



Agenda

penticton.ca

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

Monday, March 21, 2016
at following the Public Hearing 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 March 7, 2016 Regular Council Meeting 1-7 Adopt
 5. **Presentations:**
 6. **Delegations and Petitions:**
 - 6.1 Petition - John Mueck 8-16
Re: Extension of Penticton Public Bus Service to Upper Wiltse Area
 7. **Reconsideration of Bylaws and Permits:**
 - 7.1 Bylaw Notice Enforcement Amendment Bylaw No. 2016-08 17-22 Adopt
 - 7.2 Zoning Amendment Bylaw No. 2016-09 23-24 2nd/3rd
Re: Liquor Sales in Grocery Stores
 - 7.3 Fees and Charges Amendment Bylaw No. 2016-12 25-26 Adopt
Re: Vending Fees
 - 7.4 Zoning Amendment Bylaw No. 2016-13 27-28 2nd/3rd/Adopt
Re: 812 Johnson Road
 8. **Staff Reports:**
 - 8.1 DP PL2016-7593 and DVP PL2016-7592 29-47 Del/Sub
Re: 988 Lakeshore Drive West
Staff Recommendation: THAT Council approve Development Permit PL2016-7593, for the construction of a new restaurant building for Lot 2, District Lot 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1897 located at 988 Lakeshore Drive West; AND THAT staff be directed to issue Development Permit PL2016-7593;
- DDS

AND THAT Council approve a Development Variance Permit PL2016-7592 for Lot 2, District Lot 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1897 located at 988 Lakeshore Drive West, to reduce the interior side yard from 4.5m to 0m and reduce the minimum width of a landscape buffer along a highway from 3m to 0.3m; AND THAT staff be directed to issue Development Variance Permit PL2016-7592.

MF	8.2	Facilities Master Plan Re: Phase 2 <u>Staff Recommendation:</u> THAT Council direct staff to begin work on Phase 2 of the Facilities Master Plan (FMP) as described in this Council Report, with a targeted completion date of December 31, 2016.	48-54
GMI	8.3	Multi-Material BC (MMBC) & Solid Waste Cart Update <u>Staff Recommendation:</u> THAT Council receives the Multi-Material BC & Solid Waste Cart Update & Recommendation report for information; AND THAT Council amends the 2016 annual capital budget to add \$176,000 to CAP76000-001: Solid Waste - Cart Program from the MMBC Reserve account to address the updated costs of the solid waste cart collection program.	55-58
DDS	8.4	OCP Amendment Bylaw No. 2015-13 Zoning Amendment Bylaw No. 2015-14 Re: Munson Mountain BMX - Update ALR response <u>Staff Recommendation:</u> THAT Council receive the decision from the Agricultural Land Commission (ALC), dated February 26, 2016, giving conditional support of the non-farm application for a BMX Track to be constructed at 630 Munson Mountain Road; AND THAT Council forward "OCP Amendment Bylaw No. 2015-13" and "Zoning Amendment Bylaw No. 2015-14" to the April 4, 2016 Public Hearing; AND THAT staff proceed with grading and seeding of the arable remainder of the property and installation of the vegetative screening as per the conditional approval from the ALC, upon adoption of the bylaws; AND FURTHER THAT the 2016 Budget be adjusted accordingly to include \$3,000 to the project budget for the vegetative buffer and grading and seeding of the remainder lands.	59-74
DDS	8.5	2016 Special Occasion Licence Applications – Exemption of hours <u>Staff Recommendation:</u> THAT Council, subject to the approval of the RCMP and Liquor Control and Licensing Branch, approve the Special Occasion (Beer/Wine Garden) Licenses for requested service hours beyond 10:00pm (22:00 hours) for Peach City Beach Cruise in Gyro Park until 11pm June 24 and 25 for beer gardens and for Challenge Penticton in Gyro Park until 11pm August 28 for a whole site licence.	75-79
DDS	8.6	Zoning Amendment Bylaw No. 2016-18 Re: 2959 Skaha Lake Road <u>Staff Recommendation:</u> THAT "Zoning Amendment Bylaw No. 2016-18", a bylaw to amend Zoning Bylaw 2011-23 for Lot 3, District Lot 116, Similkameen Division Yale District, Plan 33814, located at 2959 Skaha Lake Road, from CT1 (Tourist Commercial) to C4 (General Commercial), be given first reading and be forwarded to the April 4, 2016 Public Hearing.	80-92
CFO	8.7	Penticton Peach Festival Value-In-Kind Grant <u>Staff Recommendation:</u> THAT Council approve a \$5,000 increase for the Value-In-Kind portion of the annual grant to the Peach Festival.	93-94
CFO	8.8	Tax Rate Multiplier <u>Staff Recommendation:</u> THAT Council rescind resolution 100/2005 passed February 7, 2005 stating "THAT the staff memorandum dated January 4, 2005 regarding Tax Ratios be received; AND THAT the Tax Ratio be established based on the following percentages: Residential 72.23%, Utilities 1.20%, Light Industry 1.93%, Business & Other 24.21%, Recreation/Non Profit 0.23%, and Farm 0.20%"; AND THAT Council uphold resolution 71/2015 passed January 12, 2015 stating "THAT Council reduce the business class tax rate multiplier to 1.5 by equal increments over the next four years";	95-102

AND THAT Council approve the following tax ratios for 2016:

Class 1 Residential	1.000
Class 2 Utilities	5.000
Class 3 Supportive Housing	1.000
Class 4 Major Industry	1.700
Class 5 Light Industry	1.700
Class 6 Business & Other	1.580
Class 7 Managed Forest Land	1.580
Class 8 Recreation/Non Profit	1.350
Class 9 Farm	2.250;

AND THAT the City move other multipliers in incremental steps between 2016 and 2018 towards the average for the same classes for comparable local governments.

9. **Correspondence**

10. **Committee and Board Reports**

- 10.1 Economic Development & Prosperity Task Force meeting of March 3, 2016 103-104
Recommendation: THAT Council receive the minutes of the Economic Development & Prosperity Task Force meeting of March 3, 2016.
- 10.2 Development Services Advisory Committee Meeting Minutes of March 9, 2016 105-106
Recommendation: THAT Council receive the minutes of the Development Services Advisory Committee meeting of March 9, 2016.
- 10.3 Community Sustainability Meeting Minutes of March 2, 2016 107-109
Recommendation: THAT Council receive the minutes of the Community Sustainability Meeting of March 2, 2016.

11. **Notice of Motion**

12. **Other Business**

13. **RDOS Update**

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

THAT Council appoint Ron Ramsey as the Chairperson for the Parks and Recreation Masterplan Steering Committee.

THAT WHEREAS the Parks and Recreation Master Plan Steering Committee has completed a detailed review of the RFP submissions;

AND WHEREAS the Parks and Recreation Master Plan Steering Committee has heard presentations from the short listed consultants;

AND WHEREAS Urban Systems Ltd was the highest ranked submission;

NOW THEREFORE be it resolved that the Parks and Recreation Master Plan Steering Committee recommends to Council that Urban Systems Ltd. be selected to undertake the Parks and Recreation Master Plan.

15. **Media and Public Question Period**

16. **Adjournment**

Minutes

penticton.ca

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

Monday, March 7, 2016
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
Mitch Moroziuk, General Manager Infrastructure
Dana Schmidt, Corporate Officer
Colin Fisher, Chief Financial Officer
Jules Hall, Director of Development Services
Lori Mullin, Recreation and Culture Manager
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 6:01 p.m.

2. Introduction of Late Items

Add item 5.1: presentation by BC Winter Games

3. Adoption of Agenda

98/2016

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on March 7, 2016 as presented with the addition of a presentation by BC Winter Games.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the February 15, 2016 Regular Council Meeting

99/2016

It was MOVED and SECONDED

THAT Council adopt the minutes of the February 15, 2016 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

5. Presentations

5.1 BC Winter Games

BC Games presented the City with a legacy memory book from the 1978 games held in Penticton.

6. Delegations

6.1 OS Healthy Living Fair Society Re: 2016 International Year of Pulses

Barb Sheppard and Barry Reid, OS Healthy Living Fair Society, presented Council with healthy baskets and invited all to attend the Healthy Living Fair, Saturday, March 12, 2016.

6.2 Penticton Farmers' Market Re: Revitalization plans for 100 Block of Main Street

Erin Trainor, Manager and Moses Brown, President of the Penticton Farmers' Market, addressed their concerns with the 100 block revitalization plans. During planning process led to believe that the area would be more market friendly, now see the road is narrowing and restricting access. Concerned with pedestrian congestion and the limited space and ability for vehicles to park with vendor tents. Staff clarified that the bollards can be removed and the sidewalks, except those in front of City Hall, are designed to allow for vehicle use.

7. Community Partners

7.1 RCMP

Superintendent Kevin Hewco provided Council with the RCMP 2015 Annual Report and gave an overview of the 2016 objectives.

7.2 Fire Department

Fire Chief Larry Watkinson provided Council with the Fire Department 2015 Annual Report.

8. Reconsideration of Bylaws and Permits

8.1 2016-2020 Five Year Financial Plan Bylaw No. 2016-07

100/2016

It was MOVED and SECONDED

THAT Council adopt "2016-2020 Five Year Financial Plan Bylaw No. 2016-07".

CARRIED

Councillor Konanz, Opposed

8.2 Zoning Amendment Bylaw No. 2015-61 & DVP PL2015-077 Re: 511 Forestbrook Drive

101/2016

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2015-61".

CARRIED UNANIMOUSLY

102/2016

It was MOVED and SECONDED

THAT Council approve DVP PL2015-077 for 511 Forestbrook Drive.

CARRIED UNANIMOUSLY

- 8.3 Zoning Amendment Bylaw No. 2016-03 & DVP PL007547
Re: 451 Churchill Avenue

103/2016

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2016-03".

CARRIED UNANIMOUSLY

104/2016

It was MOVED and SECONDED

THAT Council approve DVP PL007547 for 451 Churchill Avenue.

CARRIED UNANIMOUSLY

9. Staff Reports

- 9.1 Development Variance Permit PL2015-7574
Re: 4203 Valleyview Road

Delegations/Submissions: James Brown, concerned with the narrow road.
Lynn Kelsey, Oakville Street, correct DVP number is 2015, not 2016.

105/2016

It was MOVED and SECONDED

THAT Council approve Development Variance Permit PL2015-07574 for that part of Block 237 outlined red on Plan B4253; District Lot 190, Similkameen Division Yale District, Plan 466 except Plans 6527, 11149 and KAP92940, located at 4203 Valleyview Road, a permit to reduce the minimum lot area from 2 ha (5acres) to 1.38 ha (3.41acres); AND THAT staff be directed to issue Development Variance Permit PL2015-7574.

CARRIED UNANIMOUSLY

- 9.2 Development Variance Permit PL2016-7595
Re: 331 Van Horne Street

Delegations/Submissions: nil

106/2016

It was MOVED and SECONDED

THAT Council approve Development Variance Permit PL2016-7595, for Lot 21, District Lot 202, Similkameen Division Yale District, Plan 32873, located at 331 Van Horne Street, a permit to increase the maximum permitted height of a fence along the front property line from 1.2m to 2.1m and, to the rear of the property, from 1.8m to 2.1m, in order to construct an architectural security fence with access gate; AND THAT staff be directed to issue Development Variance Permit PL2016-7595.

CARRIED

Councillor Sentes, Opposed

- 9.3 Penticton Disc Golf Club Re: Non-Exclusive Licence to Use
Re: Esplanade and 480 Vancouver Avenue

107/2016

It was MOVED and SECONDED

THAT Council authorize a Licence to Use Agreement with Penticton Disc Golf Club, a non-profit Society, over approximately 0.3 ac of 500 Marina Way (the Esplanade) and 480 Vancouver Avenue to formalize the existing use of a Disc Golf Course on the property and to allow improvements and development of the course for a period of 3 years, beginning March 15, 2016 at a rate of \$1.00 per year, with standard insurance requirements;

AND THAT the standard administration fee of \$250 be waived for the Penticton Disc Golf Club licence to use.

CARRIED UNANIMOUSLY

- 9.4 Zoning Amendment Bylaw No. 2016-09 & Zoning Amendment Bylaw No. 2016-10
Re: Liquor Sales in Grocery Stores

108/2016

It was MOVED and SECONDED

THAT Council give first reading of Zoning Amendment Bylaw No. 2016-09, a bylaw that amends Zoning Bylaw 2011-23 as follows:

- Amends the definition of 'retail store' to remove reference to grocery store;
- Adds a definition for 'grocery store,' which includes the sale of 100% BC wine on an on-the-shelf model and liquor in a store-within-a store model;
- Adds the use 'grocery store' to the following zones: C3, C4, C5, C6 and C7;

AND THAT Zoning Amendment Bylaw 2016-09 is forwarded to the March 21, 2016, Public Hearing.

CARRIED

Councillors Sentes, Watt, Sayeed, Opposed

109/2016

It was MOVED and SECONDED

THAT Council deny first reading of Zoning Amendment Bylaw 2016-10, a bylaw that adds regulations restricting liquor sales in grocery stores to be a minimum of 1 km from a retail store selling liquor or any other grocery store selling wine or liquor.

CARRIED

Councillors Sentes, Watt, Sayeed, Opposed

- 9.5 Zoning Amendment Bylaw No. 2016-13
Re: 812 Johnson Road

110/2016

It was MOVED and SECONDED

THAT Council give first reading to Zoning Amendment Bylaw 2016-13, a bylaw permitting the limited rental of vehicles on Lot 1, District Lot 188, Similkameen Division Yale District, Plan 9969, located at 812 Johnson Road (404 Haven Hill Road); And that Council forward the bylaw to the March 21st Public Hearing.

CARRIED

Mayor Jakubeit and Councillor Picton, Opposed

- 9.6 Fees and Charges Amendment Bylaw No. 2016-12
Re: Vending Fees

111/2016

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2016-12".

CARRIED UNANIMOUSLY

- 9.7 Liquor-Primary Permanent Change
Re: Fraternal Order of Eagles (4281) – 1197 Main Street

112/2016

It was MOVED and SECONDED

THAT staff be directed to commence public notification of the proposed Liquor-Primary permanent change to include a licenced exterior patio for the Fraternal Order of Eagles (4281) located at 1197 Main Street; AND THAT staff report back to Council at their meeting on April 4, 2016 the results of the public consultation for Council's consideration.

CARRIED UNANIMOUSLY

- 9.8 Bylaw Notice Enforcement Amendment Bylaw No. 2016-08

113/2016

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Bylaw Notice Enforcement Amendment Bylaw No. 2016-08".

CARRIED UNANIMOUSLY

- 9.9 Collections/Disconnections Council Policy

114/2016

It was MOVED and SECONDED

THAT Council direct staff to bring forward an amendment to the "Collections-Disconnection" Policy adopting a 'no-disconnect' strategy concurrent with implementation of increased landlord communication such as an email notification on utility arrears.

CARRIED UNANIMOUSLY

- 9.10 Second Extension Agreement for Naramata May Pole Sculpture

115/2016

It was MOVED and SECONDED

THAT Council approve the request from the Regional District of Okanagan Similkameen and the Naramata Community School PAC/Centennial Committee to extend the term for displaying the May Pole Sculpture within the Front Street round-about to May 31, 2016; AND THAT Council authorize the Mayor and Corporate Officer to execute the Extension Agreement.

CARRIED UNANIMOUSLY

10. Correspondence

11. Committee and Board Reports

- 11.1 Downtown Revitalization Sub-Committee meeting of February 5, 2016

116/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Downtown Revitalization Sub-Committee meeting of February 5, 2016.

CARRIED UNANIMOUSLY

- 11.2 Arts, Creative & Cultural Innovations Committee meeting of February 11, 2016

117/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Arts, Creative & Cultural Innovations Committee meeting of February 11, 2016.

CARRIED UNANIMOUSLY

118/2016 **It was MOVED and SECONDED**
THAT Council not approve the installation of a replacement sign in Lakawanna Park recognizing the public art piece.

CARRIED
Councillors Sayeed, Watt, Sentes, Opposed

11.3 Transportation Advisory Committee meeting of February 16, 2016

119/2016 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Transportation Advisory Committee meeting of February 16, 2016.

CARRIED UNANIMOUSLY

11.4 Heritage & Museum Committee meeting of February 18, 2016

120/2016 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Heritage & Museum Committee meeting of February 18, 2016.

CARRIED UNANIMOUSLY

121/2016 **It was MOVED and SECONDED**
THAT Council direct staff to review properties within the City of Penticton that currently do not have any numbering or poorly visible numbering.

CARRIED UNANIMOUSLY

11.5 Penticton Creek Restoration Committee meeting of February 19, 2016

122/2016 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of February 19, 2016.

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

123/2016

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Monday, March 7, 2016 at 9:34 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

To: City of Penticton

**Subject: Petition requesting extension of Penticton Public Bus Services to the
"Upper Wiltse Area" with regular day-time service to a bus-stop near Wiltse
Blvd./ Stocks Crescent**

As the initiator of this petition, I submit the following documents for consideration by Penticton City Council:

Text of the Petition

Pages 1 to 7 of supporting signatures (109 signatures in total)

I wish to attend the council meeting dealing with this matter and therefore ask to be informed at what date this will be on the meeting agenda.



John K. Mueck
706 Armstrong Drive
Penticton BC V2A 8L4

Date: Feb. 29. 2016

On behalf of the City of Penticton, I acknowledge receipt of the Petition Documents mentioned above, for submission to City Council.

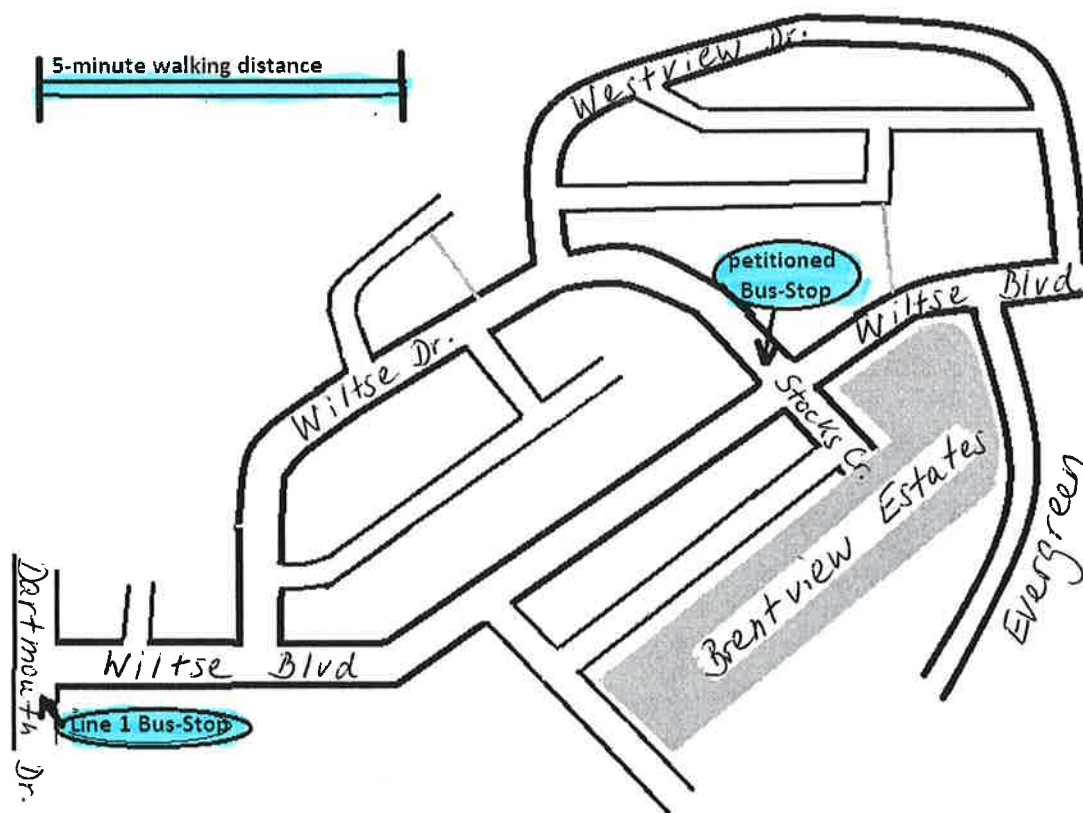


Date: 2016/02/29

Petition

To: Penticton City Council / BC Transit

Subject: Requesting Extension of Penticton Public Bus Services to the "Upper Wiltse Area"
With regular day-time service to a bus-stop near Wiltse Blvd./Stocks Cr.



The area shown on the sketched map counts 400 residential houses. This includes about 80 homes of "Brentview Estates". Assuming a 4-persons-per-house average, the population count is then 1 600, close to 5% of total Penticton population.

To have an understanding of time/distance involved to walk to a bus-stop, the sketch shows a distance marker for a "5-minute walk". Generally, a 5-minute walk to a bus-stop is considered reasonable and acceptable. By applying that standard to the area shown on the sketch, it is quite clear that the existing bus line with a stop at Dartmouth/Wiltse Blvd. cannot be seen as adequately servicing the whole Wiltse Area. In fact, only about 50 houses along the lower parts of Wiltse Blvd. and Wiltse Drive are within the 5-minute walking distance. For the remaining 350 houses in the area – and that means 1400 residents – public bus service is out of range.

This petition seeks to change that by bringing bus service to where the people and potential passengers are. It is therefore suggested that a new bus-stop should be located near the intersection of Wiltse Blvd. / Stocks Crescent. At that location, the bus-stop could have 160 neighborhood houses plus 80 homes of Brentview within the 5-minute walking range. Depending on the routing of a bus line to that location, it would seem possible to add 2 or 3 additional stops to make the service available to nearly all residents in the area.

All of the Wiltse Area being sloping terrain, the use of bicycles or battery powered scooters is not practical.

Public Bus Service, as an alternative to using private vehicles, is needed in the Wiltse Area just as much as in comparable other residential areas (Carmi, Uplands, etc.), where bus service is better organized.

By signing my name to this form, I declare:

That I am an eligible voter in Penticton Civil Elections, and

That I fully support the petition requesting Penticton Public Bus Services to establish

A bus-stop near Wiltse Blvd./ Stocks Cr.

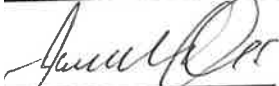
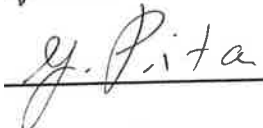
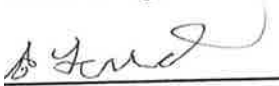
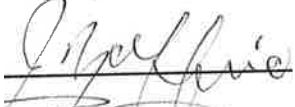
Printed Name	Address	Tel.	Signature
MUECK, JOHN	706 ARMSTRONG DR.		<i>John Mueck</i>
MUECK Barbara	706 ARMSTRONG DR.		<i>Barbara Mueck</i>
P. Louki,	#109 170 STOCKS CR.		3324
S. Brown	#103 - 170 STOCKS CRES.		<i>S. Brown</i>
P.E. CROSSLEY	#104 - 170 STOCKS CRES.		<i>P.E. Crossley</i>
S.A. CROSSLEY	#104 - 170 STOCKS CRES.		<i>S.A. Crossley</i>
R. Greer	108-170 STOCKS CRES.		<i>R. Greer</i>
Evelyn Markin	112-170 Stocks CRES.		<i>E. Markin</i>
JOE MORELW	113-170 STOCKS CRES.		<i>Joe Morel</i>
C. MARSTON	116 170 " "		<i>C. Marston</i>
Duane Martin	118 170 Stock CRES.		<i>D. Martin</i>
Bernard GILLHAM	119 170 ✓ ✓		<i>B. Gillham</i>
B. Stochnoff	120 170 ✓ ✓		<i>B. Stochnoff</i>
T. Taylor	123 170 ✓ ✓		<i>T. Taylor</i>
C. HEATHLIE	124 - 170 " "		<i>C. Heathlie</i>
C. Marten	127 - 170 " "		<i>C. Marten</i>

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Printed Name	Address	Tel.	Signature
DARRELL BEEBE	158-170 STOCKS CR		
Michael Furr	167 Stocks Cr.		
Wayne Williams	713 Armstrong Dr		
JAMES CLARK	707 ARMSTRONG DR		
JOAO M. PITA	105 WESTVIEW DR.		
GRAPA DE PITA	105 WESTVIEW DR.		
DOREEN GUSTIN	115 WESTVIEW DR		
MIRKO GUSTIN	115 WESTVIEW DR		
Edna Janel	123 WESTVIEW DR.		
Laura Perrin	137 Westview Dr		
Engrid Zaffino	143 westview dr		
Bruce Diller	151 Westview Dr		
Don Fotsyth	152 Westview Dr		
Michelle Aragon	150 Westview Dr.		
Chad Jackson	654 Corbitt Dr		
LAKHVIK DHALIWAL	2382 WILTSE DR		

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Printed Name	Address	Tel.	Signature
ARND WITZKE	133-170 Stocks CRES		Arnd Witzke
KERR KEVANS	134-170 " "		Kerr Kevans
DON + EVELYN	WALSER - 136-170 STOCKS CRES		Walser Don & Evelyn
Chester Rempel	156-170 Stocks Cr.		Ch Rempel
Bob Thompson	141-170 Stocks Crest		Bob Thompson
Julie Thompson	141-170 Stocks Crest		Julie Thompson
Scott Waldie	144-170 STOCKS CRES.		Scott Waldie
Bob Watson	177-170 Stocks Cr.		Bob Watson
Gerhard Richter	179-170 Stocks Cr.		Gerhard Richter
Alice Richter	"		Alice Richter
SHARON WINTER	#183-170 STOCKS CR		Sharon Winter
Jim Winter	183-170 Stocks Cr.		Jim Winter
MARY SUTTIE	184-170 Stocks CRES.		Mary Suttie
ARDI PARKER	160-170 Stocks CRES.		Ardi Parker
JIM PARKER	160-170 STOCKS CRES		Jim Parker
Jan Beebe	158-170 Stocks CRES		Jan Beebe

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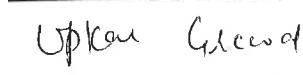
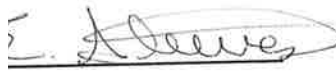
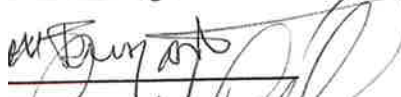
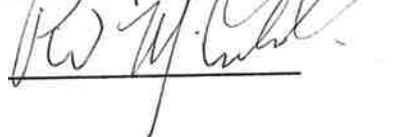
Printed Name	Address	Tel.	Signature
RAMON A MC CUTCHEAN	163 WESTVIEW DR PENTICTON		RAM
DONALD CHARK	160 WESTVIEW DR		Don Chark
LAURIE Gray	683 Wiltse Blvd		Laurie Gray
Todd Potter	671 Wiltse Blvd.		Todd Potter
Josephine Lee	667 Wiltse Blvd.		Joe Lee
DEVINDER	661 WILTSE BLVD.		Devinder
Isa Wallace	657 Wiltse Blvd		Isa Wallace
DEWIS THOMSEN	662 WILTSE BLVD.		Dennis Thomsen
PERI STOKOOL	668 WITSE BLVD		Peri Stokool
Nghia Ly	684 Wiltse BLV		Nghia Ly
GURLAN SIDHU	690 WILTSE BLVD		Gurlan Sidhu
BAWINDER DHALLWAL	2377 WILTSE DR.		Bawinder Dhallwal
RICHARD ROYER	4107 170 STOCKS CRESENT		Richard Royer
Keith McEwen	122 - 170 STOCKS CRESC		Keith McEwen
Brent Schneider	121 - 170 STOCKS CRESC.		Brent Schneider
Shirley Wild	132 - 170 Stocks Cr.		Shirley Wild

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That I am an eligible voter in Penticton Civil Elections, and

That I fully support the petition requesting Penticton Public Bus Services to establish

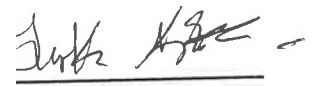
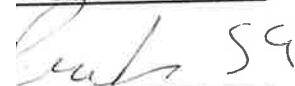
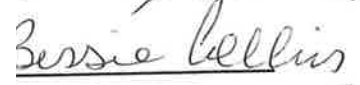
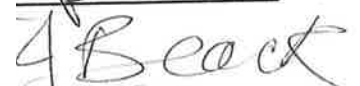
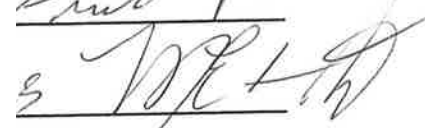
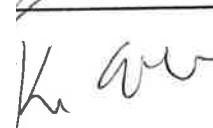
A bus-stop near Wiltse Blvd./ Stocks Cr.

Printed Name	Address	Tel.	Signature
Laura Kuypers	757 Armstrong Dr		
Marty Heek	757 Armstrong Dr.		
WAYNE ROSS	751 ARMSTRONG DR		
CLARK PALM	737 ARMSTRONG		
Anne Williamson	2390 Wiltse drive		
aurinder	2388 Wiltse dr		
UPKAR GREWAL	743 ARMSTRONG DR		
Elaine Stearns	798 Armstrong Dr		
Dot Wiltse	798 Armstrong Dr		
DENNIS KERVAGHAN	155 GORDON DR		
Tammy Drobe	130 Rogers Cres.		
BRIAN DROBE	130 ROGERS CRES		
Dallas Harrington	109 Rogers Crs.		
Ter-MANUEL K	186 Tubens		
W BURGART	159 WESTVIEW DR		
PW McCutchan	163 Westview Drive		

By signing my name to this form, I declare:

That I am an eligible voter in Penticton Civil Elections, and

That I fully support the petition requesting Penticton Public Bus Services to establish
A bus-stop near Wiltse Blvd./ Stocks Cr.

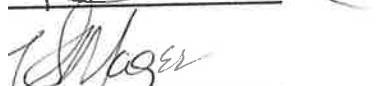
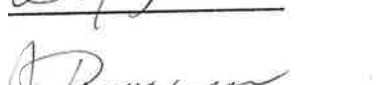
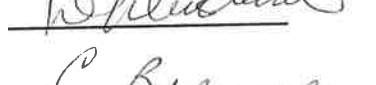
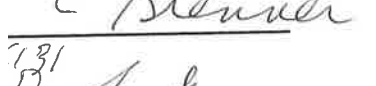
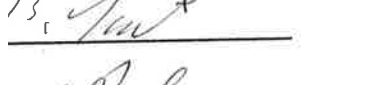
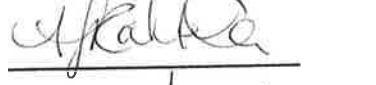
Printed Name	Address	Tel.	Signature
Anu Dhaliwal	2382 Wiltse Drive		
Gurk Klar	2380 Wiltse Drive		
Jessica Klar	2380 Wiltse Drive		
PARMINDER Gill	2379 Wiltse Drive		
Harinder Anand	2383 Wiltse Drive		
TONY DHALIWAL	737 Wiltse Blvd		
Bessie Collins	759 Wiltse Blvd.		
Scott Campbell	783 Wiltse Blvd		
Shelia Donkin	853 Wiltse Blvd		
JUDY BLACK	855 Wiltse Blvd		
Patty Wadson	722 Armstrong Dr		
Frank Hodel	738 Armstrong Dr.		
Maria Knauth	752 Armstrong Dr		
D. Kramer	752 Armstrong Dr.		
J. Burgart	770 Armstrong Dr		
C Kircher	783 Armstrong Dr		
Karen Kirche	783 Armstrong Dr		

By signing my name to this form, I declare:

That I am an eligible voter in Penticton Civil Elections, and

That I fully support the petition requesting Penticton Public Bus Services to establish

A bus-stop near Wiltse Blvd./ Stocks Cr.

Printed Name	Address	Tel.	Signature
DAVID MUELLER	142-170 Stocks Cres.		
Wade Tubak	176-170 Stock Cr.		
MARK GOTHEIN	175-170 STOCK CRST.		
VERN MAGEE	181-170 Stocks CRST.		
Jean Duncan	185-170 STOCK CR		
DON DNISTRANSKY	165-170 Stock Cr.		
CAROL BRENNER	161-170 STOCKS CR		
B. Lambert	168-170 Stocks Cr		
D Poole	170 STOCKS Cr. #169		
BARRY DENICK	170 STOCKS Cr. #151		
GERRY KART	150-170 STOCKS Cr.		
Amanda Rahkola	2456 Evergreen Dr.		
Harjit Sidhu	714 Armstrong pr.		

The Corporation of the City of Penticton

Bylaw No. 2016-08

An amendment to regulate enforcement of bylaw notices

WHEREAS pursuant to the *Local Government Bylaw Notice Enforcement Act* and the *Community Charter*, the City may establish fine amounts for contravention of City bylaws;

AND WHEREAS the City of Penticton has adopted "Bylaw Notice Enforcement Bylaw No. 2012 – 5037";

AND WHEREAS the City of Penticton wishes to amend Schedule 'A' to "Bylaw Notice Enforcement Bylaw No. 2012 - 5037";

NOW THEREFORE the Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

1. Title:

This Bylaw may be cited as the "Bylaw Notice Enforcement Amendment Bylaw No. 2016 - 08."

2. Amendment:

2.1 Amend Schedule 'A' by deleting and replacing the following appendices in their entirety:

Appendix 1 – Building Bylaw No. 94-45

Appendix 4 – Business Licence Bylaw No. 2012-5020

Appendix 5 – Non Profit Registration Bylaw No. 2011-5000

Appendix 10 – Traffic Bylaw No. 94-39

2.2 Appendices 1, 4, 5, 10 attached hereto forms part of this bylaw.

READ A FIRST time this 7 day of March, 2016

READ A SECOND time this 7 day of March, 2016

READ A THIRD time this 7 day of March, 2016

ADOPTED this day of , 2016

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Schedule 'A'

APPENDIX 1

BUILDING BYLAW NO. 94-45

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Fail to obtain a permit	9.1 (c)	\$150.00 \$ 250.00	\$135.00 \$225.00	\$165.00 \$ 275.00	Yes
Fail to post permit in a conspicuous place	9.1 (d)	\$75.00	\$65.00	\$85.00	Yes
Fail to provide notice for inspection	9.1 (i)	\$100.00 \$ 125.00	\$90.00 \$ 110.00	\$110.00 \$ 140.00	Yes
Fail to obey an order to cease work	9.1 (k)	\$150.00	\$150.00	\$165.00	No
Doing construction that is at variance with the permit	9.1 (l)	\$100.00	\$90.00	\$110.00	Yes
Fail to obtain and post a completion certificate	9.1 (p)	\$100.00 \$ 125.00	\$90.00 \$ 110.00	\$110.00 \$ 140.00	Yes
Fail to obtain an occupancy permit	9.1 (q)	\$100.00 \$ 125.00	\$90.00 \$ 110.00	\$110.00 \$ 140.00	Yes
Fill or excavate without retaining	9.1 (r)	\$ 300.00	\$ 270.00	\$ 330.00	Yes
Failure to control surface water onto an adjoining property	9.1 (s)	\$ 150.00	\$ 130.00	\$ 170.00	Yes
Failure to correct unsafe condition	9.1 (t)	\$ 300.00	\$ 270.00	\$ 330.00	No
Fail to provide proper fencing around a swimming pool	10.1	\$150.00	\$135.00	\$165.00	Yes

Schedule 'A'

APPENDIX 4

BUSINESS LICENCE BYLAW NO. 2012-5020

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Carry on business without a licence	5.1	\$100.00 \$ 250.00	\$90.00 \$ 225.00	\$110.00 \$ 275.00	Yes
Obstructing a Licence Inspector	6.1	\$ 150.00	\$ 130.00	\$ 170.00	No
Failure to notify the Manager prior to transfer, change or cancellation of a business licence	7.1	\$50.00	\$45.00	\$55.00	No
Fail to display the current business licence	10.2	\$75.00	\$65.00	\$85.00	Yes
Failure to renew a Business Licence	11.1	\$ 250.00	\$ 225.00	\$ 275.00	Yes
Carrying on business while licence is under suspension	12.5	\$ 250.00	\$ 225.00	\$ 275.00	No
Failure of builder or trades person to obtain required permits	16.2	\$ 150.00	\$ 130.00	\$ 110.00	No

Schedule 'A'

APPENDIX 5

NON PROFIT REGISTRATION BYLAW NO. 2011-5000

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Carry on Non-Profit without registration	4.2	\$100.00 \$ 250.00	\$90.00 \$ 225.00	\$110.00 \$275.00	Yes
Failure to allow access for inspection	5.1	\$75.00 \$ 150.00	\$65.00 \$ 130.00	\$85.00 \$ 170.00	No
Fail to notify the manager prior to transfer, change or cancellation of a non-profit registration	6.1	\$50.00	\$45.00	\$55.00	No
Fail to display the current non-profit registration	9.1	\$75.00	\$65.00	\$85.00	Yes

Schedule 'A'

APPENDIX 10

TRAFFIC BYLAW NO. 94-39

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Amount	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Excessive noise from motor vehicles	7.2	\$100.00	\$90.00	\$110.00	No
Operate a motor vehicle with person riding in the cargo compartment	3.1.24	\$100.00	\$90.00	\$110.00	No
In possession of open liquor	3.1.25	\$100.00	\$90.00	\$110.00	No
Loiter (or stand) and obstruct traffic	3.1.7	\$100.00	\$90.00	\$110.00	No
Unsecured load	3.1.20	\$100.00	\$90.00	\$110.00	No
Using a skateboard, skates or other similar means of conveyance in a restricted area	3.1.3	\$ 75.00	\$65.00	\$85.00	No
Undue care and attention while using a skateboard or skates	6.7	\$ 75.00	\$65.00	\$85.00	No
Disobey traffic control device	3.1.1	\$ 75.00	\$65.00	\$85.00	No
Drive vehicle in park	3.1.16	\$100.00	\$90.00	\$110.00	No
Drive vehicle on sidewalk	3.1.2	\$100.00	\$90.00	\$110.00	No

Passenger not properly seated	3.1.26	\$100.00	\$90.00	\$110.00	No
Fail to tarp load	12 (A) 9	\$100.00	\$90.00	\$110.00	No
Place or permit to be placed merchandise on a highway	3.1.11	\$100.00	\$90.00	\$110.00	Yes
Solicit business on a street without a licence	3.1.23	\$100.00	\$90.00	\$110.00	Yes
Ride bicycle on sidewalk	3.1.28	\$ 50.00	\$45.00	\$55.00	Yes
"A" Ticket Overtime Parking	Schedule P	\$35.00 \$ 40.00	\$15.00 \$ 20.00	\$35.00 \$ 45.00	No
"B" Ticket Infraction	Schedule P	\$55.00	\$40.00	\$55.00	No

Bylaw No. 2016-09

A Bylaw to Amend Zoning Bylaw 2011-23

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2016-09".

2. **Amendment:**

Zoning Bylaw 2011-23 is hereby amended as follows:

2.1 Amend section 4.2 Definitions and replace with the following:

Retail Store means premises where goods, merchandise and other materials are offered for retail sale to the general public and includes on-site storage or limited seasonal outdoor sales to support the retail operation, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of gross floor area of the retail stores. Typical uses include but are not limited to food, hardware, pharmaceutical, retail liquor sales, clothing, pawnshops, thrift store, auctioneer establishments and sporting goods stores, but does not include grocery stores.

2.2 Add the following definition to section 4.2 Definitions:

Grocery Store means a retail outlet with a net floor area of at least 929 m² (10,000 sq feet), including storage space, primarily retailing in a general line of foods, including canned, dry and frozen foods, fresh fruit and vegetables, fresh and prepared meats, fish and poultry, dairy products, baked products, snack foods, non-liquor beverages and general household products and pharmaceuticals. This use can include retail liquor sales with a store-within-a-store model as licensed by the Liquor Control and Licensing Branch (LCLB) or the sale of 100% BC wine, with a wine-on-the-shelf model, as licensed by the LCLB, but not both in the same location.

2.3 Add the permitted use 'grocery store' to the following zones: C3 – Commercial Residential Mixed Use; C4 – General Commercial; C5 – Urban Centre Commercial; C6 – Mixed Use Commercial; and C7 – Service Commercial.

READ A FIRST time this	7	day of	March, 2016
A PUBLIC HEARING was held this	21	day of	March, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
RECEIVED the approval of the Ministry of Transportation on the		day of	, 2016
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 11 day of March, 2016 and the 16 day of March, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2016-12

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 Municipal 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. 2016-12".

2. **Amendment:**

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

- Appendix 28 – Vending Fees

2.2 Appendix 28 attached hereto forms part of this bylaw.

READ A FIRST time this 7 day of March, 2016

READ A SECOND time this 7 day of March, 2016

READ A THIRD time this 7 day of March, 2016

ADOPTED this day of , 2016

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Appendix 28

VENDING FEES	2015	Effective 2016
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Park, Beach and Street Vending Fees

One Year Permits (Victoria Day - Labour Day weekends)

Price per 10'x10' spot annually (double spots or two year licence times 2)

Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime Plus	new	\$1,550.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime	new	\$1,400.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Secondary	new	\$1,325.00
Beach and Park Vending Fee (annually) 10'*10' Skaha Prime	new	\$1,300.00
Beach and Park Vending Fee (annually) 10'*10' Skaha Secondary	new	\$1,300.00
Beach and Park Vending Fee (annually) 10'*10'	\$1,300.00	
Beach and Park Vending Fee (annually) 10'*15'	\$1,950.00	
Beach and Park Vending Fee (annually) 10'*20'	\$2,600.00	

Two Year Permits (Victoria Day - Labour Day weekends) _____

Beach and Park Vending Fee (annually) 10'*10'	\$2,650.00
Beach and Park Vending Fee (annually) 10'*15'	\$3,975.00
Beach and Park Vending Fee (annually) 10'*20'	\$5,300.00

Street Vending Fees

One Year Permit 6' x 12'	\$1,300.00	\$1,325.00
Two Year Permit 6' x 12'	\$2,650.00	

Motorized and Non-Motorized Mobile Vending (Victoria Day - Labour Day weekends)

Seasonal Motorized Mobile Vending Fee	\$1,800.00	\$1,840.00
Seasonal Non-Motorized Mobile Vending Fee	\$600.00	\$610.00
Off-Seasonal Motorized Mobile Vending Fee	\$600.00	\$610.00

Bylaw No. 2016-13

A Bylaw to Amend Zoning Bylaw 2011-23

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2016-13".

2. **Amendment:**

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

Add section 11.2.3 Other Regulations:

.3 In the case of Lot 1, District Lot 188, Similkameen Division Yale District, Plan 9969, located at 812 Johnson Road, the rental of up to nine (9) vehicles is permitted as an accessory use to a convenience store.

READ A FIRST time this	7	day of	March, 2016
A PUBLIC HEARING was held this	21	day of	March, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 11 day of March, 2016 and the 16 day of March, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

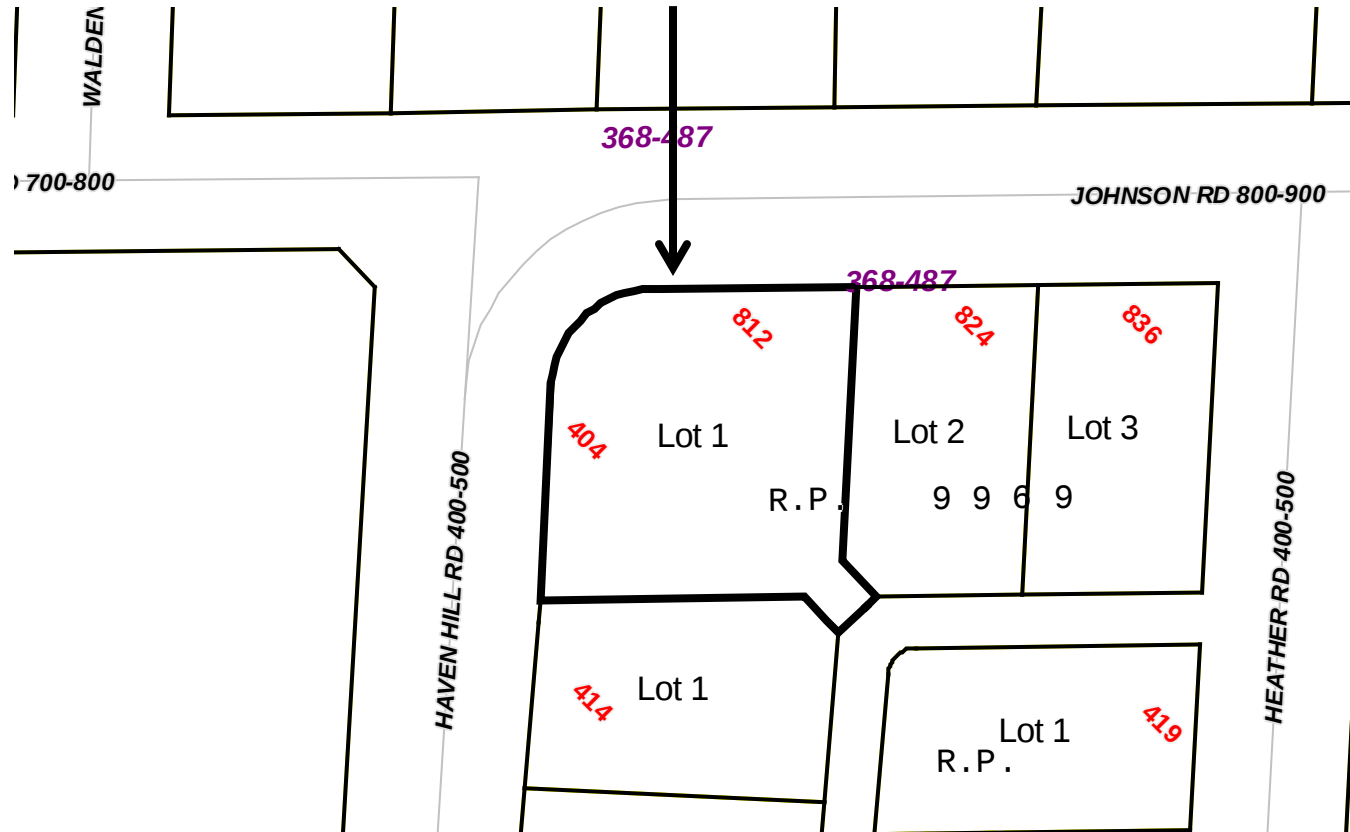
Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

812 Johnson Road (404 Haven Hill Road)

- 28 -

Site Specific Zoning Amendment to permit the rental of up to nine (9) vehicles as an accessory use to a convenience store



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-13

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: March 21, 2016 **File No:** DP PL2016-7593 & DVP PL2016-7592
To: Eric Sorensen, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 988 Lakeshore Drive West
Subject: **Development Permit PL 2016-7593 and Development Variance Permit PL2016-7592**

Staff Recommendation

THAT Council approve Development Permit PL2016-7593, for the construction of a new restaurant building for Lot 2, District Lot 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1897 located at 988 Lakeshore Drive West;

AND THAT staff be directed to issue Development Permit PL2016-7593;

AND THAT Council approve a Development Variance Permit PL2016-7592 for Lot 2, District Lot 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1897 located at 988 Lakeshore Drive West, to reduce the interior side yard from 4.5m to 0m and reduce the minimum width of a landscape buffer along a highway from 3m to 0.3m;

AND THAT staff be directed to issue Development Variance Permit PL2016-7592;

Strategic priority objective

The proposal meets Council's strategic priority of waterfront enhancement and revitalization.

Background

This site is located at the west end of Lakeshore Drive West and is the current location of the "Black Sea Motel". The subject property (Attachment 'A') is zoned CT1 (Tourist Commercial). It is also designated TC (Tourist Commercial) in the Official Community Plan (OCP). In addition, the property is within the General/Tourist Commercial Development Permit Area.

The applicant intends to build a new 2 storey 1,230 m² (13,239 ft²) restaurant with an outdoor patio. The proposed building replaces the existing structure that abuts the West property line and which is attached to the "Black Sea Motel".

Proposal

The applicant is requesting a Development Variance Permit ("DVP") to vary the following sections of Zoning Bylaw 2011-23:

- Section 11.10.2 .7: reduce the minimum interior side yard from 4.5m to 0m to allow a restaurant and an outdoor patio; and
- Section 6.3.1: reduce the minimum width of a landscape buffer along a highway from 3m to 0.3m.

Financial implication

n/a

Technical review

Engineering and Building staff has reviewed the application and do not recommend any conditions prior to approval. The applicant will need to comply with the BC Building Code prior to the approval of a Building Permit. As this property also has a frontage on Churchill Avenue, section 6.3.1 of the zoning bylaw is relevant. Consequently, construction of a sidewalk will be required at the interface between street and property. This will form part of the Building Permit approval and has been communicated to the applicant.

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. The proposed variances are as follows:

Section 11.10.2 .7: reduce the minimum interior side yard from 4.5m to 0m to allow a restaurant and an outdoor patio

A 4.5m interior setback reduction along the west side of the property line is requested as part of this application, replicating the existing site conditions. The property is directly adjacent to “Salty’s” restaurant and the reduction in interior setback was granted for the construction of the current restaurant. This reduced side yard is required to maintain the existing access to the Black Sea Motel. The proposed location of the building creates architectural variation and interest on the site, as well as enhancing the existing streetscape along Lakeshore Drive. The proposed use of the site is compatible with the character of Lakeshore Drive and is unaltered from the current uses. Staff does not consider that the variance requested, will create an adverse impact on neighbouring properties.

Section 6.3.1 : reduce the minimum width of a landscape buffer along Churchill Avenue from 3m to 0.3m

The applicant is requesting a reduction in the width of the landscape buffer along Churchill Avenue, due to the requirement for restaurant parking and bin stores, together with a need to preserve the existing parking (necessary for the motel) and the requirement for the provision of the sidewalk. The applicant has accepted the requirement to provide the sidewalk on Churchill Avenue and is proposing a 0.3m landscaping strip along that frontage, together with additional trees to break up the parking area. Staff considers that the proposal will continue to enhance this site, does not have a negative impact on surrounding land uses and is

reasonable in terms of scale and location. In addition, the reduction in the landscape buffer is mitigated by satisfying other City requirements.

Due to the narrow nature of this site these variances are appropriate to provide an interesting addition to the Lakeshore Drive Tourist Commercial area and will offer waterfront enhancement. Staff recommends that Council supports the application as submitted.

Deny/Refer

Should Council consider that the proposed variances represent a negative impact on the tourist character of the area it may deny the Development Variance Permit. Alternatively, Council may refer the application back to staff with further instructions.

Development Permit

The subject property is located in the General/Tourist Commercial Development Permit Area ("DPA"). When evaluating an application, the plans are reviewed against the guidelines contained in the Official Community Plan. The objective of the OCP is to produce a streetscape defined by attractive buildings and landscaping; as well as establishing building forms, site planning principles and landscape standards appropriate for the area. The proposed building creates a pedestrian oriented first floor with windows, outdoor seating and patio areas. The proposed form of the building has architectural interest, varied roof line and a variety of building finishes. Landscaping on the site is limited but the applicant is proposing improvements at the rear of the property including additional trees and shrubs and sidewalk along Churchill Avenue.

The proposal complies with the intent of the Development Permit guidelines and provides an attractive addition to Lakeshore Drive with a street-oriented development that is visually compatible with the adjacent properties; and which ensures high levels of transparency to the street. Staff considers that the plans conform to the DPA guidelines and the CT1 zoning regulations and 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.

Alternative Recommendations

1. THAT Council deny "DVP PL2016-7592", and refer "DP PL2016-7593" back to staff.
2. THAT Council refer "DVP PL2016-7592"," and "DP PL2016-7593" back to staff to work with the applicant on an alternative design.

Attachments

Attachment A: Subject Property Location Map
Attachment B: Zoning Map

Attachment C: OCP Map
Attachment D: Elevations
Attachment E: Site Plan
Attachment F: Photos of the site
Attachment G: Letter of Intent
Attachment H: DVP
Attachment I: DP

Respectfully submitted,

Audrey Tanguay, MCIP
Senior Planner

Approvals

Director	CAO
JGH	ES

Attachment A – Subject Property Location Map



Figure 1: Subject property highlighted in red

Attachment B – Zoning Map

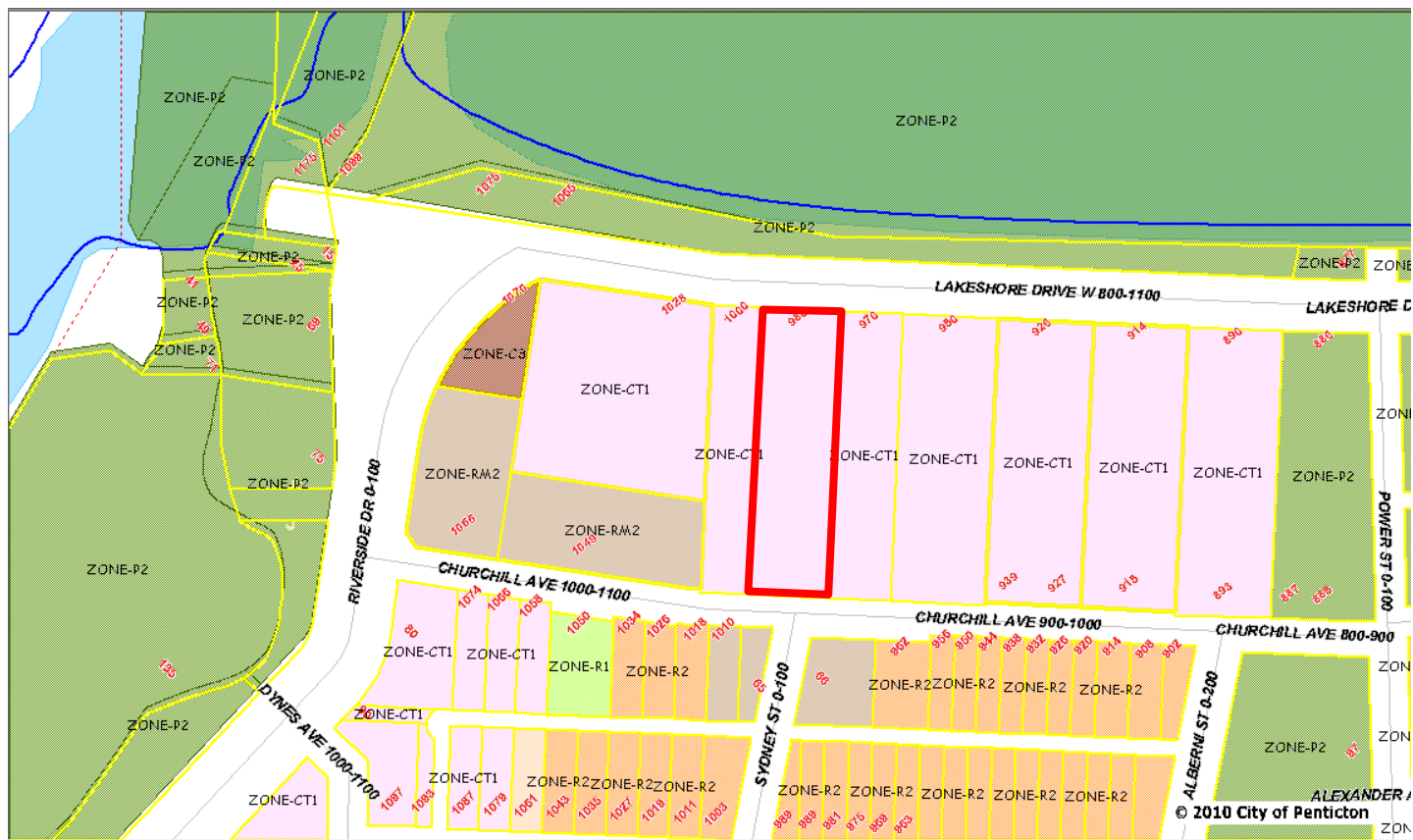


Figure 2: Zoning Map

Attachment C – OCP Map

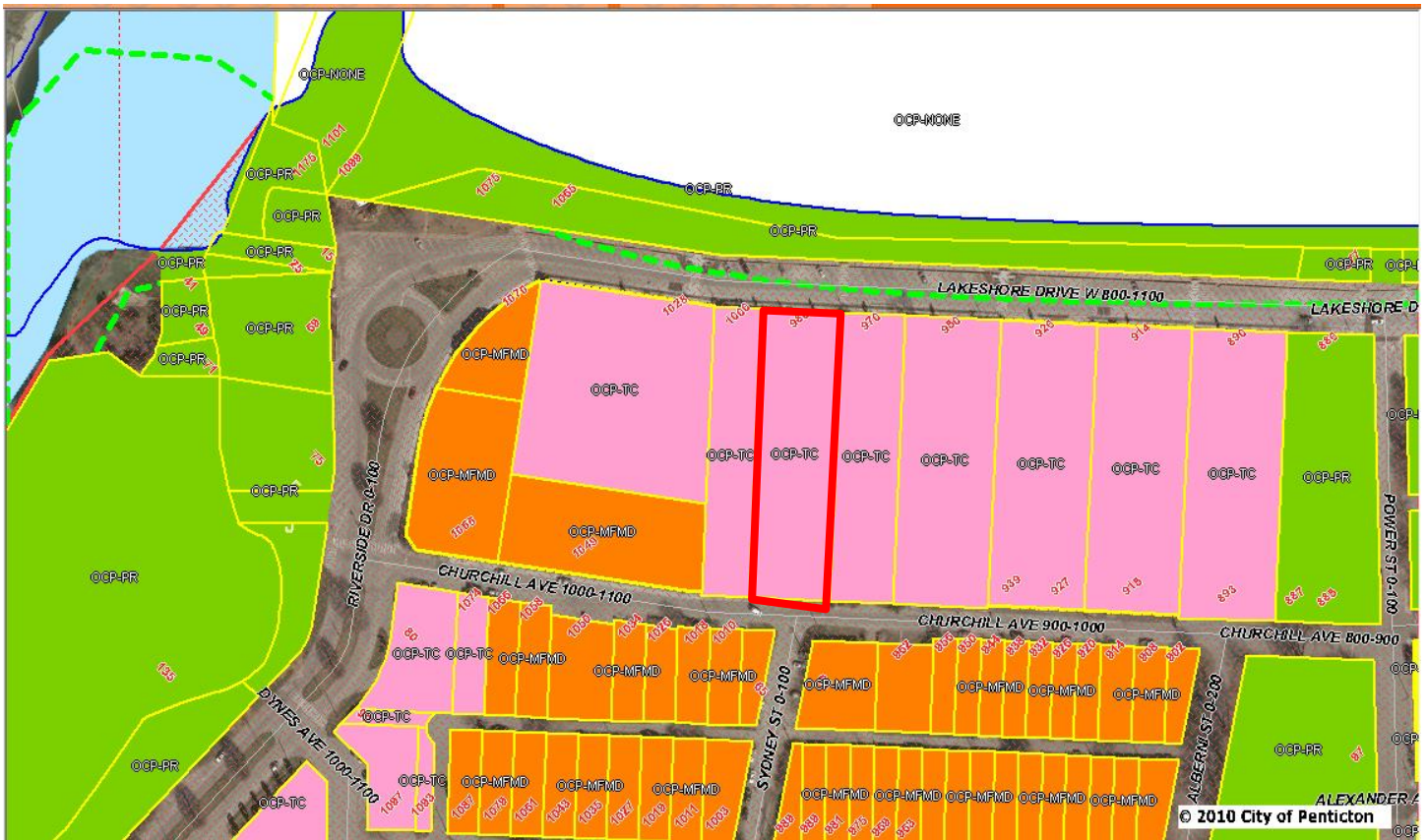


Figure 3: OCP Map

Attachment D – Elevations

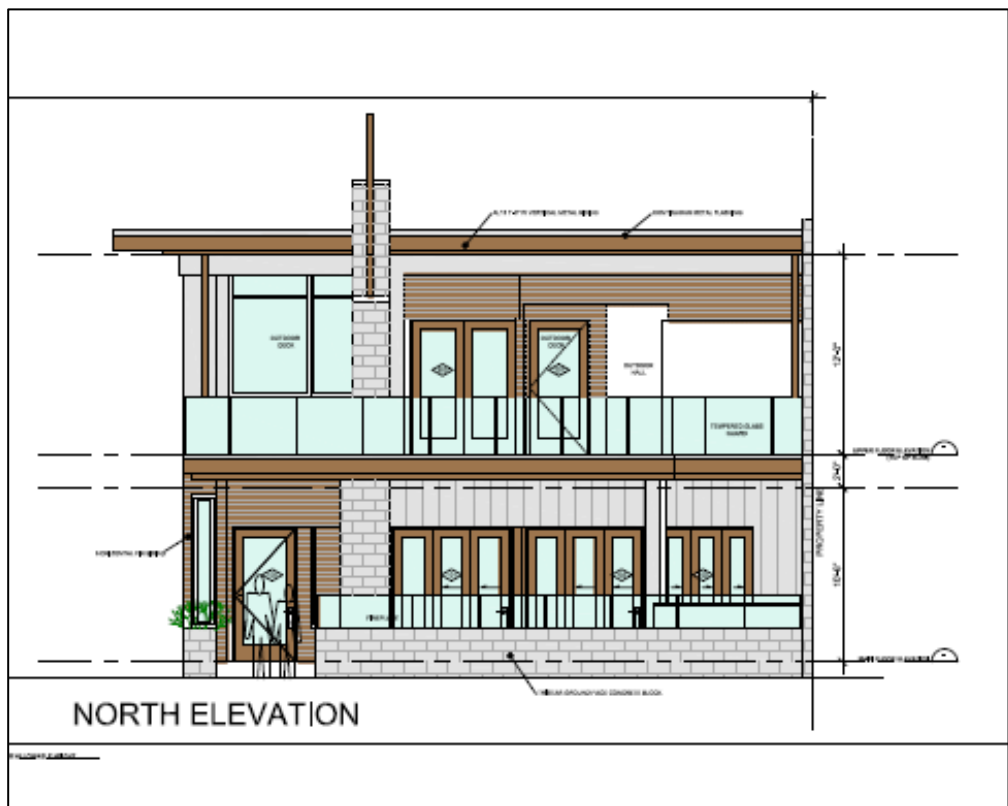


Figure 4: North Elevations

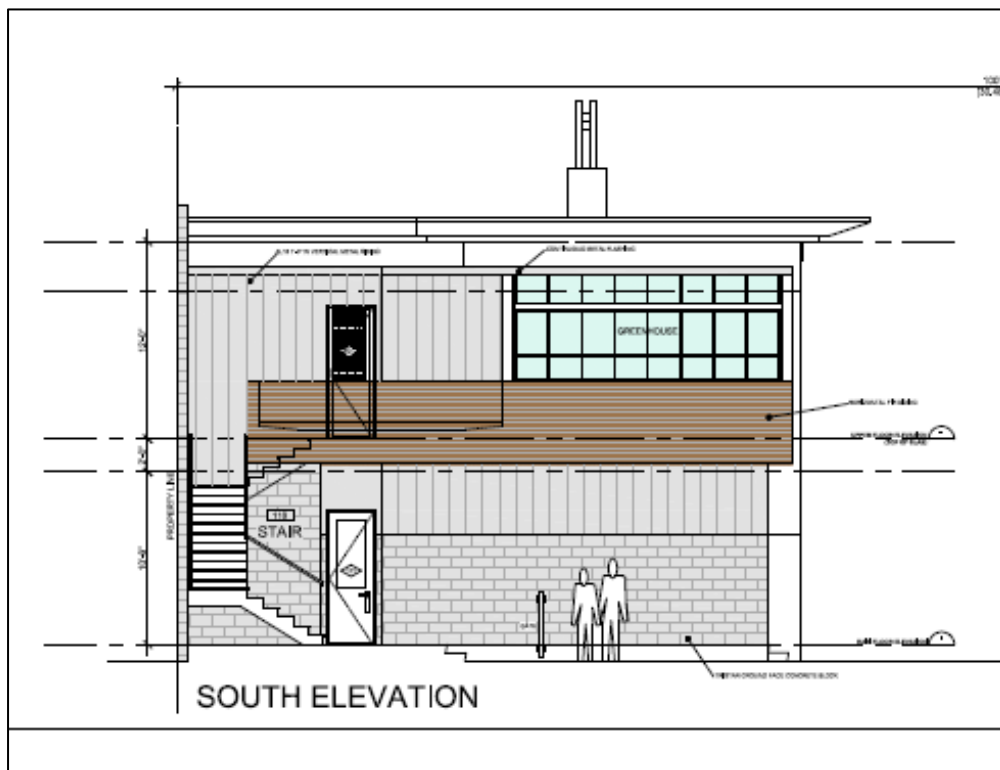


Figure 5: South Elevation

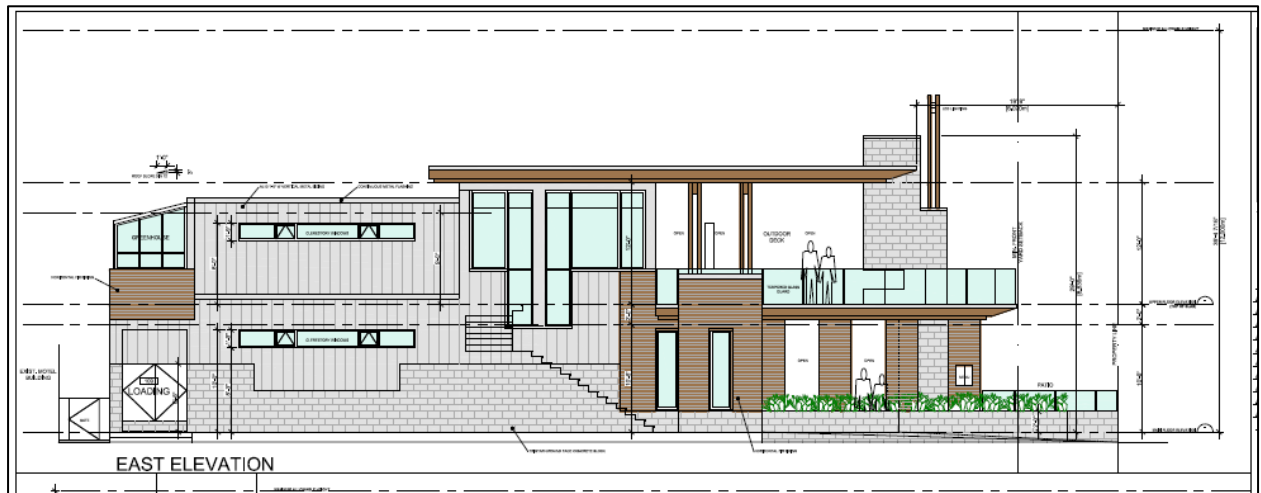


Figure 6: East Elevation

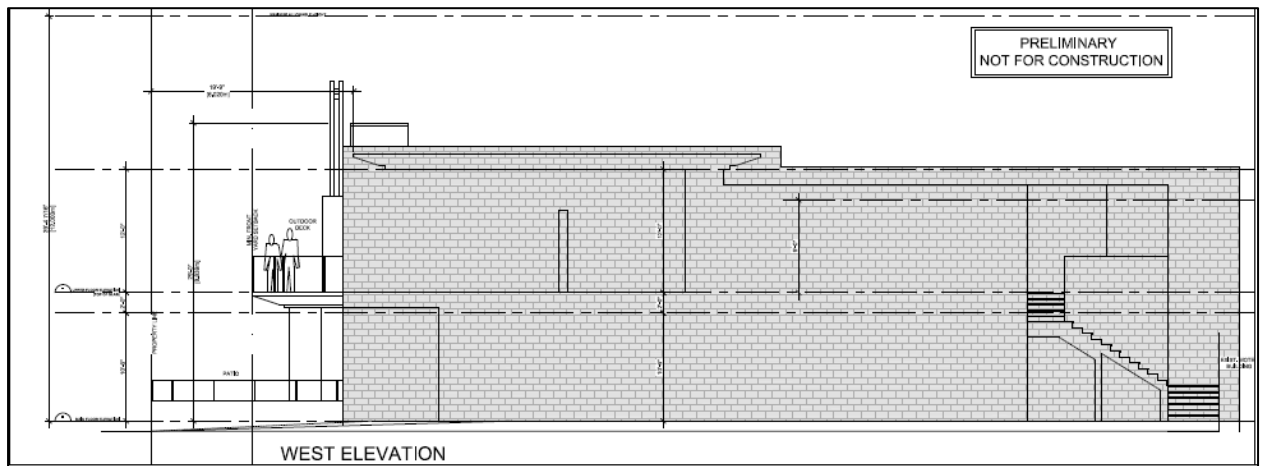


Figure 7: West Elevation

Attachment E – Site Plan

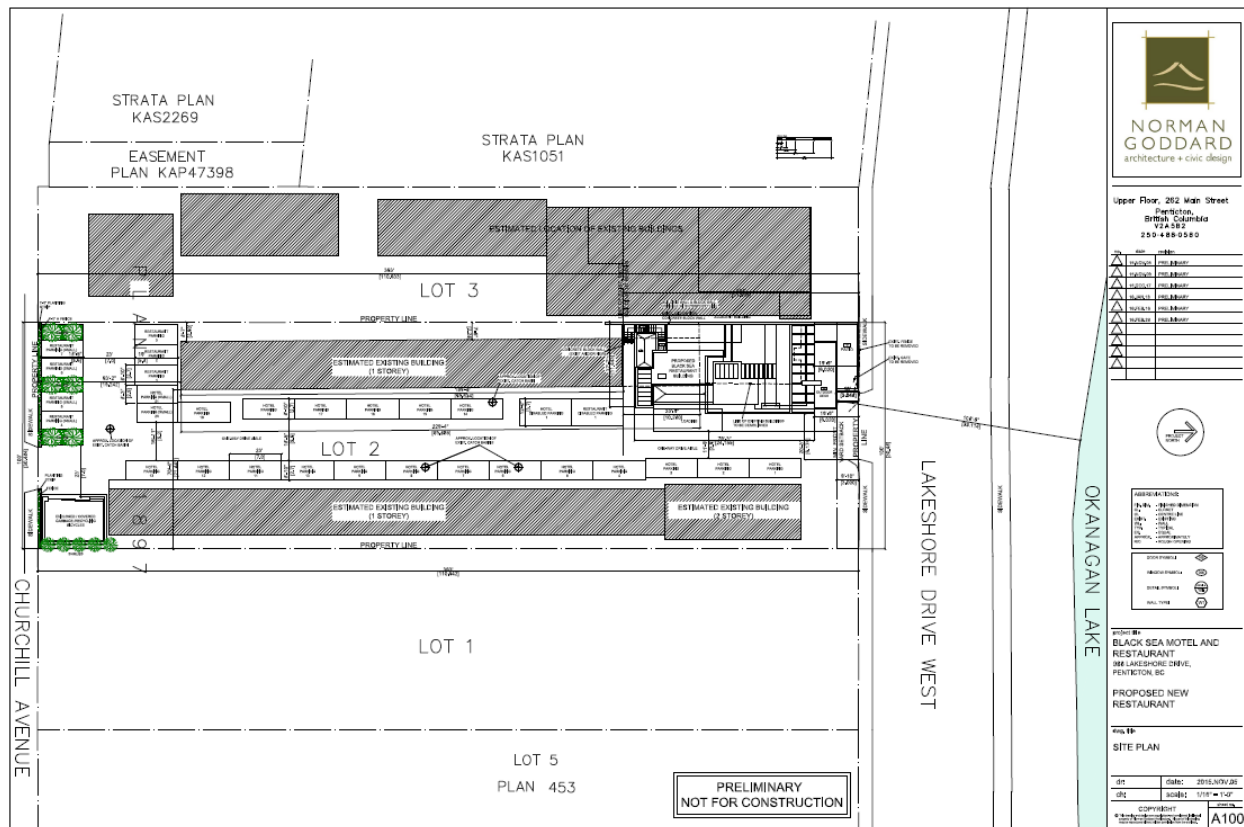


Figure 8: Site Plan

Attachment F – Photos of the site



Figure 9: Image of the Black Sea Motel



Figure 10: Image along Lakeshore Drive



Figure 11: View from the back of the Black Sea Motel

Attachment G – Letter of intent



January 14, 2016

Mr. Blake Laven
Planning Manager, City of Penticton
171 Main St
Penticton BC

Dear Mr. Laven,

Re: Development Variance Permit Application for new restaurant structure at 988 Lakeshore Dr. West

We are respectfully submitting an application for a development variance to permit the construction of a new restaurant on the Black Sea Motel property. The requested variance is for a relaxation of the West interior side yard from 4.5m to 0.0 m. The proposed new building replaces an existing structure that currently abuts the West property line. A review of adjacent buildings along Lakeshore Drive shows that a number of buildings, including the building immediately to the West, are situated very close to sideyard property lines. As well, a reduced West sideyard setback is required to maintain the existing access to the Black Sea Motel property.

We are also requesting a variance to reduce the 3.0m landscape strip on Churchill Ave to 0.3m. This decrease is necessary to provide the required restaurant parking stalls. We will be providing sidewalk improvements, fence screening, landscape areas within the proposed parking layout and a garbage/recycling/ bicycle enclosure as shown on the enclosed site plan.

The parking requirement for this restaurant, based on 1 stall per 50 sq. m. for the seating areas of the enclosed main level, covered main floor patio and the covered portion of the upper level deck is 5 stalls. It is our understanding that the motel currently has 7 stalls and one loading bay available for restaurant use.

The owners of this development are keenly interested in improving the streetscape appeal and pedestrian experience on this block of Lakeshore Drive. We sincerely request your consideration of this variance; if you have any questions or require additional information please do not hesitate to contact our office.

Yours truly,

Norman Goddard
Architect AIBC

Norman L. Goddard, Architect AIBC
Upper Floor, 262 Main Street Penticton, BC V2A 5B2 norman@goddardarchitectureltd.com P: 250-488-0580

Attachment H – DVP



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

Development Variance Permit

Permit Number: DVP PL2016-7592

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 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District,
Plan 1897
Civic: 988 Lakeshore Drive W
PID: 004-574-559

This permit has been issued in accordance with Section 498 of the Local Government Act, to vary the following section of Zoning Bylaw 2011-23 to facilitate the construction of a new restaurant as shown in the plans attached in Schedule A:

- Section 11.10.2.7.: reduce the minimum interior side yard from 4.5m to 0m to allow a restaurant and an outdoor patio
- Section 6.3.1: reduce the minimum width of a landscape buffer along a highway from 3m to 0.3m

General Conditions

3. In accordance with Section 501 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.
4. In accordance with Section 504 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.
5. 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.
6. 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.
7. 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 21st of March, 2016

Issued this ____ day of _____, 2016

Dana Schmidt,
Corporate Officer

Attachment I – DP



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

Development Permit

Permit Number: DP PL2016-7593

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 3, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1897
Civic: 988 Lakeshore Drive W
PID: 004-574-559
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a to facilitate the construction of a new restaurant 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 \$ 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, 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

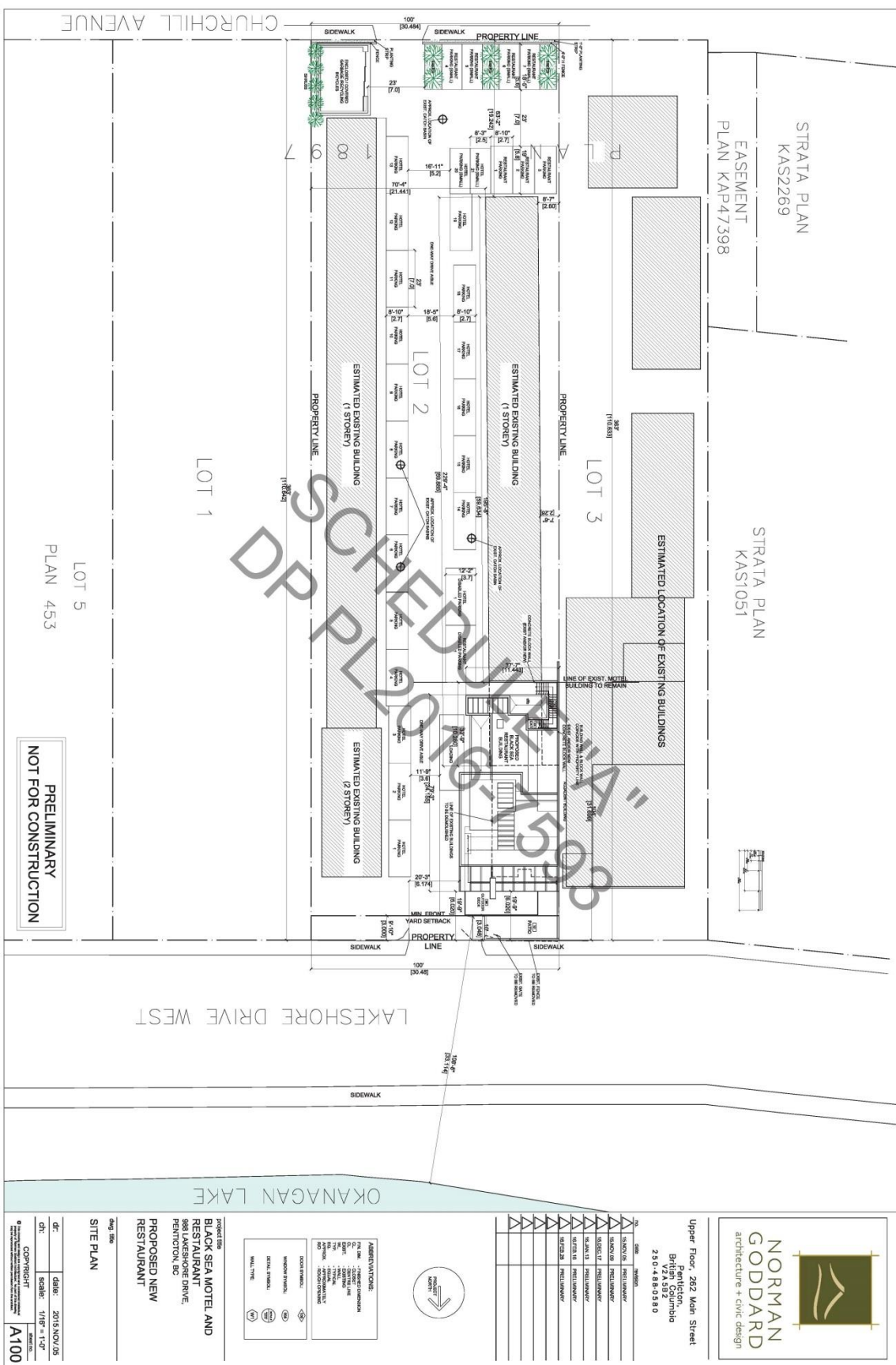
General Conditions

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 21st of March, 2016

Issued this ____ day of _____, 2016

Dana Schmidt,
Corporate Officer





Council Report

penticton.ca

Date: March 21, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Bregje Kozak, Manager of Facilities
Subject: **Facilities Master Plan, Phase 2**

File No: 0710-03

Staff Recommendation

THAT Council direct staff to begin work on Phase 2 of the Facilities Master Plan (FMP) as described in this Council Report, with a targeted completion date of December 31, 2016.

Strategic priority objective

Reduce the City's annual spend on civic facilities, improve operational efficiencies and service delivery.

Background

As previously presented to council in June 2015 and in a follow up presentation in January of 2016, Phase 1 of the Facilities Master Plan is complete and has identified a need for over \$30,000,000 in Facilities capital expenditures over the next 10 years, to ensure that the City's (25) key facilities can continue to support the required services for our community. Considering the average actual spend in our facilities (\$1,065,000), the annualized Master Plan spend (\$3,750,000) and the annual depreciation value (\$4,600,000), this represents a shortfall ranging between \$2,700,000 to \$3,500,000 between what the City is currently spending on Facilities Capital and what they should be spending.

In order to deal with this large amount of work and in consideration of the funding shortfall, it is prudent that the City proceed with Phase 2 of the Facilities Master Plan to collect information and develop a business case that will consider upgrade, replacement, re-purposing, consolidation or disposal options to reduce the required annual capital spend in our facilities.

Key facilities to be included in this phase of work include those which:

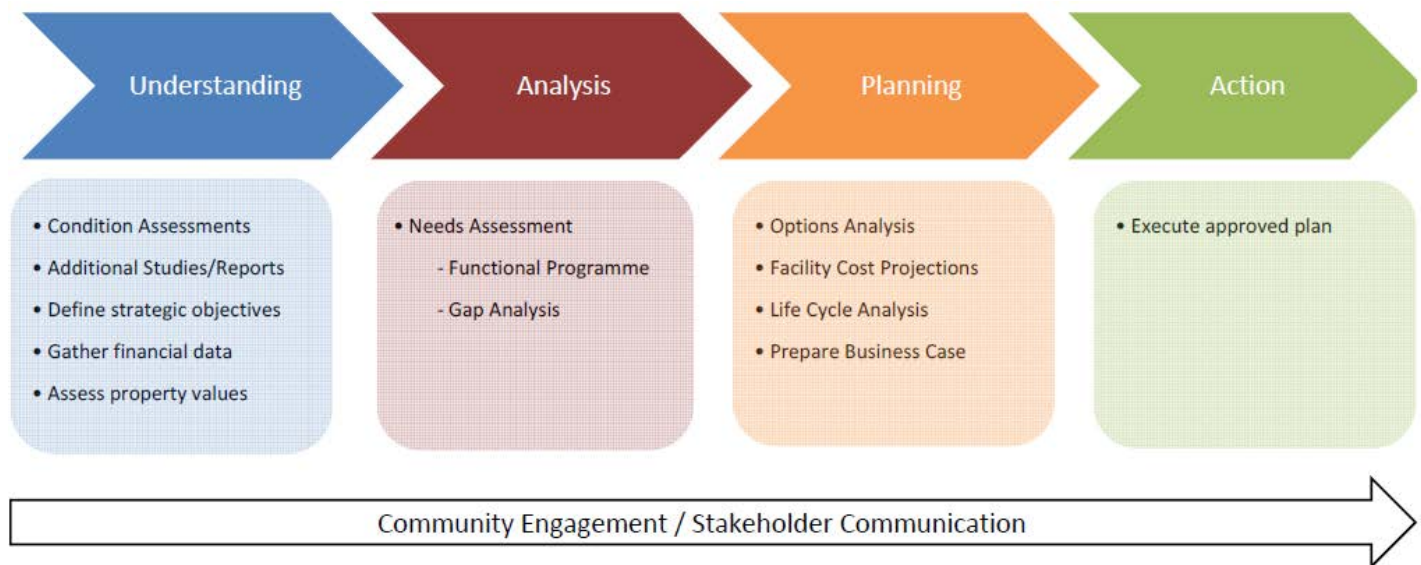
- Require high forecasted capital expenditures;
- Are showing a loss on our financial statements;
- Are not being efficiently utilized or no longer satisfying their original intended purpose; and
- Those facilities that could be combined to achieve operational efficiencies.

The facilities currently being considered are included below, and additional facilities may be considered as we progress into Phase 2 of the FMP:

- Memorial Arena
- Penticton Trade and Convention Center (PTCC)
- City Hall
- Library/Museum
- Art Gallery

Phase 2 of the FMP will focus on:

- 1) Fact finding and gaining a better understanding our current situation;
- 2) Analyzing the facility and program needs through a functional programme and gap analysis exercise;
- 3) Building a real estate strategy complete with options and financial analysis on how to move forward with our facilities over the long term; and
- 4) Executing the approved real estate strategy (considered the final phase of the FMP)



Community consultation will begin early in the process and will continue throughout this phase of work. Early engagement of the public is necessary to collect thoughts on:

- Number and usage of arenas
- Upgrade Memorial or replace
- Possible locations for Library, Art Gallery, Museum
- Gauge acceptance on consolidated facilities and programs
- Collect feedback on possible sites/locations: status quo, City Hall, PTCC
- Funding options – incremental tax increase, partnerships, other options

1) Understanding our Current Situation

A lot of work has already been completed. Existing condition assessments of (25) key facilities were completed as identified in the 2013 Facilities Master Plan, prepared by GDH Solutions and a team of specialty consultants. Additionally, two separate facility assessments were completed in 2013 by Morrison Hershfield, to assess the existing building conditions for Fire Halls #1 and #2, which were not included in the GDH report.

However in order to fully understand the City's current situation, additional information gathering is required to clearly define the City's strategic objectives related to its' civic building inventory and replacement strategies. Additional financial information for each facility will be gathered to provide input into the financial analysis exercise and comparing various options as part of the business case. This will include operating and maintenance costs, cost of projected tenant improvements and capital plan expenditures, and current market values for land and property. We will also review existing lease agreements, zoning and by-law requirements and trust condition requirements to ensure any recommendations for disposal, consolidation or upgrade are in accordance with existing commitments and requirements.

Additional Studies and assessments are required within some of our key facilities to help guide Phase 2 of the FMP:

- a) **Memorial Arena, Structural Review** – the FMP indicated that further structural reviews would be required to fully understand the structural condition of the facility. The City has engaged Associated Engineering to provide a more detailed review of the facility, complete with a report, cost estimates and recommendation for upgrades.
- b) **Memorial Arena, Life Cycle Costing analysis** – this study will compare total life cycle costs of upgrading/renovating Memorial arena to the cost of replacing it with a new facility. GDH Solutions has been engaged to perform this work with a target completion of end of April 2016.
- c) **Ice Usage/Arena usage analysis** – review ice in and dry floor usage in all arena facilities and determine how many arenas or 'sheets of ice' are required to support the current and future needs of the community, sport organizations and associations, and Sport Tourism considerations. This process will include community input through focus group sessions with members of the various sports organizations and groups. GDH Solutions has been engaged to perform this work with a target completion of end of April 2016.
- d) **Adidas Sportsplex** – The heating and roof systems in the indoor soccer facility are both experiencing issues and are at the end of their useful life. There is currently a temporary heating system in place in the facility as the original one has been decommissioned due to operational issues. The canvas roof structure is experiencing tears, sagging of the canvas material and in 2015 one large section had to be replaced due to damage caused by high winds. S&A Falcon Engineering have been engaged to provide options and recommendations for replacement of the mechanical system. CIMA+ Structural Engineers have been engaged to provide an assessment of the roof, with options and recommendations for upgrade or replacement. City staff will also review the feasibility and costs of converting the soccer facility to an indoor lacrosse box to create a multi-use facility that can be used for soccer in the winter and lacrosse in the spring/summer months.

- e) **Penticton Trade and Convention Centre (PTCC)** – As presented in the January 2016 update to council, the PTCC represents a total operating loss to the City of approximately \$200K annually. In addition annualized capital improvements to the building and annualized tenant improvements run at \$400,000 and \$277,000 respectively. Building on a study completed regarding alternate uses of the facility and an economic impact report, a more detailed assessment is required to conduct a market analysis and review the long-term financial viability of the PTCC. A consultant with specific expertise in economic investigation and market analysis related to the convention business is required to review the operating and financial performance of the PTCC within the City's current operating model. They would also be tasked with projecting future financial performance in consideration of possible new entrants or competition in the conventions business in the Okanagan, and ultimately providing a recommendation on the long term viability of the PTCC.

2) Needs Assessment and Gap Analysis

In order to develop options for the real estate strategy, we must consider how existing programs are currently accommodated in our key facilities and what the future of those programs look like. A needs assessment will include preparation of a functional programme and a gap analysis. The facilities or programs to be included in the needs assessment will be confirmed pending the results of the PTCC feasibility study and the arena usage analysis. However, we are currently anticipating that the following facilities would be included;

- **Library/Museum** – This facility is being considered for consolidation into the PTCC or at City Hall as the building requires almost \$3,000,000 in upgrades over the next 10 years and there are synergies between these programs and other programs at the Community Centre and possibly the Art Gallery. This is also a facility that could be considered for disposal.
- **Art Gallery** – This facility is being considered for consolidation into the PTCC or at City Hall as there are possible synergies with other programs at the Community Centre, Library and Museum. The Art Gallery requires some \$500,000 in improvements. Once relocated the existing facility could be considered for market lease or disposal.
- **City Hall** – As this building requires almost \$3,500,000 in upgrades over the next 10 years, this facility will also be reviewed in terms of program needs and space efficiencies. This will allow the City to better understand the future needs of City Hall and how that fits within the overall real estate strategy.

The functional program will provide a compiled list of the type, quantity and locations of spaces required by each program area, within each facility. It will also address spatial adjacencies, special requirements and technical considerations. The information is compiled through interviews and consultations with staff, management, operation/maintenance input, user groups and community stakeholders as required.

The gap analysis will take the functional program and develop it further, through consultation with a larger audience and will consider the following issues:

- Optimizing efficiencies
- Account for future growth
- Social and environmental benefits
- Public service benefits
- Access and opportunity
- Aging population and demographics
- Sustainability
- Effective use of resources
- Desired locations and adjacencies
- Changing role of sport, arts, culture, recreation and workplace in the City of Penticton

3) Planning

The planning process will take the information derived from the Understanding and Analyzing processes, to develop the City's real estate strategy. This process will consider options and provide a recommendation for consolidation, re-purposing, disposal and/or upgrades of the key facilities to meet the intended objectives of the project.

The real estate strategy will:

- Review potential sites for consolidation of programs;
- Review potential sites for disposal or re-purposing;
- Include blocking and stacking diagrams to illustrate how various departments and programs will interact within potential sites or facilities; and
- Consider partnership opportunities to help fund the Facilities Master Plan implementation and consolidation initiatives;
- Develop a complete financial analysis including capital cost projections and life cycle costing for the various options; and
- Develop a business case to compare different options and scenarios complete with a recommendation and funding requirements.

4) Action

This is where we put the plan into action and will be considered the final phase of the Facilities Master Plan. There may be one large or several smaller projects that will form this phase of work and projects will be prioritized into the 5-year budget cycle. Further details for this phase will be confirmed upon approval of Phase 2.

Phase 2 is anticipated to be completed by early 2017 as follows:

Item No.	Description	Completion Date	Comments
1.	Memorial Arena/Ice Usage Analysis	April 2016	GDH Solutions has been engaged to perform this study.
2.	Soccer Facility (heating and roof structure) Analysis	April 2016	S&A Falcon has been engaged to perform the heating system analysis. CIMA+ has been engaged to perform the analysis on the roof structure.
3.	PTCC Feasibility Analysis	July 2016	Consultant team to be determined.
4.	Needs Assessment (City Hall, Art Gallery, Library/Museum)	Fall 2016 (TBC)	Consultant team to be determined.
5.	Real estate strategy	Early 2017 (TBC)	Consultant team to be determined.
6.	Additional studies/reports	As required	This is a contingency amount for additional studies or reports that may be required pending the outcome of the above noted items.

Financial implication

A total of \$150,000 is required to complete Phase 2 of the Facilities Master Plan, as per the following breakdown:

Item No.	Description	Cost
1.	Memorial Arena/Ice Usage Analysis	\$10,000
2.	Soccer Facility (heating and roof structure) Analysis	\$10,000
3.	PTCC Feasibility Analysis	\$20,000
4.	Needs Assessment (City Hall, Art Gallery, Library/Museum)	\$50,000
5.	Real estate strategy (Consolidation Options, Financial Analysis and Business Case)	\$50,000
6.	Additional studies/reports	\$10,000

The funding for this phase of work will come from existing 2016 Facilities Capital budget.

Analysis

The City is faced with over \$30,000,000 in facilities capital expenditures over the next 10 years. This represents an annual shortfall of \$2,700,000 to \$3,500,000, between what the City is currently spending on Facilities Capital and what they should be spending. The City needs to make some difficult decisions in order to reduce their required annual capital spend on facilities. These decisions will be made through development of a real estate strategy that looks at options for consolidating, re-purposing or eliminating buildings or uses.

This is a difficult and complex task and in order to achieve success, a thorough process must be undertaken to ensure that the City considers all options and has sound justification for any decisions that will be made. Implementing such a real estate strategy represents a significant investment for the City and its taxpayers, and a detailed and rigorous process is required to ensure that the City will provide a solution that represents the best overall value for its citizens.

This will be an inclusive planning exercise that will include consultation and engagement with Council, staff, management, user groups and the community throughout the process. Phase 2 of the Facilities Master Plan will result in options and recommendations to present to Council to achieve the objectives of reducing capital expenditures, refining operational efficiencies and improving service delivery.

Alternate recommendations

THAT Council refer Phase 2 of the Facilities Master Plan plan back to staff with direction.

Attachments

No attachments

Respectfully submitted,

Bregje Kozak
Manager of Facilities

Approvals

Director	City Manager
	<i>ES</i>

Council Report

penticton.ca

Date: March, 21, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Len Robson, Public Works Manager

File No: 5360-06

Subject: Multi-Material BC (MMBC) & Solid Waste Cart Update

Staff Recommendation

THAT Council receives the Multi-Material BC & Solid Waste Cart Update & Recommendation report for information;

AND THAT Council amends the 2016 annual capital budget to add \$176,000 to CAP76000-001: Solid Waste - Cart Program from the MMBC Reserve account to address the updated costs of the solid waste cart collection program.

Strategic priority objective

N/A

Background

This report is intended to provide Council with an update on how the City is performing with regards to the Multi-Material BC (MMBC) recycle program as well as an update on the implementation of the residential cart based garbage and recycle collection project.

The City of Penticton's recycle collection process has undergone a significant change with the introduction of the Multi-Material BC (MMBC) recycle program and the introduction of a cart based garbage and recycle program in September.

For some, these changes create challenges. In order for the changes to be effective, the public needs to be educated to clearly understand what is expected of them, why the changes are being made, and the benefits to the City and the environment as a whole.

MMBC Update

The MMBC recycle program commenced on May 19th, 2014. The first year report card for the City of Penticton was received in November 2015 and the one year volume report was received in June of 2015. The reports are provided as an indicator as to how the program is doing in relation to the expected targets.

The metrics in these reports are contamination by weight of materials collected and volumes of recyclables collected.

MMBC Recyclables Contamination Report:

- The target contamination for **Residential Curbside Recycle Collection** is **3%** by weight of non-paper & product packaging items (PPP). The one year report based on 10 audits indicates an average of **8.1%** by weight of non-PPP items are being disposed of as recyclable material.
- The target contamination for **Multi-Family Recycle Collection** is **3%** by weight of non-paper & product packaging items (PPP). The one year report based on 18 audits indicates an average of **11.8%** by weight of non-PPP items are being disposed of as recyclable material.

The MMBC contract states that for each audited load of recyclables that does not meet the 3% contamination rule a Service Level Failure fine in the amount of \$3,750 can be deducted from the monthly MMBC payment to the City. MMBC has not issued Service Level Failures yet; however, they are requesting collectors to implement measures to meet the performance expectations.

MMBC Volume of Recycle Material Collected Report

The target for **residential curbside collection** is an average annual weight of in-scope PPP per house hold (HH) of **135 kg/HH/year**. Performance bonuses from MMBC are available if the average annual weight exceeds **180 kg/HH/year** and if the annual weight is less than the **135kg/HH/year** collectors are expected to implement measures to increase participation.

- The **residential curbside collection** one year performance report for in-scope PPP is **120.58 kg/HH/year**

The target for **multi-family collection** is an average annual weight of in-scope PPP per unit of **75 kg/HH/year**. Performance bonuses from MMBC are available if the average annual weight exceeds **100 kg/HH/year** and if the annual weight is less than the **75 kg/HH/year** collectors are expected to implement measures to increase participation.

- The **multi-family collection** one year performance report for in-scope PPP is **73.85 kg/HH/year**.

Based on the numbers provided from MMBC it is evident the City of Penticton's recycle contamination rates and participation in the recycle program is not meeting the expected targets.

The key to improving both of these measures is education followed by enforcement. Municipalities that are meeting the MMBC expectations have invested heavily in education, curbside inspection and lastly enforcement. Additional resources are required to improve the performance of contamination and participation.

Garbage and Recycle Cart Program – Update

The Supply and Distribution of Garbage, Recycle and Yard Waste Carts Request for Proposals has been awarded to IPL Environmental. A Canadian company that will service the City of Penticton through their

representative in the Lower Mainland. Locally IPL has provided the same services to other local communities including Kelowna and West Kelowna.

IPL Environmental was the lowest bidder meeting all specifications deemed to be the best overall value for the City of Penticton. The value of the contract is estimated at \$1,481,000, plus applicable taxes. The final value will vary slightly depending on the finalized quantities ordered.

Residents have been advised of the program by way of the City newsletter, direct mailer, and displays set up at City Hall, City Yards and the Community Centre. Staff recently had a display at the Penticton Home Show March 5th and 6th which was very well received.

As Staff works through the implementation of this project, there are many issues that require attention to ensure the rollout goes smoothly. Overall, the program is generating a lot of interest and receiving positive feedback.

Implementing a cart based solid waste and recycle collection program for a community of Penticton's size is a significant program that requires thought and resources to implement successfully. Additional resources are required to ensure the roll out is effective.

Additional resources are yet to be determined and may include a full time or part time contract employee or consultant, students or a combination of the 3. This will depend on the resources available and the most cost effective approach. Based on positions requiring similar qualifications the budget required will be \$85,000 for the term.

Financial implication

The MMBC agreement (5 years from May 2014) includes a financial incentive paid to the City of Penticton in the amount of \$39,000 per month for the collection of recyclables. This incentive is to be used for the purposes of administering the recycling program and associated costs of collection. To date the incentive is secured in a Solid Waste and Recycling Reserve which has accumulated \$856,000 (end of February 2016). The forecasted incentives received over the life of the agreement are paid into a special purpose MMBC reserve and are estimated to a total \$2,340,000.

The 2016 budget for the Cart Program was estimated at \$1,600,000 which will be funded by the MMBC Incentives accumulated in a special purpose MMBC reserve to date and received during the term of the agreement.

The updated estimate for the Cart Program is \$1,776,000 (including taxes payable)

- IPL Cart Supply and Delivery - \$1,585,000
- Handheld RFID Readers (2) - \$6,000
- Publications and Mailers - \$10,000
- Tempest Software Changes - Billing & Cart Management - \$15,000
- Staff Assistance (New Request - 1 year term) - \$85,000
- Contingency - \$75,000

The additional \$176,000 budget request will extend the time to repay the debt by 5 months. Based on the updated estimate, all else being equal, the cost of the project will be wholly repaid to the reserve by the

monthly MMBC incentive receipts in March of 2018 (the initial 5 year MMBC Agreement will expire in November 30th, 2018 – MMBC may extend for an additional 2 – 1 year terms).

Analysis

Solid waste and recycle collection and disposal is considered a valuable core service for our community as every resident is served each week by this service. The public interest we have experienced since the introduction of the MMBC recycle program and the cart initiative is overwhelming.

Although the MMBC recycle program has added a level of complexity to the recycle collection service, the program is highly effective at collecting and ensuring recyclables are dealt with in an environmentally responsible manner. The MMBC audit reports for the City of Penticton indicate that additional education is required to encourage and assist our residents in the participation of the recycle program.

The collection carts that will be delivered in September of this year will modernize our collection methods. Public feedback on the carts has been well received by the majority of residents. Additional education and staff support will be required during the initial stages of the roll out program.

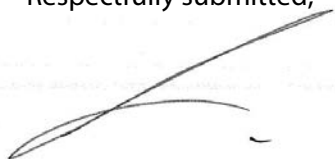
Additional staff resources for a minimum of 1 year term will assist in the public education of the solid waste and recycle collection program.

Alternate recommendations

N/A

Attachments

Respectfully submitted,



Len Robson, ASCT

Public Works Manager

Approvals

Director	City Manager	CFO
	<i>ES</i>	

Council Report

penticton.ca

Date: March 21, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Blake Laven, Planning Manager

Subject: **OCP Amendment Bylaw No. 2015-13 and
Zoning Amendment Bylaw No. 2015-14**

File No: MP 2015-248

Staff Recommendation

THAT Council receive the decision from the Agricultural Land Commission (ALC), dated February 26, 2016, giving conditional support of the non-farm application for a BMX Track to be constructed at 630 Munson Mountain Road;

AND THAT Council forward "OCP Amendment Bylaw No. 2015-13" and "Zoning Amendment Bylaw No. 2015-14" to the April 4th, 2016 Public Hearing;

AND THAT staff proceed with grading and seeding of the arable remainder of the property and installation of the vegetative screening as per the conditional approval from the ALC, upon adoption of the bylaws;

AND FURTHER THAT the 2016 Budget be adjusted accordingly to include \$3,000 to the project budget for the vegetative buffer and grading and seeding of the remainder lands.

Background

At its regular meeting of March 02, 2015, City Council gave first reading to "OCP Amendment Bylaw No. 2015-13", a bylaw intended to change the Official Community Plan designation for 630 Munson Mountain Road from its 'agricultural' designation to a 'parks and recreation' designation with the intent of relocating the Penticton BMX track from its current location at Lions Park to the subject lands. At the same meeting Council gave first reading to Zoning Amendment Bylaw No. 2015-14", a bylaw which would change the zoning of the property for the same purpose.

In consideration of the OCP amendment, Council directed staff to consult with the provincial Agricultural Land Commission (the Commission) as the subject property is located in the Agricultural Land Reserve (ALR). Staff obtained a report from a qualified Agrologist which was used to support an application for a 'non-farm use' to the Commission. On February 26, 2016 staff received the ALC's official comments and decision on the application to relocate the BMX track to the subject property. The decision is attached in full for Council's reference as Attachment 'A' to this report.

The decision lists the following seven (7) conditions:

1. The BMX track is to be reoriented on a north / south alignment
2. No asphalt paving of the track surface is permitted
3. Fencing and a vegetative buffer on the northerly escarpment of the property is to be installed
4. The remainder of the property is to be graded and seeded with an alfalfa/clover mix to improve soil tilth, or develop the remainder into a community garden
5. Restrict uncontrolled access to the track
6. Rescind the previous resolution permitting sports fields on the property
7. The track must be developed within three (3) years of the date of decision.

These conditions were passed to the BMX Club and it has indicated that they are amenable to the conditions and still wish to proceed with relocating from Lions Park to the 630 Munson Mountain Road location.

If Council is agreeable to moving the project forward with this new information, the next step is to hold a Public Hearing so that Council may hear concerns from people who feel they may be affected by adoption of the bylaws.

Financial implication

Council gave authorization for \$10,000 to bring water and electrical services to the property. Staff estimate that, to meet the ALC conditions of planting a vegetative buffer and grading and seeding the remainder lands, there will be a cost implication of approximately \$3,000. Upon adoption of the bylaws Council should direct staff to make amendments to the 2016 budget to include these funds.

Analysis

Support

Council previously gave support for this project, subject to consultation with the Agricultural Land Commission. That consultation is now complete and the Commission has provided support for the project subject to a set of conditions that the BMX Club and City staff are amenable to.

As a consequence of the ALC decision, staff recommend that Council forward the two bylaws to the April 4th, 2016 Public Hearing so that it may hear from those that feel they will be affected by approval of the bylaws, prior to giving third reading to the bylaw.

Deny

Council may not wish to move forward with the project. If that is the case, Council should not forward the bylaws to Public Hearing and should rescind first reading, close and abandon the bylaws.

Alternate recommendations

1. THAT Council follow the staff recommendation as outlined above; or
2. THAT Council rescinds first reading, closes and abandon Bylaw No 2015-13 and Bylaw 2015-14.

Attachments

Attachment A – 2016-02-26 ALC Decision

Attachment B – Link to previous Council Report

Attachment C – Council Outcome from March 2, 2015 Regular Meeting of Council

Respectfully submitted,

Blake Laven, RPP, MCIP

Approvals:

Director	Public Works Manager	City Manager
JGH		ES

Attachment A
ALC Decision dated February 26, 2015



February 25th, 2016

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

Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca
ALC File: 54191

Re: Application to Conduct a Non-Farm Use in the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #69/2016) as it relates to the above noted application. A sketch plan is attached for your information.

Your attention is drawn to s. 33(1) of the *Agricultural Land Commission Act* which provides a person affected the opportunity to submit a request for reconsideration.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
 - (b) all or part of the original decision was based on evidence that was in error or was false.

Please note that pursuant to s. 33.1 of the *Agricultural Land Commission Act*, the Chair may direct the executive committee to reconsider this panel decision if, within 60 days from the date of this decision, he considers that the decision "may not fulfill the purposes of the commission as set out in section 6 or does not adequately take into account the considerations set out in section 4.3". I can advise you that in this case, the Chair has already reviewed the decision and has instructed me to communicate to you that he does not intend to exercise that authority in this case.

Further correspondence with respect to this application is to be directed to Ron Wallace at (Ron.Wallace@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Colin J. Fry, Chief Tribunal Officer

Enclosure: Reasons for Decision (Resolution #69/2016)

54191d1



AGRICULTURAL LAND COMMISSION FILE 54191

REASONS FOR DECISION OF THE OKANAGAN PANEL

Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act*

Applicant:

**City of Penticton
(the "Applicant")**

Application before the Okanagan Regional Panel:

**Gerry Zimmermann Panel Chair
Jim Johnson
Greg Norton**



THE APPLICATION

- [1] The legal description of the property involved in the application is:

Parcel Identifier: 004-825-980

Lot A, District Lot 187, Similkameen Division Yale District Plan 28179

(the "Property")

- [2] The Property is 4.2 ha in area.

- [3] The Property is located on the easterly edge of Munson Mountain Park in the City of Penticton

- [4] The Property is located within a designated agricultural land reserve ("ALR") as defined in s. 1 of the *Agricultural Land Commission Act* (the "ALCA").

- [5] The Property is located within Zone 1 as defined in s. 4.2 of the ALCA.

- [6] Pursuant to s. 20(3) of the ALCA, the Applicant is requesting approval for a BMX track on 0.5 ha of the 4.2 ha subject property and to use up to 0.4 for parking.

- [7] On January 28th, 2016, the Chair of the Agricultural Land Commission (the "Commission") referred the Application to the Okanagan Regional Panel (the "Panel").

RELEVANT STATUTORY PROVISIONS

- [8] The Application was made pursuant to s. 20(3) of the ALCA:

20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land



[9] The purposes of the Commission set out in s. 6 are as follows:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

EVIDENTIARY RECORD BEFORE THE PANEL

[10] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents
- 3. Previous Application History
- 4. Agricultural capability map, ALR context map and satellite imagery

All documentation noted above was disclosed to the Applicants in advance of this decision.

[11] The City of Penticton Council forwarded the following resolution dated July 6, 2015 to the ALC with the support of City staff:

362/2015 It was MOVED and SECONDED

"THAT Council receive this report and after considering the information presented that Council select the following alternatives:

THAT Council instruct staff to submit a new application to the Agricultural Land Commission (ALC) to allow the non-farm use of developing and operating a BMX track, a Mountain Bike Skills Park, and other complimentary cycling uses on a portion of the property located at 630 Munson Mountain Road;



AND THAT in the event the outcome of the ALC Non-farm use application review is positive, set a date for a Public Hearing for both "OCP Amendment Bylaw 2015-13", a bylaw to amend Schedule B of Official Community Plan 2002-20 to change the future land use designation of Lot A, District Lot 187, Similkameen Division Yale District, Plan 28179, located at 630 Munson Mountain Road, from A (Agriculture) to PR (Parks and Recreation) and "Zoning Amendment Bylaw 2015-14", a bylaw to amend Zoning Bylaw 2011-23 to rezone Lot A, District Lot 187, Similkameen Division Yale District, Plan 28179, located at 630 Munson Mountain Road, from A (Agriculture) to P2 (Parks and Recreation);

AND THAT in the event the outcome of the ALC Non-farm use application review is negative: THAT "OCP Amendment Bylaw 2015-13" and "Zoning Amendment Bylaw 2015-14," be closed and abandoned.

*AND FURTHER THAT staff continue to work with the Penticton BMX Club and PACA to locate an alternate site to accommodate their new or expanded operations. **

CARRIED UNANIMOUSLY

- [12] The City of Penticton Agriculture Advisory Committee made the following recommendation at its meeting dated Wednesday April 22, 2015:

"That the City reassess the agricultural capabilities of 630 Munson Mountain Road prior to any decision to alter the use of the lands."

- [13] The Panel reviewed previous applications involving the Property:

Application ID: 41450
Legacy File: 35569
(City of Penticton 2004)

Proposal: To use 12.2 ha comprising three parcels for community sports fields.

Decision: Allow community sports fields on ~8 ha adjoining Munson Mountain Park, but refuse sports fields on 4.2 ha.



Agricultural Land Commission Decision, ALC File 54191

Application ID: 32827
Legacy File: 18380
(Lester, 1984)

Proposal: To place 350,000 cubic meters of fill on the 4.2 ha subject property to fill a ravine

Decision: Allow with conditions:

- Topsoil removed from fill area and stockpiled;
- The upper 50 – 100 cm to be finer than sand and coarser than clay with a maximum 25% gravel content.

SITE VISIT

[14] On February 2, 2016, the Panel conducted a walk-around and meeting site visit in accordance with the *Policy Regarding Site Visits in Applications* (the "Site Visit").

[15] A site visit report was prepared in accordance with the *Policy Regarding Site Visits in Applications* and was provided to the applicant on February 11, 2015 (the "Site Visit Report"). On February 16, 2016, Blake Leven, Planning Manager, City of Penticton provided additional comments and with these comments, confirmed that the site inspection report accurately reflects the observations and discussions that occurred on February 2, 2016.

FINDINGS

Section 6 of the ALCA: First priority to agriculture

[16] In assessing agricultural capability of the property, the Panel referred to the Agrologist Report by Wayne A. Blashill, P. Ag, dated June 5, 2015, rather than to the CLI or BCLI ratings because the majority of the property has been filled in the past as a result of approval provided by the ALC in 1984. The improved agricultural capability ratings identified by the Agrologist's report are:

- (3F) 1.4 ha Topographic limitations and/or high levels of carbonates
- (5F) 1.6 ha Construction waste and asphalt fill
- 6F 0.8 ha 3 house sites
- 7T 0.4 ha Topographic limitations – too steep for cultivation



Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 5 - land is capable of production of cultivated perennial forage crops and specially adapted crops. Soil and/or climate conditions severely limit capability.

Class 6 - land is important in its natural state as grazing land. These lands cannot be cultivated due to soil and/or climate limitations.

Class 7 - land has no capability for soil bound agriculture.

The report indicated that the 1.6 ha landfilled site may be remediated by spreading a minimum 2 feet of topsoil at a cost of approximately \$412,000.00

[17] The Panel reviewed the Agrologist ratings and confirms that portions (2.8 ha) of the 4.2 ha Property have challenges for agricultural development due to filling, steep topography and existing residential uses. However, the remainder (approximately 1.4 ha) has potential for agricultural use.

[18] The Panel expressed the following concerns about the impacts of permitting BMX uses on the site;

- That BMX recreational uses would decrease the potential for agricultural remediation, and for agriculture to be undertaken at a future date, if desired.
- That BMS recreational uses would result in negative impacts such as trespass onto adjoining farmland by BMX users and spectators, and complaints by recreational users about adjoining farm activities, such as spraying.
- That the portions of the property not used for BMX recreational uses would be further degraded (or abandoned) so as to preclude any sort of agricultural future.

[19] The Panel also noted that the City of Penticton Agriculture Advisory Committee did not support the proposed BMX Recreational use.

[20] However, the Panel recalled that the ALC had previous supported the non-agricultural sports field use of the Property by Resolution #524/2004. However, the City of



Penticton appears to have abandoned the idea of using the property for community sports fields.

- [21] The Panel believed that a BMX track represented a non-farm use that was not permanent, and which occupied non arable land, and allowed for agricultural development to occur (or be preserved) on the property's arable land. However, in order to maximize the potential use of the arable land on the property the BMX track would have to be re-oriented to a north/south alignment, rather than the currently proposed west/east alignment.

DECISION

- [22] For the reasons given above, the Panel approves the Proposal for a BMX Recreational track on ~1.6 ha of the 4.2 ha property subject to the following conditions:

1. Re-orient the BMX track on a north/south alignment;
2. No paving of the BMX track is permitted (to enable reclamation if the use ceases);
3. Fencing and vegetative buffering on the northerly escarpment of the Property;
4. Grade and seed the arable remainder with a alfalfa/clover mix to improve soil tilth, or develop community gardens on the remainder;
5. Restrict uncontrolled access to the BMX track;
6. Rescission of Resolution #524/2004, permitting sports fields on the Property;
7. The BMX track must be developed within three (3) years of the date of the decision.

- [23] Panel Chair **Gerry Zimmermann** concurs with the decision.

Commissioner **Jim Johnson** concurs with the decision.

Commission **Greg Norton** concurs with the decision.

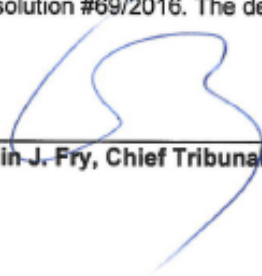
- [24] Decision recorded as Resolution #69/2016.

A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.



Agricultural Land Commission Decision, ALC File 54191

Upon instruction of the Panel, I have been authorized to release the Reasons for Decision by Resolution #69/2016. The decision is effective upon release.


Colin J. Fry, Chief Tribunal Officer

February 25, 2016

Date Released

Page 8 of 8

ALC APPLICATION # 54191
RESOLUTION #

APPROVED Site Plan

Penticton BMX Track and Mountain Bike Terrain Park



Drawing not-to-scale
July 2015

Attachment B
Link to previous staff report to Council

<http://www.penticton.ca/assets/Council~Meetings/2015/2015-03-02%20Regular%20Agenda%20Package.pdf>

Attachment C
Council outcome from March 02, 2015 Regular Meeting of Council



Council Outcome
Regular Meeting Held March 2, 2015

8.5 OCP Amendment Bylaw No. 2015-13 & Zoning Amendment Bylaw No. 2015-14

Re: BMX Track – Expansion/Relocation – 630 Munson Mt Rd

153/2015

It was MOVED and SECONDED

THAT Council support the relocation of the BMX track from Lions Park to 630 Munson Mountain Road and recommend that the Penticton BMX Club work with PACA to develop a multi use bike area.

CARRIED

Councillor Martin, Opposed

154/2015

It was MOVED and SECONDED

THAT "OCP Amendment Bylaw 2015-13," a bylaw to amend Schedule B of Official Community Plan 2002-20 to change the future land use designation of Lot A, District Lot 187, Similkameen Division Yale District, Plan 28179, located at 630 Munson Mountain Road, from A (Agriculture) to PR (Parks and Recreation), be read a first time and be forwarded to Council for Public Hearing following the receipt of the comments from the Agricultural Land Commission;

AND THAT Council consider whether early and ongoing consultation in addition to the required Public Hearing is necessary with: One or more persons, organizations or authorities, The Regional District of Okanagan Similkameen, Local First Nations School District #67, and, the provincial or federal government and their agencies;

AND THAT it is determined that consultation only with the Agricultural Land Commission is required.

CARRIED

Councillor Martin, Opposed

Council Report

penticton.ca

Date: March 21, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager

File No: 4320-50

Subject: **2016 Special Occasion Licence Applications – Exemption of hours**
Peach City Beach Cruise
Challenge Penticton

Staff Recommendation

THAT Council, subject to the approval of the RCMP and Liquor Control and Licensing Branch, approve the Special Occasion (Beer/Wine Garden) Licenses for requested service hours beyond 10:00pm (22:00 hours) for Peach City Beach Cruise in Gyro Park until 11pm June 24 and 25 for beer gardens and for Challenge Penticton in Gyro Park until 11pm August 28 for a whole site licence.

Background

As per Liquor Control and Licensing Branch (LCLB) regulations, hours of sale or service are limited between 9:00 a.m. and 2:00 a.m. the following day, if the special occasion is held indoors; and 9:00 a.m. to 10:00 p.m. if held outdoors. (Hours are subject to further limitation by police or a local government or First Nation.)

Noise complaints from the Lakeshore tower residents have been received in previous years regarding the events in Gyro Park. Staff has continued to work with event organizers to ensure they are aware of local resident concerns. Public consultation has not typically been part of the Special Occasion Licence review process and sanctioned special events can be exempt for noise regulations within the Good Neighbour Bylaw, Section:

6.2.6. Where a permit for a special event, which in the City Council's opinion is in the public interest, in which case the requirements of this bylaw may be waived.

Analysis

The City's Liquor Licensing Review Technical Committee (LLRTC) and staff were provided with an opportunity to comment on the applications received with hours beyond 10:00pm. Both events are re-occurring and there were no major concerns brought forward, however the Downtown Penticton Association representative proposed that the Lakeshore Towers Strata (KAS2716) be notified of the late hour extension and provide comments prior to approval of late hours exemption for both events.

If Council supports the late hour exemption then a resolution letter will be provided to the event organizers as confirmation for their LCLB application exemption request.

Financial implication

NA

Alternate recommendations

1. THAT Council refer back to staff for further consultation with Lakeshore towers strata (KAS2716) and report back to council with final recommendations, or
2. THAT Council denies the requested service hours beyond 10:00pm (22:00 hours) for Peach City Beach Cruise and Challenge Penticton special events.

Attachments

Attachment A - LCLB Policy Directive No.14-14

Respectfully submitted,

Ken Kunka ASCT, RBO
Building and Permitting Manager
LLTRC Chairperson

Approvals

CAO <i>ES</i>	Director of DS <i>JGH</i>
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Attachment A
LCLB Policy Directive No.14-14



Liquor Control and Licensing Branch
POLICY DIRECTIVE
No: 14 - 14

Date: June 25, 2014

To: All LCLB Staff
All Industry Associations
All Local Government, First Nations, and Police Agencies

Re: **Temporary licence extensions**

Introduction

On April 28, 2014, a policy directive was announced to implement new policy regarding whole-site licensing of special occasion licenses (SOL). The new policy generally allows whole-site licensing, but allows the Branch discretion to impose beverage gardens if it is in the public interest to do so. New policy was also announced to allow spirits, but not shooters at these SOL events.

A temporary licence extension (TLE) involves similar considerations to those of SOL events. This policy directive harmonizes TLE policy with new policy regarding SOLs to allow whole-site TLEs except where it is in the public interest to impose beverage gardens. This directive also outlines the service and sale of spirits, and restricts shooters from service or consumption in the TLE area.

Present policy

Existing Branch policy regarding TLEs does not specifically define the circumstances in which a beverage garden may be imposed. Applicants for TLEs are asked to describe the perimeter of the TLE area and how they intend to constrain it. However, the Branch generally does not request details that may necessitate a beverage garden and there is no specific policy requirement for inspector involvement.

Existing Branch policy allows for alterations to the terms and conditions of a TLE on a case-by-case basis, although generally spirit drinks are permitted in extended areas. Shooters are generally not expressly prohibited from extended areas.

New policy

- Whole site licensing is generally permitted for TLEs. For TLE events of 499 people or less (defined as "routine events"), licences will be granted without liquor inspector involvement and beverage gardens will generally not be required.
- Whole site TLE licensing is permitted for events of 500 persons or more (defined as "major events"). Beverage gardens may be imposed if deemed necessary from a public safety perspective.
- TLEs will be allowed on property which is owned or leased by a third party, with permission from that party and, for liquor primary applications, comment from the local government/First Nations as to the public safety of the event.

- Unlicensed physical separations between the primary licensed area and the TLE will be allowed, but patrons will not be allowed to carry liquor between licensed areas across unlicensed areas. There is an expectation that any separation between licensed areas be limited to a short walking distance, as determined to be reasonable by licensing staff.
- Only one TLE will be allowed if there are multiple licensees seeking a TLE over common areas. Priority will be granted on a first-come-first-served basis. Multiple kiosks for food and liquor service may be permitted under that TLE.
- Changes to terms and conditions for the purposes of the TLE will be made on a case-by-case basis.
- For routine and major events local government/First Nations may impose restrictions on a TLE.
- The licensed area must be appropriately bounded during an event.
- TLE events may sell all liquor products within the same serving size limitations as under the existing primary licence. The one exception is that licensees will not be permitted to serve shooters in TLE areas, as these are designed for rapid consumption and tend to promote over-consumption and intoxication.

Approval process for Major TLE events

- For routine events, the applicant should identify the proposed area for the TLE on a site map and/or floor plan submitted with the Temporary Change to a Liquor Licence application.
- For major events of 500 or more persons, in addition to the site/floor plan, the licensee must include a security plan, and:
 - Whole site licensing is the default position.
 - Liquor inspectors will evaluate overall TLE risk by reference to a risk analysis tool (RAT) and Excel interactive worksheet, publicly accessible for review: <http://www.pssg.gov.bc.ca/lclb/docs-forms/sol-risk-assessment.xls>.
 - Application of the RAT may result in the requirement for a fenced or cordoned-off service area.
 - The liquor inspector applies the RAT and makes a recommendation based on the outcome and other considerations as appropriate.
 - If the liquor inspector concludes that it is necessary in the public interest to disallow whole-site licensing and to impose a beverage garden, the inspector will write a recommendation to the Regional Manager for approval.
 - Where a fenced service area (beverage garden) is required the liquor inspector should engage with the licensee to
 - demonstrate the tool,
 - discuss the values entered,
 - print out a copy for the licensee's records, anddiscuss with the licensee what may be changed to reduce risk to an acceptable level so a fenced service area may not be necessary.
 - A licensee is free to have a beverage garden on its own regardless of the RAT outcome.
 - Compliance and Enforcement staff will provide the decision to the Licensing Division who will be responsible for issuing the temporary change approval

letter, incorporating the necessary terms and conditions including whether the TLE requires a beverage garden .

- The application process for routine events and for major events will be: licensee obtains land owner/lessee permission first; licensee submits application to Branch with proof of permission to use; licensees must obtain comment from local government on the public safety of the event (comment required only for LPs), which, in order to expedite Branch approval, should be obtained before licensees submit their application to the Branch; inspectors review and obtain RM approval.
- The difference in process between routine events and major events is in the degree of inspector involvement: for routine events, approval will be granted without directly involving liquor inspectors, and beverage gardens will generally not be required.
- For routine events, inspectors will continue to provide comments to Licensing staff and may impose specific security measures if it is in the public interest to do so. Upon receipt of a TLE application, licensing staff notate POSSE to notify appropriate inspectors for comment. Generally, licensing staff will add the requirement as a term and condition of the TLE without the needed approval of the DGM, Licensing. If the recommended requirement is unique or extraordinary, the DGM must approve the term and condition.
- For major events, inspectors are required to make a recommendation based on a review of the licensee's security plan.

Further Information

Further information regarding liquor control and licensing in British Columbia is available on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. If you have any questions regarding these changes, please contact the Liquor Control and Licensing Branch toll free in Canada at 1-866-209-2111 or 250 952-5787 if calling from the Victoria area.

Original signed by:

Douglas Scott
Assistant Deputy Minister and General Manager

Council Report

penticton.ca

Date: March 21, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Lindsey Fraser, Planner I
Address: 2959 Skaha Lake Road
Subject: Zoning Amendment Bylaw No. 2016-18

File No: RZ PL2016-7606

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2016-18", a bylaw to amend Zoning Bylaw 2011-23 for Lot 3, District Lot 116, Similkameen Division Yale District, Plan 33814, located at 2959 Skaha Lake Road, from CT1 (Tourist Commercial) to C4 (General Commercial), be given first reading and be forwarded to the April 4, 2016 Public Hearing.

Background

The property (Attachment 'A') is currently vacant and is allocated CT1 (Commercial Tourist) in the Zoning Bylaw. This zone provides for businesses that appeal to the local tourist economy and includes uses as restaurants, tourist accommodation, and indoor amusement, entertainment or recreation. The City's Official Community Plan anticipates a wide variety of commercial uses, hence the designated as GC (General Commercial).

The applicant is requesting rezoning the property from CT1 to C4 (General Commercial) to accommodate the development of a medical office facility for their dentistry practice and the practices of one or two other health professionals.

The area is currently a mix of commercial uses and housing types including vehicle service stations, restaurants and mid-rise apartment buildings. Surrounding land uses include a car wash to the north, several restaurants to the south and, across the lane to the west, a 42 unit apartment complex.

Proposal

The applicant is requesting that the subject property be rezoned from CT1 (Tourist Commercial) to C4 (General Commercial) in order to accommodate a health services building.

Financial implication

N/A

Technical Review

This application was reviewed by the City's Technical Planning Committee. No comments or issues arose in the process.

Analysis

Approve

Penticton's Official Community Plan emphasizes the desire to develop vacant properties that are commercially zoned. The redevelopment of these properties means the creation of a better streetscape for pedestrian and vehicular traffic, an enhanced tax base and a more robust offering of small businesses. In the case of this application, the subject property is highly visible from Skaha Lake Road in a section of the city with a number of other large vacant lots. Its redevelopment contributes positively to the image of the neighbourhood. Additionally, the redevelopment of this property into health services building is supported in the OCP by the following:

- Promote and encourage new investment and business to locate in Penticton, making better use of existing public investment
- General Commercial uses are encouraged along major roadways (Skaha Lake Road)

The applicant is currently renting a space in the City of Penticton, but is looking to grow their business and offer a venue of higher quality for their patients. As is expressed in the application Letter of Intent, he and his wife are long-time residents of Penticton and look forward to continuing to serve the community into the future within the new establishment.

The property is in a Development Permit Area and will need an approved Development Permit prior to an application for a Building Permit. Through the Development Permit process the Planning Department will give full and detailed consideration to all relevant planning matters. A landscaping plan, prepared by a professional landscape architect will also be required at the time of Development Permit application. The applicant's intent, at this stage, is to ensure the feasibility of rezoning in order to secure appropriate financing before proceeding with their detailed plans for the development. Staff will continue to work with the applicant to ensure the development fits appropriately with the surrounding land uses and has no negative effect on the neighborhood.

Staff considers that this application meets the guidelines established by the Official Community Plan and Zoning Bylaw and recommends that Council approve the rezoning.

Deny

Council may consider that the location is better suited for tourist commercial uses and should retain its current zoning. If this is the case, Council should deny the application.

Alternate recommendations

1. THAT Council refer the zoning application for 2959 Skaha Lake Road back to staff.

Attachments

Attachment A:	Subject property location map
Attachment B:	Zoning map of area
Attachment C:	OCP map of area
Attachment D:	Images of subject property
Attachment E:	Proposed site plan and renderings
Attachment F:	Letter of intent

Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

Director JGH	City Manager
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Attachment A – Subject Property Location Map



Figure 1: Subject property highlighted in blue

Attachment B – Zoning Map of Area



Figure 2: Subject property zoned CT1

Attachment C – OCP Map of Area



Figure 3: OCP designation of subject property is GC (General Commercial)

Attachment D – Images of Subject Property

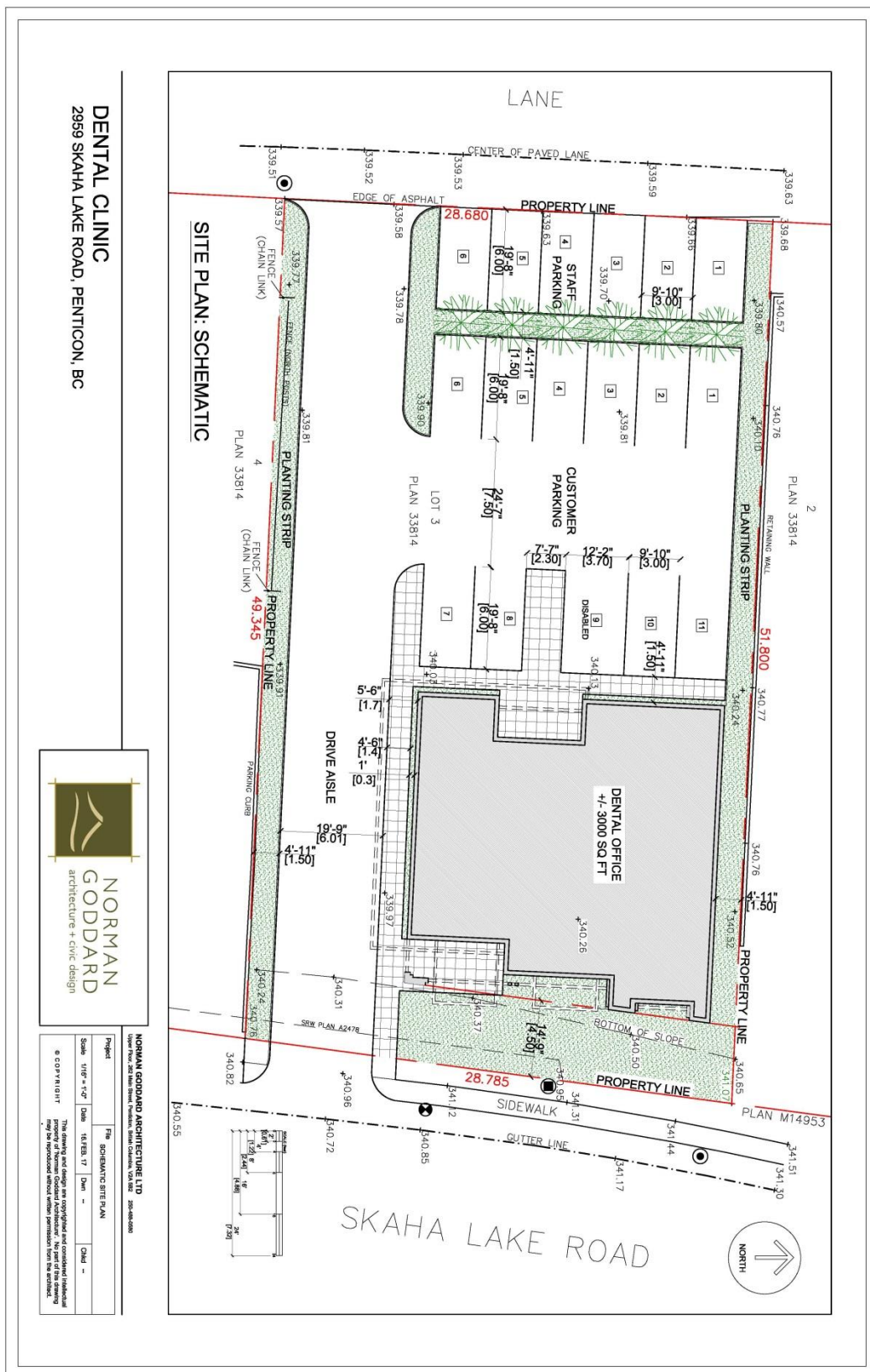


Figure 4: Subject property looking west from Skaha Lake Road

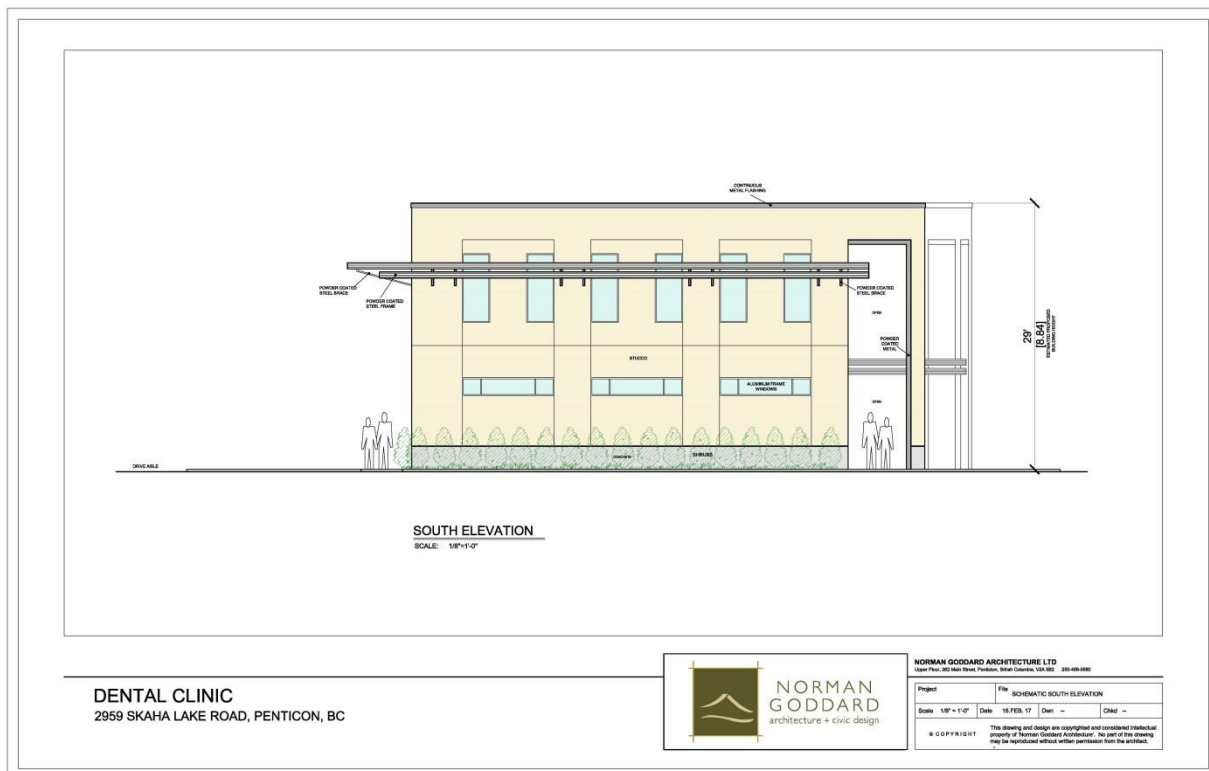


Figure 5: Subject property looking south west from Skaha Lake Road

Attachment E – Proposed Site Plan and Renderings







Attachment F – Letter of Intent

Letter of intent in support of the rezoning application for 2959 Skaha Lake Road

The purpose of this letter is to outline the reason for our rezoning application, and to give some background information on ourselves.

The property in question is currently zoned as CT1 (commercial tourism). We are asking to rezone the property as C4 (general commercial) to allow us to develop a small commercial building on the property.

My wife and I are both dentists, and we have been practicing in Penticton since we graduated in 2005. Up to now we have been leasing space for our dental practice. As our practice has grown, we now need to move it to another location. We plan to move our practice to 2959 Skaha Lake Road.

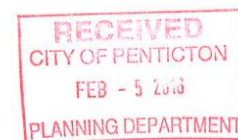
The building that we envision for the property will be approximately 4000 square feet in size. Our dental practice will occupy approximately 2500 square feet. We plan to lease out the remaining 1500 square feet to another health professional. I believe that the development will be something that the city will be proud of. We will be using an architect and landscape designer to ensure that it is something that is very functional and esthetic, and that it achieves the goals that the city has for commercial property in the area.

I think it warrants to provide some background information on my wife and I. Both of our families have lived in the area for a long time. I grew up in Penticton, having graduated from Pen-Hi Secondary School in 1995. Away from school, my time was mostly taken up by minor hockey in the winter or golf in the summer. After dental school I became involved in triathlon, having completed the local Ironman race on two occasions. My wife was born in Princeton, and lived there until her family moved to Kamloops. They later moved to Penticton when her father's Weyerhaeuser position was transferred to Okanagan Falls. We have 2 young children that currently attend Wiltse Elementary School. We try to keep them very active in the community through gymnastics, skating and swimming lessons, and skiing.

I hope that I have provided enough information to describe who we are and what our plans are. I am sure you will let me know if there is any other information that I can provide. I look forward to working with the City of Penticton in developing our vision for this project.

Sincerely,

Rene Buttar



Bylaw No. 2016-18

A Bylaw to Amend Zoning Bylaw 2011-23

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2016-18".

2. **Amendment:**

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

Rezone Lot 3, District Lot 116, Similkameen Division Yale District, Plan 33814, located at 2959 Skaha Lake Road, from CT1 (Tourist Commercial) to C4 (General Commercial).

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

READ A FIRST time this	day of	, 2016
A PUBLIC HEARING was held this	day of	, 2016
READ A SECOND time this	day of	, 2016
READ A THIRD time this	day of	, 2016
RECEIVED the approval of the Ministry of Transportation on the	day of	, 2016
ADOPTED this	day of	, 2016

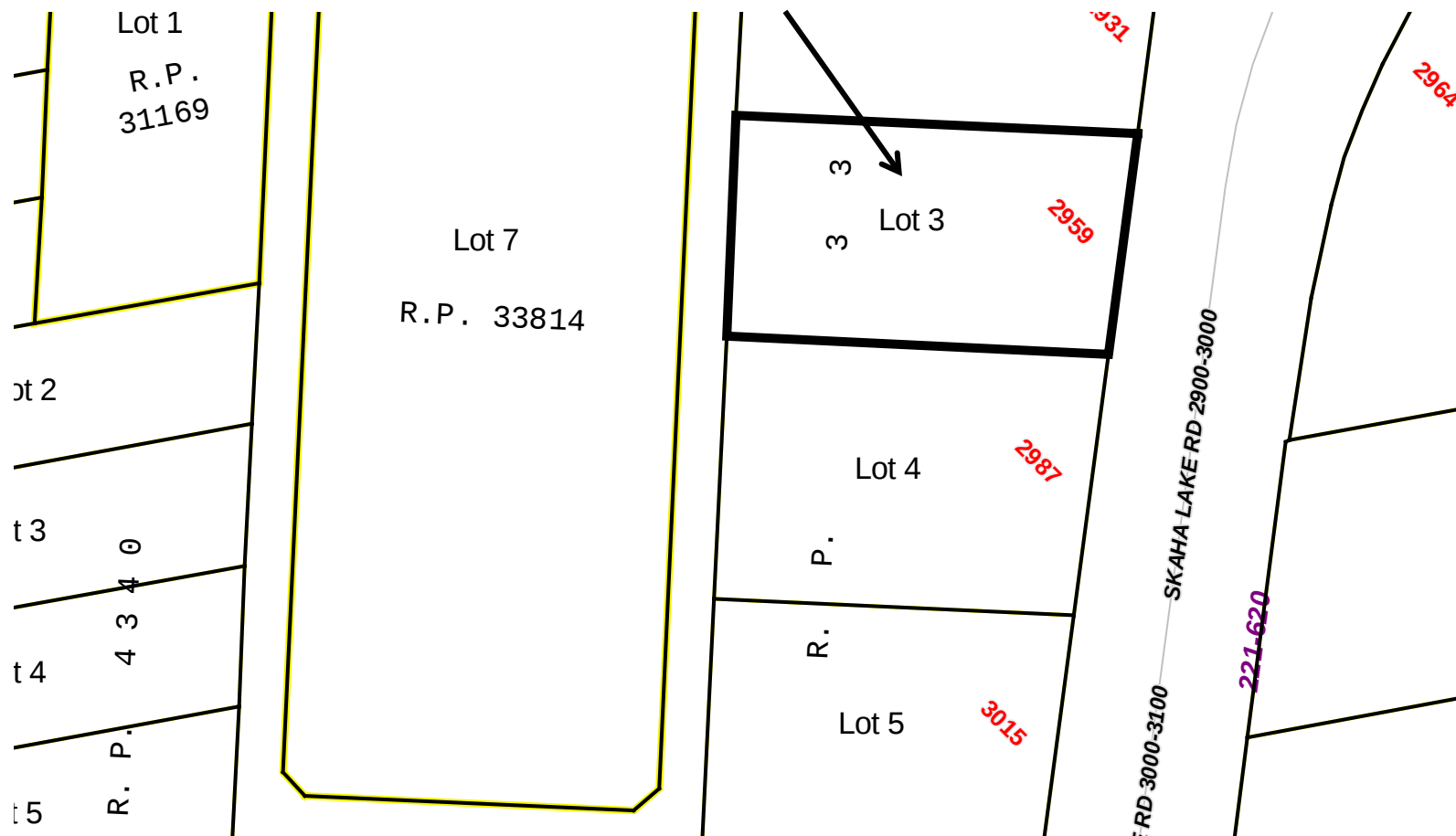
Notice of intention to proceed with this bylaw was published on the __ day of ____, 2016 and the __ day of ____, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 2959 Skaha Lake Road From CT1 (Tourist Commercial) to C4 (General Commercial)

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City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-18

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: March 7, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Colin Fisher, Chief Financial Officer
**Subject: Peach Festival Society Value-in-Kind Grant
2016 Increase Request**

Recommendation

THAT Council approve a \$5,000 increase for the Value-In-Kind portion of the annual grant to the Peach Festival.

Background

The Peach Festival Society has recently approached the City with concerns over what appears will be a permanent deficit situation now that the new accounting system and procedures have been fully implemented. In prior years we were not able to adequately report out to the Society exactly how much and for what purpose value-in-kind (VIK) was consumed by the Peach Festival.

The Penticton Peach Festival had never received a detailed accounting of our in-kind expenses prior to November, 2015 and was to some extent unaware of just how much VIK they consumed. The City's accounting system is now able to adequately capture all VIK consumption in detail and it is apparent that in prior years a significant portion of the Peach Festival's VIK went unrecorded and any true costs were absorbed in various other departmental budgets.

As indicated by the Society's representatives, the Peach Festival's in-kind grant has not been increased in more than a decade and, during that time, the Society has managed its budgets to absorb many facility and other service rate increases passed through by the City. Furthermore, the Peach Festival has similarly absorbed the expenses associated with several additional events (listed below) that are now under the Peach Festival umbrella.

The Society is aware the City has the expectation that recipients of municipal grants will exercise the same diligence in managing their budgets as the City does in managing its own. However, there was the lack of information flowing back to them and had they known the details of their VIK consumption they could have considered the following:

1. They would have asked for an increase in their in-kind grant during the 2016 application process last fall in accordance with City policy.
2. Because the Society's fiscal year end falls on August 31 they would have pursued the current year's accounting sooner (knowing that it was available) and had their grant application submitted to the city in time.
3. They would have considered reducing the number of events under the Peach Festival umbrella and had those events deal with their own funding requirements. Those other events include (but aren't restricted to) the Sandcastle Competition, the Sheila Bishop Memorial Slow-pitch Tournament, the Pentown Throwdown BMX and Skateboard event, the Square Dance Festival, the City of Penticton float (travel expenses), and the Steamfest Regatta.
4. They would have considered strategically trimming back parts of the Peach Festival itself to make it fit the budget available.

In summary the Festival's position is that they were caught unprepared by the City's new ability to fully capture its costs associated with the event and that the Festival had been proceeding without a full understanding of those costs and were unable to react adequately for the 2016 budget year. The Festival requests of the City that the VIK portion of their grant be increased by \$5,000 for the 2016 event. The funding for this additional ask will come from the municipal grants other opportunities budget of \$32,000. This does not represent an additional budget amount and only an application of those already budgeted funds.

The Festival will re-apply for 2017 in accordance with City policy.

Respectfully submitted



Colin Fisher, Chief Financial Officer



Council Report

penticton.ca

Date: March 10, 2016
To: Eric Sorensen, City Manager
From: Amber Coates, Revenue Supervisor
Subject: **Property Tax Multiplier Report**

File No:

Staff Recommendation

THAT Council rescind resolution 100/2005 passed February 7, 2005 stating *"THAT the staff memorandum dated January 4, 2005 regarding Tax Ratios be received; AND THAT the Tax Ratio be established based on the following percentages: Residential 72.23%, Utilities 1.20%, Light Industry 1.93%, Business & Other 24.21%, Recreation/Non Profit 0.23%, and Farm 0.20%";*

AND THAT Council uphold resolution 71/2015 passed January 12, 2015 stating *"THAT Council reduce the business class tax rate multiplier to 1.5 by equal increments over the next four years";*

AND THAT Council approve the following tax ratios for 2016:

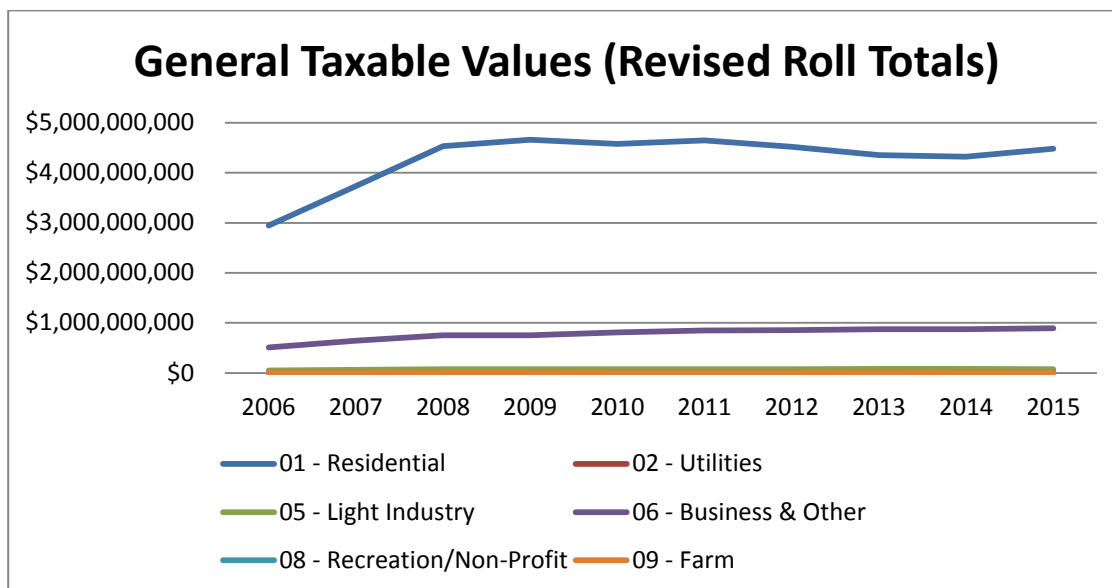
Class 1 Residential	1.000
Class 2 Utilities	5.000
Class 3 Supportive Housing	1.000
Class 4 Major Industry	1.700
Class 5 Light Industry	1.700
Class 6 Business & Other	1.580
Class 7 Managed Forest Land	1.580
Class 8 Recreation/Non Profit	1.350
Class 9 Farm	2.250;

AND THAT the City move other multipliers in incremental steps between 2016 and 2018 towards the average for the same classes for comparable local governments;

Background

In 2005, Council passed Resolution 100/2005 to establish that the tax ratio be based on a particular municipal tax burden percentage scheme in order to mitigate an anticipated large increase to the average assessment of residential properties between the 2006 and 2008 tax years.

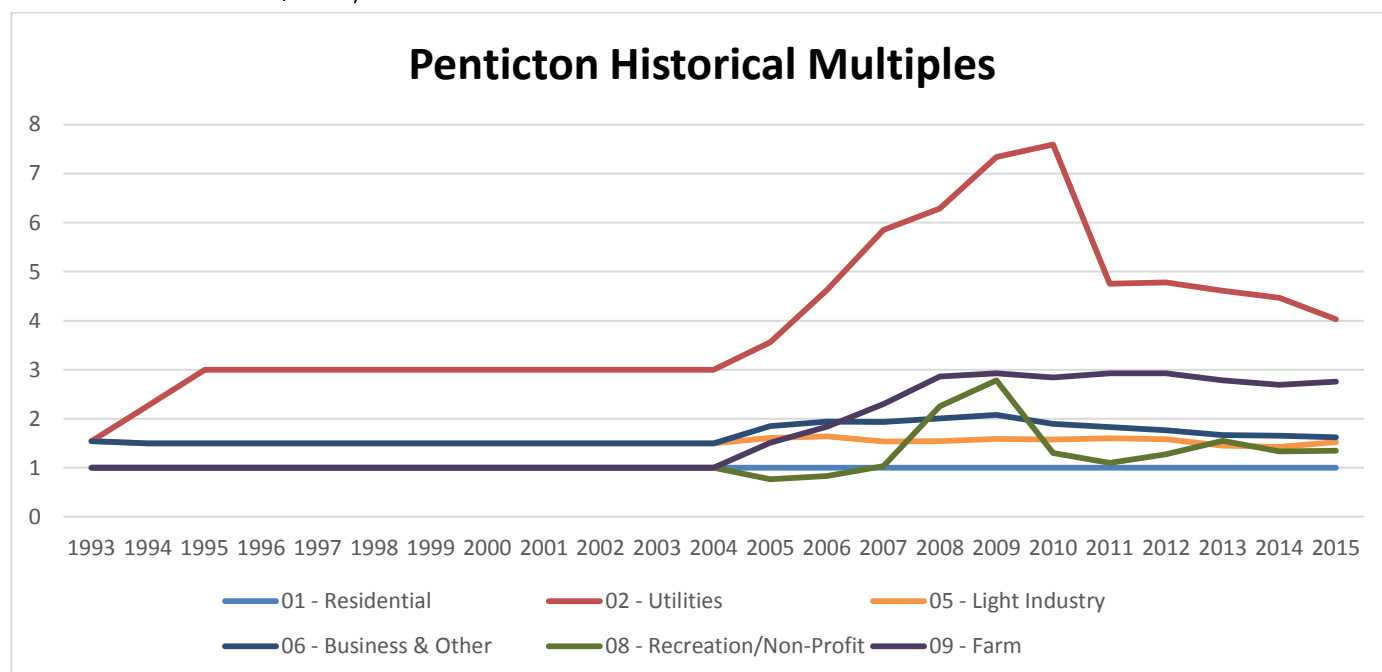
Since 2008, residential assessments have stabilized at approximately \$4,500,000,000.



In 2015, Council passed resolution 71/2015 to achieve the objective of making the City of Penticton one of the most competitive and cost-effective municipalities to operate a commercial business by outlining a four-year plan to reduce the business class tax rate multiplier to 1.50.

Year	Class 6 Multiplier
2015	1.63
2016	1.58
2017	1.54
2018	1.50

Prior to resolution 100/2005, the business class ratio remained at 1.50 since 1994.



Of consideration also for the City is that there are other regulatory restrictions for what can or cannot be set with respect to property tax rate multipliers for specific classes, such as B.C. Regulation 329/96. In 1996, the provincial government began acting to limit the taxation and assessment of railways by instituting tax rate caps and limits on utility tax ratios in order to improve the competitiveness of railways.

Although the City of Penticton does not currently have any utility class properties for railways, this regulation limits all Class 2 Utility properties including those used for telecommunications, gas distribution systems, and electrical power systems. In 2016 the City of Penticton will have 30 utility class properties comprising 0.30% of its total 2016 Completed Assessment Roll assessment base and this regulation caps the possible Class 2 multiplier at 9.280 for the 2016 tax year.

Analysis

Resolution 100/2005 achieved its intended objective of mitigating a large shift of tax burden to residential taxpayers during the sharp assessment increases in the years 2006 to 2008. However, we are now seeing the effect of it artificially suppressing and inflating tax burden on the various assessment classes as the City's assessment distribution between the classes has fluctuated over the years after the intent of the resolution.

A comparison of the overall distribution of the classes of properties that comprise the total assessment roll between the 2005 assessment year and the 2016 assessment year reveals shifts in all classes of properties. Residential, Utilities, Recreation/Non Profit and Farm classes have had a decrease in overall assessment while Light Industry and Business/Other have both seen increases in overall assessment.

Class	2005 Assessment Distribution	2016 Assessment Distribution	Change in Assessment Distribution
01 - Residential	82.79%	82.19%	-0.73%
02 - Utilities	0.39%	0.30%	-30.00%
03 - Supportive Housing	0.00%	0.00%	0.00%
04 - Major Industry	0.00%	0.00%	0.00%
05 - Light Industry	1.36%	1.48%	8.11%
06 - Business And Other	14.97%	15.78%	5.13%
08 - Recreation/Non Profit	0.34%	0.17%	-100.00%
09 - Farm	0.15%	0.08%	-87.50%

In order to maintain the municipal tax burden distribution as outlined in resolution 100/2005, based on the 2016 Completed Assessment Roll, the following tax ratios would be required for 2016.

**Estimated 2016 Multipliers resulting from resolutions 100/2005
on the 2016 Completed Assessment Roll**

Class	2016 City of Penticton Assessment Distribution	2016 Municipal Ratio	2016 City of Penticton Tax Distribution
01 - Residential	82.19%	1.000	72.29%
02 - Utilities	0.30%	4.550	1.20%
03 - Supportive Housing	0.00%	1.000	0.00%
04 - Major Industry	0.00%	1.480	0.00%
05 - Light Industry	1.48%	1.480	1.93%
06 - Business And Other	15.78%	1.740	24.15%
07 - Managed Forest Land	0.00%	1.740	0.00%
08 - Recreation/Non Profit	0.17%	1.500	0.23%
09 - Farm	0.08%	3.000	0.20%

Local Government Comparisons

The table below lists British Columbian local governments with a Business class multiplier of 1.740 or less, along with the associated taxable value and percentage of total roll. Also included are the other local governments with the same 16% Business class percentage of assessment as the City of Penticton.

2015 Business/Other Multipliers (1.740 and less & 16% of Assessment Roll)			
Municipalities	2015 Business Multiplier	2015 % of Assessment Roll	2015 Authenticated Roll General Taxable Values
Anmore	1.000	0.00%	\$359,200
Bowen Island	1.000	2.00%	\$35,224,300
Warfield	1.000	2.00%	\$2,562,900
Slocan	1.060	6.00%	\$2,066,050
Mackenzie	1.447	11.00%	\$41,451,850
Stewart	1.500	14.00%	\$11,863,550
Lumby	1.570	13.00%	\$26,635,800
Taylor	1.583	6.00%	\$12,819,101
Osoyoos	1.600	12.00%	\$150,563,974
Penticton	1.625	16.00%	\$892,367,505
Port Alberni	1.634	14.00%	\$225,743,645
Port McNeill	1.677	14.00%	\$28,057,950
Keremeos	1.740	11.00%	\$19,089,800
Vernon	2.740	16.00%	\$1,097,230,895
Richmond	3.174	16.00%	\$9,770,811,614
Vancouver	4.150	16.00%	\$39,575,649,179

The following local governments have been chosen as comparable municipalities because of similarities in assessment distributions and similarity of either regional district economic s or proximity to the City of Penticton. Reviewing the 2015 multipliers shows the City of Penticton was below the average multiplier in the Utilities, Light Industry and Business classes. In the Farm class the City of Penticton is above the average multiplier. Recreation appears on track with the comparison municipalities.

2015 Multiplier Comparison of Comparison Local Governments						
RD	Municipalities	Utilities	Light Industry	Business/Other	Recreation	Farm
COK	Kelowna	5.130	2.131	2.131	1.000	0.125
COL	Salmon Arm	5.733	4.026	2.472	0.665	2.612
FVR	Abbotsford	7.844	2.071	2.385	1.665	3.690
	Chilliwack	8.000	1.840	1.979	0.861	4.387
	Harrison Hot Springs	3.500	3.400	3.500	4.750	1.000
	Hope	5.865	2.246	2.363	1.635	2.790
NOK	Enderby	7.765	2.523	1.908	0.067	0.831
	Vernon	10.288	3.992	2.740	1.494	0.346
OKS	Keremeos	4.024	1.032	1.740	1.198	3.257
	Oliver	6.419	2.450	2.450	1.000	1.000
	Osoyoos	3.500	1.600	1.600	1.000	1.000
	Princeton	12.249	5.748	2.796	1.612	1.160
	Average	6.693	2.755	2.339	1.412	1.850
	Penticton	4.028	1.524	1.625	1.350	2.760

In order to regain parity in multipliers previously skewed by holding the municipal tax burden at specific percentages it would be recommended to move multipliers in incremental steps towards the comparison municipality averages for classes without specific objectives in mind. Utilities and Light Industry would be increased (while ensuring to meet requirements under B.C. Regulation 329/96 for the Utilities class) and the multiplier for the Farm class would be decreased to bring these multipliers closer to the average.

2016 Multipliers resulting from the implementation of resolution 71/2015 alone on the 2016 Completed Assessment Roll

Class	2016 City of Penticton Assessment Distribution	2016 Municipal Ratio	2016 City of Penticton Tax Distribution
01 - Residential	82.19%	1.000	73.68%
02 - Utilities	0.30%	5.000	1.34%
03 - Supportive Housing	0.00%	1.000	0.00%
04 - Major Industry	0.00%	1.700	0.00%
05 - Light Industry	1.48%	1.700	2.26%
06 - Business And Other	15.78%	1.580	22.36%
07 - Managed Forest Land	0.00%	1.580	0.00%
08 - Recreation/Non Profit	0.17%	1.350	0.21%
09 - Farm	0.08%	2.250	0.15%

**2016 Multipliers resulting from rescinding resolutions 100/2005 & 71/2015
on the 2016 Completed Assessment Roll**

Class	2016 City of Penticton Assessment Distribution	2016 Municipal Ratio	2016 City of Penticton Tax Distribution
01 - Residential	82.19%	1.000	73.21%
02 - Utilities	0.30%	5.000	1.34%
03 - Supportive Housing	0.00%	1.000	0.00%
04 - Major Industry	0.00%	1.700	0.00%
05 - Light Industry	1.48%	1.700	2.24%
06 - Business And Other	15.78%	1.625	22.85%
07 - Managed Forest Land	0.00%	1.625	0.00%
08 - Recreation/Non Profit	0.17%	1.350	0.21%
09 - Farm	0.08%	2.250	0.15%

Alternate recommendations

1. THAT Council rescind resolutions 100/2005 and 71/2015 and approve the following tax ratios for 2016:

Class	Multiplier
Class 1 – Residential	1.000
Class 2 – Utilities	5.000
Class 3 – Supportive Housing	1.000
Class 4 – Major Industry	1.700
Class 5 – Light Industry	1.700
Class 6 – Business & Other	1.625
Class 7 – Managed Forest Land	1.625
Class 8 – Recreation/Non Profit	1.350
Class 9 – Farm	2.250

2. THAT Council rescind resolution 71/2015 and uphold resolution 100/2005 to continue to establish that the tax ratio be based on a fixed percentage tax burden:

Class	% of Municipal Tax Burden
Class 1 – Residential	72.23%
Class 2 – Utilities	1.20%
Class 5 – Light Industry	1.93%
Class 6 – Business & Other	24.21%
Class 8 – Recreation/Non Profit	0.23%
Class 9 – Farm	0.20%

3. THAT Council recommend another multiplier at their discretion.

Attachments

Attachment A – Class 1 – Residential and Class 6 – Business/Other Historical Information

Respectfully submitted,

Amber Coates
Revenue Supervisor

Approvals

Director	City Manager
<i>CFO</i>	<i>ES</i>

Attachment A – Class 1 – Residential and Class 6 – Business/Other Historical Information

Year	Property Class	Ratio to Class 1 Multiplier	General Municipal Rate	Bylaw	Net General Taxable Values (Residential Roll Totals)	Multiplier change effect	Cumulative multiplier change effect on Res. Taxpayers	Change per residential taxpayer (\$4.73)	Cumulative change per residential taxpayer (\$4.73)	Change per business taxpayer (\$1.42)	Cumulative change per business taxpayer (\$1.42)	Taxes Using Class 1 General Municipal Rate	Taxes Using Class 6 General Municipal Rate2
2004	06 - Business & Other	1.5000	9.2022	2004-30	\$509,051,053	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,057,777	\$4,437,296
2004	01 - Residential	1.0000	6.1348	2004-30	\$2,943,498,903								
2005	06 - Business & Other	1.8520	9.1650	2005-25	\$509,051,053	-\$886,741.48	-\$886,741.48	-\$61.27	-\$61.27	\$776.48	\$776.48	\$14,566,493	\$4,437,296
2005	01 - Residential	1.0000	4.9487	2005-25	\$2,943,498,903								
2006	06 - Business & Other	1.9381	8.7168	2006-25	\$509,051,053	-\$197,218.13	-\$1,083,959.62	-\$13.63	-\$74.90	\$172.70	\$949.18	\$13,238,386	\$4,437,296
2006	01 - Residential	1.0000	4.4975	2006-25	\$2,943,498,903								
2007	06 - Business & Other	1.9360	7.4469	2007-22	\$645,679,422	\$5,399.46	-\$1,078,560.15	\$0.37	-\$74.52	-\$4.73	\$944.45	\$14,345,386	\$4,808,310
2007	01 - Residential	1.0000	3.8466	2007-22	\$3,729,367,690								
2008	06 - Business & Other	2.0081	6.2089	2008-19	\$756,439,380	-\$168,743.57	-\$1,247,303.72	-\$11.66	-\$86.18	\$147.76	\$1,092.21	\$14,012,241	\$4,696,656
2008	01 - Residential	1.0000	3.0919	2008-19	\$4,531,919,192								
2009	06 - Business & Other	2.0777	7.6772	2009-24	\$752,099,483	-\$193,292.00	-\$1,440,595.72	-\$13.36	-\$99.54	\$169.26	\$1,261.47	\$17,226,692	\$5,774,018
2009	01 - Residential	1.0000	3.6951	2009-24	\$4,662,036,692								
2010	06 - Business & Other	1.8970	7.3836	2010-38	\$808,312,628	\$568,331.76	-\$872,263.96	\$39.27	-\$60.27	-\$497.66	\$763.80	\$17,805,958	\$5,968,257
2010	01 - Residential	1.0000	3.8922	2010-38	\$4,574,779,895								
2011	06 - Business & Other	1.8280	7.0373	2011-19	\$852,444,306	\$226,636.08	-\$645,627.88	\$15.66	-\$44.61	-\$198.46	\$565.35	\$17,897,531	\$5,998,906
2011	01 - Residential	1.0000	3.8498	2011-19	\$4,648,950,904								
2012	06 - Business & Other	1.7661	7.0330	2012-5022	\$857,092,040	\$211,277.79	-\$434,350.08	\$14.60	-\$30.01	-\$185.01	\$380.34	\$17,984,094	\$6,027,928
2012	01 - Residential	1.0000	3.9823	2012-5022	\$4,516,006,705								
2013	06 - Business & Other	1.6674	6.9392	2013-13	\$874,259,780	\$358,844.67	-\$75,505.41	\$24.79	-\$5.22	-\$314.22	\$66.12	\$18,099,697	\$6,066,663
2013	01 - Residential	1.0000	4.1616	2013-13	\$4,349,215,916								
2014	06 - Business & Other	1.6568	7.1182	2014-14	\$874,390,932	\$40,021.15	-\$35,484.26	\$2.77	-\$2.45	-\$35.04	\$31.07	\$18,569,223	\$6,224,090
2014	01 - Residential	1.0000	4.2964	2014-14	\$4,322,042,504								
2015	06 - Business & Other	1.6248	6.9705	2015-25	\$892,367,505	\$122,488.39	\$87,004.13	\$8.46	\$6.01	-\$107.26	-\$76.19	\$19,206,432	\$6,220,248
2015	01 - Residential	1.0000	4.2901	2015-25	\$4,476,919,390								
2016	06 - Business & Other	1.5800				\$122,488.39	\$209,492.52	\$8.46	\$14.47	-\$107.26	-\$183.44	\$20,262,786	\$6,562,361
2016	01 - Residential	1.0000											
2017	06 - Business & Other	1.5400				\$122,488.39	\$331,980.91	\$8.46	\$22.94	-\$107.26	-\$290.70	\$20,262,786	\$6,562,361
2017	01 - Residential	1.0000											
2018	06 - Business & Other	1.5000				\$122,488.39	\$454,469.30	\$8.46	\$31.40	-\$107.26	-\$397.96	\$20,262,786	\$6,562,361
2018	01 - Residential	1.0000											

Minutes



Economic Development & Prosperity Task Force Meeting

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

Thursday, March 3, 2016
at 12:00 p.m.

- Present:** Mayor Andrew Jakubeit, Chair
Andre Martin, Councillor
Mark Melissen, Member at Large
Andy Oakes, Member at Large
Paulette Rennie, Member at Large
- Staff:** Eric Sorensen, Chief Administrative Officer
Colleen Pennington, Economic Development Officer (Via Teleconference)
Mitch Moroziuk, General Manager of Infrastructure
Bregje Kozak, Manager of Facilities
Sharon Thompson, Corporate Administrative Secretary
- Guests:** Larry Olson, Ministry of Jobs, Tourism and Skills Training (Via Teleconference)
Mary Ellen Heidt, Manager Community Futures Okanagan Similkameen
Sheilagh Seaton, Chair, Community Futures Okanagan Similkameen

1. **Call to order**

The Economic Development & Prosperity Task Force was called to order by Mayor Jakubeit at 12:00pm.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Economic Development & Prosperity Task Force adopt the agenda dated March 3, 2016 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 November 10, 2015 meeting as circulated.

CARRIED UNANIMOUSLY

4. **Delegation**

- 4.1 Larry Olson, Regional Manager, Economic Development Division
Ministry of Jobs, Tourism and Skills Training
Re: Provincial Services Available

Mr. Olson verbally provided background information on the Economic Development Division of the Ministry of Jobs, Tourism and Skills Training and his role in assisting businesses reach their goals.

- 4.2 Mary Ellen Heidt, Manager
Community Futures Okanagan Similkameen
Re: C2BG

Ms. Heidt presented background on the Economic Gardening pilot and an update on the C2BG program. Questions and discussion followed.

Colleen Pennington, Andre Martin, Mary Ellen Heidt and Shelagh Seaton depart the meeting at 12:55 p.m.

- 4.3 Mitch Moroziuk, General Manager of Infrastructure
Bregje Kozak, Facilities Manager
Re: Facilities Master Plan

The General Manager of Infrastructure and Facilities Manager presented the City of Penticton Facilities Master Plan – Phase 2. Questions and discussion followed.

5. **Business Arising from Prior Meetings**

There was no Business Arising from Prior Meetings.

6. **New Business**

There was no New Business.

7. **Council Outcome**

Council Resolution 591/2015 from the minutes dated November 10, 2015. *(Receive)*

8. **Next Meeting**

The next meeting of the Economic Development & Prosperity Task Force will be at the call of the Chair.

9. **Adjournment**

The Economic Development & Prosperity Task Force adjourned the meeting at 2:10 p.m.

Minutes



Development Services Advisory Committee Meeting

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

Wednesday, March 9, 2016
at 8:00 a.m.

Present: Campbell Watt, Councillor
Frank Conci, Chair & PIDA Representative
Drew Barnes, Development Community Representative
Chris Harp, Consulting Engineer
Matthew Coady, Member at Large
Christopher Marte, Member at Large

Staff: Eric Sorensen, Chief Administrative Officer
Jules Hall, Director of Development Services
Ken Kunka, Building & Permitting Manager
Sharon Thompson, Corporate Administrative Secretary

1. Call to Order

The Development Services Advisory Committee was called to order by the Chair at 8:07 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Development Services Advisory Committee adopt the agenda for the meeting held on March 9, 2016 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Development Services Advisory Committee adopt the minutes of January 15, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

5. New Business

5.1 Zoning Bylaw Review – Jules Hall, Director of Development Services

The Director of Development Services presented Zoning Bylaw - 5 year review work plan. Details of the purpose and overview of the project identified the intention and projected

outcomes of the comprehensive review process as well as opportunities to improve the bylaw, first adopted in 2011. A public consultation process, committee participation and work plan schedule were discussed. Of note, the work plan does not include major policy or mapping changes; instead, changes include grammatical and number coordination, greater clarity and understanding with the use of plain language and minor policy changes. Further discussion and questions followed.

5.2 Planning Department – Ken Kunka, Building and Permitting Manager

The Building and Permitting Manager reviewed the statistics for January and February and highlighted building permits noting strong activity. Details of Penticton building reports and statistics are posted on the City website under the Building Department. An overview of January 2016 statistics have been posted with February 2016 stats being finalized.

The Building and Permitting Manager presented a verbal update on staffing and surplus revenue including policy and bylaw changes as follows:

Front Counter Service & Inspections

A new inspector has been hired. This front counter position is intended to relieve some of the work load currently carried by the main inspectors. A verbal update on the testing of a new online program to monitor the building process was provided.

Business License Bylaw Housekeeping

Proposed Housekeeping Changes to Business Licence Bylaw document was distributed. Intended outcomes in the document were detailed and requested changes were discussed. Staff sought input from the Committee prior to providing final recommendations to the Director of Development Services and Council.

Amendments to Building Bylaw

The Building and Permitting Manager noted that a significant rewrite of the Building Bylaw will be undertaken with Council's endorsement of the 2016 Budget. Housekeeping amendments should be ready for review in April.

6. Council Outcome

Council Resolutions 45/2016 and 46/2016 from the minutes dated January 15, 2016 were received.

7. Next Meeting

The next regularly scheduled meeting of the Development Services Advisory Committee is April 13, 2016 at 8:00 a.m.

8. Adjournment

The Development Services Advisory Committee adjourned the meeting at 9.17 a.m.

Minutes

penticton.ca

Community Sustainability Committee Meeting

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

Wednesday, March 2, 2016
at 1:30 p.m.

- Present:** Tarik Sayeed, Councillor
Chris Allen, Chair
Tabitha Eneas, Penticton Indian Band Representative
Donna Lomas, Okanagan College Representative
Zoe Kirk, Member at Large
Anne Hargrave, Member at Large
Jacqueline Duncan,
- Staff:** Blake Laven, Planning Manager
Sharon Thompson, Corporate Administrative Secretary
- Guest:** Rajeev Ruparathna, PhD Student

1. Call to Order

The Community Sustainability Committee was called to order by the Chair at 1:35 p.m.

2. Adoption of Agenda

It was **MOVED** and **SECONDED**

THAT the Community Sustainability Committee adopt the agenda for the meeting held on March 2, 2016 with amendments as follows:

- Allow the Planning Manager to present Business Arising from Prior Minutes at the top of the meeting.
- Time allowing, add Penticton Model–Greening and Food Security to New Business

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was **MOVED** and **SECONDED**

THAT the Community Sustainability Committee adopt the minutes of the February 2, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

Business Arising from Prior Meetings

3.1 Urban Tree Plantings – *How do we claim carbon credits?*

The Planning Manager presented an update on the City's urban tree strategy as they move to Phase II. Expressions of Interest will be requested shortly, inventory work is progressing and implementation of next phases as identified by the Blackwell Report will begin rollout. A tree protection bylaw is currently being developed with a draft expected to be presented to the Committee for endorsement May 2016. Under current zoning bylaws, the City has no mechanism to regulate trees on privately owned lands and that a tree assessment program will begin as early as this month.

The Planning Manager updated the Committee on the status of Climate Action Reporting noting that due to a lack of resources, reporting has not been done in over a year. A part-time contractor will be commissioned to begin the task of catching up and then to provide quarterly reporting going forward. The goal is to reduce our climate impact as a community, and to show how planting trees can have a positive impact.

The City has applied for a TD Green Street Grant. An announcement is expected in May or June.

3.2 Car Share Program Update

The Planning Manager updated the committee on the Ogo Car Share Program. Although a community meeting was not well attended, market research is still being conducted by the company to determine whether it would be a worthwhile endeavor in Penticton. The City is supportive of the initiative and would enter into partnership agreement if it proceeds.

The Planning Manager departed the meeting at 2:06 p.m.

4. Delegation

4.1 Rajeev Ruparathna, PhD Student UBC Research Project

The UBC PhD Student provided an update on progress of his research in improving eco-efficiency of public buildings through asset management. The project, which is 60% complete, began in April 2014 and is expected to be complete by the end of 2016. He noted that with public buildings being a main contributor of GHG and smog in Canada, this research is looking at ways of improving the energy performance of public buildings. Penticton City Hall and the Community Centre are being used as energy models in Mr. Ruparathna's research. The purpose is to use the data to report potential energy savings which could then reduce both the corporate carbon footprint and operating costs. Questions and discussion followed the presentation.

5. **New Business**

5.1 **Penticton Model – Greening**

Anne Hargrave noted she learned of a physical “greening” model of Penticton and thought the committee would be interested in a presentation. She will make the arrangements for the Committee to view the model and learn of this work.

5.2 **Food Security**

Anne Hargrave commented that although there are a number of food security initiatives in the City, there doesn’t seem to be a “portal” to connecting them. Following discussion, it was decided a special committee meeting/brainstorming session with Hilma Labelle of Incredible Edible would be of interest. Anne Hargrave and Chris Allen will follow up.

6. **Council Outcome**

6.1 Council Resolutions 93/2016 and 94/2016 from the minutes dated February 2, 2016 were received.

7. **Next Meeting**

The next regularly scheduled meeting of the Community Sustainability Committee is scheduled for April 6, 2016.

8. **Adjournment**

The Community Sustainability Committee adjourned the meeting at 2.56 p.m.