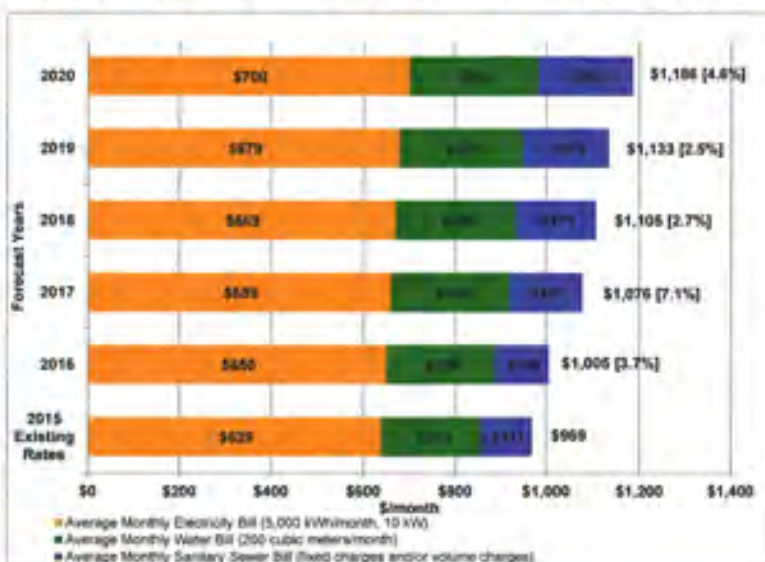
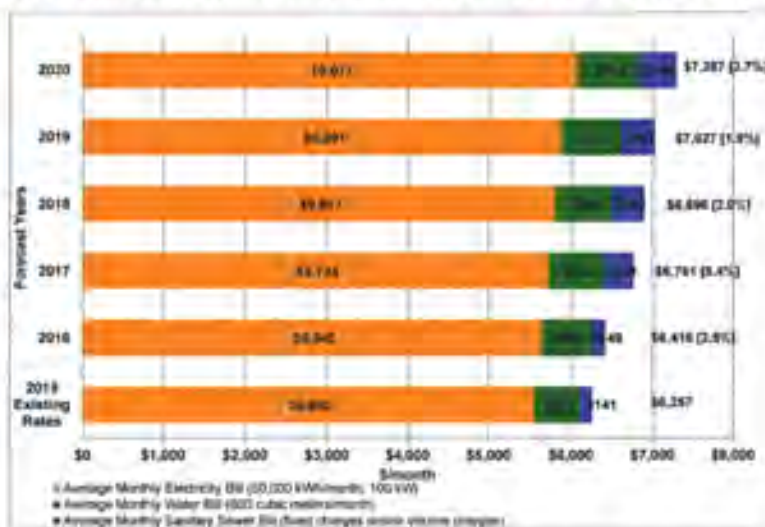


**Figure 1-3:
City of Penticton Large Commercial/Industrial Bill Comparison for 2015 through 2020**



It is recommended the City adopt the following process for implementing the proposed rate changes:

1. City Council adopt the electrical, sewer and water rates schedules for the 2016 to 2020 as presented in Section 7 of this report. Rates were designed to reflect a balance of the following rate design criteria:
 - a. Ensure utility rates are sufficient to maintain at least minimum reserve balances in each year.
 - b. Ensure utility rates are sufficient to recover the full utility revenue requirements including an average annual capital program by 2020.
 - c. Finance a portion of major expansions and upgrades in capital programs for the water and sanitary sewer utilities in order to smooth out the required rate increases.
 - d. Phase in changes to Administration Fees and Electric Utility Dividend by 2020.
 - e. Target utility rates for each rate class equal to the cost of service by 2020.
 - f. Implement a new sanitary sewer rate structure based on treated water use in 2017.
2. Rescind the current Rate Setting Policy and review the proposed rates each year as part of the annual budget process to address any unexpected costs or changes in revenues. It is also anticipated that this alignment with the City's annual budget process will enable residents to consider proposed changes to utility rates in the context of other City budget and revenue changes, such as property taxes.

3. The City undertake a detailed review of revenues and costs after three years, to ensure rates continue to fairly reflect the costs to serve each customer class. Future detailed rate studies should be prepared based on a three to five year forward looking basis to provide customers with some predictability about future rate changes.
4. It is recommended the City transition to monthly billing for water, sewer and electrical service.
5. It is recommended that the City not adopt an Institutional Utility Rate.
6. It is recommended that the City not implement an increasing block rate structure for residential electrical rates and water use.
7. It is recommended that for future capital planning, the City conduct an analysis of the replacement cost of its utility assets and ensure its capital budgets are sufficient to address ongoing requirements for infrastructure renewal, as well as any necessary expansion projects.

Attachment "B" – Intergroup Consultants Ltd. recommended Utility Rates

CITY OF PENTICTON UTILITY RATE REVIEW
PRESENTATION TO CITY COUNCIL

RATE SCHEDULES - ELECTRICITY

Rate Class	2017 2018 Existing Rates						2018 Proposed Rates					
	Basic Charge (\$/m. cont.)	Demand (\$/kW)	Energy (\$/kWh)	First 10,000 kWh	Next 40,000 kWh	Over 50,000 kWh	Basic Charge (\$/m. cont.)	Demand (\$/kW)	Energy (\$/kWh)	First 10,000 kWh	Next 40,000 kWh	Over 50,000 kWh
Rate Class 10 - Residential	17.08		13.85				17.80		13.54			
Rate Class 11 - Residential/General Service	17.08		13.85				17.80		13.54			
Rate Class 12 - Business (Res. Max. and City Council Demand)	17.08	1.00	13.85	14.00	13.00	12.00	17.80	0.98	13.40	13.40	12.00	11.00
Rate Class 13 - General - Priority/Industrial/High Voltage Demand	17.08	0.00	13.85	14.00	13.00	12.00	17.80	0.00	13.40	13.40	12.00	11.00
Rate Class 14 - Business (Res. Max. and City Council Demand)	17.08	0.00	13.85	14.00	13.00	12.00	17.80	0.00	13.40	13.40	12.00	11.00
Rate Class 15 - General (Res. Max. and City Council Demand)	17.08	0.00	13.85	14.00	13.00	12.00	17.80	0.00	13.40	13.40	12.00	11.00
Rate Class 16 - General (City Council Demand)	17.08	0.00	13.85	14.00	13.00	12.00	17.80	0.00	13.40	13.40	12.00	11.00
Street Lighting												
Traffic Lighting												
Other un-metered loads - General (Res. Max. and City Council Demand)												

CITY OF PENTICTON UTILITY RATE REVIEW
PRESENTATION TO CITY COUNCIL

RATE SCHEDULES – ELECTRICITY (CONT'D)

Rate Class	2018 Proposed Rates						2018 Proposed Rates					
	Basic Charge (\$/m. cont.)	Demand (\$/kW)	Energy (\$/kWh)	First 10,000 kWh	Next 40,000 kWh	Over 50,000 kWh	Basic Charge (\$/m. cont.)	Demand (\$/kW)	Energy (\$/kWh)	First 10,000 kWh	Next 40,000 kWh	Over 50,000 kWh
Rate Class 10 - Residential	18.02		13.02				18.94		13.50			
Rate Class 11 - Residential/General Service	18.02		13.02				18.94		13.47			
Rate Class 12 - Business (Res. Max. and City Council Demand)	18.02	1.00	13.02	14.00	13.00	12.00	18.94	0.97	13.35	13.35	12.00	11.00
Rate Class 13 - General - Priority/Industrial/High Voltage Demand	18.02	0.00	13.02	14.00	13.00	12.00	18.94	0.00	13.35	13.35	12.00	11.00
Rate Class 14 - Business (Res. Max. and City Council Demand)	18.02	0.00	13.02	14.00	13.00	12.00	18.94	0.00	13.35	13.35	12.00	11.00
Rate Class 15 - General (Res. Max. and City Council Demand)	18.02	0.00	13.02	14.00	13.00	12.00	18.94	0.00	13.35	13.35	12.00	11.00
Rate Class 16 - General (City Council Demand)	18.02	0.00	13.02	14.00	13.00	12.00	18.94	0.00	13.35	13.35	12.00	11.00
Street Lighting												
Traffic Lighting												
Other un-metered loads - General (Res. Max. and City Council Demand)												

CITY OF PENTICTON UTILITY RATE REVIEW PRESENTATION TO CITY COUNCIL

RATE SCHEDULES - WATER

	2015 Existing Rates			2016 Proposed Rates			2017 Proposed Rates		
	Basic Charge (\$/month/customer)	Variable Charge (\$/100 cubic feet)	Unmetered Monthly Charge (\$/month/customer)	Basic Charge (\$/month/customer)	Variable Charge (\$/100 cubic feet)	Unmetered Monthly Charge (\$/month/customer)	Basic Charge (\$/month/customer)	Variable Charge (\$/100 cubic feet)	Unmetered Monthly Charge (\$/month/customer)
Treated Water									
15mm (3/4 inch)	19.77	1.63	35.25	23.18	1.66	36.22	20.92	2.09	43.08
20mm (1 inch)	42.97	1.63	18.99	56.42	1.66	35.89	79.19	2.09	107.89
30mm (1 1/2 inches)	125.05	1.63	354.26	135.38	1.66	221.64	162.26	2.09	249.66
50mm (2 inches)	275.16	1.63	442.39	289.54	1.66	444.88	394.11	2.09	521.68
75mm (3 inches)	796.06	1.63	1,300.17	734.02	1.66	1,383.34	776.04	2.09	1,412.71
100mm (4 inches)	1,734.26	1.63	2,409.54	1,884.54	1.66	2,863.65	1,944.94	2.09	2,943.65
	2018 Proposed Rates			2019 Proposed Rates			2020 Proposed Rates		
	Basic Charge (\$/month/customer)	Variable Charge (\$/100 cubic feet)	Unmetered Monthly Charge (\$/month/customer)	Basic Charge (\$/month/customer)	Variable Charge (\$/100 cubic feet)	Unmetered Monthly Charge (\$/month/customer)	Basic Charge (\$/month/customer)	Variable Charge (\$/100 cubic feet)	Unmetered Monthly Charge (\$/month/customer)
Treated Water									
15mm (3/4 inch)	26.46	2.17	46.02	38.68	2.28	48.47	52.39	2.39	54.89
20mm (1 inch)	92.58	2.17	139.90	114.87	2.28	150.60	121.77	2.59	158.17
30mm (1 1/2 inches)	181.12	2.17	283.41	188.70	2.28	282.64	187.49	2.69	284.68
50mm (2 inches)	314.92	2.17	581.64	326.27	2.28	585.60	348.56	2.79	655.12
75mm (3 inches)	739.07	2.17	1,413.17	721.86	2.28	1,413.12	691.17	2.49	1,413.95
100mm (4 inches)	1,586.05	2.17	2,407.55	1,572.74	2.28	2,362.58	1,462.90	2.39	1,948.14

CITY OF PENTICTON UTILITY RATE REVIEW PRESENTATION TO CITY COUNCIL

RATE SCHEDULES – SANITARY SEWER

	2015 Existing Charges		2016 Proposed Charges		2017 Proposed Rates	
	Not Exceeding Six Fixtures, \$/year	In Excess of Six Fixtures, \$/year/fixture	Not Exceeding Six Fixtures, \$/year	In Excess of Six Fixtures, \$/year/fixture	Monthly Fixed Charge, \$/month/customer	Variable Charge (Residential 100% of Winter and 50% of Summer usage; Non-Residential 80% year-round use), \$/100 cubic feet
15mm (3/4 inch)	\$141.00	\$27.70	\$151.30	\$27.96	\$18.31	\$2.25
20mm (1 inch)	\$141.00	\$27.70	\$151.30	\$27.96	\$20.89	\$2.25
30mm (1 1/2 inches)	\$141.00	\$27.70	\$151.30	\$27.96	\$41.87	\$2.25
50mm (2 inches)	\$141.00	\$27.70	\$151.30	\$27.96	\$62.19	\$2.25
75mm (3 inches)	\$141.00	\$27.70	\$151.30	\$27.96	\$119.80	\$2.25
100mm (4 inches)	\$141.00	\$27.70	\$151.30	\$27.96	\$124.68	\$2.25
	2018 Proposed Rates		2019 Proposed Rates		2020 Proposed Rates	
	Monthly Fixed Charge, \$/month/customer	Variable Charge (Residential 100% of Winter and 50% of Summer usage; Non-Residential 80% year-round use), \$/100 cubic feet	Monthly Fixed Charge, \$/month/customer	Variable Charge (Residential 100% of Winter and 50% of Summer usage; Non-Residential 80% year-round use), \$/100 cubic feet	Monthly Fixed Charge, \$/month/customer	Variable Charge (Residential 100% of Winter and 50% of Summer usage; Non-Residential 80% year-round use), \$/100 cubic feet
15mm (3/4 inch)	\$18.76	\$2.42	\$18.71	\$2.50	\$17.28	\$2.77
20mm (1 inch)	\$27.84	\$2.42	\$24.19	\$2.42	\$28.16	\$2.77
30mm (1 1/2 inches)	\$50.86	\$2.42	\$48.18	\$2.42	\$70.30	\$2.77
50mm (2 inches)	\$68.41	\$2.42	\$68.06	\$2.42	\$115.94	\$2.77
75mm (3 inches)	\$159.89	\$2.42	\$150.06	\$2.42	\$232.74	\$2.77
100mm (4 inches)	\$160.05	\$2.42	\$148.17	\$2.42	\$244.68	\$2.77

Notes:

- The year-round fee for the billing period are October through March.
- It is recommended that the City develop a flat rate for sewer customers who do not take water service from the City.
- It is recommended that the City identify the customers with sewer service, but without a sewer service include them from sewer bills.

Attachment "C" - Electric Utility Rates Policy



CITY OF PENTICTON POLICY

TITLE: Electrical Utility Rates Policy	
Section:	Page: 1
Effective Date: January 2007	Replacing:
Originator: Dan Albas/John Vassilaki	Approval:
Council Res:	Council Date:

PREAMBLE

Whereas, the City of Penticton Electrical Utility is not required by the BC Utilities Commission nor subject to its auspices and consultative processes in regard to electrical rate changes.

Furthermore, it becomes incumbent on City Council and staff to promote transparency and preserve the public trust in regard to consultation and rate changes.

It is the rightful role of city elected officials and staff to inform and consult with citizens as to precise nature and impact of any proposed City of Penticton Electrical Utility rate changes.

POLICY

That all proposed City of Penticton Electrical Utility Rate increases reports must include true costing by clearly presenting the City's wholesale costs and general retail increases from Fortis BC. In addition, within the report staff will present examples from the spectrum of electrical consumers such as residential (single family), commercial (small, medium and large), and institutional to illustrate how a rate change will affect them.

Further, city staff will ensure that such a report is posted prominently on its website in full and available for public purview at city hall for at least 7 business days prior to a consultative process.

This public consultative process will be advertised and conducted like a public hearing prior to council making a decision on electrical rate changes.

Attachment “D” – Bylaw 2015-60

The Corporation of the City of Penticton

Bylaw No. 2015-60

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. 2015-60”.

2. Amendment:

- i. Amend “Fees and Charges Bylaw No. 2014-07” by deleting and replacing the following appendices in their entirety:
 - Appendix 7 – Electric
 - Appendix 25 – Sewer Connection Charges
 - Appendix 29 – Water
- ii. Appendices 7, 25, 29 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

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
Utility Administration Rates							
Utility credit references (current or recent account)	\$15.75		\$16.00				
Archived account	\$26.25		\$27.00				
Utility account history	\$15.75		\$16.00				
Interest rate on delinquent utility accounts	10% per annum		10% per annum				
Special electric meter reading	\$34.00		\$34.50				
Special electric meter inspection fee	\$34.00		\$34.50				
Postage/Printing Fee (per invoice)	\$1.00		\$1.00				
AMR OPT OUT							
AMR Opt Out manual electric meter reading for an individual meter	\$11.00 per meter read		\$12.00 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		\$14.00 per combined meter read				
AMR Opt Out manual electric 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		\$12.00 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.		\$14.00 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.				

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
Utility application fee – next day service	\$40.00		\$40.50				
Utility application fee – same day service (accounts with combined electric and water)	\$90.00		\$93.00				
Utility application fee (electric only) same day service (accounts that only have electric services)	\$52.00		\$53.00				
Non-Payment: Electric disconnect and re-connect(during City Hall hours only)	\$68.00		\$71.00				
Non-Payment: Site visit without a disconnect (during City Hall hours only)	\$34.00		\$35.00				
Electrical disconnect or re-connect or site visit (cost per visit after hours with call-out)	\$405.00		\$413.00				
Electrical disconnect or reconnect or site visit (cost per visit during City Hall hours)	\$34.00		\$35.50				
Electrical disconnect or reconnect or site visit (cost per visit after hours without call-out)	\$68.00		\$69.50				
Illegal reconnection administration charge	\$255.00		\$265.00				
Utility fee - Leave on Authorized	\$10.20		\$11.00				
Electrical Disconnect and reconnect from pole	\$348.00		\$355.00				
Special Administration charge per service	\$25.50		\$26.50				

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
Electric Rates							
Rate Code 10 - Residential							
Basic Charge	\$16.88 per billing plus	\$17.19 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 per billing plus
Energy Charge	\$0.1160 per kwh for all consumption during the billing period	\$0.1181 per kwh for all consumption during the billing period	\$0.1233 per kwh for all consumption during the billing period	\$0.1284 per kwh for all consumption during the billing period	\$0.1337 per kwh for all consumption during the billing period	\$0.1392 per kwh for all consumption during the billing period	\$0.1435 per kwh for all consumption during the billing period
Rate Code 15 - Residential/Special Service							
Basic Charge	\$16.88 per billing plus	\$17.19 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 per billing plus
Energy Charge	\$0.1334 per kwh for all consumption during the billing period	\$0.1358 per kwh for all consumption during the billing period	\$0.1416 per kwh for all consumption during the billing period	\$0.1474 per kwh for all consumption during the billing period	\$0.1534 per kwh for all consumption during the billing period	\$0.1597 per kwh for all consumption during the billing period	\$0.1647 per kwh for all consumption during the billing period
Rate Code 20 - General - Secondary metered and City owned Transformation							
Basic Charge	\$16.88 per billing plus	\$17.19 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 per billing plus
Energy Charge: First 10,000 kwh per billing	\$0.1362 per kwh	\$0.1387 per kwh	\$0.1409 per kwh	\$0.1429 per kwh	\$0.1449 per kwh	\$0.1469 per kwh	\$0.1515 per kwh
Next 90,000 kwh per billing	\$0.1072 per kwh	\$0.1092 per kwh	\$0.1110 per kwh	\$0.1126 per kwh	\$0.1143 per kwh	\$0.1159 per kwh	\$0.1196 per kwh
Additional kwh per billing	\$0.0751 per kwh	\$0.0765 per kwh	\$0.0778 per kwh	\$0.0789 per kwh	\$0.0801 per kwh	\$0.0812 per kwh	\$0.0838 per kwh
Demand Charge	\$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	\$9.78 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	\$9.94 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	\$10.09 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	\$10.23 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	\$10.38 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	\$10.71 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

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
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	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	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	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	\$16.88 per billing plus	\$17.19 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 per billing plus
Energy Charge							
First 10,000 kwh per billing	\$0.1342 per kwh	\$0.1367 per kwh	\$0.1388 per kwh	\$0.1408 per kwh	\$0.1427 per kwh	\$0.1447 per kwh	\$0.1493 per kwh
Next 90,000 kwh per billing	\$0.1055 per kwh	\$0.1074 per kwh	\$0.1093 per kwh	\$0.1109 per kwh	\$0.1126 per kwh	\$0.1142 per kwh	\$0.1178 per kwh
Additional kwh per billing	\$0.0742 per kwh	\$0.0756 per kwh	\$0.0766 per kwh	\$0.0777 per kwh	\$0.0789 per kwh	\$0.0800 per kwh	\$0.0825 per kwh
Demand Charge	\$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	\$9.62 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	\$9.79 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	\$9.93 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	\$10.08 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	\$10.23 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	\$10.55 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

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
Rate Code 30 - General - Secondary metered and customer owned Transformation							
Basic Charge	\$16.88 per billing plus	\$17.19 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 per billing plus
Energy Charge							
First 10,000 kwh per billing	\$0.1362 per kwh	\$0.1387 per kwh	\$0.1409 per kwh	\$0.1429 per kwh	\$0.1449 per kwh	\$0.1469 per kwh	\$0.1515 per kwh
Next 90,000 kwh per billing	\$0.1072 per kwh	\$0.1092 per kwh	\$0.1110 per kwh	\$0.1126 per kwh	\$0.1143 per kwh	\$0.1159 per kwh	\$0.1196 per kwh
Additional kwh per billing	\$0.0751 per kwh	\$0.0765 per kwh	\$0.0778 per kwh	\$0.0789 per kwh	\$0.0801 per kwh	\$0.0812 per kwh	\$0.0838 per kwh
Demand Charge	\$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	\$8.89 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	\$9.05 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	\$9.18 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	\$9.31 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	\$9.75 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	\$16.88 per billing plus	\$17.19 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 per billing plus
Energy Charge							
First 10,000 kwh per billing	\$0.1342 per kwh	\$0.1367 per kwh	\$0.1388 per kwh	\$0.1408 per kwh	\$0.1427 per kwh	\$0.1447 per kwh	\$0.1493 per kwh
Next 90,000 kwh per billing	\$0.1056 per kwh	\$0.1075 per kwh	\$0.1093 per kwh	\$0.1109 per kwh	\$0.1126 per kwh	\$0.1142 per kwh	\$0.1178 per kwh
Additional kwh per billing	\$0.0742 per kwh	\$0.0756 per kwh	\$0.0766 per kwh	\$0.0777 per kwh	\$0.0789 per kwh	\$0.0800 per kwh	\$0.0825 per kwh
Demand Charge	\$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	\$8.75 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	\$8.91 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	\$9.04 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	\$9.17 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	\$9.31 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

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
Rate Code 45 - General - City Accounts							
Energy Charge	\$0.0792 per kwh for all consumption	\$0.0806 per kwh for all consumption	\$0.0873 per kwh for all consumption	\$0.0953 per kwh for all consumption	\$0.1041 per kwh for all consumption	\$0.1137 per kwh for all consumption	\$0.1173 per kwh for all consumption
Rate Code 55 - Street Lighting, Traffic Lights & Other Un-metered Loads							
Per fixture watt or volt ampere per billing subject to Section 3.b of Bylaw 2000-36 (Electrical Regulations)	\$0.0883 per fixture watt or volt ampere per billing	\$0.0899 per fixture watt or volt ampere per billing	\$0.0977 per fixture watt or volt ampere per billing	\$0.1071 per fixture watt or volt ampere per billing	\$0.1174 per fixture watt or volt ampere per billing	\$0.1287 per fixture watt or volt ampere per billing	\$0.1411 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.	\$0.1668 per watt	\$0.1699 per watt	\$0.1846 per watt	\$0.2024 per watt	\$0.2219 per watt	\$0.2432 per watt	\$0.2667 per watt
Monthly minimum charge per fixture or service connection	\$16.88 per billing plus	\$16.88 per billing plus	\$17.58 per billing plus	\$18.14 per billing plus	\$18.72 per billing plus	\$19.32 per billing plus	\$19.94 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)	\$205.00		\$209.10				
Service Call – 2 stops (1.5 hr. max)	\$305.00		\$311.10				
Electrical Service Connections							
Temporary Service Connection							
1 Phase up to 200 amps	\$205.00		\$209.00				
all except 1 phase up to 200 amps	Actual Cost		Actual Cost				
Service Relocate							
1 phase up to 200 amps	\$340.00		\$347.00				
Service Upgrade							
1 phase over 200 amps	Actual Cost		Actual Cost				
3 phase overhead (all)	Actual Cost		Actual Cost				

Appendix 7							
ELECTRIC	Effective February 1, 2015	Bylaw No. 2015-32 Effective July 1, 2015 - 1.83% increase	2016	2017	2018	2019	2020
Service Connection							
1 phase per unit (200 amps max -includes 1 meter) overhead and underground	\$380.00		\$388.00				
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				
Electrical Call Out Rate	\$405.00		\$415.00				
AMR Opt Out electric meter use of a digital non radio frequency electric meter	\$125.00 per meter		\$150.00 per meter				
Electrical Pole Contacts							
Telus	As per Contract		As per Contract				
Shaw Cable	As per Contract		As per Contract				
Shaw Cable per Power Point Contact + Energy as per rate code 55	As per Contract		As per Contract				
Recoverable Sign Installations	Actual Cost		Actual Cost				

City Electrical Infrastructure²:		
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 mailing of 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 primary duct and secondary duct, street lighting, power cables, transformers and associated appurtenances.		

#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%; and		
- 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 credit score of: 650 or greater for an individual, or less than 25 for a business;		
-Must have a maximum of 19 City of Penticton Utility Credit Points;		
-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.		

Appendix 25 – Sewer Connection Charges

Appendix 25							
SEWER CONNECTION CHARGES		2015	2016	2017	2018	2019	2020
	Sanitary Sewer Fixture Charges						
1	A minimum annual charge which includes plumbing fixtures not exceeding six (6) in number	\$141.00	\$153.38				
2	Each plumbing fixture exceeding six (6) in number	\$25.70	\$27.96				
3	Such charges to be effective immediately upon the expiration of 180 days (60 days in the case of a renovated building) from the date of validation of the building permit, provided however, that this amount may be pro-rated from the effective date to December 31 of the year in which the building is built or renovated.						
4	An extension to the 180 day period will be considered providing the builder applies in writing to Building & Licence Division prior to the expiration of the 180 day period. Should a request come from a builder after the expiration of the 180 day period, an extension may still be granted upon payment of an administration fee:						
5	First Unit	\$15.00	\$16.00				
6	Each additional Unit in the same complex	\$5.00	\$6.00				
	Extensions are only to be granted in multiples of 30 days, ie 30, 60, 90 days.						

Appendix 25							
SEWER CONNECTION CHARGES		2015	2016	2017	2018	2019	2020
Sanitary Sewer Charges based on Treated Water Use							
Monthly Fixed Sanitary Sewer Rates Based on Water Meter Size							
	13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)			\$15.41	\$16.76	\$19.91	\$21.66
	25mm (1 inch) / month			\$25.69	\$27.94	\$33.19	\$36.10
	38 mm (1 1/2 inches) / month			\$51.37	\$55.88	\$66.38	\$72.20
	50 mm (2 inches) / month			\$82.19	\$89.41	\$106.20	\$115.53
	75 mm (3 inches) / month			\$179.80	\$195.59	\$232.32	\$252.71
	100 mm (4 inches) / month			\$323.64	\$352.05	\$418.17	\$454.88
PLUS Variable Sanitary Sewer Generation Charge based on Water Use for all Meter Sizes							
	Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)			\$2.23	\$2.45	\$2.52	\$2.77
For Summer (April to September) for Residential Properties use 50% of the water use times the Variable Consumption Charge							
For Winter (October to March) for Residential Properties use 100% of the water use times the Variable Consumption Charge							
For Non Residential Properties use 100% of the water use times the Variable Consumption Charge							
Non Residential Customers may approach the City for a reduction in the % of water use to account for business practices that create a large discrpeny between water use and sewage generation.							

Appendix 25						
SEWER CONNECTION CHARGES	2015	2016	2017	2018	2019	2020
Sanitary sewer charges no water meter or no water service (per month)						
Fee based on property zoning as follows:						
For properties zoned Single Family Residential			\$26.00	\$27.00	\$32.00	\$35.00
For properties zoned I Multi Family Residential			\$37.00	\$39.00	\$44.00	\$48.00
For properties zoned Commercial			\$87.00	\$97.00	\$118.00	\$127.00
For properties zoned Industrial			\$591.00	\$666.00	\$822.00	\$933.00
For all other properties			\$87.00	\$97.00	\$118.00	\$127.00
Sanitary sewer charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Minimum flat rate charge for sanitary sewer for properties adjacent to a sanitary sewer main but not connected.	\$141.00 per year	\$153.00	\$166.00	\$168.00	\$170.00	\$179.00
Permit to Discharge	\$231.00	\$244.00				
Evaluation of restricted wastes of over strength matter	Actual cost	Actual cost				
Over strength B.O.D. charge (over 300 mg/l)	\$0.45/kg	\$0.48/kg				
Over strength C.O.D. surcharge (over 600 mg/l)	Fee to be developed	Fee to be developed				
Over strength oil and grease surcharge (over 100 mg/l)	\$0.203/kg	\$0.214/kg				
Over strength phosphorous surcharge (over 10 mg/l)	Fee to be developed	Fee to be developed				
Over strength total suspended solids surcharge (over 300 mg/l)	\$0.46/kg	\$0.49/kg				

Appendix 25						
SEWER CONNECTION CHARGES	2015	2016	2017	2018	2019	2020
Septic Waste Receiving Facility Rate - Tipping Fee						
Tipping Fee for receiving septic waste	\$33.50 per cubic meter	\$35.00 per cubic meter				
Sanitary or Storm Sewer Service Connections						
(a) 100mm (4") sanitary or storm sewer service and connections	\$2,709.00	\$3,500.00				
(b) Two – 100mm (4") sanitary or storm sewer service and connections installed in the same trench	\$3,150.00	\$4,100.00				
(c) All other sanitary or storm sewer and service and connections	Actual Cost	Actual Cost				
(d) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add \$525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	\$525.00	\$550.00				
(e) Repair of service failure or interruption	Actual Cost	Actual Cost				
(f) Winter Trench Repair maintenance	\$441.00	\$450.00				
(g) Reconnecting to a capped sewer service - No work by City - Reconnection Fee Only	\$210.00	\$220.00				
(h) Sanitary or Storm Sewer Service Video Inspection	\$171.00	\$174.50				
In the event problem is determined to be caused by the City or the responsibility of the City all associated costs shall be applied to the City.						
Other:						
(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$163.00	\$166.00				
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$1,575.00	\$1,675.00				
(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost				

Appendix 29 – Water

Appendix 29						
WATER	2015	2016	2017	2018	2019	2020
Utility Administration Rates						
Utility credit references (current or recent account)	\$15.75	\$17.00				
Archived account	\$26.25	\$27.75				
Utility account history	\$15.75	\$17.00				
Interest rate on delinquent utility accounts	10% per annum	10% per annum				
Special water meter reading	\$27.25	\$29.00				
Special water meter inspection fee	\$27.25	\$29.00				
AMR OPT OUT						
AMR Opt Out manual water meter reading for an individual meter	\$11.00 per meter read	\$12.00 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	\$14.00 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 for each additional meter in the meter bank per meter read. The total cost for the water meter bank read is to be equally split between all customers served by the meter bank.	\$12.00 for the first meter and \$1.00 for each additional meter in the meter bank per meter read. The total cost for the water meter bank read is to be equally split between all customers served by the meter bank.				
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.	\$14.00 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.				

Appendix 29						
WATER		2015	2016	2017	2018	2019
Applications / Connect / Disconnect / Reconnect						
13	City padlocks	\$20.00	\$22.00			
14	City lock boxes (installed by City)	\$63.00	\$67.00			
15	City lock boxes (installed by customer)	\$47.25	\$50.00			
16	Utility application fee – next day service	\$30.00	\$32.00			
17	Utility application fee – same day service (accounts with combined electric and water)	\$90.00	\$96.00			
18	Utility application fee (water only) same day service (accounts that only have water services)	\$59.75	\$64.00			
19	Water disconnect / re-connect fee (for non payment during regular City hall hours)	\$58.00	\$62.00			
20	Water disconnect / re-connect fee (for non payment after hours without call-out)	\$83.85	\$89.00			
21	Water disconnect / re-connect fee (for non payment after hours with call-out)	\$196.65	\$208.00			
22	Water disconnect (customer / agent request during City hall hours)	\$29.00	\$31.00			
23	Water disconnect (customer / agent request after hours without call-out)	\$42.50	\$45.00			
24	Water disconnect (customer / agent request after hours with call-out)	\$196.65	\$208.00			
25	Water re-connect (customer / agent request during City hall hours)	\$29.00	\$31.00			
26	Water re-connect (customer / agent request after hours without call-out)	\$42.50	\$45.00			
27	Water re-connect (customer / agent request after hours with call-out)	\$196.65	\$208.00			
28	Illegal reconnection administration charge	\$264.00	\$279.00			
29	Utility fee - Leave on Authorized	\$10.20	\$11.00			
30	Water Disconnection (for non-payment)	\$211.00	\$223.00			
31	Special Administration charge per service	\$25.50	\$27.00			

Appendix 29								
WATER			2015	2016	2017	2018	2019	2020
Non Treated Irrigation Water Charges								
No Meter								
32	Non-treated irrigation water per acre per year	\$145.60	\$152.15					
33	Minimum charge for non-treated irrigation water / year	\$145.60	\$152.15					
34	Household use from a connection to the untreated irrigation water system, unless metered, in which case metered rates then apply. (per annum per residence)	\$340.08	\$355.38					
Monthly Fixed Non Treated Irrigation Water Meter Rates based on Meter Size								
35	13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$9.42	\$9.85					
36	25mm (1 inch) / month	\$20.20	\$21.11					
37	38 mm (1 1/2 inches) / month	\$59.51	\$62.19					
38	50 mm (2 inches) / month	\$131.04	\$136.94					
39	75 mm (3 inches) / month	\$376.19	\$393.12					
40	100 mm (4 inches) / month	\$827.19	\$864.41					
41	150 mm (6 inches) / month	\$2,321.59	\$2,426.06					
PLUS Variable Consumption Charge for all Meter Sizes								
42	Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$0.23	\$0.24					

Appendix 29							
WATER		2015	2016	2017	2018	2019	2020
Reclaimed Treated Effluent for Irrigation Charges							
Monthly Fixed Reclaimed Treated Effluent Meter Rates Based on Meter Size							
43	13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$9.42	\$9.85				
44	25mm (1 inch) / month	\$20.20	\$21.11				
45	38 mm (1 1/2 inches) / month	\$59.51	\$62.19				
46	50 mm (2 inches) / month	\$131.04	\$136.94				
47	75 mm (3 inches) / month	\$376.19	\$393.12				
48	100 mm (4 inches) / month	\$827.19	\$864.41				
49	150 mm (6 inches) / month	\$2,321.59	\$2,426.06				
PLUS Variable Consumption Charge for all Meter Sizes							
50	Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$0.69	\$0.72				

Appendix 29							
WATER		2015	2016	2017	2018	2019	2020
Treated Water Rates							
Monthly Fixed Treated Water Meter Rates Based on Meter Size							
51	13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$19.77	\$23.19	\$26.92	\$28.80	\$30.60	\$32.39
52	25mm (1 inch) / month	\$42.37	\$56.42	\$75.13	\$92.58	\$114.97	\$121.71
53	38 mm (1 1/2 inches) / month	\$125.03	\$133.36	\$142.25	\$141.12	\$139.70	\$147.89
54	50 mm (2 inches) / month	\$275.18	\$298.64	\$324.11	\$324.92	\$329.27	\$348.58
55	75 mm (3 inches) / month	\$790.06	\$784.02	\$778.04	\$750.32	\$721.39	\$691.17
56	100 mm (4 inches) / month	\$1,736.28	\$1,684.84	\$1,634.92	\$1,580.05	\$1,522.74	\$1,462.90
57	150 mm (6 inches) / month	\$4,875.78					
58	200 mm (8 inches) / month	\$10,854.48					
59	250 mm (10 inches) / month	\$21,241.58					
60	300 mm (12 inches) / month	\$38,310.64					
PLUS Variable Consumption Charge for all Meter Sizes							
61	Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	\$1.67	\$1.86	\$2.08	\$2.17	\$2.26	\$2.36
Notwithstanding the above basic charges, should a 150 mm (6") meter be provided in conjunction with a 150 mm (6") line for the purpose of providing the dual requirements of domestic water and fire protection, the basic charge will be based on the size of meter that would be required to service the domestic water needs of the complex as determined by the Public Works Supervisor. This charge is to commence at the time of the installation of the meter. Prior to the installation of the meter, the service is to be billed at a 25 mm (1") unmetered rate.							

Appendix 29							
WATER		2015	2016	2017	2018	2019	2020
Monthly Fixed Non Metered Treated Water Rates Based on Service Size							
62	13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	\$33.25	\$38.22	\$43.68	\$46.30	\$48.87	\$51.48
63	25mm (1 inch) / month	\$68.80	\$85.89	\$107.99	\$126.90	\$150.80	\$159.13
64	38 mm (1 1/2 inches) / month	\$204.20	\$221.64	\$240.68	\$243.91	\$247.04	\$259.98
65	50 mm (2 inches) / month	\$442.26	\$484.94	\$531.83	\$541.84	\$555.80	\$585.13
66	75 mm (3 inches) / month	\$1,300.57	\$1,353.24	\$1,412.71	\$1,413.11	\$1,413.52	\$1,413.95
67	100 mm (4 inches) / month	\$2,820.64	\$2,893.90	\$2,983.03	\$2,987.85	\$2,992.88	\$2,998.14
68	150 mm (6 inches) / month	\$7,944.30					
69	200 mm (8 inches) / month	\$17,608.50					
70	250 mm (10 inches) / month	\$34,298.63					
71	300 mm (12 inches) / month	\$61,571.33					
72	Treated water charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
73	Minimum charge for treated water for domestic purposes	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service
Minimum Flat Rate Charges for Properties located adjacent to a Treated Water Main but not Connected:							
Fee based on property zoning as follows:							
74	For properties zoned Single Family Residential	\$33.25	\$38.22	\$43.68	\$46.30	\$48.87	\$51.48
75	For properties zoned I Multi Family Residential	\$68.80	\$85.89	\$107.99	\$126.90	\$150.80	\$159.13
76	For properties zoned Commercial	\$204.20	\$221.64	\$240.68	\$243.91	\$247.04	\$259.98
77	For properties zoned Industrial	\$2,820.64	\$2,893.90	\$2,983.03	\$2,987.85	\$2,992.88	\$2,998.14
78	For all other properties	\$204.20	\$221.64	\$240.68	\$243.91	\$247.04	\$259.98

Appendix 29							
WATER		2015	2016	2017	2018	2019	2020
	Sundry Charges	During Regular Other than city Hall office Hours					
79	Sign on of new customer	\$25.00	\$27.00				
80	Special Administration charge per service	\$15.00	\$16.00				
81	Transfer fee per service	N/A	N/A				
82	When a customer applies for electric and water service/transfer of service at the same time, only one application/transfer fee will apply						
83	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 & Services Tax) will result if full payment of current charges is not received as follows:						
84	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 mailing of the invoices therefore.						
85	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 thereof.						
86	provided that when the said day falls on a Saturday, Sunday, or holiday, the discount shall apply if payment is received on the next succeeding day which is not a holiday.						
87	In the event of a partial payment of the current charges on or before the discount date, a proportionate discount shall be allowed.						
88	The A.R.D.A. rate referred to in this bylaw is billed on the annual property tax notice and is not subject to the 10% discount. Rather a 10% penalty is applicable if unpaid on the tax penalty date in each year.						
89	Basic charges will be applicable to accounts that are disconnected from water for seasonal or temporary purposes when the water is being turned off at the account holders request but the account holder(s) is not altering.						

Appendix 29							
WATER		2015	2016	2017	2018	2019	2020
	Treated and Irrigation Services and Metering						
90	AMR Opt Out treated or irrigation water meter, old style meter, use of a digital non radio frequency electric meter	\$190.00 per meter	\$201.00 per meter				
91	AMR Opt Out treated or irrigation water meter, new style meter, use of a digital non radio frequency electric meter	\$40.00 per meter	\$42.25 per meter				
(a) Treated and Irrigation water service supply and installation, not including meter or meter chamber. Fee to be as follows:							
92	19mm (¾") water service	\$2,541.00	\$2,641.00				
93	25 mm (1") water service	\$3,024.00	\$3,124.00				
94	All other water services	Actual Cost	Actual Cost				
(b) Treated and Irrigation water meter supply and installation, not including meter chamber. Fee to be as follows:							
95	19mm (¾") water meter	\$441.00	\$450.00				
96	25 mm (1") water meter	\$567.00	\$578.00				
97	38 mm (1 ½") water meter with register and Radio Frequency	\$882.00	\$899.00				
98	50 mm (2") compound water meter with register and Radio Frequency	\$2,709.00	\$2,763.00				
99	(c) All other water meters with register and Radio Frequency	Actual Cost	Actual Cost				
100	(d) Water meter chamber up to 25 mm (1") supply and installation (in conjunction with service install)	\$840.00	\$840.00				
101	(e) Water meter chamber up to 25 mm (1") supply and installation (not installed with service)	\$1,840.00	\$1,840.00				
102	(f) Provision of temporary water	Actual Cost	Actual Cost				
103	(g) All other water meter chambers supply and installation	Actual Cost	Actual Cost				
104	(h) Water meter register and Radio Frequency - Supply and install	\$250.00	\$250.00				
105	(i) Water meter testing or repair if replacement is required and deemed the fault of the owner additional charges may be applied.	\$87.00	\$89.00				
Note: if the meter is found to be accurate within 98.5% - 101.5%, the party disputing the accuracy of the meter shall bear the cost. If the meter is found not to be accurate within the above limlits the City shall bear the costs.							
106	Customer request to relocate (or alter due to construction) meter or appurtences	Actual Cost	Actual Cost				

Appendix 29								
WATER			2015	2016	2017	2018	2019	2020
	Water Connection Charges							
	(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.		\$163.00	\$166.00				
	(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service		\$1,575.00	\$1,675.00				
	(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service		Actual Cost	Actual Cost				
	Fire Hydrants (both City and private hydrants)							
107	(a) Fire hydrant supply and installation not requiring curb, gutter and asphalt work		\$5,600.00	\$5,900.00				
108	(b) Fire hydrant supply and installation requiring curb, gutter and asphalt work		\$7,800.00	\$8,100.00				
109	(c) Fire Hydrant rental (includes hook-up and water usage) Note: if total # of days is not known (amount to be billed)		\$110.00 first day and \$21.00 each day thereafter	\$112.00 first day and \$22.00 each day thereafter				
110	(d) Portable water meter rental		\$15.75 per day (plus cost of water used at the current metered rate)	\$16.75 per day (plus cost of water used at the current metered rate)				
111	(e) Fire Hydrant Implementation		\$163.00	\$166.00				
	Other:							
112	(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.		\$163.00	\$166.00				
113	(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service		\$1,575.00	\$1,675.00				
114	(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service		Actual Cost	Actual Cost				

Council Report

penticton.ca

Date: December 7, 2015 **File No:**
To: Eric Sorensen, Chief Administrative Officer
From: Mitch Moroziuk, General Manager of Infrastructure
Subject: **Amendment to the City FortisBC Supply of Electricity Wholesale Service Agreement**

Staff Recommendation

THAT Council approve the Amending Agreement as contained in Attachment "A" to remove and replace Appendix A to the December 1, 2013 "Agreement For The Supply of Electricity Wholesale Service" between FortisBC and the City of Penticton

AND THAT Council authorize the Mayor and Corporate Officer to execute the Amending Agreement.

Strategic priority objective

N/A

Background

On December 1, 2013 Council passed Resolution 666/2013, see Attachment "B" authorizing the Mayor and Corporate Officer to execute a wholesale power purchase agreement with FortisBC. In 2015 FortisBC completed the upgrade to the Westminster Substation changing the voltage at this point of delivery from 8kv to 8kv and 13kv. A modification to Appendix A of the "Agreement For The Supply of Electricity Wholesale Service" is required to reflect this change. Attachment "A" to this Council Report contains an Amending Agreement that will see this accomplished.

Financial implication

N/A

Analysis

It is necessary to update the points of service Appendix A of 2013 the power purchase agreement to reflect changes at the Westminster Substation.

Alternate recommendations

N/A

Attachments

Attachment "A" – Amending Agreement

Attachment "B" – October 21, 2014 Resolution 666/2013

Respectfully submitted,

Mitch Moroziuk P.Eng. MBA

General Manager of Infrastructure

Approvals

Chief Administrative
Officer

ES

Attachment "A" – Amending Agreement

THIS AMENDING AGREEMENT made this _____ day of November, 2015,

BETWEEN:

FORTISBC INC.
1975 Springfield Road, Kelowna, British Columbia, V1Y 7V7
("FortisBC")

AND:

THE CORPORATION OF THE CITY OF PENTICTON
171 Main Street, Penticton, British Columbia, V2A 5A9
("City of Penticton ")

WHEREAS:

- A. FortisBC and City of Penticton entered into an agreement for the supply of electricity wholesale service made as of December 1, 2013 (the "Agreement");
- B. The parties are now desirous of amending the Agreement to update Appendix "A" - Points of Delivery.

NOW THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged), the parties hereby covenant and agree as follows:

- 1. In this Amending Agreement, capitalized words and expressions used shall have the same meanings as are respectively assigned to them in the Agreement.
- 2. The Agreement is amended by deleting Appendix A and replacing it with Revised Appendix A attached hereto.
- 3. This Amending Agreement shall be read together with the Agreement as modified.
- 4. This Amending Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia and the parties agree to attorn to the jurisdiction of the courts of British Columbia.
- 5. Words importing the singular include the plural and vice versa; words importing the masculine gender include the feminine and neuter genders; and words importing persons include individuals, sole proprietors, corporations, partnerships and unincorporated associations.
- 6. This Amending Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Delivery of an executed counterpart of this Amending Agreement by facsimile or electronic transmission shall be as effective as delivery of an originally executed counterpart hereof.
- 7. All unamended terms and conditions shall remain in full force and effect.

1

8. This Amending Agreement shall be effective as of the date written above.

IN WITNESS of this Amending Agreement, the parties have duly executed this Amending Agreement.

THE CORPORATION OF THE CITY OF PENTICTON

Per:

Authorized Representative

Print Name: _____

Title: _____

Per:

Authorized Representative

Print Name: _____

Title: _____

FORTISBC INC.

Per:

Authorized Representative

Print Name: _____

Title: _____

**Revised Appendix A to the Agreement for the Supply of
Electricity - Wholesale Service between
FortisBC Inc. and The Corporation of the
City of Penticton**

City of Penticton - Points of Delivery

1. Huth Avenue Substation

Description: 13 kV supply at Huth Substation
Nominal Voltage Supplied: 13 kV
Demand Limit: Summer 32 MVA
Winter 40 MVA

2. Huth Avenue Substation

Description: Load side of billing C.T.'s on 8 kV Feeder to City of Penticton
Nominal Voltage Supplied: 8.3 kV
Demand Limit: Summer 10.5 MVA
Winter 13.6 MVA

3. Waterford Substation

Description: 13kV Supply at Waterford Substation
Nominal Voltage Supplied: 13 kV
Demand Limit: Summer 32 MVA
Winter 40 MVA

4. Westminster Substation

Description: Load side of FortisBC's 2000 Amp disconnect on 8 kV Feeder to City
Nominal Voltage Supplied: 8.3 kV
Demand Limit: Summer 13 MVA
Winter 15 MVA

5. Westminster Substation

Description: Load side of FortisBC's 2000 Amp disconnect T3M-3
Nominal Voltage Supplied: 13 kV
Demand Limit: Summer 32 MVA
Winter 40 MVA

6. R.G. Anderson Substation

Description: Load side of FortisBC's 8 kV disconnect switch on 8 kV Feeder to City
Nominal Voltage Supplied: 8.3 kV
Demand Limit: Summer 20 MVA
Winter 25 MVA

Attachment "B" – October 21, 2014 Resolution 666/2013

666/2013 It was MOVED and SECONDED

THAT Council approve the "Agreement for the Supply of Electricity Wholesale Service" between FortisBC and the City of Penticton for a five year term with the ability to renew on the same terms and conditions for a further five years, as included in Attachment "A";

AND THAT Council authorize the Mayor and Corporate Officer to execute the Agreement.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: December 7, 2015 **File No:**
To: Eric Sorensen, Chief Administrative Officer
From: Amber Coates, Revenue Supervisor
Subject: **Implementing Monthly Water Consumption Reading and Billing Cycles**

Staff Recommendation

THAT Council direct Staff to immediately commence a customer notice process with respect to the implementation of monthly water billing;

AND THAT Council direct staff to implement a monthly reading and billing cycle for the Water Utility in sync with the current monthly reading and billing cycle of the Electric Utility in the 2016 billing year and endorse the updated Billing Policy.

Background

Currently the City of Penticton reads and bills for water consumption on a semi-annual basis. Water basic charges are billed monthly whereas electric power consumption and basic charges are billed monthly. The irregular water charges make it difficult for many customers to manage and budget their cash flows and, in turn, leads to more account delinquencies, lost discounts, and greater customer dissatisfaction.

Financial implication

As water and electric usage are already a combined bill, there would be no hard dollar value change in the cost of printing and mailing (or eBilling) our customers.

During the first year, extra time proofing consumption and exception reports will be required until a full year of monthly history is held in the utility billing software. This extra time is estimated to be \$2,200 (6 hours per month) but has been worked into the standard FTE complement in the 2016 budget.

Ongoing staff time cost will also increase marginally as the number of times each year the requested read routes for the water meter reads loaded into equipment increases. This extra time is estimated to be \$720 (2 hours per month) but has similarly been worked into the standard FTE complement in the 2016 budget.

While not immediately quantifiable, it is anticipated that any staff time increases as a result of this change will be offset by staff time not managing angry and otherwise dissatisfied customers.

Analysis

There are many benefits to monthly reading and billing for the Water Utility for both the customer and the City. A summary of the benefits include:

- A more timely account of water use, allowing customers to make adjustments to their usage as needed to avoid higher water bills (especially during the summer months).
- The ability to discover leaks sooner, allowing for prompt repairs and less waste of water. This will also save the City in lost revenues for adjustments provided to property owners after proof of repair of a leak.
- Spreading the expense over twelve bills, allowing customers to budget for the expense monthly rather than paying two large bills per year. Alternatively, the City will realize a more regular incoming cash flow throughout the year as well.
- The Utility Meter Staff will have the information necessary to repair stopped or malfunctioning meters on an ongoing basis, allowing for more flexible repair scheduling with less impact to our customers.
- Provide more granular consumption data for more meaningful analyses.
- Create an alignment of reading and billing practices between City utility services.

Finally, this change will require a small update to our current Council Policy "Billing" as it references the semi-annual water consumption reading and billing cycle. It has been duly updated to combine the water reading and billing with the existing electric reading and billing cycles. (Items 10 and 20).

Staff have also taken the opportunity to apply some small house keeping changes to the Policy as follows:

- Item 15: Wording update for further clarification.
- Item 17: Final bills are now produced on a daily basis which means we now are able to provide final billings normally within 5 business days rather than with the next billing date.
- Update of references from "Collector" to "Collector/Revenue Supervisor".

Alternate recommendations

1. Continue with semiannual billing for water consumption.
2. Provide alternative direction to Staff.

Attachments

Attachment A – Council Policy – Revenue & Collections Billing

Respectfully submitted,

Amber Coates
Revenue Supervisor

Approvals

Director 	City Manager <i>ES</i>
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Council Policy

penticton.ca

Approval date: Month, Day, 2015

Resolution No.:

Subject: Billing

Goal

To provide clarity and consistency on the billing policies of the Utilities Department.

Scope

To detail the policies surrounding billing.

Policy

BED AND BREAKFAST FACILITIES

1. "Bed & Breakfast" operations, by definition, consist of single-family dwellings offering overnight accommodation to the travelling public in no more than four sleeping rooms without cooking facilities where the room rate includes breakfast served on the premises.
2. "B & B's" fall into different categories based primarily on the number of sleeping rooms available and the number of guests accommodated. As a result, the electric rates charged vary based on similar factors. The applicable rates are as follows:
 - a. Residential Rate Code 10 – Will be charged on B & B's that are limited to one available sleeping room accommodating no more than two guests.
 - b. Residential/Special Rate Code 15 – Will be charged on all other owner-occupied B & B's.
 - c. Commercial Rate Code 20/25/30/35 – Will be charged on all non-owner occupied B & B's.
 - i. If a non-owner occupied B & B were to contain a separately metered manager's living quarters, then that service would be eligible for the Residential Rate Code 10.
3. The City's Business Licence database will be used as a source of information for the determination of which category and rate code is applicable to a B & B.
4. Should a B & B change the nature of its operation or cease to operate as a B & B, the utility customer is responsible for providing notice in writing to the utility staff so that any resulting change in rate code can be effected.

CYCLE AND WALK SEQUENCE ASSIGNMENTS

5. The City's method of reading and billing utility accounts is based upon a structure of two distinct cycles known as "Cycle 030" and "Cycle 060". All accounts within Cycle 030 are billed on the last working day of each month whereas accounts in Cycle 060 are billed on the 15th of each month (where the 15th falls on a weekend or holiday, billings are mailed on the preceding workday).
6. Within each cycle, there is a further division of accounts into "routes", which serve as smaller, more manageable units of accounts. Within each route, the order of reading of meters is determined by assigning each account a five digit sequential identifier, which simply determines in what order an account will be read within a route. The route number together with the sequential identifier is known as the "walk sequence".
7. The initial assignment of a walk sequence, as well as any subsequent changes, is handled by the utility clerks in consultation with the meter reader and utility servicemen. Any changes within a route will effect what time of the month that a metered account is read whereas changes from one cycle to another will change a customer's billing and discount dates.
8. The organization of routes within cycles is primarily based on geographical considerations but other factors (such as any advantages from grouping types of accounts within a route, for example, City or school accounts) may also be considered.
9. The City is unable to accommodate a customer request to have their account switched from one cycle to another because of the impact on reading efficiency.

ESTIMATED BILLINGS

10. Electric and water meters are read and billed on a monthly basis and estimates will only be used where circumstances dictate. Any estimates used will be so identified on the bill.
11. City bylaws empower the Collector/Revenue Supervisor to estimate electric and water consumption and, in so doing, to consider any relevant history, circumstances or factors that may affect a customer's consumption. Every reasonable effort is made to arrive at a fair estimate of consumption.
12. No system of estimating can guarantee 100% accuracy. However, the City's system is designed to arrive at a reasonable estimate of consumption and is normally based on the "per diem" consumption for the account during the same period of time in the preceding year. Whether an estimate ends up being high or low, the customer's next billing based on an actual reading will normally correct any inaccuracies that may have resulted from the estimate.
13. Should a customer whose account has been estimated provide the City with a reliable reading that indicates the estimate used has resulted in a substantial over or under billing; the Collector/Revenue Supervisor may authorize a manual adjustment to the current billing rather than wait until the next regular billing.

FINAL BILLINGS

14. Because of the City's status as a municipal utility and the resulting liability of registered owners for all utility services supplied by the City to the property, every reasonable precaution is taken to insure that owners' exposure to loss is limited. As a result, signatures and proper identification is required to initiate and terminate services with the City.
15. Utility accounts are normally finalized by the City upon receipt of a signed authorization from the customer accompanied by appropriate ID. The most common authorization is an application for disconnection completed at City Hall and signed by the customer. If the customer is unable to attend City Hall in person, the application for disconnection is available on the public website, or can be emailed or faxed to the customer. The customer can then fax or email back a signed copy of the application with a copy of their ID. Telephone notification is not acceptable because of the lack of signature.
16. Accounts may also be finalized when a new occupant applies for service or when a registered owner certifies that an existing customer has vacated the premises. In the event of the death of a customer, the executor or, where there is no executor, the next of kin will be permitted to act on behalf of the deceased customer. Satisfactory documentation may be required.
17. When a customer's account is finalized, final readings are obtained on all electric and water metered services and the final billing is normally produced within five business days.
18. In the case of rental properties, where owners or their agents are required by the Residential Tenancy Act to return security deposits within 15 days, owners are asked to direct their tenants to provide them with a receipted final bill as proof of payment.
19. In accordance with Section 258 (1) & (2) of the *Community Charter*, final utility accounts that are due and payable by December 31st and remain unpaid as of that date, are subject to transfer to taxes in arrears on the benefitting property effective January 1st of the following year.

METER READINGS AND BILLINGS

20. Electric and water meters are read and billed on a monthly basis with estimates being used only where circumstances dictate and any estimates will be so identified on the bill. In addition to the regular monthly readings, actual readings will be obtained whenever a customer applies to have a service connected or disconnected in his/her name.
21. Should an accurate electric or water meter reading be unavailable due to meter failure, temporary inaccessibility or any other reason, the Collector/Revenue Supervisor may estimate consumption using the best available information.
22. Where water service is provided without a water meter being in place, the monthly basic charge is based on the size of the service and includes a built-in allowance for consumption (un-metered rate).

23. Access to both electric and water meters, during regular City working hours, is a requirement of service to any location. Whereas it is the City's preference to have open access to meters, circumstances exist where access must be made available through the use of LSDA (Locksmith Dealers of America) keys. In extenuating circumstances, the use of keys, padlocks or lock boxes (key vaults) may be used; such alternate access is to be reviewed with the on/off and meter reading staff and is subject to the approval of the Collector/Revenue Supervisor. Any costs associated with alternate access are to be borne by the customer and may be debited to the next billing on the account.
24. Customers are required to insure that meter access is not prevented or restricted due to:
- a. The storage of materials/vehicles,
 - b. The growth of bushes/plants, or
 - c. The presence of a pet in the access path to the meter (should a pet normally be contained within the access path, the customer must insure that the pet is alternately contained for three days before & after the normal reading date).
- Should a problem exist in this regard, the customer will be requested to correct the situation within a reasonable period of time, usually 7 to 10 days. Failure to comply may result in the disconnection of utility services until such time as the access problem is resolved and a reconnection charge has been paid.
25. A customer may request a re-read of an electric or water meter and such a request will be accommodated as soon as practical upon payment of the required fee. Should the re-read identify a reading error on the City's part; the re-read fee will be credited back to the customer.
26. A customer may also request a meter accuracy test with the applicable fee being refundable if the meter in question is found to be measuring outside the acceptable limits. A water meter test is conducted by City staff whereas an electric meter test is carried out by Measurement Canada, a division of the Government of Canada's Industry Canada's Weights and Measures.
27. The customer will exercise all reasonable diligence to protect the City's meters, key vaults, padlocks, etc. from damage or defacement and is responsible for any costs resulting from damage, defacement or theft.

Previous revisions

Approval Date: January 21, 2013
Council Resolution: 47/2013

Certified Correct:

Dana Schmidt, Corporate Officer

Council Report

penticton.ca

Date: December 7, 2015 **File No:**
To: Eric Sorensen, Chief Administrative Officer
From: Colin Fisher, Chief Financial Officer
Subject: **Community Grants Program**
Administration by the Community Foundation of South Okanagan Similkameen

Staff Recommendation

THAT Council approve entering into an agreement with the Community Foundation of the South Okanagan Similkameen (CFSOS) for the establishment of a "City of Penticton Community Grants Fund" for the administration of that portion of the City's municipal grants program earmarked for the non-standing-grant applications from not-for-profit organizations;

AND THAT Council authorize staff to execute the agreement on behalf of the City commencing with the 2017 grant year;

AND THAT Council approve an update to the Municipal Grants Policy and Application Form with additional terms for the City to enter into an agreement with a qualified community foundation for the purpose of managing municipal grants on its behalf.

Background

The City of Penticton has had a municipal grants program for many decades which has been administered within the terms of a Council policy currently titled the Municipal Grants Policy. The Policy has been rewritten several times over the years with the most recent approved revision dated September of 2015. If Council wishes to enter into an agreement as recommended in this report, additional terms would need to be included in the policy. A draft policy with the necessary revision has been attached to this report and includes the following term:

The City may at any time enter into an agreement with a qualified community foundation for the purpose of managing municipal grants on its behalf. Pursuant to any such agreement, this may be done for all or part of the funds the City has budgeted for municipal grants as part of its annual budget for any particular year.

In recent years with increasingly tight budgets and ever increasing asks on all budget funds, the City embarked on a rigorous philosophy of accountability for the expenditure of all City funds with its spend on the municipal grants being included in those expenditures. The City's Municipal Grants Policy was rewritten and provided for much greater accountability and control over the grant. With that additional accountability and control however, has come additional administrative demands and, coupled with the fact that each year

the City receives upwards of 70 detailed grant applications, the administration of the program has reached a threshold where current resources are unable to keep up with all the tasks and still meet the timelines associated with the program. The demands of the grant program have grown to the point where the city no longer has the resources or expertise to properly administer it in satisfactory manner.

Penticton's not-for-profit organizations do their work in dedicated and selfless manner, providing valuable community services and add significant value to the City in support of Council's objectives. This is acknowledged in the first section of the City's Municipal grants policy.

To that policy objective, the City has an important role in facilitating the provision of all of the services delivered by its non-profit organizations; all this in the face of decreasing sources of funding from senior levels of government and increasing numbers of applications for funds from a shrinking grants budget. In their endeavours these organizations deserve at a minimum to have their applications managed with greater timeliness and efficiency by an organization whose mandate is exactly the management of grant funds.

The City has an established history of flowing grant and endowment funds through the CFSOS and for reference, previous funds are listed as follows:

History of funding amounts and agreements with CFSOS

\$1 M Penticton Centennial Legacy Fund, 2001 (continuing with annual contributions)
\$70 K Social Development Grant, 2002
\$100 K Special Initiatives Fund, 2004
\$100 K Safety Village Grant, 2006

Financial implication

Any municipal grant amounts administered by the CFSOS under any such agreement would be removed from the aggregate City budget for municipal grants. At Council's discretion the aggregate budget would not be increased and any amount transferred to the CFOS would be included as a single amount as part of the overall municipal grants program of the City. The agreement with the CFSOS includes a 2% administration fee which, if applied to a \$200,000 fund amount, equals \$4,000. Aggregate staff resources dedicated to the administration of the Grants program is estimated at a minimum to be \$7200.

Alternate recommendation

THAT Council receive this report to enter into an agreement with the Community Foundation of the South Okanagan Similkameen (CFSOS) for the establishment of a "City of Penticton Community Grants Fund for information purposes only.

Attachments

Attachment A – Revised municipal grants policy

Attachment B – Revised grant application form

Attachment C – CFSOS Agreement to establish the City of Penticton community Grants Fund

Respectfully submitted,



Colin Fisher
Chief Financial Officer

Approvals

City Manager

ES



Council Policy

penticton.ca

Approval date: December 7, 2015

Resolution No.:

Subject: Community Grants

Goal

Council's vision for a safe and livable community is supported by a network of organizations that contribute to the wellness and vitality of the community. Funding will be allocated to the Community Grants program as part of the City's business planning process and grants may be awarded to organizations that provide valuable community services in support of Council's objectives. It is recognized that community organizations contribute significant value to the City. The goal of this policy is to establish open and transparent guidelines for the evaluation and distribution of Community Grants, respecting the limited financial resources available for this purpose.

Policy

How Applicants Apply

The filing deadline for Community Grants from the City of Penticton is the last Friday on or prior to September 30th of each calendar year. On the City's website and local media as appropriate, for a four week period sufficiently in advance of the filing deadline, the City will notify the public of the availability of Community Grants and the next upcoming deadline.

To be eligible for a Community Grant, organizations must meet the criteria guidelines outlined in the **Application Form** and submit it along with all the required documentation to the attention of the Chief Financial Officer at the Penticton City Hall at 171 Main Street. Digital copies of all the required application documentation may also be submitted electronically via email to chieffinancialofficer@penticton.ca.

It is the responsibility of the applicants to submit a complete application with clear and sufficient information. It should be noted that the grant process is very competitive and applicants should submit the best application possible. Submission of an application does not guarantee the applicant will be awarded all or part of the grant requested and incomplete or unclear applications may be declined without follow-up by the City.

Eligible Applications

The City of Penticton reserves the right to award or decline a community grant wholly at the discretion of the City. However, certain specific qualifying criteria are applied in the evaluation of the eligibility of grant applications:

- i) Does the applicant represent a registered not-for-profit or charitable organization based in Penticton that has been in operation for more than one year?
- ii) Are the residents of Penticton the primary beneficiaries of the service the organization provides?
- iii) Will the program or project of the organization for which the grant application is being made support the current key strategies of Council? These priorities change over time so applicants will be required to inform themselves annually about these.
- iv) Will the proposed program or project of the organization for which the grant application is being made be sustainable past the support of the grant?
- v) Has or will the organization secure additional sources of support and funding?
- vi) Does the organization work collaboratively with other community partners?

For greater certainty, during the evaluation of grant applications the City at its discretion may use other considerations in addition to those listed above.

The Application Form

Organization information

The applicants must submit their applications on the prescribed Application Form provided on the City website or pre-printed and made available by the City at City Hall. The application form will include the following information and conditions acknowledged by the applicants:

1) Applicant Information

- a) Name of Agency/Organization/Group
- b) Address
- c) City
- d) Postal Code
- e) Contact Person and Position/Title
- f) Telephone/Cell/Fax
- g) Email and Website

2) Organization Information

- a) Whether the organization is registered Society in good standing and BC Society number
- b) Whether the organization is a non-profit organization with constitution and bylaws
- c) Date of last filing with BC Registry Services
- d) Date of last annual general meeting
- e) How long the organization has been in existence
- f) How many active members the organization has
- g) Description of the organization's objectives
- h) Description of the services the organization provides

3) Current and previous funding

- a) Whether the organization has received or is receiving funding in the form of cash, in-kind, tax exemptions, or of any other type from the City of Penticton and when and the outcome(s) of the projects/programs that were or are supported.

Grant Request

- a) A brief description of the project/program for which the organization is requesting the grant
- b) The project/program's goals and timelines
- c) A description of the project/program's target population (age/sex/language/disability etc.)
- d) A brief description of how the project/program supports the City's vision statement.
- e) Are there projects/programs/services of a similar nature being offered in the community and if so how the organization's project/program will complement, enhance, or differ from those other projects/programs/services
- f) Which other businesses/organizations, if any, are involved in this project/program with descriptions of who they are and what their roles are
- g) A description of how this project/program will be sustainable past the grant time period

Grant Outcomes

- a) How many people will directly benefit from this request
- b) Age categories of residents that will benefit from this request (see Grant Request section (c))
 - o percent under 19 yrs.
 - o percent 19 to 44 yrs.
 - o percent over 44 yrs.
- c) A description of the anticipated outcomes of the project/program, both short term and long term
- d) A description how the organization will evaluate the benefits of the project/program to the organization and to the community and what the specific performance measures will be

If the project/program is an event or series of events:

- e) Number of out of town participants
- f) Percentage of out of town participants staying overnight
 - o from Canada
 - o from the USA
 - o from elsewhere
- g) Percent of distances travelled by overnight stays
 - o less than 320 km
 - o more than 320 km from in-prov.
 - o more than 320 km from out-of-prov.
- h) Average number of nights by overnight stays
- i) Percent of participants under 19 yrs. that will be staying in commercial accommodations

Assistance to Other Organizations

If the organization provides financial assistance to other organizations or societies, a list of those societies/organizations must be included as part of the application..

Funding Request and Financial Information

- 1) Total amount required by the specific project/program less amounts contributed by other partners (including partners' names).
- 2) **Financial Information** (reviews and audits preferred)
 - a) Balance sheet or statement of financial position for the immediate prior year
 - b) Income statement or statement of financial activities for the immediate prior year
 - c) Budgeted income statement or statement of financial activities for the grant year

Note: as permitted by legislation submitted financials are retained in confidence and are used for the purpose of the grant application only.
- 3) **Template** for detail financial information. The template will be completed in good form by all applicants and will include sections for:
 - a) Federal and/or provincial grants specifying the ministry and program
 - b) Other federal and/or provincial funding
 - c) City of Penticton cash grants specifying components and timelines (see Current and previous funding section)
 - d) City of Penticton in-kind grants specifying each component, facility, and timelines
 - e) Other local governments grants specifying municipality and each component
 - f) Non-government support
 - g) Earned income including user fees
 - h) User fees
 - i) Fundraising
 - j) Foundations
 - k) Private donations
 - l) Other
 - m) Applicant organization's own contributions to the project/program
 - i) Cash
 - ii) In-kind (other)
 - n) Salaries and benefits expense
 - o) Administration expense
 - p) Rent or mortgage expense
 - q) Program/project supplies expense
 - r) Advertising and promotion expense
 - s) Other expense

Policy conditions

As part of the application process, applicants will be required to agree with signatures to the following conditions:

- 1) Certification that, to the best of the applicants' knowledge, the information provided in this application is accurate and complete and is endorsed by the organization they represent. If the organization receives a community grant they acknowledge and agree to the conditions set out in the policy and to any other conditions approved by Council.
- 2) Applications for community grants must be submitted on the fully completed standard grant application. At the discretion of the City, partially completed applications or applications not on the standard form may be delayed or refused. This includes but is not limited to formal financial statements. In all cases where the grant application is not completed fully the organization must petition the Council through the Chief Financial Officer why the application should be considered and giving reasonable explanation for the incomplete application.

- 3) Public notification for community grants commence in local printed media four weeks prior to the application deadline. The application deadline for community grants is 4:30 p.m. on the last Friday on or immediately prior to September 30th of each calendar year and applications must be received and date-stamped by the deadline. Applications received after the deadline will not be considered until after March 31st of the subsequent year and applications for community grants submitted subsequent to that date will be considered on a restricted basis and only if accompanied by the fully completed standard grant application.
- 4) Under paragraph 25(1) of the *Community Charter* assistance may not be granted by the City to an industrial, commercial or business undertaking except under a partnering agreement. As such it is acknowledged the organization does not fall within any of these non-qualifying categories.
- 5) The receipt of permissive tax exemptions may impact the amounts an organization is eligible for in community grants. It is understood that the organization has disclosed any permissive tax exemption it or an affiliated organization has or is receiving.
- 6) In the event that grant funds are not used for the project/program indicated in the application the organization acknowledges that:
 - i) If all or part of the funds remain unspent the funds must be returned to the City to the attention of the Chief Financial Officer,
 - ii) Subject to the next paragraph, if the funds have been expended inappropriately or for a purpose other than the project/program indicated in the application, the City may at its discretion disqualify the organization from all subsequent tax exemption, financial, or in-kind assistance from the City.
- 7) In the event the organization makes changes to the project/program indicated on the application for which the grant has been provided, written notification must be forwarded prior to the change to the City of Penticton to the attention of the Chief Financial Officer.
- 8) Depending on the nature of the project/program, grant assistance for that particular project/program will have a maximum duration of three years (if required) on a declining basis without re-application. Declining basis means that in the second year the maximum grant will be two thirds of the first year grant upon submission of a completed **Reporting Out form** for the first year. In the third year the maximum grant will be one third of the first year grant upon submission of a completed Reporting Out form for the second year. No assistance will be available for any project/program in a fourth or subsequent year. Organizations may submit applications for grants subsequent to any prior three year period provided it is for a project/program that is distinctly different from all prior projects/programs for which support was obtained from the City of Penticton and also provided the new project/program period does not overlap with any preceding project/program for which support is being obtained from the City of Penticton. The provisions in this paragraph are subject to the provisions in paragraph 17.
- 9) The organization must make, and continue to make, attempts to secure funding from other sources as indicated in the application.
- 10) The organization will keep financial records which meet generally accepted standards of good business practice. For the purpose of this policy, the determination of those standards will be wholly at the discretion of the City of Penticton or its auditors. The organization's financial records must be made available to the City of Penticton or its auditors as may be requested from time to time. If, upon examination of the financial records, they are deemed inadequate the City may at its discretion:

- i) Direct remedial action with respect to the financial record keeping,
 - ii) Deem the grant to be void and demand the funds be returned immediately to the City of Penticton to the attention of the Chief Financial Officer.
- 11) i) Grant recipients must acknowledge funding support from the City of Penticton in all communications materials pertaining to the project, program or event being supported by the community grant. Evidence of acknowledgement should be included in the **Reporting Out form**.
- ii) Grant recipients agree that all related communications materials, including signs, websites, posters, etc., will contain a visible and current City of Penticton logo. Current logo files are available through City Communications, and must be used in accordance with the City of Penticton Visual Identity Standards Manual. The City of Penticton logo should only be used in reference to the project, program or event supported by grant funding.
- iii) If grant funding is supporting an event, the recipient agrees to recognize support from the City of Penticton through verbal acknowledgement during the event.
- iv) Grant recipients are encouraged to tag the City of Penticton in social media posts (Twitter, Facebook, Instagram) in recognition of grant support.
- v) If grant funding is supporting an event or program that involves tiered sponsorship, organizations should contact City Communications to outline deliverables within their sponsorship recognition framework.
- 12) Notwithstanding the previous section, the project or program may not be represented as a project or program of the City of Penticton, nor may the organization hold itself out as an agent of the City of Penticton in any way.
- 13) The City of Penticton reserves the right to use any information related to the organization and the grant assistance to the organization in its promotions and advertising. The use of any such information will be at the discretion of the City of Penticton and may be done so upon notification to the organization by the City.
- 14) The organization will complete and submit the **Reporting Out form** no later than 4:30 p.m. January 31 of the year immediately following the year for which the grant assistance was provided. Based on the results reported in the form the City may at its discretion terminate funding and any other in-kind support to the organization for any time period.
- 15) Advances of grant funds must be requested in writing or email communications to the City of Penticton to the attention of the Chief Financial Officer. Requests for advances of grant funds must be made in accordance with the timelines specified in the application. For greater certainty, cash grants will not be forwarded in the absence of a request by the organization that the funds be forwarded. The City at its discretion may determine that funding will be forwarded by a series of two or more instalments.
- 16) With respect to in-kind grants, where the value of facilities used by the organization exceeds the amount approved as the in-kind portion of the grant assistance, the organization hereby acknowledges that the City of Penticton will invoice the organization for the difference and the organization is liable to pay the amount invoiced.
- 17) The City may at any time and at its discretion consider grants to specific organizations to be standing in nature where the requirement for annual application is waived except as follows:
- i) the City at its discretion requires annual application despite any expectation or agreement by any parties that a grant may be standing in nature,
 - ii) the City re-instates the requirement for annual application despite any previous history with the organization or expectation or agreement by any parties that a grant may be standing in nature,

- iii) the recipient organization changes the amount it is requesting for cash or in-kind grant. For the purpose of this policy condition, a change will be measured as the difference between the amounts being applied for and the amount applied for in the most recent of either the 2014 base grant year or the first year a grant was first applied for.

Without limiting the discretion of the City or creating a commitment thereto, grants to the following organizations are considered to be of a standing nature:

- i) Penticton Art Gallery
- ii) Penticton Public Library
- iii) SS Sicamous Society
- v) Penticton Search & Rescue,
- vi) Penticton Challenge Triathlon,
- vii) Penticton Royalty,
- viii) Penticton Peach Festival.

Organizations may make formal written application to the City to have their grant designated as a standing grant. The City at its discretion will approve or deny such an application and will communicate any such decision via any channel it deems appropriate. No form is specified for organizations to make application for standing grants.

- 18) All grants other than those considered to be of a standing nature shall be considered to be term grants, subject to all requirements specified in this policy and are also subject to the following additional guidelines:
 - i) No consideration shall be given to requests submitted by a non-Penticton community organization unless its membership includes Penticton residents,
 - ii) No consideration shall be given to requests to waive or reduce a development cost charge.
- 19) This policy nullifies all unwritten agreements in existence prior to the fiscal year 2014 between the City of Penticton and all organizations, societies, and charitable interests.
- 20) All documentation submitted to the City as part of the application process becomes the property of the City and will not be returned to the applicants and will be retained by the City at its discretion. The City acknowledges that information submitted with grant applications may have been proprietary to the applicants and confidential. All submitted information shall be treated as confidential and retained securely and confidentially as provided by in the Community Charter.
- 21) The City may at any time enter into an agreement with a qualified community foundation for the purpose of managing municipal grants on its behalf. Pursuant to any such agreement, this may be done for all or part of the funds the City has budgeted for municipal grants as part of its annual budget for any particular year.

Signatures

- 1) The **Application Form** includes a signature area for two authorized representatives of the organization acknowledging that the applicants have fully read and understand the policy conditions and agree to be bound by them and that the information included in this application is true and correct to the best of their knowledge and that all completed applications, reporting out forms, and correspondence must be forwarded in accordance with timelines specified in the policy to the attention of the Chief Financial Officer at the Penticton City Hall.

Revisions

Revision date	Author
May 31, 2004	KUHN
April 21, 2014	CFISHER
Sept 8, 2015	CFISHER
Dec 7, 2015	CFISHER

Certified Correct:



Council Policy

penticton.ca

Application Form

Applicant Information

Name of Agency/Organization/Group: _____

Address: _____

City: _____ Postal Code: _____

Contact Person: _____ Position/Title: _____

Telephone: _____ Cell: _____ Fax: _____

Email: _____ Website: _____

Organization Information

Registered Society in good standing (Y/N): _____ BC Society number: _____

Non-profit organization with constitution and bylaws (Y/N): _____

Date of last filing with BC Registry Services (dd/mm/yy): _____

Date of last annual general meeting (dd/mm/yy): _____

How long has the organization been in existence (years): _____

How many active members does the organization have: _____

Briefly describe the organization's objectives: _____

Briefly describe the services the organization provides: _____

Current and previous funding

Is the organization receiving funding in the form of cash (C), in-kind (IK), tax exemptions (TE), or any other type from the City of Penticton (Y/N): _____

If yes please specify (up to the previous two years):

Year: _____ Type: _____ Amount: _____ Purpose: _____

Year: _____ Type: _____ Amount: _____ Purpose: _____

Year: _____ Type: _____ Amount: _____ Purpose: _____

Year: _____ Type: _____ Amount: _____ Purpose: _____

Year: _____ Type: _____ Amount: _____ Purpose: _____

Year: _____ Type: _____ Amount: _____ Purpose: _____

Indicate the outcome(s) of the organization's funded projects/programs: _____

Grant Request

Briefly describe the project/program for which the organization is requesting this grant: _____

Project/programs goals and timelines: _____

Describe the project/program target population (age/sex/language/disability etc.): _____

Briefly describe how the project/program supports the City's vision statement: _____

Are there projects/programs/services of a similar nature being offered in the community
(Y/N) _____ and if so how will the organization's project/program complement, enhance, or differ
from those other projects/programs/services: _____

Which other businesses/organizations are involved in this project/program? Please describe which
and their roles: _____

Describe how this project/program will be sustainable past the grant time period: _____

Grant Outcomes

How many people will directly benefit from this request: _____

Age categories of residents that will benefit from this request:

Children (0 – 12 years): _____

Youth (13 – 19 years): _____

Adults (20 – 44 years): _____

Adults (45 – 65 years): _____

Seniors (65+ years): _____

Describe the anticipated outcomes of this project/program, both short term and long term: _____

Describe how the organization will evaluate the benefits of this project/program to the organization and to the community and what the specific performance measures will be: _____

If the project/program is an event or series of events:

Number of out of town participants _____

Percentage of out of town participants staying overnight

from Canada _____

from the USA _____

from elsewhere _____

Percent of distances travelled by overnight stays

less than 320 km _____

more than 320 km from in-prov. _____

more than 320 km from out-of-prov. _____

Average number of nights by overnight stays _____

Percent of participants under 19 yrs. that will be staying in commercial accommodations _____

Assistance to other organizations

If the organization provides financial assistance to other organizations or societies please list:

Societies/organizations: _____

Funding request

Total amount required by this specific project/program \$ _____

less:

Amounts contributed by the organization _____

Amounts contributed by other partners

Partner name: _____

Partner name: _____

Amount requested from the City of Penticton grant program

\$ _____

Financial Information

Provide the most current financial statements:

- ☐ Balance sheet or statement of financial position for the immediately prior year
- ☐ Income statement or statement of financial activities for the immediately prior year
- ☐ Budgeted income statement or statement of financial activities for the grant year

(note: Required, please attach to application. Audited or Reviewed financial statements are preferred if available)

	Confirmed	Potential
Revenue:		
Federal and/or provincial grants (specify ministry and program)		
Other federal and/or provincial funding (specify)		
Community grants		
City of Penticton – cash (specify each component and timeline)		
City of Penticton – in-kind (specify each component, facility, and timeline)		
Other local governments (specify municipality and each component)		
Non-government		
Earned income		
User fees		

Fundraising		
Foundations (specify)		
Private donations		
Other (specify)		
Applicant organization's contributions to the project/program		
Cash		
In-kind (other)		
Total Revenue		
Expenses		
Salaries and benefits		
Administration		
Rent or mortgage		
Program/project supplies		
Advertising and promotion		
Other (specify)		
Total Expenses		

Note: The budget must balance. Expenses must be equal to revenue.

Grant Conditions

We hereby certify that, to the best of our knowledge, the information provided in this application is accurate and complete and is endorsed by the organization we represent. If our organization receives a community grant we acknowledge and agree to the conditions set out below and to any other conditions approved by Council:

- 1) Applications for community grants must be submitted on the fully completed standard grant application. At the discretion of the Council, partially completed applications or applications not on the standard form may be delayed or refused.
- 2) Public notification for community grants commence in local printed media four weeks prior to the application deadline. The application deadline for community grants is 4:30 p.m. on the

last Friday on or immediately prior to September 30th of each calendar year and applications must be received and date stamped by the deadline. Applications received after the deadline will not be considered until after March 31st of the subsequent year and applications for community grants submitted subsequent to that date will be considered on a restricted basis and only if accompanied by the fully completed standard grant application.

- 3) Under paragraph 25(1) of the *Community Charter* assistance may not be granted by the City to an industrial, commercial or business undertaking except under a partnering agreement. As such it is acknowledged the organization does not fall within any of these categories.
- 4) The receipt of permissive tax exemptions may impact the amounts an organization eligible for in community grants. It is hereby understood that the organization has disclosed any permissive tax exemption it or an affiliated organization has or is receiving.
- 5) In the event that grant funds are not used for the project/program indicated in the application the organization hereby acknowledges the following:
 - i) If all or part of the funds remains unspent, the funds must be returned to the City to the attention of the Chief Financial Officer.
 - ii) Subject to the next paragraph, if the funds have been expended inappropriately or for a purpose other than the project/program indicated in the application, the Council may at its discretion disqualify the organization from all subsequent tax exemption, financial, or in-kind assistance from the City.
- 6) In the event the organization makes changes to the project/program indicated on the application for which the grant has been provided, written notification must be forwarded prior to the change to the City of Penticton to the attention of the Chief Financial Officer.
- 7) Depending on the nature of the project/program, grant assistance for that particular project/program will have a maximum duration of three years (if required) on a declining basis without re-application. Declining basis means that in the second year the maximum grant will be two thirds of the first year grant upon submission of a completed Reporting Out form for the first year. In the second year the maximum grant will be one third of the first year grant upon submission of a completed Reporting Out form for the second year. No assistance will be available for any project/program in a fourth or subsequent year. Organizations may submit applications for grants subsequent to any prior three year period provided it is for a project/program that is distinctly different from all prior projects/programs and also provided the new project/program period does not overlap with any preceding project/program.
- 8) Once a grant is approved the organization hereby acknowledges that it will make, and will continue to make, attempts to secure funding from other sources as indicated in the application.
- 9) The organization will keep financial records standard to good business practice. The organization's financial records must be made available to the City of Penticton or its auditors as may be requested from time to time. The adequacy of the financial records will be determined by the City of Penticton and if deemed inadequate the Council may at its discretion:
 - i) Direct remedial action with respect to the financial record keeping,

- ii) Deem the grant to be void and demand the funds be returned immediately to the City of Penticton to the attention of the Chief Financial Officer.
- 10) The project or program may not be represented as a project or program of the City of Penticton nor may the organization hold itself out as an agent of the City of Penticton in any way.
- 11) The City of Penticton reserves the right to use any information related to the organization and the grant assistance to the organization in its promotions and advertising. The use of any such information will be at the discretion of the City of Penticton and may be done so without permission of the organization.
- 12) The organization will complete and submit the Reporting Out form no later than 4:30 p.m. January 31st of the year immediately following the year for which the grant assistance was provided. Based on the results reported in the form, the Council may at its discretion terminate funding and any other in-kind support to the organization for any time period.
- 13) Advances of grant funds must be requested in writing or email communications to the City of Penticton to the attention of the Chief Financial Officer. Requests for advances of grant funds must be made in accordance with the timelines specified in the application. The City at its discretion may determine that funding will be forwarded by a series of two or more instalments.
- 14) Where the value of facilities used by the organization exceeds the amount approved as the in-kind portion of the grant assistance, the organization hereby acknowledges that the City of Penticton will invoice the organization for the difference and the organization is liable to pay the amount invoiced.
- 15) The Council may at any time and at its discretion consider grants to specific organizations to be standing in nature where the requirement for annual application is waived except as follows:
- i) The Council at its discretion requires annual application despite any expectation or agreement that the grant may be standing nature,
 - ii) The Council re-instates the requirement for annual application despite any previous history with the organization or expectation or agreement by any parties that a grant may be standing in nature,
 - iii) The recipient organization changes the amount it is requesting for cash or in-kind grant. For the purpose of this policy condition, a change will be measured as the difference between the amounts being applied for and the amount applied for in either the most recent of the 2014 base grant year or the first year a grant was first applied for.
- 16) All grants other than those considered to be of a standing nature shall be considered to be term grants, subject to all requirements specified in this policy and are also subject to the following additional guidelines:
- i) No consideration shall be given to requests submitted by a non-Penticton community organization unless its membership includes Penticton residents,

- ii) No consideration shall be given to requests to waive or reduce a development cost charge.

17) This policy hereby nullifies all written or unwritten agreements in existence prior to the fiscal year 2014 between the City of Penticton and all organizations, societies, and charitable interests.

Signatures

By signing below the representatives of the organization thereby acknowledge that they have fully read and understand the policy conditions and agree to be bound by them and that the information included in this application is true and correct to the best of their knowledge.		
_____ Signature	_____ Name and position	_____ Date
_____ Telephone	_____ email	
_____ Signature	_____ Name and position	_____ Date
_____ Telephone	_____ email	

All completed applications, reporting out forms, and correspondence should be forwarded in accordance with timelines specified herein to the attention of the Chief Financial Officer at the Penticton City Hall.

COMMUNITY Foundation OF THE SOUTH OKANAGAN SIMILKAMEEN

Flow Through Fund Agreement

AGREEMENT TO ESTABLISH THE *CITY OF PENTICTON COMMUNITY GRANTS FUND*

The City of Penticton, (the “City”) and the Community Foundation of the South Okanagan Similkameen (the “Foundation”) hereby agree that the Foundation will administer the City Grants program subject to the following conditions:

1. The assets given and any additions thereto shall be accounted for and designated by the Foundation as the ***CITY OF PENTICTON COMMUNITY GRANTS FUND*** (the “Fund”).
2. The Foundation will hold the funds as non-permanent flow through funds in a cash account, unless otherwise agreed.
3. Upon mutual agreement the assets of the Fund may be included in the Foundation’s investment pool and will be invested in accordance with Foundation’s investment policy and provisions of the Foundation bylaws.
4. The Foundation is permitted to charge for its expenses in administering the Fund, a fee of 2% per annum. The fee may be changed from time to time, with the agreement of both parties.
5. The Foundation will include the balance of the Fund in its annual grant cycle. At the Foundation’s discretion, the balance of the Fund may be fully granted in the calendar year or may be partially withheld to meet the goals of the Foundation or the grant recipient.
6. Those wishing to apply for grants from the Fund will apply to the Foundation through its regular granting cycle, as defined a by the Foundation at its sole discretion.
7. Recipients of grants from the Fund will be selected according to current Foundation policies and procedures, which may be changed from time to time, at the discretion of the Foundation.
8. The Foundation will award grants from the Fund only to organizations in Penticton that would normally qualify for granting from the Foundation, as defined by the Foundation’s Grants Policy. The City will award grants to organizations seeking funding for festivals and events or other activities that would otherwise not qualify for granting from the Foundation.
9. If a grant is awarded to an organization that is not a “Qualified Donee”, as defined by Canada Revenue Agency, the City agrees to act as the Qualified Donee to receive the grant and administer the delivery of the grant to the recipient organization.
10. The City will receive requests for, and administer granting of, standing grants to eligible organizations. In the event the Foundation receives a request for a standing grant the applicant will be referred to the City.
11. The Foundation may undertake additional duties related to administering the Fund, at the request of the Donor, for an additional fee to be negotiated at that time.
12. The terms of this agreement are valid for one year and subject to review by both parties at the end of one year.

Community Foundation of the South Okanagan Similkameen

CITY OF PENTICTON COMMUNITY GRANTS FUND

Susan Kelly, President

Andrew Jakubeit, Mayor of Penticton

Date

Date



Council Report

penticton.ca

Date: December 7, 2015
To: Eric Sorensen, Chief Administrative Officer
From: Colin Fisher, Chief Financial Officer
Subject: **Signing Officers and Banker**

File No:

Staff Recommendation

THAT Council approve VALLEY FIRST CREDIT UNION, Main Branch, 184 Main Street, Penticton, BC as the City's banker and approve

- Colin Fisher, Chief Financial Officer, A signer
- Angela Campbell, Controller, A signer
- Eric Sorensen, Chief Administrative Officer, A signer
- Mitch Moroziuk, General Manager of Infrastructure, A signer
- Andrew Jakubeit, Mayor, B signer
- Helena Konanz, Councillor, B signer
- Judith Sentes, Councillor, B signer
- Tarik Sayeed, Councillor, B signer
- Andre Martin, Councillor, B signer
- Maxwell Picton, Councillor, B signer
- Campbell Watt, Councillor, B signer

as signing officers for memberships 727214 and 1319244 (City of Penticton) for the calendar year ended December 31, 2015 and subsequent years until changed;

AND THAT Council approve

- Colin Fisher, Chief Financial Officer, City of Penticton
- Angela Campbell, Controller, City of Penticton
- Eric Sorensen, Chief Administrative Officer, City of Penticton
- Carla Relvas, Director of Finance, South Okanagan Events Centre
- Dean Clarke, General Manager, South Okanagan Events Centre
- Kevin Webb, SOEC Director of Events, South Okanagan Events Centre
- Paul O'Beirn, PTCC Director of Sales, Penticton Trade and Convention Centre

as signing officers for membership 727313 (South Okanagan Events Centre) for the calendar year ended December 31, 2015 and subsequent years until changed.

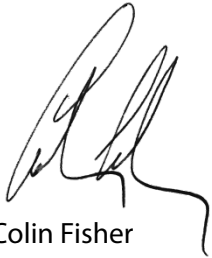
Background

With each change in senior managers with signing authorities or with each change in Mayor or Council, financial institutions require a resolution approving the new signing authorities. If no changes occur in a calendar year a resolution for that year is not required by the financial institution. Charges against any of the City's accounts must be signed by two signers.

Signing authorities on the City of Penticton membership 727214 consist of two groups – A signers and B signers. Charges against the City's account must be signed by two A signers or one A signer and one B signer.

The signing authority for this purpose is to legally validate the charge against the account as required by the financial institution and is distinct from authorities to expend as set out in the City's purchasing policy.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Colin Fisher', with a stylized, flowing script.

Colin Fisher

Chief Financial Officer

Chief Administrative
Officer

ES

NOV 18 2015

November 10, 2015

His Worship Andrew Jakubeit
 Mayor
 City of Penticton
 171 Main Street
 Penticton, BC V2A 5A9



Dear Mayor Jakubeit,

Re: Proposed Relocation of Penticton Casino

BCLC is the agent of the Crown, responsible to conduct and manage casino gaming in the Province of British Columbia. In the City of Penticton, BCLC conducts and manages gaming through the use of an operational contract with its Service Provider, Gateway Casino and Entertainment.

74 West Seymour Street
 Kamloops, BC V2C 1E2

T 250.828.5500
 F 250.828.5631

This letter will confirm BCLC's support in principle for the relocation of the casino from its current location in the Penticton Lakeside Casino Resort to another location within the City of Penticton.

2940 Virtual Way
 Vancouver, BC V5M 0A6

T 604.215.0649
 F 604.225.6424
bclc.com

Please be aware that a relocation of the facility within the same host local government still requires the City to complete the following four steps to provide approval and comply with the *Gaming Control Act* and the *Gaming Control Regulation*:

1. Consult with potentially affected local governments with respect to:
 - infrastructure or policing costs; and
 - traffic and highway use.
2. Receive adequate community input
3. Provide formal written approval to BCLC and the Gaming Policy Enforcement Branch
4. Comply with the objection and non-binding dispute resolution process outlined within the GCA

(For greater clarity, please refer to the GCA and Regulations)

We have reviewed the initial Gateway concept document and renderings and note the new Casino will be capable of accommodating up to 450 slot machines and up to 12 gaming tables. It is incumbent upon BCLC to advise you, as I'm sure Gateway has also done, that BCLC has yet to complete a market assessment which will determine the number of slot machines and gaming tables appropriate for this facility. Upon completion of the market assessment BCLC may approve fewer slot machines and table games than the maximum amount the building is able to accommodate. Nevertheless, Gateway's decision to build a facility which is capable of supporting more slot machines

and table games than BCLC may approve at the present time is a forward thinking strategy that we encourage in order to address future market changes.

BCLC, Gateway and the City have a mutual interest in ensuring that the public consultation process results in substantial public engagement as well as meeting the statutory requirements set out in the *Gaming Control Act (and Regulations)*. BCLC has considerable experience in this regard and would like to collaborate with the City in designing and participating in the required public consultations. To discuss further, please contact Greg Walker, Director, Public Affairs at 604-225-6410.

Any questions outside the public consultation process can be directed to myself or Jerry Williamson (Director, Gaming Facilities) at 604-228-3005.

We look forward to working with the City and Gateway in order to deliver an exceptional entertainment opportunity to the citizens of Penticton.

Yours Truly,



Brad Desmarais,
Vice President, Casino and Community Gaming
BCLC

T. Santo

J. Nijjar

B. Desmarais

G. Walker

G. Morin

NOV 13 2015



Penticton-Ikeda Sister City Society

c/o Bob Harvey
4252 Sage Mesa Drive
Penticton, BC V2A 9A3

Telephone: 250.492.0871 / Email: contact@pentictonikeda.org / Website: www.pentictonikeda.org

November 9, 2015

Mayor Andrew Jakubeit
171 Main Street
Penticton, BC V2A 5A9

Dear Mayor Jakubeit,

Re: Penticton-Ikeda Sister City Society

We wish to advise you that we have received correspondence from members of the Ikeda-Penticton Sister City Society in Japan advising us of preliminary plans for exchanges to and from Penticton. The first event will occur in July 2016 and will involve a group of Ikeda middle school students travelling from Ikeda to Langley BC to participate in a short English as a Second Language (ESL) course. The organizers have requested that we make the arrangements for a short visit to Penticton following their ESL course, which would include meeting with you as Mayor, a short tour of Penticton and a meal at the Japanese garden. This is scheduled to occur on July 29, 2016 and we request that you note this on your calendar. We will provide more details as planning progresses.

The second proposed event is a Penticton delegation travelling to Japan in May 2017 to celebrate the 40th anniversary of our sister city relationship. Our society, along with our counterparts in Ikeda, is commencing planning for this event. We have advised Ikeda that we would be happy to welcome a delegation from Japan sometime in 2017, but no specific dates or plans have been chosen for this return visit. Please note that all plans are tentative and in the early stages at this time.

Thank you for your interest in the sister city program and for your attention to this matter. I will be away until mid December, but should you have any questions, please contact our President, Lester Patrick at contact@Pentictonikeda.org.

Yours very truly,

PENTICTON-IKEDA SISTER CITY SOCIETY

Bob Harvey,
Treasurer

Minutes

penticton.ca

Agriculture Advisory Committee Meeting

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

Wednesday, October 28, 2015
at 3:00 p.m.

Present: Andre Martin, Councillor
Rod King, Chair
Fritz Hollenbach, Vice-Chair
Darshan Jassar, Tree Fruits Representative
Charlie Utz, Greenhouse & Nursery Commodity Group Representative
Rebecca Ogden, Penticton Community Gardens Society Representative
Rod Hollett, Member at Large
Heather Shedden, Member at Large
Chris Harp, Member at Large

Staff: Audrey Tanquay, Long Range Planner
Lorraine Williston, Committee Secretary

Guests: Albert Sartori and Patricia Sartori
Brad Elenko McElhanney
Ryan Griffith and Brittany Griffith
Albert Lecompte
Rajeev Sheoran

1. Call to Order

The Agriculture Advisory Committee was called to order by the Chair at 3:01 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adopt the agenda for the meeting held on October 28, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adopt the minutes of the August 6, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Delegation

- 4.1 Albert Sartori and Patricia Sartori
Re: 1571 Naramata Road Subdivision

The Long Range Planner presented an overview of the subdivision application including details of the application, photos of the area and proposed subdivision into two lots. Variances would be required to vary the lot area and setback of existing house. No ALR subdivision is required. Committee discussion on the application followed.

It was MOVED and SECONDED that the Agriculture Advisory Committee recommends:

THAT Council support the subdivision application for 1571 Naramata Road as presented provided a covenant be placed on Lot A restricting the location of the new house site to the area shown on the proposed subdivision plan.

DEFEATED

**Chris Harp, Charlie Utz, Rod Hollett,
Rod King and Fritz Hollenbach, Opposed**

It was MOVED and SECONDED that the Agriculture Advisory Committee recommends:

THAT Council deny the subdivision application for 1571 Naramata Road as presented.

CARRIED

Heather Shedden, Opposed

- 4.2 Brad Elenko McElhanney, Ryan Griffith & Brittany Griffith
Re: 190 Middle Bench Road

Brad Elenko McElhanney presented an overview of the subdivision plan. The property is less than two acres and is therefore not subject to the provisions of ALR Policy #13. The applicants are proposing to subdivide the property into two lots and will require three variances for minimum lot size, lot area site coverage and interior side yard setback. The applicants will build a vegetative buffer and fencing between the adjacent properties. The applicants have also contacted the owners of adjacent properties with the opportunity to purchase the proposed Lot B land for agriculture use and have not received interest from either party. Committee discussion on the application followed.

It was MOVED and SECONDED that the Agriculture Advisory Committee recommends:

THAT Council support the subdivision application for 190 Middle Bench Road as presented.

DEFEATED

Rod Hollett, Fritz Hollenbach, Rebecca Ogden and Rod King, Opposed

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommends:

THAT Council support the subdivision application for 190 Middle Bench Road as presented subject to a covenant being placed on property requiring a vegetative buffer and fencing be built between the proposed Lot B and the adjacent properties.

CARRIED

Rod Hollett, Rod King and Fritz Hollenbach, Opposed

4.3 Albert Lecompte
Re: ALR Exclusions 3860/3810 Valleyview Road

The Long Range Planner presented an overview of the ALR exclusion application including details of the application, photos of the area and proposed exclusion. The applicant also provided photos and a drawing of the areas proposed in his application and pointed out the topographic of the land is very steep and rocky. Committee discussion on the application followed. Committee suggested the applicant obtain an agrologist report and staff to forward contact information for agrologists in the area to the applicant.

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommends:

THAT Council direct staff to hire an agrologist to complete a study of Valleyview Road properties to support an application to adjust the ALR boundary for properties located on Valleyview Road.

DEFEATED

Darshan Jassar, Rebecca Ogden, Heather Shedden and Fritz Hollenback, Opposed

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommends:

THAT Council deny the ALR Exclusion application for 3860/3810 Valleyview Road as presented.

CARRIED UNANIMOUSLY

5. **Business Arising from Prior Meetings**

6. **New Business**

6.1 1125 Munson Avenue Subdivision - Reconsideration of Application – Rajeeve Sheoran
Request for Letter of Support

The Long Range Planner provided background information on the application made by Mr. Sheoran in 2014 for a subdivision application for 1125 Munson Avenue and confirmed the Agriculture Advisory Committee and the City in 2014 did support the application and provided him with a Letter of Support. On May 29, 2015, the Agriculture Land Commission (ALC) denied the application. The applicant spoke to his request and is seeking an updated Letter of Support from the City for his application to the ALC for reconsideration. Committee discussion on the request followed.

It was **MOVED** and **SECONDED** that the Agriculture Advisory Committee recommends:

THAT Council direct staff to provide a Letter of Support to the applicant, Rajeeve Sheoran for his request to the Agriculture Land Commission for reconsideration of his application for subdivision.

DEFEATED

Chris Harp, Rebecca Ogden, Rod Hollett, Fritz Hollenback and Rod King, Opposed

6.2 Agri-Tourism Provincial Bylaw

Tabled to next meeting.

7. **Council Outcome**

Council Resolution 439/2015 from the minutes dated August 6, 2015 was received.

8. **Next Meeting**

The next regularly scheduled meeting of the Agriculture Advisory Committee will be November 25, 2015.

9. **Adjournment**

The Agriculture Advisory Committee adjourned the meeting at 5:39 p.m.

Minutes

The logo for Penticton.ca, featuring the text "penticton.ca" in a white font on a blue background.

Community Sustainability Committee Meeting

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

Wednesday, November 4, 2015
at 1:30 p.m.

Present: Tarik Sayeed, Councillor
Chris Allen, Chair
Tabitha Eneas, Penticton Indian Band Representative
Pam Moore, Interior Health Representative
Donna Lomas, Okanagan College Representative
Anne Hargrave, Member at Large
Zoe Kirk, Member at Large
Phil Hawkes, Member at Large

Staff: Blake Laven, Planning Manager
Lorraine Williston, Committee Secretary

1. Call to Order

The Community Sustainability Committee was called to order by the Chair at 1:30 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Community Sustainability Committee adopt the agenda for the meeting held on November 4, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Community Sustainability Committee adopt the minutes of the July 8, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Net Metering Update

Phil Hawkes reported the City of Penticton currently has 20 net metering accounts and FortisBC has 200. The Chair stated his company is doing a hook up for an office building and

has another potential project through the RDOS. The Chair will provide a report on how the process went for the office building upon completion of the project. Committee discussion followed on the process.

4.2 Urban Forestry Plan Update

The Planning Manager stated he has received the report from Blackwell & Associates outlining the first stage in developing a more substantial urban forestry plan. A copy of the report will be forwarded to the committee for their review and the Planning Manager will invite Blackwell & Associates to a future meeting to provide an overview of their report. In the report, Blackwell & Associates recommends a full strategy be completed to include visioning and public consultation, staff involvement, a full tree inventory and goal setting. Cost for a complete strategy done by Blackwell & Associates is \$40,000 delivered in two parts. Part one (\$22,000) would include project data, research and public consultation. Part two would include direction, vision and strategy on how to implement the plan over a two year period.

Discussion followed on the contents of the report and options to move forward. The Chair noted prior decisions made by this committee to spend equal dollars on projects as spent on obtaining reports and suggested that \$10,000 (the cost for the Blackwell & Associates report) be spent on tree plantings within Penticton. By consensus, the committee was in agreement with allocating \$10,000 from the Climate Action Revenue Incentive Program (CARIP) towards tree plantings. The Planning Manager stated this Urban Forestry Plan could be a signature project for this committee.

It was MOVED and SECONDED that the Community Sustainability Committee recommends:

THAT Council approve allocating \$10,000 from the Climate Action Revenue Incentive Program (CARIP) funds to the 2016 Budget for urban street tree plantings in the City of Penticton.

CARRIED UNANIMOUSLY

The Parks Supervisor to be invited to a future meeting to report back to the committee on the location of the tree plantings once completed.

5. New Business

5.1 2016 Budget Update

The Planning Manager reported an amount similar to last year will be put forward in the 2016 budget.

The Planning Manager provided an update on the status of the report for the Three Blind Mice Area and confirmed the Professional Forester has completed writing the report but is waiting for the City's GIS staff person to complete the mapping that forms a part of the report. Once the report has been received, the City will be able to claim the carbon credits.

The Planning Manager confirmed the Three Blind Mice area has been designated as 'park' and is now a part of the Parks Master Plan umbrella.

Discussion followed on carbon neutrality and the Planning Manager advised that the City does report to the Province to receive CARIP funding but does not have staff available to enter carbon emission data into the Smart Tool program, previously purchased by the City for the purpose to monitor the carbon neutral accounting. By consensus, the committee agreed the data for carbon neutral accounting needs to be entered as it provides valuable information and recommends the City hire staff to enter the back log of data and keep the information current.

THAT in the past, detailed reporting on carbon emissions and reduction initiatives has qualified the City of Penticton for millions of dollars in gas tax and CARIP funding. It was MOVED and SECONDED that the Community Sustainability Committee recommends:

THAT Council allocates sufficient funds to staff to ensure that detailed CARIP reporting and carbon neutral accounting continues.

CARRIED UNANIMOUSLY

5.2 City's Sustainability Checklist

Tabled to next meeting.

6. Next Meeting

The next regularly scheduled meeting of the Community Sustainability Committee is scheduled for December 2, 2015.

7. Adjournment

The Community Sustainability Committee adjourned the meeting at 2:58 p.m.

Minutes



Economic Development & Prosperity Task Force Meeting

held at the City of Penticton
171 Main Street, Penticton, B.C.

Tuesday, November 10, 2015
at 7:30 a.m.

Present: Mayor Andrew Jakubeit, Chair
Derek Badger, Member at Large
Mark Melissen, Member at Large
Andy Oakes, Member at Large (via Skype)
Paulette Rennie, Member at Large

Staff: Colleen Pennington, Economic Development Officer
Lorraine Williston, Committee Secretary

1. Call to order

The Economic Development & Prosperity Task Force was called to order by Mayor Jakubeit at 7:34 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Economic Development & Prosperity Task Force adopt the agenda dated November 10, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Economic Development & Prosperity Task Force adopt the minutes of the June 5, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Strategic Priorities

The Economic Development Officer provided an update on the City's strategic priorities. Downtown and waterfront revitalization, infrastructure and resident recruitment are the main focus.

5. New Business

5.1 Economic Development Budget Highlights

The Economic Development Officer reported the Economic Development budget will be similar to last year. A little more than half of the entire budget is allocated for tourism with one third for staffing which includes the Economic Development Officer, Assistant Coordinator and a Sports Tourism support person. Funds have also been allocated towards resident recruitment.

The Economic Development Officer stated they have been looking at other avenues including business recruitment targeting vacant business ready buildings and Sports Tourism specifically mountain biking. Levies for boat launching were discussed as another potential revenue source. Staff to research and provide more information.

5.2 CFIB Ranking – Penticton No. 2 Most Entrepreneurial City

The Chair asked for suggestions on how to brand and market the No. 2 ranking over the next year. Discussion followed and suggestions included cross branding through the virtual worker campaign; leveraging the long term visitor; advertising in publications for entrepreneurs, promotion through business and tech schools; Valley First can assist by promoting through Central One Credit Union that would reach across Canada as far east as Ontario.

The Economic Development Officer confirmed their video showcasing the entrepreneur is almost ready. It is very positive and motivational and will be distributed via social media.

5.3 Engagement with Community Strategy

The Economic Development Officer reported there is a shift on how citizens want to be informed. The trend is moving more towards community involvement from an 'open house' consultation. Staff are also looking at the level of degree of involvement and how to reach those who don't get involved and whether to make it mandatory for the private sector to follow the engagement process. Discussion followed on a communication strategy.

5.4 Engagement and Partnership with Penticton Indian Band

The Chair reported the City is working on developing a stronger relationship with the Penticton Indian Band and would like input from this Task Force on how to engage the Penticton Indian Band to assist in our regional economic development success with respect to new development projects. Item to be brought forward to the next meeting for discussion.

5.5 Labour Market Study

The Economic Development Officer reported the study is well underway and they are beginning to do the in-person interviews. If anyone would like to participate in the interviews or focus groups to please contact her directly.

6. **Next Meeting**

The next meeting of the Economic Development & Prosperity Task Force will be Dec. 1, 2015 at 12:00 p.m.

7. **Adjournment**

The Economic Development & Prosperity Task Force adjourned the meeting at 1:27 p.m.

Minutes

A horizontal bar with a blue background and a series of colored squares (blue, orange, red, blue, orange, red, blue, orange, red) on the left. The text "penticton.ca" is written in white on the right side of the bar.

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Arts, Creative & Cultural Innovations Committee Meeting

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

Thursday, November 12, 2015
at 8:00 a.m.

Present: Allison Markin, Chair
Robin Robertson, Vice-Chair
Kerri Milton, Penmar Community Arts Society
Jane Shaak, Okanagan School of the Arts, Shatford Centre Representative
Gerald Kenyon, South Okanagan Performing Arts Representative
Murray Swales, Member at Large

Staff: Simone Blais, Communications Officer
Jules Hall, Director of Development Services
Blake Laven, Planning Manager
Sharon Thompson, Committee Secretary

1. Call to Order

The Arts, Creative & Cultural Innovations Committee was called to order by the Chair at 8:06 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Arts, Creative & Cultural Innovations Committee adopt the agenda for the meeting held on November 12, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Arts, Creative & Cultural Innovations Committee adopt the minutes of the October 8, 2015 meeting as amended.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 City of Penticton Christmas Cards

The Communication Officer reported there were 25 submissions received from 7 artists. The selection sub-committee met on Oct. 26 2015 to review the submissions and have made a selection which will be announced at the Dec. 7, 2015 Regular Council meeting. The card design is in progress and the South Okanagan Immigrant Community Services is being consulted on the appropriate translations for seasonal greetings. All artists who submitted work for consideration will be invited to take part in a “Vibrant Winter” exhibit in Council Chambers. The Communication Officer will be contacting the artists to reveal the winners and advise them they are welcome to participate in the exhibit. The Okanagan School of the Arts Shatford Centre representative will coordinate the exhibit.

4.2 Creative City Network of Canada – Summit Update

The Planning Manager provided an overview of the 2015 Creative Cities Summit he attended in Kelowna on October 27-29, 2015. Highlights included:

- Discussions of where culture and arts fit best in a municipal setting
- Autonomous vs integrated art
- Competing interests for amenity money (both developers’ and taxpayers’ money), which includes sustainability options, housing affordability, etc.
- 1% policy
- Cultural mapping
- Other themes were also discussed

The South Okanagan Performing Arts representative also provided his experience from the conference.

4.3 Sculpture Sub-Committee Update

The Vice-Chair reported that she has received communication from the artist of the sculpture piece currently displayed at the Okanagan Lake waterfront stating that he would like to donate the piece with specific conditions. Discussion ensued and it was decided to defer making a decision about the donation at this time. With respect to the sculpture project, a decision was made to hold off on this initiative until the Public Art Policy has been approved.

4.4 City of Penticton Update – Lori Mullin (*written*)

Canada 150 Mosaic Tile Project

- Theme has been submitted – primary theme: community between two lakes (beaches, mountains) – secondary theme: orchards, agriculture, fruit, wine and vineyards
- Proposed dates and locations for workshops were submitted and the dates of July 31 – Aug. 1, 2016 (BC Day) in Gyro Park have been confirmed.

Creative City Network of Canada

- 2016 Municipal Membership fee is budgeted for 2016

Lakawanna Park Sculptures Update

- Awaiting formal correspondence from the artist regarding signage request

Public Art Policy Update

- Newer version of the Public Art Policy was discovered which Council endorsed in 2011
- Requesting input from the committee by November 20, 2015 with a draft of the updated policy to be reviewed at the December committee meeting

5. **New Business**

6. **Representative Updates**

6.1 Okanagan School of the Arts, Shatford Centre

The OSA representative reported that the Shatford Centre's Rotary Kitchen appreciation dinner is November 20th, they will be hosting a Farmer's Market is November 21st and the OSA AGM is November 26th. The community is invited to hear a talk by Dr. Sharon McCoubrey on community engagement and public art following the AGM.

Committee discussion ensued and it was noted that while other Okanagan communities have been successful in raising the profile of public art and culture (Kelowna and Lake Country initiatives were given as examples), it was felt Penticton requires the same direction necessary to take us to the next level. To accomplish this, serious consideration must be given to hiring a staff person, perhaps an Arts and Culture Officer, on a full or part time basis. It was decided that before any formal lobbying of either staff or council, the Public Art Policy must be in place.

The Director of Development Services agreed to enquire about the best approach to take to ensure best chances of a successful outcome and report back to the committee.

6.2 Penmar Community Arts Society

The Penmar Community Arts Society representative reported that due to other arts events scheduled around the same time, the Arts Night Out event is deferred to the New Year.

6.3 South Okanagan Performing Arts Centre

The SOPAC representative reported their AGM is scheduled for November 18, 2015 at the Shatford Centre.

7. **Next Meeting**

The next regularly scheduled meeting of the Arts, Creative & Cultural Innovations Committee will be Thursday, December 10, 2015 at 8:00 a.m.

8. **Adjournment**

The Arts, Creative & Cultural Innovations Committee adjourned the meeting at 9:15a.m.

Minutes

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Transportation Advisory Committee Meeting

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

Tuesday, November 17, 2015
at 3:00 p.m.

Present: Tarik Sayeed, Councillor
Daryl Clarke, Chair & PIDA Representative
Tracy Van Raes, Vice-Chair
Matt Berry, Penticton Transit Representative
Rob Lionello, handyDART Representative
Karina Chambers, Member at Large
Domenic Rampone, Member at Large
Martyn Lewis, Member at Large

Staff: Mitch Moroziuk, General Manager of Infrastructure
Lorraine Williston, Committee Secretary

1. Call to Order

The Transportation Advisory Committee was called to order by the Chair at 3:03 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Transportation Advisory Committee adopt the agenda for the meeting held on November 17, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Transportation Advisory Committee adopt the minutes of the October 20, 2015 meeting as amended.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Avery Davidow – Traffic Concerns – Update

The Vice-Chair reported she contacted Mr. Davidow to follow up with him. Mr. Davidow stated he does not have any concerns at this time and if any do arise, will contact the committee.

4.2 Government Street Bike Lane

The Chair reported the reconfiguration of lanes on Government Street has been completed and noted it is an improvement from the previous situation and the business owners are complying.

4.3 Traffic Signals Update

Tabled to next meeting.

5. New Business

Councillor Sayeed reported he received an email concerning the intersection located at Skaha Lake Road and the Channel Parkway. A request was made to designate the two lanes southbound on Skaha Lake Road into a thru lane and right turning lane. The General Manager of Infrastructure will forward the request to the Ministry of Transportation.

The Penticton Transit representative advised the committee on the upcoming annual Christmas Light Tour and confirmed the tours are scheduled for Dec. 16th starting at 6:30 p.m. with six buses in operation. These tours are open to the public and everyone is welcome. Penticton Transit also has separate tours scheduled for the senior centres.

The Chair updated the committee on the parking issue in the industrial area by the hospital. PIDA and Interior Health are working together to develop a long term solution for both parties and once a plan is in place, it will be brought forth to the City to review.

Karina Chambers reported Tourism Penticton will be hosting the first annual Bike Festival in May 2015. Details are currently being developed.

6. Next Meeting

The next regularly scheduled meeting of the Transportation Advisory Committee is Tuesday, December 15, 2015 at 3:00 p.m.

7. Adjournment

The Transportation Advisory Committee adjourned the meeting at 3:31 p.m.

Minutes

penticton.ca

Heritage & Museum Committee Meeting

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

Thursday, November 19, 2015
at 8:30 a.m.

Present: Brad Hillis, Acting Chair
Heather Buzzell, Penticton Library Representative
Shelley Clarke, School Board 67 Representative
Jesse Dunlop, SS Sicamous Representative
Loraine Stephanson, Member at Large

Staff: Dennis Oomen, Museum Manager
Lori Mullin, Recreation & Culture Manager
Lorraine Williston, Committee Secretary

1. Call to Order

The Museum & Heritage Committee was called to order by the Acting Chair at 8:34 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Museum & Heritage Committee adopt the agenda for the meeting held on September 17, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Heritage & Museum Committee adopt the minutes of the September 28, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Terms of Reference

The Acting Chair asked representatives to provide names of alternates as per Council's endorsement. The SS Sicamous representative has appointed Jesse Dunlop as its alternate. The Recreation & Culture Manager to investigate the status of the proposed revisions to the Terms of Reference and provide an update at the next meeting.

4.2 Museum Update

The Museum Manager reported Brown Bag Lunches continue to be very successful. The next series features 'Soviet Princeton' about the 1932/33 miner strike followed by 'Mexico's Day of the Dead'. Brown Bag lunches are every Tuesday from 12-1:00 p.m.

The Museum Manager confirmed the Prisoner of War exhibit will be extended for another month. The first lecture in the SteamFest series was a huge success. The next lectures in this series are Nov. 26th and Dec. 3rd and they are anticipating another large crowd. All costs for the series have been covered by the SteamFest grant.

The Museum Manager also reported new railings were installed throughout the museum and library and staff are researching adding a digital information board. The virtual reality sandbox projector project should be completed by the end of the year.

4.3 Information Kiosk for Fairview Cemetery Entrance Update

Tabled to next meeting.

4.4 2005 Penticton Heritage Strategy Review

Tabled to next meeting.

4.5 Street Name List Review

The Acting Chair confirmed that the Dec. 17th meeting will be dedicated to reviewing the street name list.

5. New Business

5.1 Remembering Working People: Plaques Around the Province Project

The Museum Manager explained the premise behind this project. The Province would like to develop an inventory of labour history commemorating the contributions of working people to the history of British Columbia. The Province is looking for nominations of events, groups, individuals and places and will cover 2/3 of the cost for the research and plaque. The cost to the City would be approximately \$1,000 - \$1,800 per plaque. Discussion followed and the committee requested staff to research any significant events that might meet the criteria. This item to be brought forward to the next meeting for further discussion. The SS Sicamous representative noted the Thompson Okanagan Tourism Association will be working on installing signage along the KVR Trail and should be consulted with if it is decided to install a plaque on the trail.

6. Council Outcome

6.1 Council Resolutions 488/2015 and 489/2015 from the minutes dated September 17, 2015 were received.

7. **Next Meeting**

The next regularly scheduled meeting of the Museum & Heritage Committee will be Thursday, December 17, 2015.

8. **Adjournment**

The Museum & Heritage Committee adjourned the meeting at 9:00 a.m.

Minutes

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Downtown Revitalization Sub-Committee Meeting

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

Thursday, November 26, 2015
at 8:00 a.m.

Present: Campbell Watt, Councillor
Judy Sentes, Councillor
Barb Haynes, Chair
Kerri Milton, DPA Representative
Pamela Stevenson, Member at Large
Tim Scott, Member at Large
Erin Hanson, Member at Large

Staff: Jules Hall, Director of Development Services
Ian Chapman, City Engineer
Tyler Figgitt, Design Supervisor
Blake Laven, Planning Manager
Simone Blais, Communications Officer
Lorraine Williston, Corporate Committee Secretary

1. Call to Order

The Downtown Revitalization Sub-Committee was called to order by the Chair at 8:06 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Downtown Revitalization Sub-Committee adopt the agenda for the meeting held on November 26, 2015 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Downtown Revitalization Sub-Committee adopt the minutes of the September 11, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Wayfinding Presentation

The Communications Officer presented information on wayfinding signage. Both the Communications Officer and DPA representative researched best practices on wayfinding resulting in the following:

- What is a wayfinding system – family of sign types, system examples for pedestrian and vehicle traffic
- Important elements i.e. 'You are Here' maps
- Wayfinding sign types – identification, directional, orientation and regulatory
- Getting started variables – nature, look, audiences, environment for system installation

Current needs were identified and considerations on where to locate signs, content, type and maintaining consistency. Next steps and phases were outlined. Discussion followed and it was recommended information also be brought forth to both the Heritage & Museum Committee and Transportation Advisory Committee.

4.2 Landowner Update

The City Engineer provided an overview of the feedback from 200 Block business owners. To date the City Engineer and DPA representative have met with 10 of the 17 owners and have provided the owners who are not able to attend the meetings with the plans and cross-sections. A summary of the feedback received to date included comments on trees, street furniture and design, surface finish, construction approach and schedule impact. Committee discussion followed.

4.3 100 & 200 Block Design Update

100 Block Design

The City Engineer and Design Supervisor reviewed the design features for the 100 Block and provided samples of LED lighting options for the light canopy. Options were to proceed with the current proposed 'white' only lights or upgrade to an enhanced light and controller system that features both white and a range of programmed coloured light patterns at an additional cost of \$125,000.

It was MOVED and SECONDED that the Downtown Revitalization Sub-Committee recommends:

THAT Council supports the enhanced LED light canopy option and directs staff to address the additional cost within the budget process accordingly.

CARRIED UNANIMOUSLY

Staff to provide additional information on the enhanced light canopy option at the next meeting.

200 Block Design

The City Engineer reported staff members have consulted with an arborist. It was determined by the arborist that four of trees will likely not survive the stress of the proposed construction activities and should be removed and replaced with new ones. Illustrations were provided showing the location of the existing trees, trees recommended for removal and proposed new tree plantings. Examples of various tree sizes and shapes were presented. Discussion followed on options. The committee generally promotes the retention of the existing trees where these are likely to survive the construction process. There was little interest in adding more trees at the cost of parking spaces. Staff to bring back more information on tree species and designs.

5. Council Outcome

Council Resolutions 420/2015, 496/2015 and 507/2015 from the minutes dated September 11, 2015 were received.

6. Next Meeting

The next regularly scheduled meeting of the Downtown Revitalization Sub-Committee is scheduled for Thursday, January 28, 2016 at 8:00 a.m.

7. Adjournment

The Downtown Revitalization Sub-Committee adjourned the meeting at 9:58 a.m.



Minutes

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Tourism Development Task Force Meeting

held at City of Penticton Corporate Boardroom
171 Main Street, Penticton, B.C.

Thursday, November 26, 2015
At 3:00 p.m.

Present: Max Picton, Councillor & Chair
Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Andre Martin, Councillor
Barb Haynes, President, Penticton Hospitality Association
Diana Stirling, Tourism Chair
Kelly Hopkins, Executive Director, Tourism Penticton

Staff: Lori Mullin, Recreation & Culture Manager
Lorraine Williston, Corporate Administrative Secretary

1. Call to Order

The Tourism Development Task Force was called to order by the Chair at 3:06 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Tourism Development Task Force adopt the agenda for the meeting held on November 26, 2015 as amended refer to Item 4.3.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Tourism Development Task Force adopt the minutes of the October 16, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Baseline Calendar Update

The Executive Director, Tourism Penticton reported the back end of the calendar has been completed, however the programming is not compatible with other programs currently used by major stakeholders and would need further script writing done at an additional cost to achieve that. Discussion followed on calendar requirements for the front and back end, access and priorities.

4.2 Volunteer Management Software

The President, PHA reported an email has been sent to one company to enquire about the use of their software. Discussion followed on the need for this type of software and it was suggested other communities be contacted to find out what software they use.

4.3 Sport Tourism Update

The Tourism Chair brought forward concerns over the vacant sport tourism position and reiterated the importance of this position. The President, PHA confirmed funds have been budgeted for 2016 for this position. Discussion followed on the position and moving forward.

4.4 4 Pillars Discussion – Sub-Committee Updates

Meetings & Conventions - Councillor Andre Martin

Councillor Martin reported their three main priorities are a cohesive brand, establishing a convention visitor bureau and the extend-a-stay program. Discussion followed on how to move forward. The Task Force requested the sub-committee provide an outline and action plan for establishing a convention visitor bureau.

Cycling – Mayor Andrew Jakubeit

Mayor Jakubeit reported they are working with PACA to bring Three Blind Mice up to international standards. Discussion followed on criteria and work needed and how the City can help. The Executive Director, Tourism Penticton reported the EOI is out for Cycle Fest and have been receiving responses.

Festivals & Events – Councillor Judy Sentes

Councillor Sentes reported they are working on the Apple Festival planned for October 2016. Councillor Sentes brought forth a recommendation from the sub-committee regarding the July 1 Canada Day fireworks. Next year's Ribfest date conflicts with the July 1st celebration. The area previously used to launch the fireworks will not be available. Rotary has been working diligently on a solution and have located a suitable barge to host the fireworks. Last year's display was \$15,000 supported by community donations, a yearly grant in the amount of \$1,800 and topped up by the Penticton Lakeside Resort. With the Penticton Lakeside Resort not involved in the planning for next year, the yearly grant for 2016 has not been applied for and the deadline has since passed. The DPA has agreed to take on the fundraising efforts previously done by the Penticton Lakeside Resort. The sub-committee is asking the city to donate \$1,800 and partner with the DPA to raise the additional funds needed. Discussion followed.

It was MOVED and SECONDED that the Tourism Development Task Force recommends:

THAT Council approve funding in the amount of \$1,800 towards the cost of the fireworks display for the July 1, 2016 Canada Day celebration and support a partnership with the Downtown Penticton Association to raise the additional funds required.

CARRIED UNANIMOUSLY

Sport Tourism – Councillor Max Picton

Councillor Picton reported there are no new updates.

The Executive Director, Tourism Penticton recommended looking at hosting the 2017 Mountain Bike Tourism Symposium. To be eligible to bid it would require registering as a member.

The Executive Director, Tourism Penticton provided an update on the Sport, Arts and Culture Hosting Program. The program is geared towards communities with no framework and is an entry level program. We are already ahead of that point and have asked the ministry to include us in any future test groups as the program grows.

Tourism Penticton reported they are partnering with the Ambrosia Marketing campaign and would like to discuss with staff to coordinate. Their contest will be in the spring.

The Tourism Chair provided a budget update and comments regarding the new casino location. Tourism Penticton is working on a business plan on the services they provide and ideas on how to move forward and possibly expand.

5. Council Outcome

Council Resolution 508/2015 from the minutes dated October 16, 2015 was received.

6. Next Meeting

The next regularly scheduled meeting of the Tourism Development Task Force is scheduled for January 21, 2016.

7. Adjournment

The Tourism Development Task Force adjourned the meeting at 4:50 p.m.

Minutes



Penticton Creek Restoration Committee Meeting

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

Friday, November 27, 2015
at 9:00 a.m.

Present: Bryn White, Chair & South Okanagan Conservation Representative
Paul Askey, Freshwater Fisheries Society Representative
Joe Enns, Okanagan Nation Alliance Representative
Bruce Turnbull, Penticton Fly Fishers' Association Representative
Phillip Rogers, Penticton Fly Fishers' Association Representative
Kerri Milton, DPA Representative
Doug Maxwell, Member at Large

Staff: Mitch Moroziuk, General Manager of Infrastructure
Audrey Tanguay, Long Range Planner
Lorraine Williston, Committee Secretary

1. Call to Order

The Penticton Creek Restoration Committee was called to order by the Chair at 9:04a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adopt the agenda for the meeting held on November 27, 2015 as amended refer to Item 4.2.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adopt the minutes of the November 6, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Fish Numbers Update

The Freshwater Fisheries Society representative provided a presentation titled *Fisheries Renewal in Penticton* on local sportfish and their life cycle, information on Okanagan and Skaha Lake projects, spawning tributaries, highway compensation and 2014-2015 habitat projects. Statistics were presented on fish numbers for 2015. Penticton Creek and Ellis Creek had no lake origin rainbow trout, due to lack of fish ladders. Penticton Creek saw 3,100 Kokanee spawners, up from the yearly average of 2,000 spawners. Ellis Creek averages less than 20 Kokanee spawners per year. 127 female Kokanee spawned and 54,000 eggs were obtained resulting in about 45,000 fry for stocking to be split between Penticton and Ellis Creek. Recovery stocking plans to begin soon. Work has begun with the release of 20,000-30,000 fry per year for both Penticton & Ellis Creek. An overview of historical fish trends and statistics was also presented for Okanagan Lake and Penticton Creek.

4.2 Final Interpretative Sign Update

The Communication Officer reported they are making progress and presented a preliminary draft for review. The traditional place names are still being researched, and she is working with the ONA representative for accuracy. Once details and information have been finalized, the sign will be forwarded to specific stakeholders for input and review.

4.3 Master Plan Funding Applications (RFCPP, REFBC, HCTF) Timing and Work Planning

The Chair stated grant funding applications should be started now. OBWB is open for monitoring and we will need to apply to HCTF in the fall of 2016. Potential construction funds may be available for 2017. For REFBC, the Manager of Infrastructure will have the City's grant writer provide information. Potential funds may available through the Pacific Salmon Foundation and Provincial flood funding. The Chair requested staff to have their grant writer research these.

4.4 Committee Work Plan Workshop

The Chair provided an outline for the framework of the 2015-2017 initiative work plan that included our vision, mission, project benefits, project at a glance, restoration goals and objectives. The following questions were presented for discussion:

- What are the compelling priorities for the Penticton Creek project over the next 6-12 months & beyond

The Manager of Infrastructure confirmed 100% of the general revenue funding proposed for the master plan has been included in the 2016 budget. If passed, the budget would then be adopted in February and work on the master plan could begin in March. The next phase of the M178 plan for the creek will need to be done and a consultant hired. The Long Range Planner confirmed she has a quote on file in the amount of \$4,000 from the consultant that was hired for the showcase project. The quote is for the remainder of the creek from Eckhardt Avenue to the dam.

- Monitoring & Evaluation

Committee discussed hiring Mould Engineering for the design, construction, sedimentation components and a bio for the fish habitat components. A draft contract for March should be prepared once funds from HCTF are received. The Freshwater Fisheries Society representative confirmed Fisheries are already doing more than required with respect to fish monitoring.

- **Communications & Public Engagement**

The Communications Officer stated she is looking at developing an educational toolkit for teachers that would also include site tours for elementary to high school levels. Technology and innovations in communications are also being explored.

The Director of Development Services reported the City is undertaking a public engagement strategy guideline that will encompass every department. Committees and stakeholders will be engaged for input.

The DPA representative stated consistent messaging is key moving forward and we should aim for three stories to keep the restoration project fresh in the public's mind for the next phase. To date, the DPA has received no feedback from business owners and suggested setting up an online page for residents and business owner to comment and provide input. The Communications Officer to look at the viability of setting this up on the Penticton Creek project page on the City's website.

Committee discussion followed on how we fund projects like the Penticton Creek restoration. The conservation fund idea was further explored. A conservation fund would generate three times the amount in grant funding. Funds generated would benefit many projects in the City of Penticton. The Chair to consult with the Manager of Infrastructure on how to continue the dialogue with Council to consider establishing a fund.

5. **New Business**

6. **Council Outcome**

Council Resolution 563/2015 from the minutes dated November 6, 2015 was received.

7. **Next Meeting**

The next regularly scheduled meeting of the Penticton Creek Restoration will be January 22, 2016 at 9:00 a.m.

8. **Adjournment**

The Penticton Creek Restoration Committee adjourned the meeting at 10:46 a.m.