



Agenda

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

Monday, May 16, 2016
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 May 2, 2016 Committee of the Whole Meeting 1-2 Receive
 - 4.2 Minutes of the May 2, 2016 Public Hearing 3-6 Receive
 - 4.3 Minutes of the May 2, 2016 Regular Council Meeting 7-13 Adopt
5. **Presentations:**
6. **Delegations and Petitions:**
7. **Community Partners:**
8. **Reconsideration of Bylaws and Permits:**
 - 8.1 Fees and Charges Amendment Bylaw No. 2016-25 14-17 Rescind^{3rd}/^{3rd}
Re: Sewer Connection Charges (details added to explanatory notes)
 - 8.2 Zoning Amendment Bylaw No. 2016-23 18-19 2nd/^{3rd}/Adopt
Re: 469 Edmonton Avenue
 - 8.3 Zoning Amendment Bylaw No. 2016-24 20-21 2nd/^{3rd}/Adopt
Re: 223 Conklin Avenue
DVP PL2016-7630 22-27 Approve
 - 8.4 Zoning Amendment Bylaw No. 2016-21 28-29 Adopt
Re: 679 Churchill Avenue
DVP PL2016-7599 30-31 Approve
 - 8.5 Zoning Amendment Bylaw No. 2016-15 32-33 Adopt
Re: 784 Argyle Street

9. **Staff Reports:**

DDS	9.1	Development Permit PL 2016-7611 & Development Variance Permit PL2016-7612 34-53 Del/Sub Re: 222 Lee Avenue <u>Staff Recommendation:</u> THAT Council approve Development Variance Permit PL2016-7612 for Lot 1, District Lot 189, Similkameen Division Yale District, Plan KAP84585, located at 222 Lee Avenue, to reduce the minimum side yard setback on both the east and west sides from 4.5m to 2.0m in order to allow for the construction of two, four-unit townhouse buildings; AND THAT Council, subject to approval of "Development Variance Permit PL2016-7612", approve Development Permit PL2016-7611 for Lot 1, District Lot 189, Similkameen Division Yale District, Plan KAP84585, located at 222 Lee Avenue, to allow for the construction of two, four-unit townhouse buildings as shown in DP PL2016-7611 Schedule 'A'; AND THAT staff is directed to issue the permits.
FM	9.2	Facilities Master Plan, Phase 2 54-59 Re: Adidas Sportsplex Indoor Soccer Facility <u>Staff Recommendation:</u> THAT Council direct staff to implement capital improvements to the Adidas Sportsplex Indoor Soccer Facility, by replacing the mechanical heating system and repairing roof and envelope deficiencies, to extend the life of the facility by approximately 10 years; AND THAT Council approves a budget amendment of \$350,000 from CAP45033-001 to fund the capital improvements.
FC	9.3	Strategic Wildfire Prevention Initiatives 60-84 Re: Fuel Management Prescription Grant Program <u>Staff Recommendation:</u> THAT Council support the application for grant funding to the UBCM Strategic Wildfire Program Initiative for the development of a Fuel Management Prescription for a Riddle Road Fuel Break and for a Penticton Landfill Fuel Break at a cost of \$6,951.25; AND THAT the City enlists the services of John Davies, RPF of Valhalla Environment Consulting Inc. to secure the grant funding and to carry out the prescription process.
DDS	9.4	2016 Special Occasion Licence Applications – Exemption of hours 85-86 Re: Rib Fest <u>Staff Recommendation:</u> THAT Council, subject to the approval of the RCMP and Liquor Control and Licensing Branch, approve the Rotary Club (Rib Fest) Special Occasion (Beer/Wine Garden) License for requested service hours between 11:00 am and 11:00 pm.
DDS	9.5	Zoning Amendment Bylaw No. 2016-26 87-99 Re: 1399 Government Street <u>Staff Recommendation:</u> THAT "Zoning Amendment Bylaw 2016-26" a bylaw that changes the zoning of Lot 14, District Lot 250, Similkameen Division Yale District, Plan 6501, Except Plan KAP67840, located at 1399 Government Street, from R1 (Large Lot Residential) to C1 (Commercial Transition), be given first reading and be forwarded to the June 6th Public Hearing; AND THAT prior to "Zoning Amendment Bylaw 2016-26" being adopted by Council, a 4.87 m road dedication along Government Street, a 3.65 m road dedication along Duncan Avenue and a corner cut as identified on the map attached to this report as Attachment F, be registered at the Land Title Office; AND THAT a "letter of authorization" to retain assets on the City right-of-way be granted to the property owner stating that assets may remain on the City's right-of-way until such time as road works are scheduled to proceed.
CFO	9.6	Collections/Disconnect Policy 100-110 <u>Staff Recommendation:</u> THAT Council approve the amended Collections/Disconnections Policy and direct staff to implement the amended Collections/Disconnections Council Policy effective August 23, 2016; AND THAT Council direct staff to immediately commence a customer notice process with respect to the implementation of the adoption of a no-disconnect policy for utility arrears.

10. **Correspondence**

11. **Committee and Board Reports**

- 11.1 Waterfront Revitalization Sub-Committee Meeting Minutes of April 26, 2016 111-112
Recommendation: THAT Council receive the minutes of the Waterfront Revitalization Sub-Committee meeting of April 26, 2016.
Committee Recommendation: THAT Council direct staff to research the concept of creating a lake to lake linear park connection.
- 11.2 Penticton Creek Restoration Committee Meeting Minutes of April 27, 2016 113-115
Recommendation: THAT Council receive the minutes of the Penticton Creek Restoration Committee meeting of April 27, 2016.
- 11.3 Downtown Revitalization Sub-Committee Meeting Minutes of April 28, 2016 116-119
Recommendation: THAT Council receive the minutes of the Downtown Revitalization Sub-Committee meeting of April 28, 2016.
Committee Recommendation: THAT Council direct staff to research the cost of improving the condition of the breezeways.

Committee Recommendation: THAT Council direct staff to substitute 5 standard benches and 2 standard bike racks for 5 public art benches and 2 public art bike racks;
AND THAT Council allocate surplus project funds towards public art and public wayfinding in the downtown core.
- 11.4 Community Sustainability Committee Meeting Minutes of May 4, 2016 120-122
Recommendation: THAT Council receive the minutes of the Community Sustainability Committee meeting of May 4, 2016.

12. **Notice of Motion**

13. **Other Business**

14. **RDOS Update**

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

16. **Media and Public Question Period**

17. **Adjournment**

Minutes

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

Monday, May 2, 2016
at 2:30 p.m.

- Present:** Mayor Jakubeit
Councillor Konanz
Councillor Sentes
Councillor Picton
Councillor Martin
Councillor Sayeed
Councillor Watt
- Staff:** Eric Sorensen, Chief Administrative Officer
Mitch Moroziuk, General Manager Infrastructure
Colin Fisher, Chief Financial Officer
Dana Schmidt, Corporate Officer
Jules Hall, Director of Development Services
Gillian Kenny, Human Resources Manager
Colleen Pennington, Economic Development Officer
Tina Lee, Communications Officer (arrived at 3pm)
Angela Campbell, Controller
- Guests:** Johnathan McGraw, BDO Canada LLP,
Kelly Hopkins, Tourism Penticton Association
Diana Stirling, Tourism Penticton Association
Jessica Agur Dolan, Tourism Penticton Association

1. Call to order

The Mayor called the Committee of the Whole meeting to order at 2:30 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on May 2, 2016 be adopted as circulated.

CARRIED UNANIMOUSLY

3. Presentations

3.1 Auditors – BDO Canada LLP

Johnathan McGraw, BDO Canada LLP, provided Council with the 2015 Financial Statements, discussing financial assets and explaining the large drop in revenues as reduction in developer contributed assets (ie: Sendero Canyon).

3.2 Tourism Penticton – Quarterly Report

Kelly Hopkins, Executive Director, provided Council with the Tourism Penticton Quarterly Report identifying the strategy for year round tourism, and adjusting focus from print to online marketing and advertising.

4. Media and Public Question Period

5. Adjournment

It was MOVED and SECONDED

THAT the Committee of the Whole adjourn at 3:45 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* sections 90 (1) as follows:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (d) the security of the property of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.
- (k) negotiations and related discussions respecting the proposed provision of a municipal service expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Minutes

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

Monday, May 2, 2016
at 6:00 p.m.

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

Staff: Eric Sorensen, Chief Administrative Officer
Dana Schmidt, Corporate Officer
Colin Fisher, Chief Financial Officer
Mitch Moroziuk, General Manager Infrastructure
Jules Hall, Director of Development Services
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:01 p.m. for OCP Amendment Bylaw No. 2016-14", "Zoning Amendment Bylaw No. 2016-15", "Zoning Amendment Bylaw No. 2016-20", and "Zoning Amendment Bylaw No. 2016-21". He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws and related DVP an opportunity to be heard before Council.

The Corporate Officer read the opening statement and introduced the purpose of the bylaws. She then explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw and related DVP PL2016-7599 an opportunity to be heard before Council. She further indicated that the public hearing was advertised pursuant to the *Local Government Act*.

"OCP Amendment Bylaw No. 2016-14" & "Zoning Amendment Bylaw No. 2016-15"
(784 Argyle Place)

The purpose of "OCP Amendment Bylaw No. 2016-14" is to amend Official Community Plan Bylaw No. 2002-20 as follows:

Amend the following schedules for Lot F, District Lot 202, Similkameen Division Yale District, and of District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 584, located at 784 Argyle Street; 1) Change Schedule 'B' Future

Land Use designation from LR (Low Density Residential) to MR (Medium Density Residential) and 2) Change Schedule 'H' to include 784 Argyle Street in the General Multiple Family Development Permit Area.

The purpose of "Zoning Amendment Bylaw No. 2016-15" is to amend Zoning Bylaw No. 2011-23 as follows:

Rezone Lot F, District Lot 202 Similkameen Division Yale District and of District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 584 located at 784 Argyle Street, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

The Corporate Officer advised that 3 letter of opposition has been received after the printing of the agenda and distributed to Council.

DELEGATIONS

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

- Ian Hyslop and Gordon Morgan, applicants, owners of the property since 2004, consulted with city on best fit, decided with plan in front of you. Canvassed the neighbourhood before proceeding, some said would like the cottage appearance of the neighbourhood to remain, and achieved that with these drawings. Alleviated parking concerns. Both grew up this neighbourhood, don't want to see the character altered, have a large site that is a good fit for project. Only access will be from Argyle Street.

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

- No one spoke.

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

- No one spoke.

The public hearing for "OCP Amendment Bylaw No. 2016-14" and "Zoning Amendment Bylaw No. 2016-15" was terminated at 6:10 p.m. and no new information can be received on this matter.

"Zoning Amendment Bylaw No. 2016-20" (481 Nelson Avenue)

The purpose of "Zoning Amendment Bylaw No. 2016-20" is to amend Zoning Amendment Bylaw No. 2011-23 as follows:

Rezone Lot 76, District Lot 250, Similkameen Division Yale District, Plan 845 located at 481 Nelson Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

The Corporate Officer advised that no letters have been received after the printing of the agenda.

DELEGATIONS

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

- Rod Ferguson, Evergreen Drive, developer for this lot, have since torn the house down, would like to proceed with duplex, appears as single family residence, canvassed neighbourhood for feedback, total of 10 neighbours, nuisance tree on property, now taken down, plan in conjunction with OCP and long term plan of community.
- Sherry Colstad, Nelson Avenue, never approached or talked to, concerned about cramming duplex onto 30 ft. lots, look at 50-60 ft. lots, wrong place to increase density, water pressure has dropped, assume from the amount of households being fed water, more multi family consider impact on area, more parking problems.

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

- Cindy Lees, Nelson Avenue, never approached by developer, concerned with parking, back alley already very busy, not going to be adequate for two homes to have only three parking spots, going to get busier.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2016-20" was terminated at 6:20 p.m. and no new information can be received on this matter.

"Zoning Amendment Bylaw No. 2016-21" (679 Churchill Avenue)

The purpose of "Zoning Amendment Bylaw No. 2016-21" is to amend Zoning Amendment Bylaw No. 2011-23 as follows:

Rezone Lot 23, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 4075 located at 679 Churchill Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

The Corporate Officer advised that 1 letter has been received after the printing of the agenda and distributed to Council.

DELEGATIONS

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

- Bruce Schoenne, developer, provided a picture of other project completed on the street, this proposal will be rental stock.

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

- Lynn Kelsey, Oakville Street, interest in knowing what kind of rental stock, 13m to 9m for lot, concerned with 12 ft. narrower.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2016-21" was terminated at 6:26 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Minutes

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

Monday, May 2, 2016
Following the Public Hearing at 6:00 p.m.

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

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
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 6:27 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

185/2016

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on May 2, 2016 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes

4.1 Minutes of the April 18, 2016 Public Hearing

186/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the April 18, 2016 Public Hearing as presented.

CARRIED UNANIMOUSLY

4.2 Minutes of the April 18, 2016 Regular Council meeting

187/2016

It was MOVED and SECONDED

THAT Council adopt the minutes of the April 18, 2016 Regular Council meeting as presented.

CARRIED UNANIMOUSLY

5. Presentations

5.1 Proclamation – Public Works Week, May 15 – 21, 2016

Mayor Jakubeit proclaimed May 15 – 21, 2016 as “Public Works Week” in the City of Penticton.

6. Delegations

6.1 Canadian Mental Health Association

Dennis Tottenham, Executive Director, Canadian Mental Health Association, provided Council with an overview of services and information regarding Mental Health Week.

7. Community Partners

8. Reconsideration of Bylaws and Permits

8.1 OCP Amendment Bylaw No. 2016-14 Re: 784 Argyle Street

188/2016

It was MOVED and SECONDED

THAT Council give second and third reading to “OCP Amendment Bylaw No. 2016-14”;
AND THAT Council adopt “OCP Amendment Bylaw No. 2016-14”.

CARRIED UNANIMOUSLY

8.2 Zoning Amendment Bylaw No. 2016-15 Re: 784 Argyle Street

189/2016

It was MOVED and SECONDED

THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2016-15”.

CARRIED UNANIMOUSLY

8.3 Zoning Amendment Bylaw No. 2016-20 Re: 481 Nelson Avenue

190/2016

It was MOVED and SECONDED

THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2016-20”;
AND THAT Council adopt “Zoning Amendment Bylaw No. 2016-20”.

CARRIED UNANIMOUSLY

8.4 Zoning Amendment Bylaw No. 2016-21 Re: 679 Churchill Avenue

191/2016

It was MOVED and SECONDED

THAT Council give second and third reading to “Zoning Amendment Bylaw No. 2016-21”.

CARRIED UNANIMOUSLY

8.5 Tax Rates Bylaw No. 2016-19

192/2016

It was MOVED and SECONDED

THAT Council adopt “Tax Rates Bylaw No. 2016-19”.

CARRIED UNANIMOUSLY

8.6 Blasting Control Bylaw No. 2016-16

193/2016

It was MOVED and SECONDED

THAT Council adopt "Blasting Control Bylaw No. 2016-16".

CARRIED UNANIMOUSLY

8.7 MTI Amendment Bylaw No. 2016-22

194/2016

It was MOVED and SECONDED

THAT Council adopt "MTI Amendment Bylaw No. 2016-22".

CARRIED UNANIMOUSLY

9. Staff Reports

9.1 Fees and Charges Amendment Bylaw No. 2016-25

Re: Sewer Rate Structure Review: Andrew McLaren

195/2016

It was MOVED and SECONDED

THAT Council receive the May 2, 2016 presentation by Andrew McLaren of Intergroup Consultants Ltd. on Sanitary Sewer Rates;

AND THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw 2016-25", a bylaw to amend Fees and Charges Bylaw 2014-07 to set new Sanitary Sewer rates and fees;

AND FURTHER THAT staff use the remainder of 2016 to educate customers as to the implications on the new sanitary sewer rate structure.

CARRIED UNANIMOUSLY

9.2 Development Variance Permit PL2016-7623

Re: 402 Eckhardt Avenue West

Delegations/Submissions: Jason Seddon, applicant, neighbours don't have any concerns with traffic or safety.

196/2016

It was MOVED and SECONDED

THAT Council approve and amend DVP PL2016-7623 to include the applicant's request to vary the exterior side yard setback from 3.0m to 1.3m, for the property located at 402 Eckhardt Avenue West in order for the applicant to construct a carriage house and garage structure;

AND THAT Council approve "Development Variance Permit PL2016-7623", for Parcel A (being a consolidation of lots 1 and 2, see CA4990473), Block B, District Lot 4, Group 7, Similkameen (Formerly Yale-Lytton) Division Yale District, Plan 930, located at 402 Eckhardt Avenue West, a permit to reduce the rear yard setback from 1.5m to 0.6m from the rear lot line, in order for the applicant to construct a carriage house and garage structure.

CARRIED UNANIMOUSLY

9.3 Development Variance Permit PL2016-7628
Re: 124 McConnachie Place

Delegations/Submissions: Dean Widney, owner, spoke in support of application, did not receive email from neighbourhood with concerns, addressed claims in the letter of opposition.

- Julie Riley, McConnachie Place, neighbour to the south, going to be dwarfed by garage, nowhere to park our vehicles, oppose variance and having garage closer to the curb.
- David Bush, McConacchie Place, will have a negative impact on the neighbourhood having the garage closer to the street.

197/2016

It was MOVED and SECONDED

THAT Council deny "Development Variance Permit PL2016-7628" for Lot 10, District Lot 188, Similkameen Division Yale District, Plan 41924, located at 124 McConnachie Place, a permit to decrease the minimum front yard setback from 6.0m to 3.2m, for the extension of a garage with second storey deck.

CARRIED UNANIMOUSLY

9.4 Development Variance Permit PL2016-7616
Re: 508 Braid Street

Delegations/Submissions: nil

198/2016

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2016-7616" on Lot A, District Lot 202, Similkameen Division Yale District, Plan KAP896713, located at 508 Braid Street, a development variance permit to allow for a front yard setback reduction from 4.5m to 3.5m and a reduction from 1.5m to 1.2m for a front to back maintained access to basement suites; AND THAT staff are directed to issue the Development Variance Permit PL2016-7616.

CARRIED UNANIMOUSLY

9.5 2016/2017 Custom Transit Annual Operating Agreement

199/2016

It was MOVED and SECONDED

THAT Council increase the 2016 Custom Transit Budget by \$11,800 with funds coming from existing general surplus; AND THAT Council authorize the Mayor and Corporate Officer to execute the 2016 / 2017 Annual Operating Agreement for the Custom Transit System.

CARRIED UNANIMOUSLY

9.6 2016/2017 Conventional Transit Annual Operating Agreement

200/2016

It was MOVED and SECONDED

THAT Council increase the 2016 Conventional Transit Budget by \$12,700 with funds coming from general surplus; AND THAT Council authorize the Mayor and Corporate Officer to execute the 2016 / 2017 Annual Operating Agreement for the Conventional Transit System.

CARRIED UNANIMOUSLY

9.7 Zoning Amendment Bylaw No. 2016-23
Re: 469 Edmonton Avenue

201/2016

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No.2016-23", to amend Zoning Bylaw 2011-23 to rezone Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forward to the May 16, 2016 Public Hearing;

THAT Council support "Development Permit PL2016-7620" for Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, a permit to approve the construction of cluster housing in the form of two front-to-back duplexes with one side facing Edmonton Avenue and the other facing the lane.

AND THAT staff are directed to issue "DP PL2016-7620", subject to adoption of "Zoning Amendment Bylaw No.2016-23".

CARRIED UNANIMOUSLY

9.8 Zoning Amendment Bylaw No. 2016-24
Re: 223 Conklin Avenue

202/2016

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2016-24", a bylaw to amend Zoning Bylaw 2011-23 for Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, from R1 (Large Lot Residential) to R2 (Small Lot Residential), be given first reading and forwarded to the May 16, 2016 Public Hearing;

AND THAT delegations and submissions are heard for Development Variance Permit PL2016-7630, for Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, a permit to reduce the minimum lot width of an R2 lot from 13m to 9.1m to allow for a two lot subdivision, during the May16, 2016 Public Hearing;

AND THAT Development Variance Permit PL2016-7630 be considered only after adoption of Zoning Amendment Bylaw No. 2016-24.

CARRIED UNANIMOUSLY

10. Correspondence

Councillor Sentes read out a letter received today from the Discovery House requesting a letter of support for their response to Interior Health – Request for Proposal (RFP) to fund 10 support recovery beds in the South Okanagan.

By consensus, Council agreed to send a letter of support.

11. Committee and Board Reports

11.1 Arts, Creative & Cultural Innovations Committee meeting of April 14, 2016

203/2016

It was MOVED and SECONDED

THAT Council receive the minutes of the Arts, Creative & Cultural Innovations Committee meeting of April 14, 2016.

CARRIED UNANIMOUSLY

204/2016 **It was MOVED and SECONDED**
THAT Council receive the recommendation from the Arts, Creative and Cultural Innovations Committee that allocates a portion of any potential surplus funds from the Downtown Revitalization project towards including public art in the 100 and 200 Block.
DEFEATED
Mayor Jakubeit, Councillors Sayeed, Watt, Sentes, Picton, Opposed

205/2016 **It was MOVED and SECONDED**
THAT Council allocates a portion of any potential surplus funds from the Downtown Revitalization project towards including public art in the 100 and 200 Block.
CARRIED
Councillor Konanz and Martin, Opposed

11.2 Heritage & Museum Committee meeting of April 21, 2016

206/2016 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Heritage & Museum Committee meeting of April 21, 2016.
CARRIED UNANIMOUSLY

12. Notice of Motion

13. Other Business

13.1 Notice of Motion from April 18, 2016

207/2016 **It was MOVED and SECONDED**
THAT staff research the schedules of council meetings and public hearings held in other municipalities and report back to Council with options for beneficial changes to the 2017 Penticton City council meeting and public hearing schedule.
CARRIED UNANIMOUSLY

13.2 Auditors Report – 2015 Financial Statements

208/2016 **It was MOVED and SECONDED**
THAT Council receive the 2015 Financial Statements as presented by BDO Canada LLP at the May 2, 2016 Committee of the Whole meeting.
CARRIED UNANIMOUSLY

14. RDOS Update

15. Business Arising from In-Camera

16. Media and Public Question Period

17. Adjournment

209/2016

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Monday, May 2, 2016 at 8:47 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Bylaw No. 2016-25

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. 2016-25".

2. **Amendment:**

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

- Appendix 25 – Sewer Connection Charges

2.2 Appendix 25 attached hereto forms part of this bylaw.

READ A FIRST time this	2 day of	May, 2016
READ A SECOND time this	2 day of	May, 2016
READ A THIRD time this	2 day of	May, 2016
RESCIND and REREAD A	day of	, 2016
THIRD time this		
ADOPTED this	day of	, 2016

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Appendix 25						
	2015	2016	2017	2018	2019	2020

Sanitary Sewer Fixture Charges

A minimum annual charge which includes plumbing fixtures not exceeding six (6) in number	\$141.00	\$153.38				
Each plumbing fixture exceeding six (6) in number	\$25.70	\$27.96				
Such charges to be effective immediately upon the expiration of 180 days (60 days in the case of a renovated building) from the date of validation of the building permit, provided however, that this amount may be pro-rated from the effective date to December 31 of the year in which the building is built or renovated.						
An extension to the 180 day period will be considered providing the builder applies in writing to Building & Licence Division prior to the expiration of the 180 day period. Should a request come from a builder after the expiration of the 180 day period, an extension may still be granted upon payment of an administration fee:						
First Unit	\$15.00	\$16.00				
Each additional Unit in the same complex	\$5.00	\$6.00				

Extensions are only to be granted in multiples of 30 days, ie 30, 60, 90 days.

Sanitary Sewer Charges based on Treated Water Use

Monthly Fixed Sanitary Sewer Rates Based on Water Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)			\$15.41-\$13.00	16.76-\$14.14	19.91-\$15.38	21.66-\$16.37
25mm (1 inch) / month			25.69 \$32.50	27.94 \$35.35	33.19 \$38.46	36.1 \$41.83
38 mm (1 1/2 inches) / month			51.37- \$65.00	55.88-\$70.71	66.38-\$76.91	72.2-\$83.67
50 mm (2 inches) / month			82.19-\$104.00	89.41-\$113.13	106.2-\$123.06	115.53-\$133.87
75 mm (3 inches) / month			179.80 \$227.50	195.59 \$247.47	232.32-\$269.20	252.71-\$292.84
100 mm (4 inches) / month			323.64-\$409.50	352.05-\$445.45	418.17-\$484.56	454.88-\$527.10

PLUS Variable Sanitary Sewer Generation Charge based on Water Use for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)			~~2.23~~ -\$2.22	~~2.45~~ -\$2.43	~~2.52~~ -\$2.65	~~2.77~~ -\$2.80
For Summer (April to September) for Residential Properties Zoned R1 with a 13mm, 16mm or 19mm Water meter use 50% of the water use times the Variable Consumption Charge						
For Winter (October to March) for Residential Properties Zoned R1 with a 13mm, 16mm or 19mm Water meter use 100% of the water use times the Variable Consumption Charge						
For all properties other than Residential Properties Zoned R1 with a 13mm, 16mm or 19mm Water meter use 100% of the water use times the Variable Consumption Charge						

Appendix 25						
	2015	2016	2017	2018	2019	2020
Non Residential Customers may approach the City for a reduction in the % of water use to account for business practices that create a large discrepancy between water use and sewage generation						
Sanitary sewer charges no water meter or no water service (per month)						
Fee based on property zoning as follows:						
For properties zoned Single Family Residential			\$26.00	~~\$27.00~~ -\$28.28	~~\$32.00~~ -\$30.77	~~\$35.00~~ -\$33.47
For properties zoned I Multi Family Residential			\$37.00	~~\$39.00~~ \$40.25	~~\$44.00~~ \$43.78	~~\$48.00~~ \$47.63
For properties zoned Commercial			\$87.00	~~\$97.00~~ -\$94.64	~~\$118.00~~ -\$102.95	~~\$127.00~~ -\$111.99
For properties zoned Industrial			\$591.00	~~\$666.00~~ -\$642.89	~~\$822.00~~ -\$699.33	~~\$933.00~~ -\$760.73
For all other properties			\$87.00	~~\$97.00~~ -\$94.64	~~\$118.00~~ -\$102.95	~~\$127.00~~ -\$111.99
Sanitary sewer charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Minimum flat rate charge for sanitary sewer for properties adjacent to a sanitary sewer main but not connected	\$141.00 per year	\$153.00	\$166.00	\$168.00	\$170.00	\$179.00
Permit to Discharge	\$231.00	\$244.00				
Evaluation of restricted wastes of over strength matter	Actual cost	Actual cost				
Over strength B.O.D. charge (over 300 mg/l)	\$0.45/kg	\$0.48/kg				
Over strength C.O.D. surcharge (over 600 mg/l)	Fee to be developed	Fee to be developed				
Over strength oil and grease surcharge (over 100 mg/l)	\$0.203/kg	\$0.214/kg				
Over strength phosphorous surcharge (over 10 mg/l)	Fee to be developed	Fee to be developed				
Over strength total suspended solids surcharge (over 300 mg/l)	\$0.46/kg	\$0.49/kg				

Septic Waste Receiving Facility Rate - Tipping Fee

Tipping Fee for receiving septic waste	\$33.50 per cubic meter	\$35.00 per cubic meter				
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Sanitary or Storm Sewer Service Connections

(a) 100mm (4") sanitary or storm sewer service and connections	\$2,709.00	\$3,500.00				
(b) Two – 100mm (4") sanitary or storm sewer service and connections installed in the same trench	\$3,150.00	\$4,100.00				
(c) All other sanitary or storm sewer and service and connections	Actual Cost	Actual Cost				

Appendix 25						
	2015	2016	2017	2018	2019	2020
(d) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add \$525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	\$525.00	\$550.00				
(e) Repair of service failure or interruption	Actual Cost	Actual Cost				
(f) Winter Trench Repair maintenance	\$441.00	\$450.00				
(g) Reconnecting to a capped sewer service - No work by City - Reconnection Fee Only	\$210.00	\$220.00				
(h) Sanitary or Storm Sewer Service Video Inspection	\$171.00	\$174.50				
In the event problem is determined to be caused by the City or the responsibility of the City all associated costs shall be applied to the City.						

Other:

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	\$163.00	\$166.00				
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	\$1,575.00	\$1,675.00				
(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost				

Bylaw No. 2016-23

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. 2016-23".

2. **Amendment:**

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

Rezone Lot 1, District Lot 202, Similkameen Division Yale District, Plan 4125, located at 469 Edmonton Avenue, from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

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

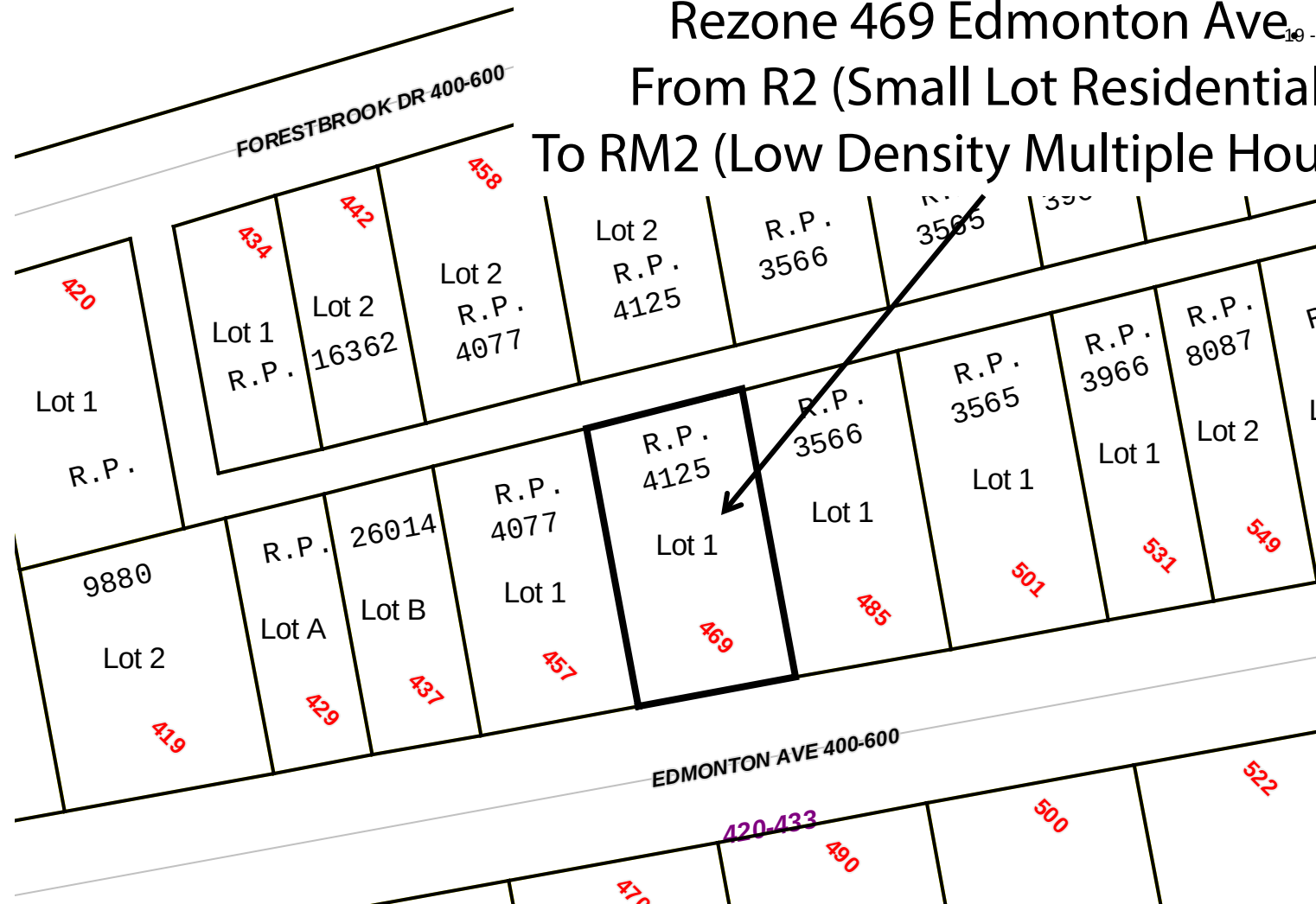
READ A FIRST time this	2	day of	May, 2016
A PUBLIC HEARING was held this	16	day of	May, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 6 day of May, 2016 and the 11 day of May, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 469 Edmonton Ave.
From R2 (Small Lot Residential)
To RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-23

Date: _____

Corporate Officer: _____

Bylaw No. 2016-24

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. 2016-24".

2. **Amendment:**

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

Rezone Lot 11, District Lot 1, Group 7, Similkameen Division Yale (formerly Yale-Lytton), District Plan 2518, located at 223 Conklin Avenue, from R1 (Large Lot Residential) to R2 (Small Lot Residential).

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

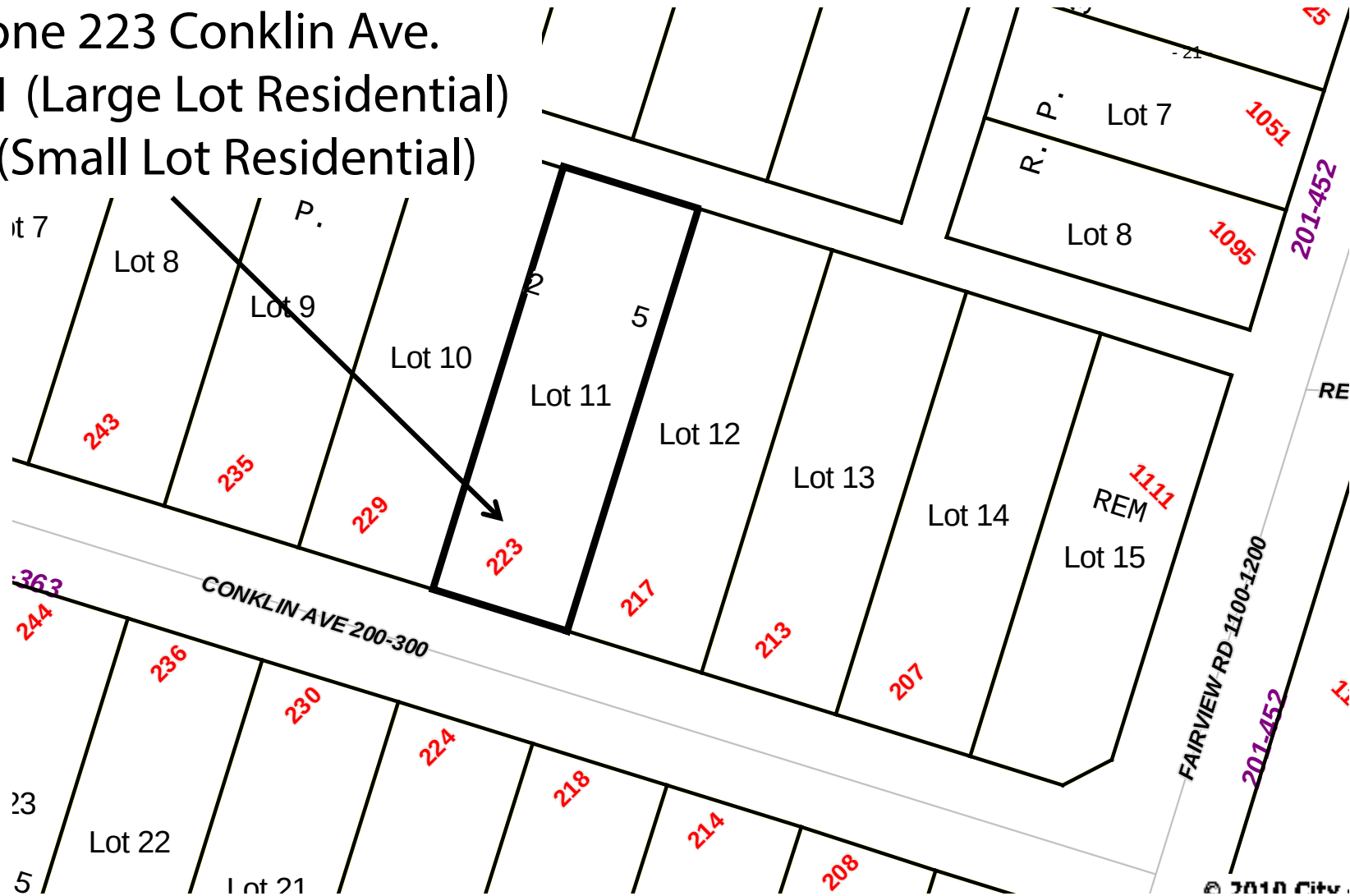
READ A FIRST time this	2	day of	May, 2016
A PUBLIC HEARING was held this	16	day of	May, 2016
READ A SECOND time this		day of	, 2016
READ A THIRD time this		day of	, 2016
ADOPTED this		day of	, 2016

Notice of intention to proceed with this bylaw was published on the 6 day of May, 2016 and the 11 day of May, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 223 Conklin Ave.
From R1 (Large Lot Residential)
To R2 (Small Lot Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-24

Date: _____

Corporate Officer: _____



Development Variance Permit

Permit Number: DVP PL2016-7630

Name

Address I

Conditions of Permit

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

Legal: Lot 11, District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton)
District, Plan 2518
Civic: 223 Conklin Avenue
PID: 010-997-806
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 10.2.2.1 of Zoning Bylaw 2011-23 to reduce the minimum lot width from 13m to 9.1m, as is shown in the plans attached in Schedule A.

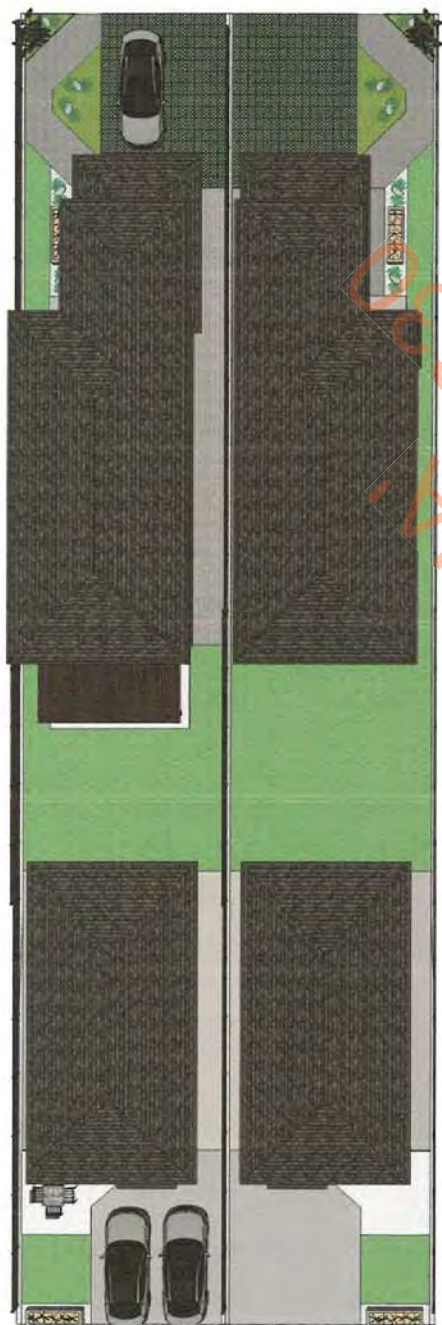
General Conditions

4. 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.
5. 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.
6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the _____ day of _____, 2016

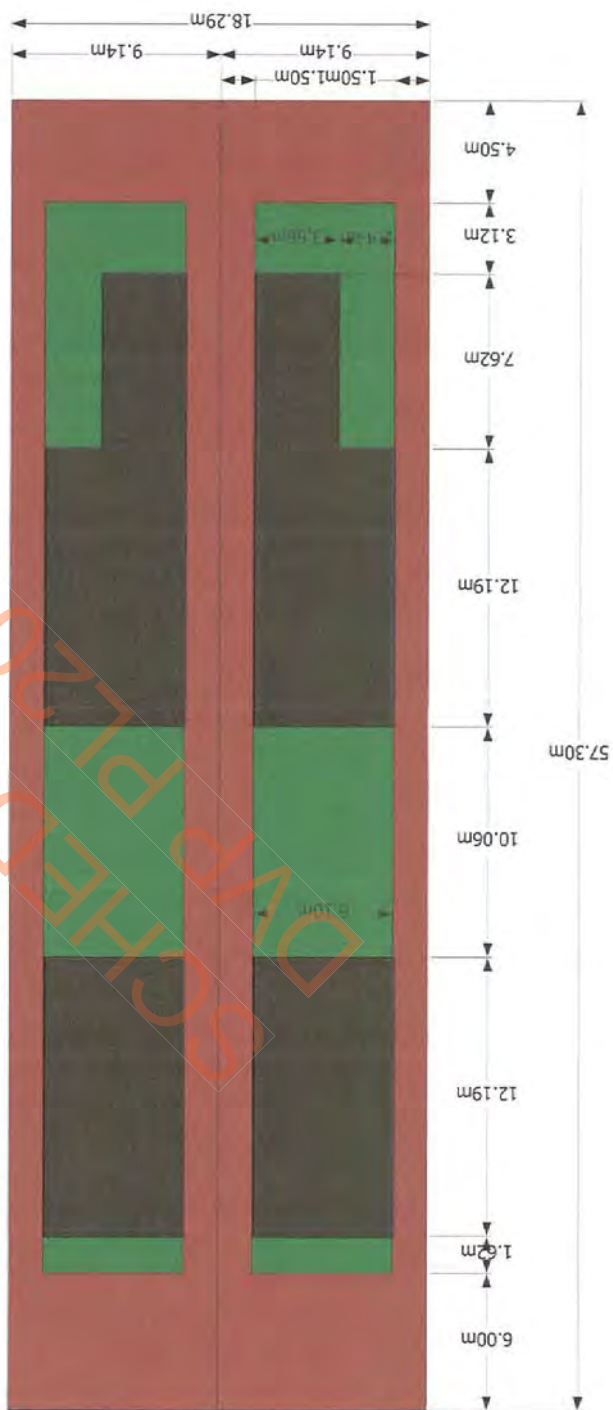
Issued this _____ day of _____, 2016

Dana Schmidt,
Corporate Officer



SUBDIVIDED LOT AREA = 523.97 SQM

PRIMARY RESIDENCE & CARRIAGE HOME LOT COVERAGE = 193.71SQM









Bylaw No. 2016-21

A Bylaw to Amend Zoning Bylaw 2011-23

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2016-21".

2. **Amendment:**

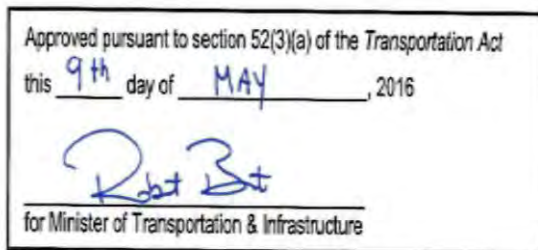
2.1 Zoning Bylaw 2011-23 is hereby amended as follows:

Rezone Lot 23, District Lot 2, Group 7, Similkameen Division Yale(Formerly Yale Lytton) District, Plan 4075, located at 679 Churchill Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

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

READ A FIRST time this	18 day of	April, 2016
A PUBLIC HEARING was held this	2 day of	May, 2016
READ A SECOND time this	2 day of	May, 2016
READ A THIRD time this	2 day of	May, 2016
RECEIVED the approval of the	9 day of	May, 2016
Ministry of Transportation on the		
ADOPTED this	day of	, 2016

Notice of intention to proceed with this bylaw was published on the 22 day of April, 2016 and the 27 day of April, 2016 in the Penticton Western newspaper. pursuant to Section 94 of the *Community Charter*.



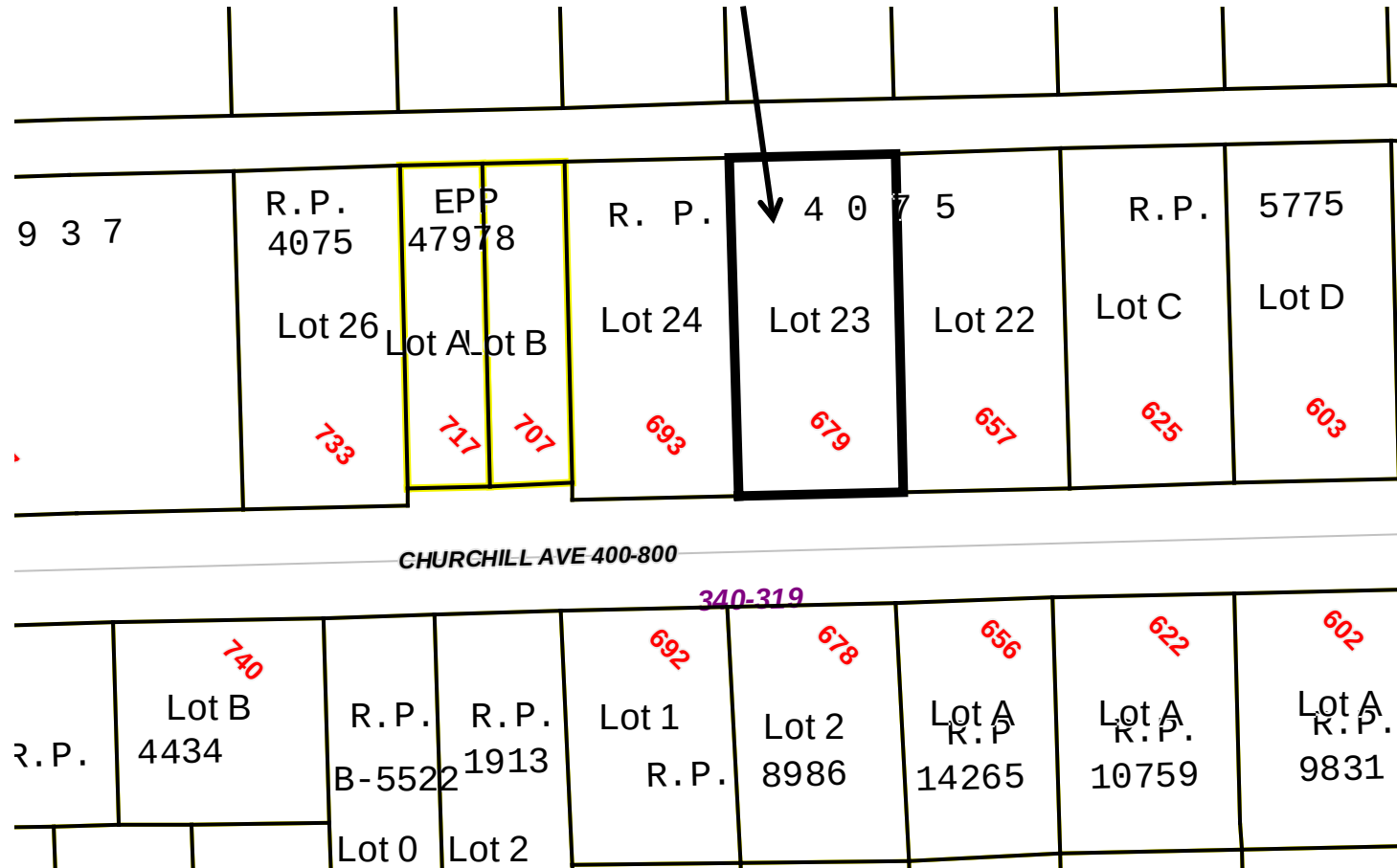
Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 679 Churchill Avenue

- 29 -

From R2 (Small Lot Residential) To RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-21

Date: _____

Corporate Officer: _____

Development Variance Permit

Permit Number: DVP PL2016-7599

Name

Address I

Conditions of Permit

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

Legal: Lot 23, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton)
District, Plan 4075
Civic: 679 Churchill Avenue
PID: 010 584 552
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2011-23, as shown in the plans attached in Schedule A:
 - Section 10.6.2.1: Reduce the minimum lot width from 13m to 9.1m
 - Section 10.6.2.2: Reduce the minimum lot area from 390m² to 325m²

General Conditions

4. 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.
5. 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.
6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the _____ day of _____, 2016

Issued this _____ day of _____, 2016

Dana Schmidt,
Corporate Officer

Bylaw No. 2016-15

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. 2016-15".

2. **Amendment:**

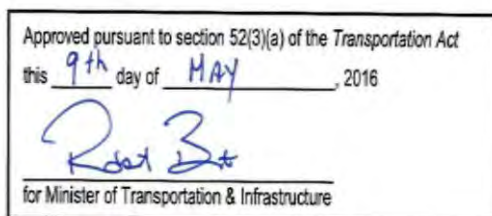
2.1 Zoning Bylaw 2011-23 is hereby amended as follows:

Rezone Lot F, District Lot 202, Similkameen Division Yale District, and of District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 584, located at 784 Argyle Street, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	18 day of	April, 2016
A PUBLIC HEARING was held this	2 day of	May, 2016
READ A SECOND time this	2 day of	May, 2016
READ A THIRD time this	2 day of	May, 2016
RECEIVED the approval of the	9 day of	May, 2016
Ministry of Transportation on the		
ADOPTED this	day of	, 2016

Notice of intention to proceed with this bylaw was published on the 22 day of April, 2016 and the 27 day of April, 2016 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.



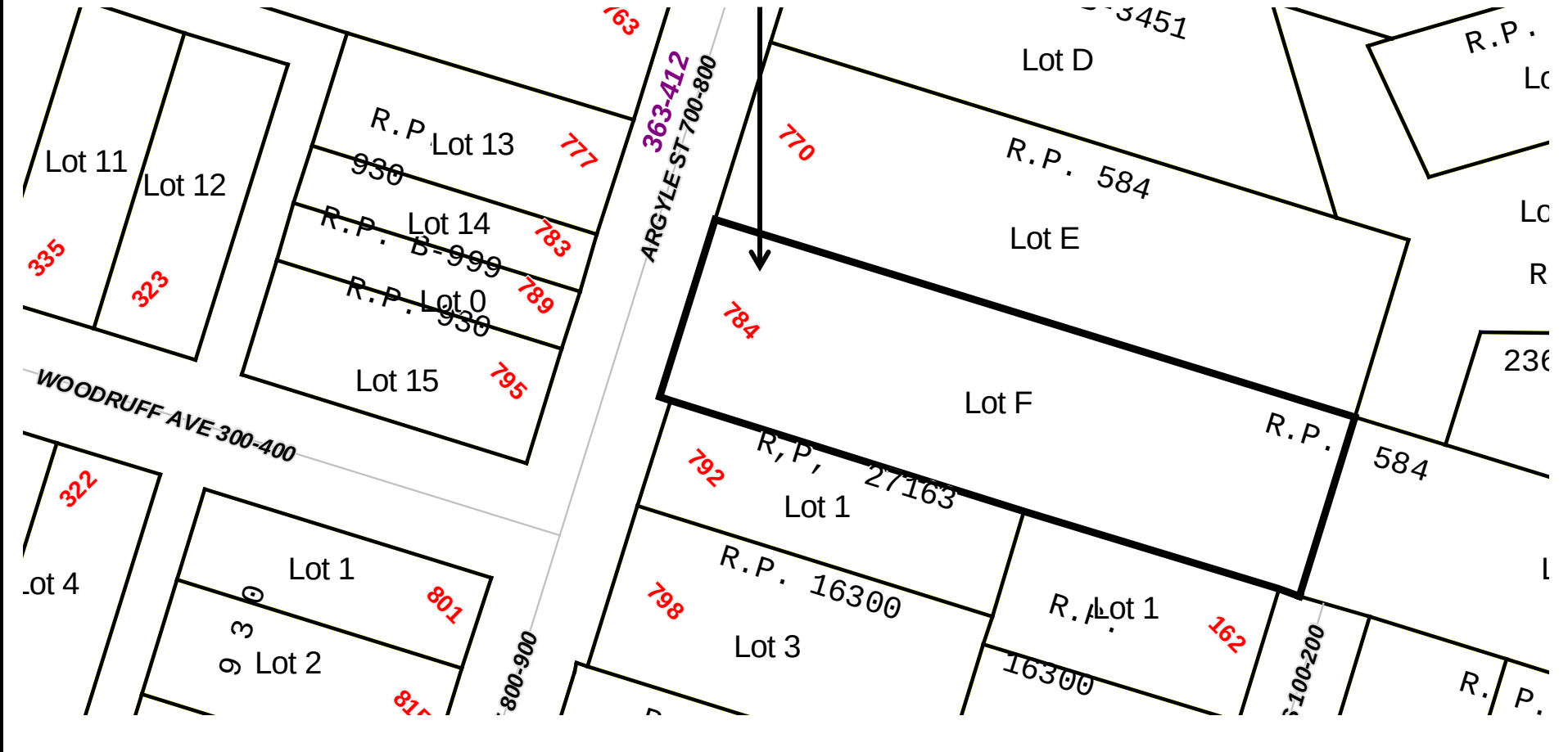
Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 784 Argyle Street

- 33 -

From RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-15

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: May 16, 2016 **File No:** DP PL2016-7611 and DVP PL2016-7612
To: Eric Sorensen, Chief Administrative Officer
From: Lindsey Fraser, Planner I
Address: 222 Lee Avenue
Subject: Development Permit "PL2016-7611" and
Development Variance Permit "PL2016-7612"

Staff Recommendation

Development Variance Permit

THAT Council approve Development Variance Permit PL2016-7612 for Lot 1, District Lot 189, Similkameen Division Yale District, Plan KAP84585, located at 222 Lee Avenue, to reduce the minimum side yard setback on both the east and west sides from 4.5m to 2.0m in order to allow for the construction of two, four-unit townhouse buildings;

Development Permit

AND THAT Council, subject to approval of "Development Variance Permit PL2016-7612", approve Development Permit PL2016-7611 for Lot 1, District Lot 189, Similkameen Division Yale District, Plan KAP84585, located at 222 Lee Avenue, to allow for the construction of two, four-unit townhouse buildings as shown in DP PL2016-7611 Schedule 'A';

AND THAT staff is directed to issue the permits.

Background

The subject property (Attachment 'A') is zoned RM3 (Medium Density Multiple Housing) and is currently vacant. The site had a previous Development Permit approval for a four-storey, 17 unit condominium building in 2007 however market conditions did not allow for the development to move forward. The owner is now intending to build an eight-unit townhouse complex, comprising two buildings of four units each. Under current zoning, the lot can support apartments, townhouses or similar multi-family development types. Access to the development will be direct from Lee Avenue as there is no back lane.

The immediate area contains a mix of low-rise apartments, motels and single family residential houses. The property is bordered by all of these residential and development forms: a motel to the west, an apartment building to the south, and a single family house to the east.

The scheme (Attachment 'E') is unusual in its general layout as it does not follow a standard block pattern and makes use of angular building forms to maximize site usage and to generate visual interest. As a consequence of this site plan, a relatively small proportion extends into the side setbacks.

Proposal

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

- Section 10.9.2.7.i: reduce minimum interior side yard setback from 4.5m to 2.0m

The applicant also requires Development Permit approval for the form and character of the townhouse complex.

Financial Implication

N/A

Technical Review

This application was reviewed by the City's Technical Planning Committee; although no significant issues arose, conversations via the TPC process led the Planning Department to work with the applicant in refining the design slightly. Namely, the Planning Department expressed concern with the potentially dark corridor that the townhouses would create internally, as well as requesting an improved 'street frontage' or 'curb appeal' rather than the previously submitted scheme which resulted in blank walls facing Lee Avenue. The developer was amenable to these changes and has amended their proposals accordingly.

Development Statistics

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

Item	Requirement RD2 Zone	Provided on Plans
Minimum Lot Width:	25m	37m
Minimum Lot Area:	1400 m2	1840 m2
Maximum Lot Coverage:	50 %	35 %
Maximum Density:	1.2 FAR	0.80 FAR
Vehicle Parking:	10 spaces	20 spaces
Required Setbacks Front yard (Lee Avenue): Side yard (east): Side yard (west): Rear yard:	3.0m 4.5m 4.5m 6.0m	3.0m 2.0m (variance required) 2.0m (variance required) 6.0m
Maximum Building Height:	18m	9.6m
Other Information:	• Property is in the General Multiple Family Development Permit Area	

Analysis

Development Variance Permit

Approve Development Variance Permit

The applicant is requesting a variance to reduce the minimum side yard setback on both sides of the property. The part of the building that projects into the side yard is an angular portion of the building, not the entire side façade (Attachment 'E') and is a result of the developer's attempt to create a more dynamic and interesting architectural style. Whilst there are built elements that project into the side yard, a significant proportion is retained as amenity/garden area.

This parcel is zoned, such that it could accommodate a number of different development options. It has, historically, been approved for a much larger building. The developer has changed direction with this most recent proposal and in a response to market forces views the townhouse model, with three-bedroom units, to be more suitable for the site. The result is a reduction in the massing impact on neighbouring properties. Furthermore, the developer has submitted a robust landscaping plan that is sensitive in attempting to buffer the proposed development from neighbouring properties.

Assessing this application, staff was mindful of the current nature of the site, together with previous planning and development approvals. The site is currently vacant. This proposal brings the land into a beneficial economic use. Compounded by this and, relevant to the consideration of the application, is the material consideration that a larger residential scheme was approved on the land but which, for the developers own reasons, never came to fruition.

In the case of this application, the variance being requested is minor in nature, particularly when considering that the variance relates to encroachment into the side setback for only part of the rear of the townhouses and not the entire rear elevation. No negative impacts on neighbouring residential amenity are anticipated as a result. For these reasons, staff recommends that Council support the variance request.

Deny Development Variance Permit

Council may disagree with the Planning recommendation and consider that the proposed application will have an adverse impact on neighbouring properties. If this is the case, Council should deny the Development Variance Permit.

Development Permit

Approve Development Permit

This property is within the Downtown Multiple Family Development Permit area and, consequently, a Development Permit is required. Although this Development Permit can be issued by staff, it has been included in this report for Council's decision in order to streamline the application process.

The design presented by the applicant has been created with street presentation and architectural interest in mind. The applicant is proposing an architecturally different style of development, which is uncommon in

Penticton. This may be considered an innovative design that is both creative and sensitive to surrounding properties. The siting, form, and character are appropriate to both the immediate area, surrounding land uses and to the wider context of creating diversity in residential building design for Penticton. The proposed treatment to the internal paving and the landscaping plan ensure this development will represent a high quality of design and appearance.

Given the above, staff recommends that Council approve the Development Permit.

Deny Development Permit

Council may consider that the developer can amend the design to more accurately reflect the current built form of the neighbourhood, reflecting a more traditional design. If this is the case, Council should deny the permit.

Alternate recommendations

1. THAT Council deny both DP PL2016-7611 and DVP PL2016-7612
2. THAT Council support both DP PL2016-7611 and DVP PL2016-7612 with conditions that it considers appropriate.

Attachments

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

Respectfully submitted,

Lindsey Fraser
Planner I

Approvals

Director	CAO
JGH	ES

Attachment A – Subject Property Location Map

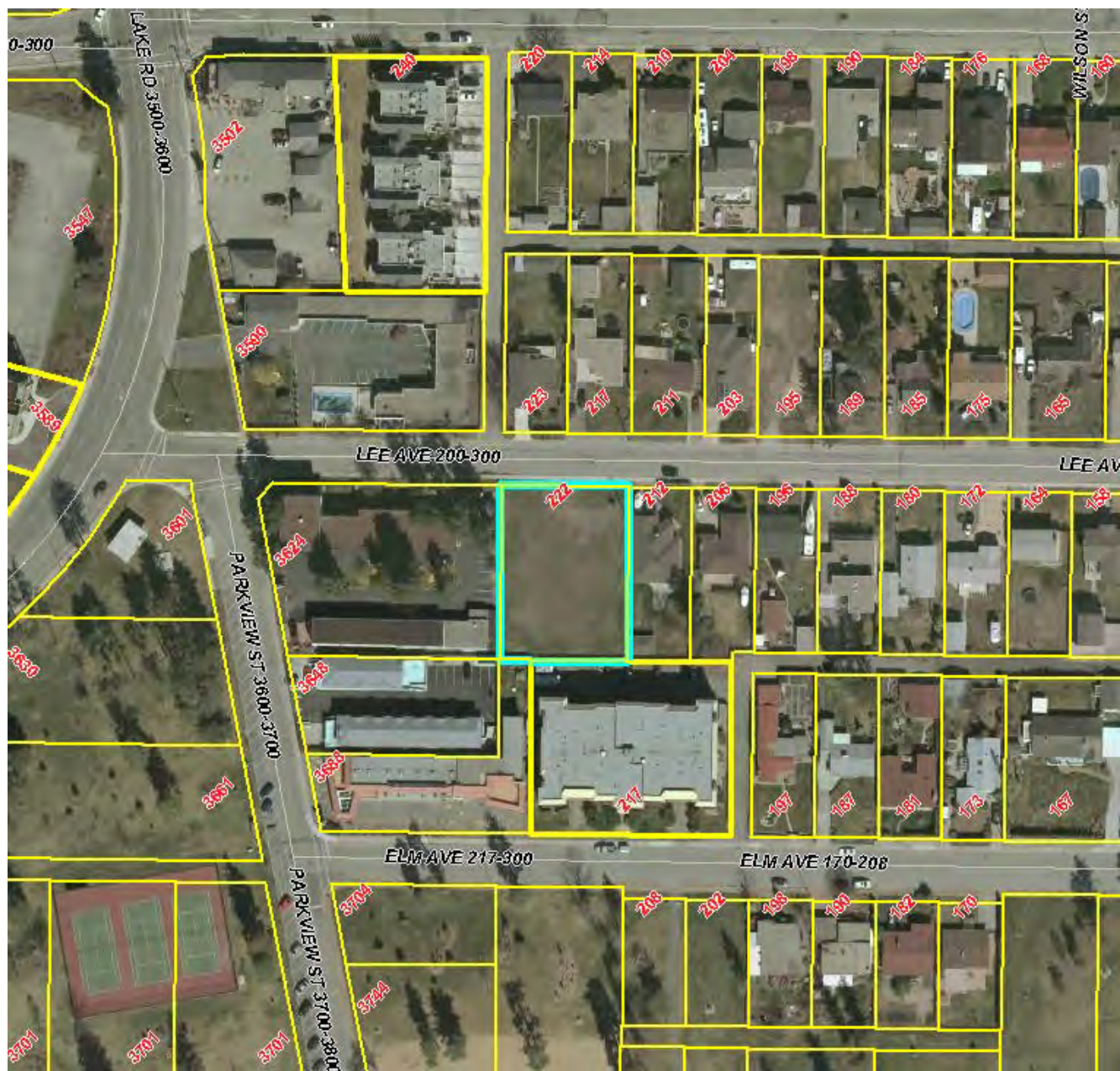


Figure 1: Subject property highlighted in blue

Attachment B – Zoning Map of Neighbourhood



Figure 2: Subject property zoned RM3 (Medium Density Multiple Housing)

Attachment C – OCP Map of Neighbourhood



Figure 3: Subject property OCP designation 'MR' (Medium Density Residential)

Attachment D – Images of Subject Property



Figure 4: Subject property looking south from Lee Avenue



Figure 5: Subject property looking north at Lee Avenue

Attachment E – Letter of Intent



FAROUT DEVELOPMENTS INC. and
FAROUT DEVELOPMENTS S.A. de C.V. (Mexico)

3521 Dunbarton Road
West Kelowna, BC, V4T 1J2, (250) 770-0363
jp@faroutdevelopments.com
www.faroutdevelopments.com

February 15, 2016

To whom it may concern

The project is located at 222 Lee Avenue and entails two separate 4 unit residential buildings. Each three story unit contains three bedrooms with a total living area of 182 sq.m.

Two parking spaces are provided within the first floor of each unit, and are accessed via a 6.6m, two-way internal lane.

The contemporary design of these building complements this area, and will incorporate several trees and common grassed areas. Each unit will also have a separate fenced rear yard with two decks for private family uses.

Do to the width required by the City to accommodate the two-way lane, we are requesting a development variance permit to reduce the side yard setback requirements for each side from 4.5m to 2.0m.

Thank you for your consideration for our development request.

Regards

Jasel Peters



Attachment F – Draft DVP



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

Development Variance Permit

Permit Number: DVP PL2016-7612

Name
Address I

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 1, District Lot 189, Similkameen Division Yale District, Plan KAP84585
Civic: 222 Lee Avenue
PID: 027-170-292
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 10.9.2.7.1 of Zoning Bylaw 2011-23, from 4.5m to 2.0m, to allow for the construction of an eight-unit townhouse development, as shown in the plans attached in Schedule A.

General Conditions

4. 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.
5. 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.
6. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the 16th day of May, 2016

Issued this ____ day of _____, 2016

Dana Schmidt,
Corporate Officer

Page 2 of 2

Attachment G: Draft DP



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

Development Permit

Permit Number: DP PL2016-7611

Owner Name
Owner Address

Conditions of Permit

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

Legal: Lot 1, District Lot 189, Similkameen Division Yale District, Plan KAP84585
Civic: 222 Lee Avenue
PID: 027-170-292
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of an eight-unit townhouse development as shown in the plans attached in Schedule A.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$39,653.00 must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(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 5 only if:
 - a. the permit has lapsed as described under Condition 8, or
 - b. a completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities, provided in Schedule B, must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security as follows:

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 501(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 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.
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.

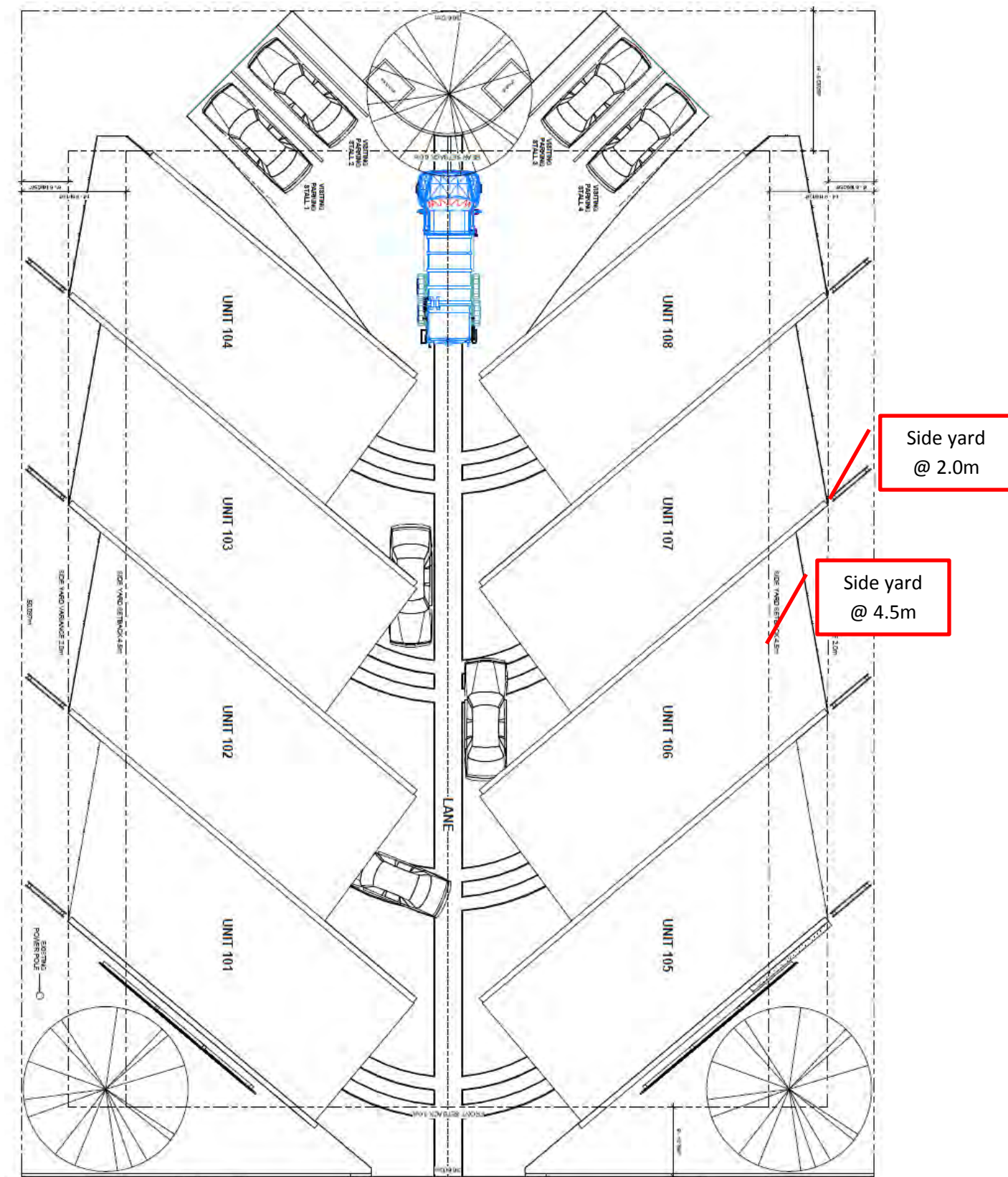
Authorized by City Council, the 16th day of May, 2016

Issued this ____ day of _____, 2016

Dana Schmidt,
Corporate Officer

Page 2 of 2

DP PL2016-7611 Schedule A



Example: portion of building to project into side yard setback on ground level

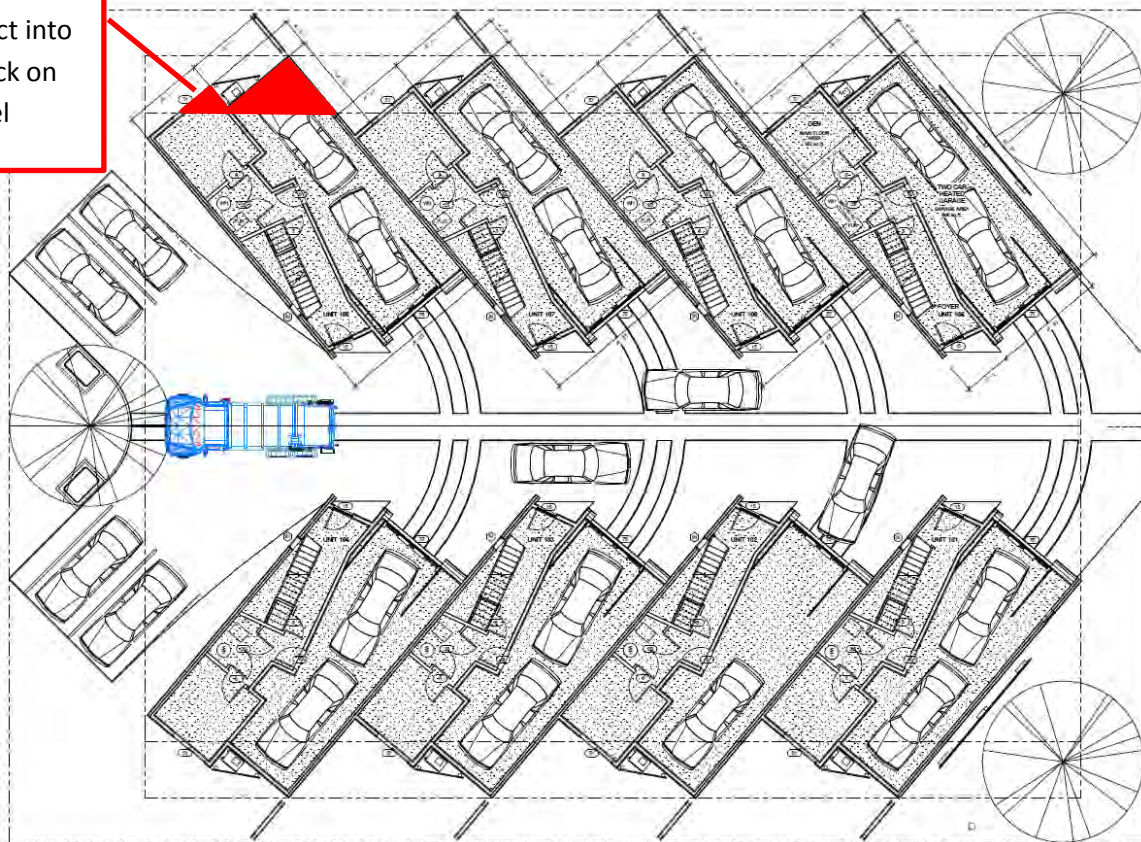


Figure 6: Ground level floor plan

Example: portion of deck to project past setback on second level

Example: portion of building to project into side yard setback on second level

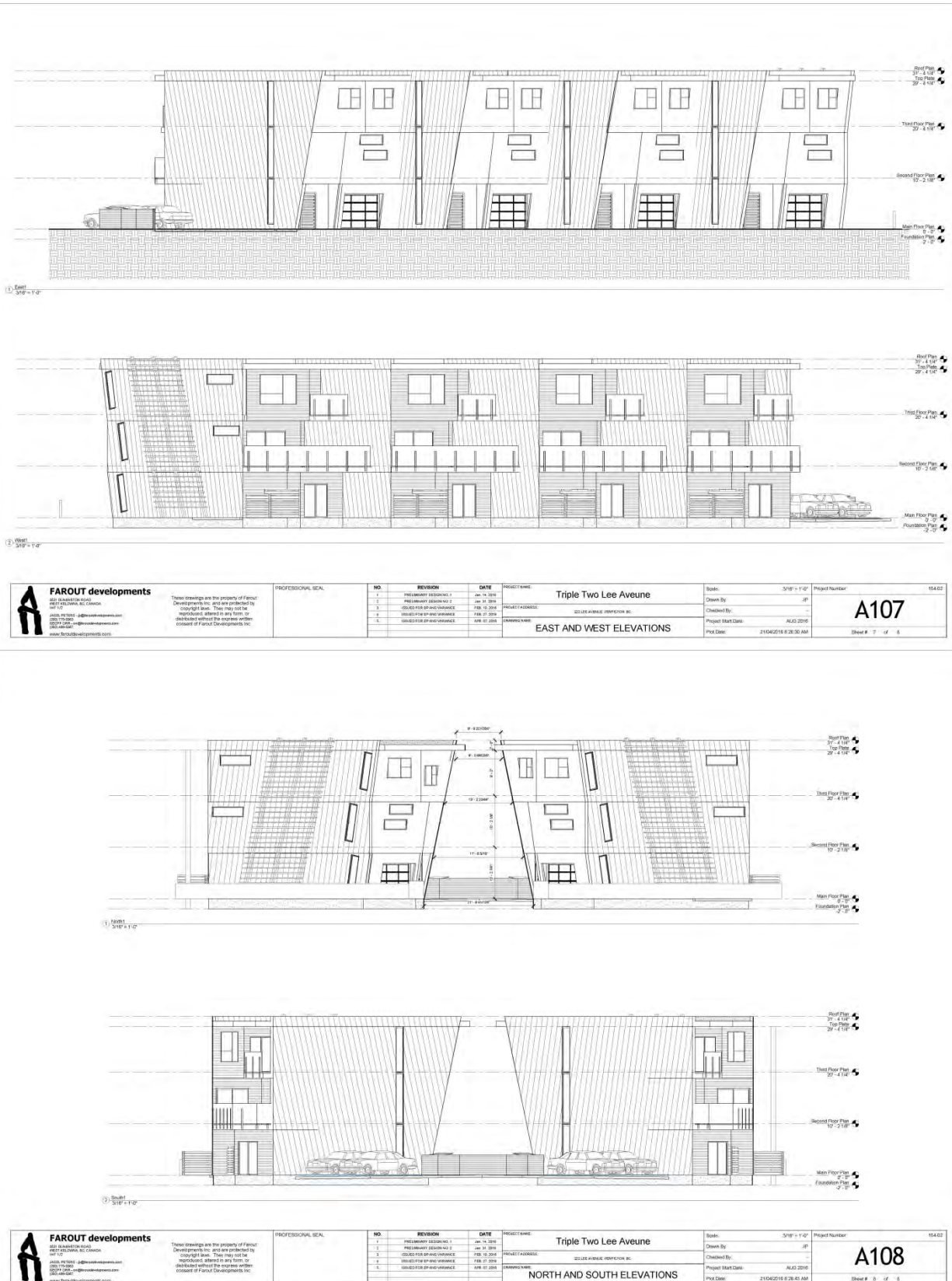


Figure 7: Second level floor plan

Example: portion of building to project into side yard setback on third level

Example: portion of deck to project past setback on third level







FAROUT developments			
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PROFESSIONAL SEAL			
NO.	REVISION	DATE	
1	PRELIMINARY DESIGN NO. 1	JAN. 14, 2016	
2	PRELIMINARY DESIGN NO. 2	JAN. 31, 2016	
3	SUBMITTED FOR PERMITS AND VARIANCE	FEB. 10, 2016	
4	SUBMITTED FOR PERMITS AND VARIANCE	FEB. 27, 2016	
5	SUBMITTED FOR PERMITS AND VARIANCE	MAY 07, 2016	
PROJECT NAME:		Project Two Lee Avenue	
PROJECT ADDRESS:		222 LEE AVENUE, DOWNSVIEW, ONT.	
DRAWING NAME:		TITLE PAGE	
Scale		1"2' = 1"0"	
Drawn By:		JP	
Checked By:			
Project Start Date		AUG 2016	
Proj. Date:		27/10/2016 @ 19:25 AM	
Sheet #		1 of 6	



From: Corrie Kost ·
Sent: May-10-16 11:59 AM
To: Public Hearings
Subject: 222 Lee Ave

Dear Planner,

Having received a public notice with regards to the subject property I have reviewed the relevant material available at [http://www.penticton.ca/assets/City~News/News/2016/2016-05-05%20Public%20Notice%20\(222%20Lee\).pdf](http://www.penticton.ca/assets/City~News/News/2016/2016-05-05%20Public%20Notice%20(222%20Lee).pdf)

and find the proposal suitable for the site. It appears to fit well into the surroundings.
My parents, who are joint owners with myself, reside in unit 305 at 217 Elm Ave.

Yours truly,
Corrie Kost
2851 Colwood Dr.
N. Vancouver, V7R2R3
Tel: †

Council Report

penticton.ca

Date: May 16, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Bregje Kozak, Manager of Facilities
Subject: **Facilities Master Plan, Phase 2**
Adidas Sportsplex Indoor Soccer Facility

File No:

Staff Recommendation

THAT Council direct staff to implement capital improvements to the Adidas Sportsplex Indoor Soccer Facility, by replacing the mechanical heating system and repairing roof and envelope deficiencies, to extend the life of the facility by approximately 10 years;

AND THAT Council approves a budget amendment of \$350,000 from CAP45033-001 to fund the capital improvements.

Strategic priority objective

Invest in the City's facilities to extend the life of our assets and improve operational efficiencies and service delivery.

Background

The Adidas Sportsplex indoor soccer facility located at 550 Eckhardt Ave is a 27,000SF facility consisting of two sections; a two story concrete block structure housing a lobby, offices, change rooms, mechanical systems and a second floor meeting and observation area. This structure is attached to a fabric roof structure that houses a synthetic turf field surrounded by a three lane running track.

The facility is well used and is typically fully booked during the peak indoor season from October to March. It is home for the Penticton Soccer Club (PSC) which is an adult League with approximately 340 members, as well as the Pinnacles Football Club (PFC) which is a youth league with approximately 400 members. Additionally, there are about 100 users that make use of the indoor walking track.

The heating in the turf field building is non-functional and has reached the end of its useful life. A temporary heating system was installed for the 2015/16 heating season as the original system had been decommissioned due to operational issues. The canvas roof structure is experiencing tears and holes, and sagging is evident in the roof fabric and repairs are required to extend the service life.

As presented to Council on March 21 2016, Phase 2 of the Facilities Master Plan identified a need to replace the mechanical heating system and repair roof and envelope deficiencies in the facility to ensure uninterrupted operation in the upcoming indoor soccer seasons. City staff have since completed the assessments and are recommending upgrades as follows:

1. Roof and Envelope

The turf field building structure is comprised of a curved fabric roof supported by steel truss ribs, and flat truss and purlin framed end walls. The building has had a water leak, assembly detail deficiencies and fabric integrity issues virtually from the date of completion of construction in 2008.

In 2009 the condition was such that the soccer club engaged Levelton Consultants to review the state of the building envelope. Numerous deficiencies and recommendations were noted in the report, and the majority of the deficiencies have been resolved. However, despite the remedies employed to date, there are currently still tears, holes and sagging evident in the roof fabric. In the Spring of 2015, one of the fabric panels tore off the roof in a high wind event. Repairs were made by the manufacturer, at which time they had indicated that there was only 3 years of life remaining on the roof structure. According to the manufacturer, replacement of the roof structure on this facility would cost in the range of \$250,000 to \$400,000.

As a result of the cost and possible capital investment required to keep the building operating longer than 3 years, the City engaged the services of a structural engineer with expertise in fabric roof structures, to provide an independent assessment of the condition of the roof membrane and it's supporting structure. The intent of the assessment was to determine if manufacturer's opinion on the roof was valid, or if there are other options available to the City to extend the life of the roof, without full replacement.

In March 2016, CIMA+ Structural Engineers reviewed the condition of the roof system. Their assessment indicated that the facility structure is generally in good shape. The basic structural frame and foundation systems are in good condition, however there is evidence of excessive moisture entering the facility which has potential to weaken the structure and fabric over time if left in its current state.

CIMA+ has recommended that with a program of improved maintenance and minor remediation, the life of the roof and facility can be extended. Their recommendations include:

Immediate Repair:

- Installation of fabric patches to areas with tears or holes;
- Install missing screws, tighten existing screws and apply cold galvanizing compound to paint welds; and
- Fix insulation gaps and install vapour barrier in steel clad walls.
- Estimated Cost: \$7,500

Recommended Upgrades:

- Adhere reinforcing fabric membrane strips along each side of clamping strips to spread forces more evenly into the fabric panels (prevent further tears or slackness in fabric);
- Install a rigid liner panel to the metal clad end walls;
- Consider rebuilding vertical exterior walls to include proper vapour barrier, rain screen and insulation;
- Seal all wall or roof areas experiencing water ingress;
- Improve drainage by lowering exterior grade below the floor level and direct moisture to the catch basin at the north end of the building; and

- Implement a regular maintenance plan for the building with a priority of tackling any roof membrane defects immediately.
- Estimated Cost: \$60,000

Preliminary estimates confirm that the cost for the immediate repairs and recommended upgrades is approximately **\$67,500**. Completing these upgrades would extend the life of the roof by another 10 years. The City could elect to complete the immediate repairs as a priority and plan for funding of the additional upgrades in the future or complete all the upgrades this year. Completing all of the work is recommended in order to achieve efficiencies in construction, minimize downtime and improve the overall user comfort and experience in the building.

2. Heating System

The existing heating system for the field turf building is comprised of seven domestic gas-fired hot water heaters connected to hydronic piping under the turf field. The system is not configured to good engineering practice and as a result, the boilers have been running beyond their intended capacity and have pre-maturely reached the end of their service life.

In November 2015, City staff were on site to prepare the building for the winter season when they noticed a strong odour coming from the vents in the administration building attached to the turf field facility. They tested the air and determined that there was CO present, in excess of safe levels, caused by the boilers in the mechanical room that supply the turf field heating. The turf field area was found to be in the safe range, but there were also traces of CO present in the boiler room. The gas to the building was shut off immediately and the building was ventilated. The building was closed to user groups until the Fire Department and Fortis BC confirmed that the building was safe to re-occupy. At that time, the gas was turned on for the hot water heater and space heaters, but the gas lines to the under field heating system were capped off.

The City then had Britech HVAC review the system and perform an infrared scan of the turf field, where they identified that the system was not producing heat, even when the boilers were turned back on. This is likely due to inadequate installation of the insulation thereby allowing the heat to penetrate the soil below, rather than the turf field above, leading to excessive energy consumption. Also, the heat exchangers had been failing, and carbon monoxide production had reached unacceptable levels. As a result, the City de-commissioned the heating system for the 2015/16 indoor season and installed a temporary heating unit instead while they took time to research options for a replacement system.

In March 2016, S+A Engineering consultants were engaged to review the system and provide a report including options and a recommendation on replacement systems. S+A's assessment confirmed that the existing mechanical system:

- Is in poor condition, has reached the end of its service life and must be replaced;
- Does not comply with current codes, standards and guidelines;
- Is not configured to good engineering practice;
- Is not configured for ease of maintenance, especially during the heating season; and
- Uses a disproportionate amount of energy.

As part of their assessment, S+A have provided three alternate heating options for consideration:

Option 1 – Gas Fired Air Handler: A heating and ventilating unit would be installed outside the building with supply ductwork distributed at low level throughout the turf field building.

Option 2 – Hydronic Heating System: A new boiler plant would be installed inside the building and heat the field via floor mounted wall fin heaters.

Option 3 – Geoexchange System: New geoexchange systems with boiler backup, air handler and low temperature coils, with supply ductwork distributed at low level throughout the turf field building.

Note: Upon request by City staff, S+A also reviewed the possibility of using a new local technology, 'The Revolution' by Electromotion. This system provides heating, cooling and power generation through one consolidated unit. However, it was determined that the technology is too early in its development and has not been tested for use in a commercial application, and was therefore not considered any further.

A life cycle cost analysis (based on 35-year lifecycle) was performed for the three options as follows:

	Option 1		Option 2		Option 3	
	Gas Fired Air Handler		Hydronic System		Geoexchange System	
Construction Cost	\$120,000	19%	\$196,000	29%	\$485,000	56%
Gas Consumption Cost	\$431,467	67%	\$383,526	56%	\$54,501	6%
Electrical Consumption Cost	\$28,387	4%	\$37,849	6%	\$226,564	26%
Maintenance	\$28,000	4%	\$42,000	6%	\$42,000	5%
Major Equipment Replacement	\$34,500	5%	\$27,600	4%	\$51,050	6%
TOTAL	\$642,354	100%	\$686,975	100%	\$859,115	100%

Based on a life cycle cost analysis, operational impacts, energy consumption and ease of maintenance, City staff recommend proceeding with **Option #1 – Gas Fired Air Handler.**

City staff have also assessed the current condition of the field turf and have found it to be in good condition. Staff will implement a structured maintenance program going forward to optimize its service life. It is anticipated that a turf field replacement will be required in the next 5-10 years, at a value of approximately \$200,000 to \$250,000.

It should be noted that the facility is currently used for indoor soccer from September to March and also allows access to the public to use the walking track. The facility is virtually un-used from March to September once the soccer season moves outdoors. As part of the review of the facility, City staff have explored options to construct a multi-purpose floor and board system that could house other sports such as lacrosse or floor hockey. However since there is currently no concrete floor or hard surface floor under the turf playing field, the cost to construct a multi-purpose facility would be over \$1million including a concrete floor, portable boards, netting and flooring systems. The feasibility of facilitating dry floor options in the building carries a significant capital cost and therefore further options for dry floor use in the City facilities will be explored through the Arena Usage analysis and Parks and Recreation Master Plan.

Throughout this phase of work, City staff have consulted with the users of the Sportsplex to ensure their feedback and functional requirements are being met with the options proposed. Additionally, staff have also communicated with the Penticton Minor Lacrosse Association to discuss their requirements related to constructing an indoor lacrosse box in the facility.

Schedule

In order to minimize downtown for the user groups, it is recommended that the upgrades be completed prior to the indoor soccer season which is anticipated to start on October 15, 2016. Following is a preliminary project schedule:

Project Phase	Milestone dates:
Design (4 weeks)	June 2016
Tender (3 weeks)	July 2016
Construction (8 weeks)	August to September 2016
Substantial Completion	September 30, 2016

Financial Implication

The estimated 'Class D' cost to replace the mechanical system and upgrade the roof system is \$299,700 (with an accuracy range of \$251,000 to 374,000).

A budget amendment is required to fund these capital upgrades. Funds are available from the Lier House Project, WO CAP45033-001. The original budget for this project was set up to match grant funds for a significant upgrade to Lier House however, the City did not receive the grant and therefore \$350,000 is available for reallocation.

Analysis

The Adidas Sportsplex facility is in need of upgrades to the mechanical heating system and fabric roof assembly in order to maintain its current service level to the PFC and PSC and its users. The building will not be able to function for the upcoming 2016/17 indoor soccer season without a heating system in place and immediate roof repairs are required to ensure continued usability of the facility.

The facility itself is in good condition and an investment into the heating and roof system would extend the life of this asset by an additional 10 years.

User groups have been consulted throughout the planning of this work and will continue to be consulted during design and construction to ensure their needs are met and that any operational disruptions are minimized.

Alternate recommendations

THAT Council direct staff to proceed with replacement of the mechanical heating system and only immediate repairs to the roof, for an estimated total cost of \$215,000. The additional roof upgrades would need to be deferred to a future year;

AND THAT Council approves a budget amendment of \$215,000 from CAP45033-001 to fund the capital improvements.

OR

THAT a temporary heating system is installed for the upcoming 2016/17 heating season at a cost of approximately \$8,000, and that the required permanent heating system replacement and roof repairs are deferred to the 2017 budget.

Attachments

None

Respectfully submitted,



Bregje Kozak
Manager of Facilities

Approvals

General Manager	Chief Financial Officer	City Manager
	CF	ES

Council Report

penticton.ca

Date: May 16, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Dave Spalding, Deputy Fire Chief

File No: 7200-13

Subject: Strategic Wildfire Prevention Initiatives/ Fuel Management Prescription Grant Program

Staff Recommendation

THAT Council support the application for grant funding to the UBCM Strategic Wildfire Program Initiative for the development of a Fuel Management Prescription for a Riddle Road Fuel Break and for a Penticton Landfill Fuel Break at a cost of \$6,951.25;

AND THAT the City enlists the services of John Davies, RPF of Valhalla Environment Consulting Inc. to secure the grant funding and to carry out the prescription process.

Strategic priority objective

N/A

Background

The Strategic Wildfire Prevention Initiative is a suite of funding programs administered by UBCM and managed through the Provincial Fuel Management Working Group. Since 2004, the initiative has supported communities to mitigate risk from wildfire in the wildland urban interface.

With a revised Community Wildfire Protection Plan (CWPP) the City can now progress to the next phase in community wildfire management by developing prescriptions for the high hazard areas that meet the program criteria.

The Fuel Management Prescription program assists local governments to develop prescriptions for areas in the WUI (Wildfire Urban Interface) that are at risk from wildfires and which were identified as priorities in the CWPP.

The objective moving forward will be to secure grant funding for operational fuel treatments in high hazard municipal and crown land areas.

Financial implication

For the 2017 budget:

The UBCM Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remaining 25% is funded through community contributions.

- City of Penticton contribution
 - o Riddle Road Fuel Break \$4,605.00
 - o Penticton Landfill Fuel Break \$2,346.25
- UBCM Grant Contribution
 - o Riddle Road Fuel Break \$13,815.00
 - o Penticton Landfill Fuel Break \$7,038.75

Analysis

Fuel Management

Funding is available to develop fuel management prescriptions in high hazard areas identified in a current community wildfire protection plan. A fuel management prescription is a document that identifies and describes the recommended fuel management activities in an identified area in order to lower the Wildfire Threat Rating. Prescriptions ensure that proposed treatments include clearly defined objectives for fuel management that will result in a measurable reduction in the threat rating.

Developing fuel management prescriptions is the second step in a three step process. The goal and final step is the actual operational treatments of the hazardous fuel environment.

Without a fuel management prescription the City will not be able to apply for any grant funding assistance to engage in the operations of actually removing and altering the fuel hazard. Under the current UBCM Operational Fuel Treatment program Municipalities are eligible for grant contributions of a maximum of 90% of the cost of eligible activities to a maximum of \$400,000.00 per year.

The application process closed April 30th 2016, however, late applications are still being accepted. The applications will be reviewed and awarded within a few months from the application closing date. Once awarded the recipient municipalities have one year with which to utilize the funds and fulfill the grant requirements.

Without this funding assistance the City would see significant funding challenges to engage in any fuel hazard reduction through operational hazard mitigation.

Working with John Davies, RPF, Valhalla Consulting

Mr. Davies has been contracted to update the City's CWPP and to work with Penticton Fire Department on the first FireSmart grant program. Mr. Davies has extensive experience with fuel management projects, wildfire risk and threat assessments in the Penticton area. He has provided past services, pro bono, to the fire department including attempting to secure treatment prescription grant funds in 2012.

Alternate recommendations

That Council give direction to staff to pursue an alternate method to improve public safety and reduce the risk to structures resulting from the growing wildfire interface threat.

Respectfully submitted,

David Spalding
Deputy Fire Chief

Approvals

Fire Chief	CAO
	

Strategic Wildfire Prevention Initiative Fuel Management Prescription Program

2016 Program & Application Guide

1. Introduction

The Strategic Wildfire Prevention Initiative (SWPI) is a suite of funding programs managed through the Provincial Fuel Management Working Group – including the First Nations' Emergency Services Society (FNESS), Ministry of Forests, Lands & Natural Resource Operations (MFLNRO) and the Union of BC Municipalities (UBCM). Grant administration is provided by UBCM and funding is from the Ministry.

The initiative supports communities to mitigate risk from wildfire in the wildland urban interface.

The wildland urban interface (WUI) is any area where combustible wildland fuels (vegetation) are found adjacent to homes, farm structures, other outbuildings or infrastructure. For the purpose of the SWPI, the WUI is the area within 2 kilometres of a community with a minimum density of 6 structures per square kilometre.

As of January 2016, the Strategic Wildfire Prevention Initiative includes the following funding streams:

- Development or update of Community Wildfire Protection Plans (CWPP)
- Development of fuel management prescriptions
- Operational fuel treatments, including maintenance treatments
- Fuel management demonstration projects
- SWPI FireSmart grants

Fuel Management Prescription Program

A fuel management prescription is a document that identifies and describes the recommended fuel management activities in an identified area in order to lower the Wildfire Threat Rating. Prescriptions ensure that proposed treatments include clearly defined objectives for fuel management that will result in a measurable reduction in the threat rating. For information on completing a prescription and required content, please refer to Appendix 1.

The Fuel Management Prescription program assists local governments and First Nations to develop prescriptions for areas in the WUI that are at risk from wildfires and which were identified as priorities in the CWPP.

2. Eligible Applicants

All local governments (municipalities and regional districts) and First Nations are eligible to apply.

3. Eligible Projects

In order to qualify for funding, local government applicants must consult with the MFLNRO's Fuel Management Specialist and First Nations applicants with a FNESS Fuel Management Liaison prior to submitting an application.

In addition, fuel management prescriptions must be:

- A new project (retroactive funding is not available) or a maintenance project on a previously treated area (as required)
- For areas identified as a high priority in a completed, current CWPP, as defined in the current CWPP Program & Application Guide, or priority areas identified in the MFLNRO Fire Management Plans and/or Five Year Fuel Treatment Plan (if available). If SWPI funded, the complete CWPP final report must be submitted and approved by the Provincial Fuel Management Working Group prior to submission of the prescription application.
- Located in/on:
 - Areas within the WUI
 - Crown land, land owned by the local government, or, if supported by the Fuel Management Specialist or Liaison, land that is owned by a public institution
 - Areas identified as extreme or high Wildfire Behaviour Threat Class and extreme or high WUI Threat Class, determined by the current WUI Wildfire Threat Assessments guide. For maintenance prescriptions, areas with a moderate Wildfire Behaviour Threat Class and a high or extreme WUI Threat Class will be considered for funding with appropriate rationale.
 - Areas not identified as extreme or high Wildfire Behaviour Threat Class and not identified as extreme or high WUI Threat Class may be considered if supported by the Fuel Management Specialist or Liaison
- Inclusive of proposed operational fuel treatments that are anchored, accessible/defensible and designed according to expected fire spread and intensity
- Completed on the SWPI Fuel Management Prescription Template (April 2015)
- Capable of completion by the applicant within one year from the date of grant approval
- Developed by a forest professional that is accredited by the Association of BC Forest Professionals (ABCFP). The final prescription must be signed and sealed by a Registered Professional Forester.

Please note: Applicants that received funding through SWPI from 2004-2013 are required to submit any outstanding reporting prior to 2016 applications being considered.

4. Eligible & Ineligible Costs & Activities

Eligible Costs & Activities

Eligible activities are outlined below. The Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remainder (25%) is required to be funded through community contributions (cash or in-kind).

Eligible costs are direct costs that are approved by the Provincial Fuel Management Working Group, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted (unless specified below).

Under the Fuel Management Prescription program, eligible activities must be cost-effective and may include:

- Consultation with the Fuel Management Specialist or Liaison, resource district, land manager, other local governments, or other stakeholders regarding the proposed prescription. *Please note this activity may take place before the application is submitted provided it is conducted within 12 months of application submission.*
- Information sharing with First Nations, as required by the Land Manager. *Please note this activity may take place before the application is submitted provided it is conducted within 12 months of application submission.*

- Evaluation of the site(s) which must include field reconnaissance and data collection in order to provide an estimate of the stand structure, threat rating (using the current *WUI Wildfire Threat Assessments* guide) and/or fuel loading. *Please note this activity may take place before the application is submitted provided it is conducted within 12 months of application submission.*
- Assessment(s) by a qualified professional that are directly related to the resource values affected by the prescription within the proposed area
- Lay out and traversing of treatment area(s) in the field
- Preparation of the prescription, maps, spatial data, and metadata (See Appendix 1 for Prescription content, Appendix 3 for mapping requirements and Appendix 4 for spatial data requirements)
- Staff and contractor costs directly related to the development of the prescription
- Applicant administration costs directly related to the development the prescription
- Public information costs directly related to the development of the prescription

Ineligible Costs & Activities

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Provincial Fuel Management Working Group is not eligible for grant funding or as the community contribution. This includes:

- | | |
|--|---|
| • Development of funding application package | • Danger tree assessments |
| • Emergency plans or related activities | • Purchase of machinery and equipment |
| • CWPPs or operational projects | • Assessments for purposes other than fuel treatment (e.g. recreational trails, etc.) |
| • On-going public information | • Staff training costs, including safety and first-aid training |
| • Local fire department training | • Other wildfire risk mitigation activities (e.g. FireSmart activities) |
| • Publication reviews or research | • Work undertaken by the Ministry of Forests, Lands & Natural Resource Operations |
| • Prescriptions for private land, land outside the interface or land scheduled for development | |

In addition, in areas where harvesting for fuel management objectives is identified as a treatment in the prescription, the planning or development of harvesting by existing forest tenure holders will not be funded.

5. Grant Maximum

The Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remainder (25%) is required to be funded through community contributions.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant.

See Appendix 2 for important information on community contributions and other grant contributions.

6. Application Requirements & Process

Application Deadlines

Applications can be submitted at any time; however, funding permitting, funding decisions will only be made three times in 2016:

- February 2016 – for all eligible applications submitted by January 29, 2016
- May 2016 – for all eligible applications submitted by April 29, 2016

- October 2016 – for all eligible applications submitted by September 30, 2016

Required Application Contents

- Completed Application Form
- Local government Council or Board resolution, or First Nation Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management
- Threat Assessment Worksheets and threat plot photos completed as per the current WUI Wildfire Threat Assessments guide. Previously submitted threat information does not need to be resubmitted, however reference to the previous submission details must be provided.
- Maps that clearly identify the area(s) that are the subject of the application
- If not SWPI funded, a copy of the completed CWPP for the proposed area. If SWPI funded, the complete CWPP final report must be submitted and approved by the Provincial Fuel Management Working Group prior to the submission of the prescription application.

Please note: Applicants that received funding through SWPI from 2004-2013 are required to submit any outstanding reporting prior to 2016 applications being considered.

Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

Local Governments: Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

First Nations: Forest Fuel Management Department, First Nations' Emergency Service Society.

E-mail: ffminfo@fness.bc.ca

Mail: 712 Mount Paul Way, Kamloops, BC, V2H 1B5

Review of Applications

UBCM (local government applications) or FNESS (First Nation applications) will perform a preliminary review of applications to ensure the required application elements (identified above) have been submitted and to ensure that basic eligibility criteria have been met.

Following this, all eligible applications will be reviewed and scored by Fuel Management Specialists or Liaisons. Scoring considerations and criteria include the following:

- Wildfire Threat Rating for the proposed area
- Priority of treatment as identified in completed CWPP, MFLNRO Fire Management Plans and/or Five Year Fuel Treatment Plan and rationale for proposed treatment units
- Community planning and activities as identified by FireSmart Canada:
 - Land use policies, development approval processes and development standards that protect the WUI
 - Other plans and bylaws that consider open burning, access for emergency vehicles, access to water supply and suppression equipment, fire-resistive landscaping, or other wildfire issues
 - Community involvement and participation with the FireSmart program based on the steps to receive recognition from FireSmart Canada.
- Implementation of other non-fuel treatment recommendations identified in a completed CWPP
- Collaboration with neighbouring First Nations and local governments, fire departments, BC Wildfire Service (fire zone), and local industry
- Consultation with resource district and/or land manager

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

Following technical review, applications that meet the minimum point value threshold will be considered by the Evaluation Committee and funding decisions will be made on a provincial priority basis.

7. Grant Management & Applicant Responsibilities

Please note that grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. The Provincial Fuel Management Working Group reserves the right to audit these records.

Notice of Funding Decision

All applicants will receive written notice of funding decisions, which will include the terms and conditions of any grant that is awarded.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has one year from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within one year will be closed.

Post Approval Meeting

As a condition of grant approval, all approved applicants are required to meet with the Fuel Management Specialist or Liaison, or designate, to discuss the proposed project prior to commencing work.

Progress Payments

Grants under the Fuel Management Prescription program are paid at the completion of the project and only when the final report requirements have been met.

To request a progress payment, approved applicants are required to submit:

- Description of activities completed to date
- Description of funds expended to date
- Written rationale for receiving a progress payment

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from Provincial Fuel Management Working Group will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Description of the new or revised activities
- Description of new or revised proposed expenditures
- Written rationale for changes to activities and/or expenditures

Please note that the applicant may be required to submit an updated, signed application form and an updated Council, Board or Band Council resolution.

Extensions to Project End Date

All approved activities are required to be completed within one year of approval and all extensions beyond this date must be requested in writing and be approved by the Provincial Fuel Management Working Group.

Consultation with Fuel Management Specialist or Liaison, Resource Districts and/or Land Manager

Applicants must consult with the Fuel Management Specialist or Liaison before and during the prescription development process and when a draft prescription is completed. The Fuel Management Specialist or Liaison provides guidance, technical expertise and connections to MFNLRO resource district and fire zone.

The SWPI provides funding for the development of CWPPs and fuel management prescriptions, and for communities to undertake demonstration projects and operational fuel treatments. However, applicants are required by provincial legislation to apply to the local resource district office (or other agencies) for all authorizations to cut and/or remove trees on Crown Land when they are ready to advance to operational treatments.

8. Final Report Requirements & Process

Required Final Report Contents

Applicants are required to submit **one** electronic copy of the complete final report (with all supporting documents) and **two** hardcopies of the complete final report (with all supporting documents).

Final Reports must include the following:

- Completed Final Report Form, including signatures by the applicant and the Registered Forest Professional
- Copy of the completed prescription that is signed/sealed by the Registered Forest Professional (see Appendix 1)
- Threat Assessment Worksheets and threat plot photos completed as per the current WUI Wildfire Threat Assessments guide. Previously submitted threat information does not need to be resubmitted however reference to the previous submission details must be provided.
- Georeferenced PDF maps (See Appendix 3)
- Spatial data, metadata and methodology relating to the project (See Appendix 4)

Submission of Final Reports

Local Governments: Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

First Nations: Forest Fuel Management Department, First Nations' Emergency Service Society.

E-mail: ffminfo@fness.bc.ca

Mail: 712 Mount Paul Way, Kamloops, BC, V2H 1B5

Review of Final Reports

UBCM (local government reports) or FNESS (First Nation reports) will perform a preliminary review of all final reports to ensure the required report elements (identified above) have been submitted.

Following this, all complete final reports will be subject to three approval processes

- Administrative approval – To ensure expenditures align with the approved budget, review certified costs (including other grant contributions and project revenue) and calculate the total eligible grant
- Technical approval – To ensure the completed project achieved the intent of the approved application and meets the requirements for funding identified in the 2016 Fuel Management Prescription Program & Application Guide
- Spatial data approval – To ensure the completed spatial data meets the requirements for spatial data identified in the 2016 Fuel Management Prescription Program & Application Guide

Final grant payment will not be approved until administrative, technical and spatial data approvals are complete.

9. Additional Information

- For more information about the funding program, please visit www.ubcm.ca or:
 - **Local governments:** contact Local Government Program Services at UBCM at (250) 356-2947 or lgps@ubcm.ca
 - **First Nations:** contact Forest Fuel Management Department at FNESS at (250) 377-7600 or ffminfo@fness.bc.ca
- The required SWPI Fuel Management Prescription template (updated April 2015) is available on the UBCM and FNESS websites.
- BC Wildfire Service Fuel Management contact information is available at www.bcwildfire.ca/fuelmanagement
- The current *Wildland Urban Interface Wildfire Threat Assessments* guide and worksheet is available on the UBCM website (www.ubcm.ca)
- FireSmart Canada provides resources for home and private landowners, industry and governments to lessen the effects of wildfire. For more information and to learn about the FireSmart Community Recognition Program, visit www.firesmartcanada.ca
- Information on resource districts can be found on the Ministry of Forest, Lands & Natural Resource Operations website at: www.for.gov.bc.ca/mof/regdis.htm
- The Association of BC Forest Professionals provides multiple documents regarding the roles and responsibilities of forest professional that may be helpful when selecting a consultant or contractor with whom to work. For more information, visit www.abcfp.ca/regulating_the_profession/guidelines.asp

Appendix 1: Completing a Fuel Management Prescription

A fuel management prescription is a document that identifies and describes the recommended fuel management activities in an identified area in order to lower the Wildfire Threat Rating. Prescriptions ensure that proposed treatments include clearly defined objectives for fuel management that will result in a measurable reduction in the threat rating.

To be eligible for funding, all prescriptions must be completed on the SWPI Fuel Management Prescription template (April 2015).

Working with Forest Professionals

Forest professionals play a key role in fuel management in BC - such as the development of fuel management prescriptions. In particular, forest professionals accredited by the Association of BC Forest Professionals (ABCFP) who possess a sound understanding of both fire behaviour and resource management will be invaluable in planning for, and achieving, fuel management objectives.

To qualify for SWPI funding, the prescription must be developed by a forest professional that is accredited by the ABCFP and the final prescription must be signed and sealed by a Registered Professional Forester.

Consultation with Fuel Management Specialist or Liaison, Resource Districts and/or Land Manager

Applicants must consult with the Fuel Management Specialist or Liaison before and during the prescription development process and when a draft prescription is completed. The Fuel Management Specialist or Liaison provides guidance, technical expertise and connections to MFNLRO resource district and fire zone.

The SWPI provides funding for the development of CWPPs and fuel management prescriptions, and for communities to undertake operational fuel treatments. However, applicants are required by provincial legislation to apply to the local resource district office (or other agencies) for all authorizations to cut and/or remove trees on Crown Land when they are ready to advance to operational treatments.

FrontCounter BC

FrontCounter BC is an optional tool that provides status checks and automated referrals. It is a single window service for clients of provincial natural resource ministries and agencies that provides necessary information and authorizations.

Applicants should refer to the Fuel Management Specialist or Liaison for more information about using Front Counter BC.

Required Template for Fuel Management Prescriptions

To be eligible for funding, all prescriptions must be completed on the SWPI Fuel Management Prescription template (April 2015).

In addition, the prescription must be developed by a forest professional that is accredited by the ABCFP, the final prescription must be signed and sealed by a Registered Professional Forester and the prescription must:

- Comply with applicable legislation and regulations. When the use of open fire is prescribed as a treatment, the Open Burning Smoke Control regulations and any local government or First Nation burning bylaws must be considered.
- Contain measures to lower the Wildfire Threat Rating to moderate or low by lowering crown bulk density, reducing ladder fuels and decreasing surface fuel loadings
- Be developed according to site ecology and predicted wildfire behaviour
- Align with the MFLRNO's Fire Management Plan and Five Year Fuel Treatment Plan (if available)

- Include consideration of other values and concerns, including higher level land management plans, or other values as identified by the resource district and/or land manager
- Include fuel treatments that are anchored, accessible/defensible and designed according to expected fire spread and intensity
- Align with the eligible fuel treatment activities identified in the current Operational Fuel Treatment Program & Application Guide.

Appendix 2: Community Contributions & Other Grants

Eligible activities and costs are outlined in Section 4. The Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remainder (25%) is required to be funded through community contributions.

The required community contribution for a project must be directly related to activities approved in the application by the Provincial Fuel Management Working Group and can be funded from a number of sources, including:

- Cash contribution from the applicant (e.g. general revenue or reserve funds)
- In-kind contribution from the applicant, directly related to activities approved in the application by the Provincial Fuel Management Working Group, including:
 - Staff time directly related to fuel management prescription project (e.g. supervision and travel)
 - Use of applicant's meeting space or other resources
 - Applicant administration of the project and grant funding
- Cash or other contributions from the community (e.g. volunteer labour or use of equipment, cash donation to the project)
- Other grant funding (*please see below*)

Community contributions are eligible from the date of application submission until the final report is submitted.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared on the Final Report Form.

Other Grant Contributions

Funds from other agencies and/or grant programs can constitute all or part of the community contribution (except funds from the Ministry of Forest, Lands and Natural Resource Operations or funds from the SWPI FireSmart grant program which are not eligible as a community contribution).

However, it is important to note that other grant programs may fund some activities that are not eligible under the Fuel Management Prescription program. Therefore, when accounting for project costs covered by other grant programs, only those activities that are outlined in Section 4 can be included.

Documentation must be available to demonstrate how actual costs from other grant contributions are accounted for. For example, labour costs must include information on the number of hours worked, the hourly rate, and the eligible activity that was undertaken (e.g. 5 hours at \$18/hr. for consultation).

Under no circumstances will the SWPI grant result in payment of more than 100% of the eligible project cost. In cases where eligible portions of other grant funding - combined with the maximum available SWPI grant - are more than 100% of the project cost, the value of the excess funding will be deducted from the SWPI grant.

Eligible project cost of \$20,000 Max. SWPI 75% = \$15,000
Other grants totaling \$8,000 Excess funding = \$3,000
75% of project cost is \$15,000 SWPI Grant = \$12,000

Strategic Wildfire Prevention Initiative Fuel Management Prescription Program

2016 APPLICATION FORM

Please type directly in this form or print and complete. Additional space or pages may be used as required. For detailed instructions regarding application requirements please refer to 2016 Fuel Management Prescription Program & Application Guide.

SECTION 1: APPLICANT INFORMATION

Local Government or First Nation: City of Penticton

Date of Application: April 29, 2016

Contact Person*: Dave Spalding

Title: Deputy Fire Chief

Phone: 250-490-2910

E-mail: dave.spalding@penticton.ca

* Contact person must be an authorized representative of the applying local government or First Nation.

SECTION 2: PROJECT INFORMATION

A. NAME OF PROJECT.

Riddle Road Fuel Break

B. DESCRIPTION. Please provide a geographic description of the proposed area, including treatment units as identified in the CWPP.

This project is located at the top of Riddle Road in the mountain bike/recreation area known as the Three Blind Mice Trail Network. The subject area is entirely within the District boundary on previous large parcel private lots now owned by the City and extends from the City boundary at the end of Riddle Road to the City boundary at the end of Sutherland Drive (north south) and the full extent of the City property in an East-West direction (along the southern boundary of the property).

The subject area consists of stands of Ponderosa Pine and Douglas-fir of varying densities with pockets of open forest and grasslands.

The subject area is a high recreation value area with extensive mountain bike trails and a disc golf course. There is a transmission line that dissects part of the area and will serve as a good anchor point from which to extend a fuel management project.

Date of current CWPP: 2006

C. RATIONALE FOR PROPOSED TREATMENT UNITS. Please provide a description of benefits and effectiveness of proposed treatment units.

This area occupies a prime location for a strategic landscape level fuel break that will act to

provide protection to the City and the Naramata bench from a wildfire moving towards the City from the North and downslope towards the Naramata bench respectively.

Developing a prescription for this area, and subsequent treatments, will provide protection to the adjacent residents from a wildfire approaching from the north and east. It will also create an area of low fuel loading that will serve to slow a human caused ignition from spreading from the community and into the wildland.

This area is also one of high recreation activity. Such popular recreational areas can contribute to human cause fires. Treating the area will reduce the potential fire behaviour within the subject area as well as raise the awareness of the fire risk during the fire season.

D. PROPOSED NUMBER OF HECTARES TO BE INCLUDED. Please provide the gross and net hectares to be assessed. If applicable, please separate hectares on Crown land from hectares on local government land.

The gross area to be field reviewed is about 80 ha. It is anticipated that this will change as fieldwork determines appropriate boundaries and treatment units as well as areas that will not require treatments (such as open forest and open range areas, expansive rock outcrops and sensitive wildlife areas).

E. MOUNTAIN PINE BEETLE AFFECTED TIMBER. Please indicate if this project includes Mountain Pine Beetle fuel type:

☒ Yes ☐ No

F. CURRENT THREAT RATING OF PROPOSED AREA. Please indicate the current threat rating. Please note: the current *WUI Wildfire Threat Assessments* guide and worksheet must be used and submitted.

Wildfire Behaviour Threat Class: High (115)

Wildland Urban Interface Threat Class: Extreme (40)

G. OTHER ACTIVITIES. Please describe the extent to which your community is undertaking wildfire risk mitigation activities as outlined in Section 6 of the Program & Application Guide (Review of Applications).

The City has recently received funding for two wildfire management projects. They are in the process of completing a CWPP and are engaging residents in the Sendero Canyon community as they work towards having it recognized as a FireSmart community.

The City has always been very proactive with regards to wildfire management through community visits for FireSmart, community Fire Prevention events as well as handing out FireSmart manuals.

H. REVIEW OF PROJECT/APPLICATION. Were any other agencies consulted in the development of the project and/or application prior to submission? Please check all that apply, add contact names and provide any supporting documentation:

- ☒ Fuel Management Specialist/Liaison.
Contact person: Michael Aldred
- ☒ BC Wildfire Service Fire Zone staff.
Contact person: Trevor Lees and Randy Burgess
- ☒ Local fire officials

- ☐ Resource District/Land manager. Contact person:
- ☐ First Nations' Emergency Services Society.
Contact person:
- ☒ Other: Regional District Staff

I. CONSULTANT INFORMATION. If a consultant is being utilized to do some or all of the work, please describe how you will select a qualified individual:

Valhalla Consulting is working for the City on their CWPP and their FireSmart project. We have also completed the CWPP and several past fuel management projects for the adjoining Regional District of the Okanagan Simikameen.

If possible, please include the name(s) of the consultant(s):

Prescription Consultant: John Davies, RPF, Valhalla Consulting Ltd

GIS Consultant: Nick Zukanovic, GISP, Geographica Group Ltd

Eligible activities and costs are outlined in Section 4 of the Program & Application Guide (Eligible & Ineligible Costs & Activities).

In Section 3 below, please include all proposed eligible costs for the development of your prescription and provide a description of each proposed cost.

SECTION 3: PROPOSED ACTIVITIES & COSTS	
Activity	Proposed Cost
Consultation with the Fuel Management Specialist or Liaison, resource district, land manager, other local governments, or other stakeholders regarding the proposed prescription. <i>This activity may take place within 12 months prior to application submission. Please describe:</i> Consult with stakeholders regarding the development of a treatment prescription; seek input; relay impacts, requirements and timelines.	\$170.00
Information sharing with First Nations, as required by the Land Manager. <i>This activity may take place within 12 months prior to application submission. Please describe:</i> Liase with the forest district First Nations liasion regarding what First Nations should be provided project information (if any) and to send pertinent information to these bands/nations.	\$170.00
Evaluation of the site(s): field reconnaissance and data collection to provide an estimate of the stand structure, threat rating using the current WUI Wildfire Threat Assessments guide and/or fuel loading. <i>This activity may take place within 12 months prior to application submission. Please describe:</i> Complete all field work necessary for the development of the prescripition; collect stand and site data and other pertinent information for the prescription document.	\$7,650.00

Assessment(s) by a qualified professional that are directly related to the resource values affected by the prescription within the proposed area. <u>Please describe:</u> Complete all necessary site assessments required to complete the prescription document; complete a threat assessment that estimate post treatment threat rating for the area to be treated.	\$1,700.00
Lay out and traversing of treatment area(s) in the field. <u>Please describe:</u> Layout the boundary for all TUs, reserve areas as well as the treatment area boundary.	\$1,360.00
Preparation of the prescription, maps, spatial data, and metadata. <u>Please describe:</u> Develop the prescription document for signing and sealing and submission to the District and UBCM/WMB for review; complete all spatial and meta data requirements for submission of the data to the UBCM	\$3,400.00
Staff and contractor costs directly related to the development of the fuel management prescription. <u>Please describe:</u> All travel costs associated with field work and meetings (vehicle, accomadation, per diems, etc).	\$2,195.00
Applicant administration costs directly related to the development of the fuel management prescription. <u>Please describe:</u> Internal costs for the development of the prescription including public meeting rooms, field review, field tours, etc.	\$500.00
Public information costs directly related to the development of the prescription. <u>Please describe:</u> Costs related to the development of public information sharing such as Public Information Sheets, public presentations, etc.	\$510.00
Other proposed activities. <u>Please describe:</u> Time associated with the preparation of final reporting as well as preparation of GIS data for submission.	\$765.00
Total Proposed Costs:	\$18,420.00

The Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remainder (25%) is required to be funded through community contributions.

Total Grant Requested (75% of total proposed cost):	\$13,815.00
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Please note that you will be required to provide detailed information on the community contribution in the final report. This includes information on contributions from other grant programs. If information is available now, please complete Section 4 below:

SECTION 4: OTHER GRANTS	
Grant(s) Description:	Estimated Grant Value
	\$

SECTION 5: SIGNATURE (To be signed by Local Government or First Nation Applicant)

I certify that the area covered by the proposed prescription: (1) is not scheduled for development; (2) is not scheduled for sale; and (3) is within the jurisdiction of the local government or First Nation (or appropriate approvals are in place)

Name: <i>David Spalding</i>	Title: <i>Deputy Fire Chief</i>
Signature: <i>David Spalding</i>	Date: <i>April 25, 2016</i>

See Section 6 of the Program & Application Guide (Application Requirements & Process) for complete application requirements. In addition to the Application Form, the following separate attachments are required to be submitted:

- ☒ Local government Council or Board resolution, or First Nation Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management
- ☒ Threat Assessment Worksheets and threat plot photos completed as per the current WUI Wildfire Threat Assessments guide
- ☒ Maps that clearly identify the area(s) that are the subject of the application
- ☒ Copy of the completed CWPP for the proposed area.

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

Local Governments: Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

First Nations: Forest Fuel Management Department, First Nations' Emergency Service Society.

E-mail: ffminfo@fness.bc.ca

Mail: 712 Mount Paul Way, Kamloops, BC, V2H 1B5

3 Blind Mice (Penticton) Treatment Area

GEOGRAPHICA GROUP
WWW.GEOGRAPHICAGROUP.COM

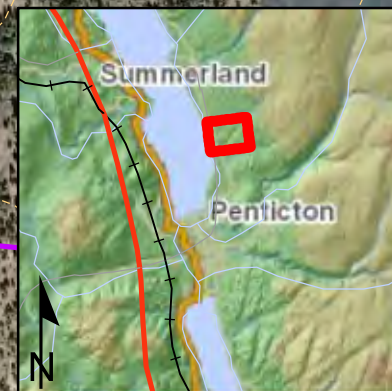
- 78 -
Valhalla
Environmental Consulting Inc.

- Penticton Boundary
- Treatment Polygon (65.8ha)

0 50 100 200 300 m

1:10,000

Apr 22, 2016



Strategic Wildfire Prevention Initiative Fuel Management Prescription Program

2016 APPLICATION FORM

Please type directly in this form or print and complete. Additional space or pages may be used as required. For detailed instructions regarding application requirements please refer to 2016 Fuel Management Prescription Program & Application Guide.

SECTION 1: APPLICANT INFORMATION

Local Government or First Nation: City of
Penticton

Date of Application: April 29, 2016

Contact Person*: Dave Spalding

Title: Deputy Fire Chief

Phone: 250-490-2910

E-mail: dave.spalding@penticton.ca

* Contact person must be an authorized representative of the applying local government or First Nation.

SECTION 2: PROJECT INFORMATION

A. NAME OF PROJECT.

Penticton Landfil Fuel Break

B. DESCRIPTION. Please provide a geographic description of the proposed area, including treatment units as identified in the CWPP.

This project is located on City owned lands surrounding the Penticton Landfill.

The subject area consists of stands of Ponderosa Pine and Douglas-fir of varying densities with inclusions of open forest and grasslands.

The subject area is one of high fire risk due to the activities that occur within the landfill. The potential exists for a fire to start within the landfill and escape to the adjacent wildlands and to threaten adjacent homes or grow into a larger wildfire that threatens the City to the south.

Similarly, due to the recycling of biomass at the landfill, there are large accumulations of recycled, and yet to be processed, wood waste that is vulnerable to ignition from a wildfire encroaching on the landfill lands.

Date of current CWPP: 2006

C. RATIONALE FOR PROPOSED TREATMENT UNITS. Please provide a description of benefits and effectiveness of proposed treatment units.

By treating the City lands immediately adjacent to the landfill, the treatment will provide an open forest or range with low fuel loading that will result in a lower intensity fire behaviour zone. This

area occupies a prime location for a strategic landscape level fuel break that will act to provide protection to the City and the Naramata bench from a wildfire moving towards the City from the North and downslope towards the Naramata bench respectively.

Developing a prescription for this area, and subsequent treatment, will provide protection to the adjacent residents from a wildfire approaching from the north and east. It will also create an area of low fuel loading that will serve to slow a human caused ignition from spreading from the community or landfill and into the wildland.

This area is also one of high recreation activity. Such popular recreational areas can contribute to human cause fires. Treating the area will reduce the potential fire behaviour within the subject area as well as raise the awareness of the fire risk during the fire season.

D. PROPOSED NUMBER OF HECTARES TO BE INCLUDED. Please provide the gross and net hectares to be assessed. If applicable, please separate hectares on Crown land from hectares on local government land.

The gross area to be field reviewed is about 35 ha. It is anticipated that this could change as fieldwork determines appropriate boundaries and treatment units as well as open forest or open range areas that do not require treatment.

E. MOUNTAIN PINE BEETLE AFFECTED TIMBER. Please indicate if this project includes Mountain Pine Beetle fuel type:

☒ Yes ☐ No

F. CURRENT THREAT RATING OF PROPOSED AREA. Please indicate the current threat rating. Please note: the current *WUI Wildfire Threat Assessments* guide and worksheet must be used and submitted.

Wildfire Behaviour Threat Class: Extreme (151)

Wildland Urban Interface Threat Class: Extreme (45)

G. OTHER ACTIVITIES. Please describe the extent to which your community is undertaking wildfire risk mitigation activities as outlined in Section 6 of the Program & Application Guide (Review of Applications).

The City has recently received funding for two wildfire management projects. They are in the process of completing a CWPP and are engaging residents in the Sendero Canyon community as they work towards having it recognized as a FireSmart community.

The City has always been very proactive with regards to wildfire management through community visits for FireSmart, community Fire Prevention events as well as handing out FireSmart manuals.

H. REVIEW OF PROJECT/APPLICATION. Were any other agencies consulted in the development of the project and/or application prior to submission? Please check all that apply, add contact names and provide any supporting documentation:

- ☒ Fuel Management Specialist/Liaison.
Contact person: Michael Aldred
- ☒ BC Wildfire Service Fire Zone staff.
Contact person: Trevor Lees and Randy Burgess
- ☒ Local fire officials

- ☐ Resource District/Land manager. Contact person:
- ☐ First Nations' Emergency Services Society.
Contact person:
- ☒ Other: Regional District Staff

I. CONSULTANT INFORMATION. If a consultant is being utilized to do some or all of the work, please describe how you will select a qualified individual:

Valhalla Consulting is working for the City on their CWPP and their FireSmart project. We have also completed the CWPP and several past fuel management projects for the adjoining Regional District of the Okanagan Simikameen.

If possible, please include the name(s) of the consultant(s):

Prescription Consultant: John Davies, RPF, Valhalla Consulting Ltd

GIS Consultant: Nick Zukanovic, GISP, Geographica Group Ltd

Eligible activities and costs are outlined in Section 4 of the Program & Application Guide (Eligible & Ineligible Costs & Activities).

In Section 3 below, please include all proposed eligible costs for the development of your prescription and provide a description of each proposed cost.

SECTION 3: PROPOSED ACTIVITIES & COSTS

Activity	Proposed Cost
Consultation with the Fuel Management Specialist or Liaison, resource district, land manager, other local governments, or other stakeholders regarding the proposed prescription. <i>This activity may take place within 12 months prior to application submission. Please describe:</i> Consult with stakeholders regarding the development of a treatment prescription; seek input; relay impacts, requirements and timelines.	\$190.00
Information sharing with First Nations, as required by the Land Manager. <i>This activity may take place within 12 months prior to application submission. Please describe:</i> Liase with the forest district First Nations liasion regarding what First Nations should be provided project information (if any) and to send pertinent information to these bands/nations.	\$190.00
Evaluation of the site(s): field reconnaissance and data collection to provide an estimate of the stand structure, threat rating using the current WUI Wildfire Threat Assessments guide and/or fuel loading. <i>This activity may take place within 12 months prior to application submission. Please describe:</i> Complete all field work necessary for the development of the prescripton; collect stand and site data and other pertinent information for the prescription document.	\$1,900.00

Assessment(s) by a qualified professional that are directly related to the resource values affected by the prescription within the proposed area. <u>Please describe</u> : Complete all necessary site assessments required to complete the prescription document; complete a threat assessment that estimate post treatment threat rating for the area to be treated.	\$950.00
Lay out and traversing of treatment area(s) in the field. <u>Please describe</u> : Layout the boundary for all TUs, reserve areas as well as the treatment area boundary.	\$950.00
Preparation of the prescription, maps, spatial data, and metadata. <u>Please describe</u> : Develop the prescription document for signing and sealing and submission to the District and UBCM/WMB for review; complete all spatial and meta data requirements for submission of the data to the UBCM	\$1,520.00
Staff and contractor costs directly related to the development of the fuel management prescription. <u>Please describe</u> : All travel costs associated with field work and meetings (vehicle, accomadation, per diems, etc).	\$1,950.00
Applicant administration costs directly related to the development of the fuel management prescription. <u>Please describe</u> : Internal costs for the development of the prescription including public meeting rooms, field review, field tours, etc.	\$500.00
Public information costs directly related to the development of the prescription. <u>Please describe</u> : Costs related to the development of public information sharing such as Public Information Sheets, public presentations, etc.	\$570.00
Other proposed activities. <u>Please describe</u> : Time associated with the preparation of final reporting as well as preparation of GIS data for submission.	\$665.00
Total Proposed Costs:	\$9,385.00

The Fuel Management Prescription program can contribute a maximum of 75% of the cost of eligible activities and the remainder (25%) is required to be funded through community contributions.

Total Grant Requested (75% of total proposed cost):	\$7,038.75
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Please note that you will be required to provide detailed information on the community contribution in the final report. This includes information on contributions from other grant programs. If information is available now, please complete Section 4 below:

SECTION 4: OTHER GRANTS	
Grant(s) Description:	Estimated Grant Value
	\$

SECTION 5: SIGNATURE (To be signed by Local Government or First Nation Applicant)

I certify that the area covered by the proposed prescription: (1) is not scheduled for development; (2) is not scheduled for sale; and (3) is within the jurisdiction of the local government or First Nation (or appropriate approvals are in place)

Name: <i>David Spalding</i>	Title: <i>Deputy Fire Chief</i>
Signature: <i>[Signature]</i>	Date: <i>April 25, 2016</i>

See Section 6 of the Program & Application Guide (Application Requirements & Process) for complete application requirements. In addition to the Application Form, the following separate attachments are required to be submitted:

- ☒ Local government Council or Board resolution, or First Nation Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management
- ☒ Threat Assessment Worksheets and threat plot photos completed as per the current WUI Wildfire Threat Assessments guide
- ☒ Maps that clearly identify the area(s) that are the subject of the application
- ☒ Copy of the completed CWPP for the proposed area.

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

Local Governments: Local Government Program Services, Union of BC Municipalities

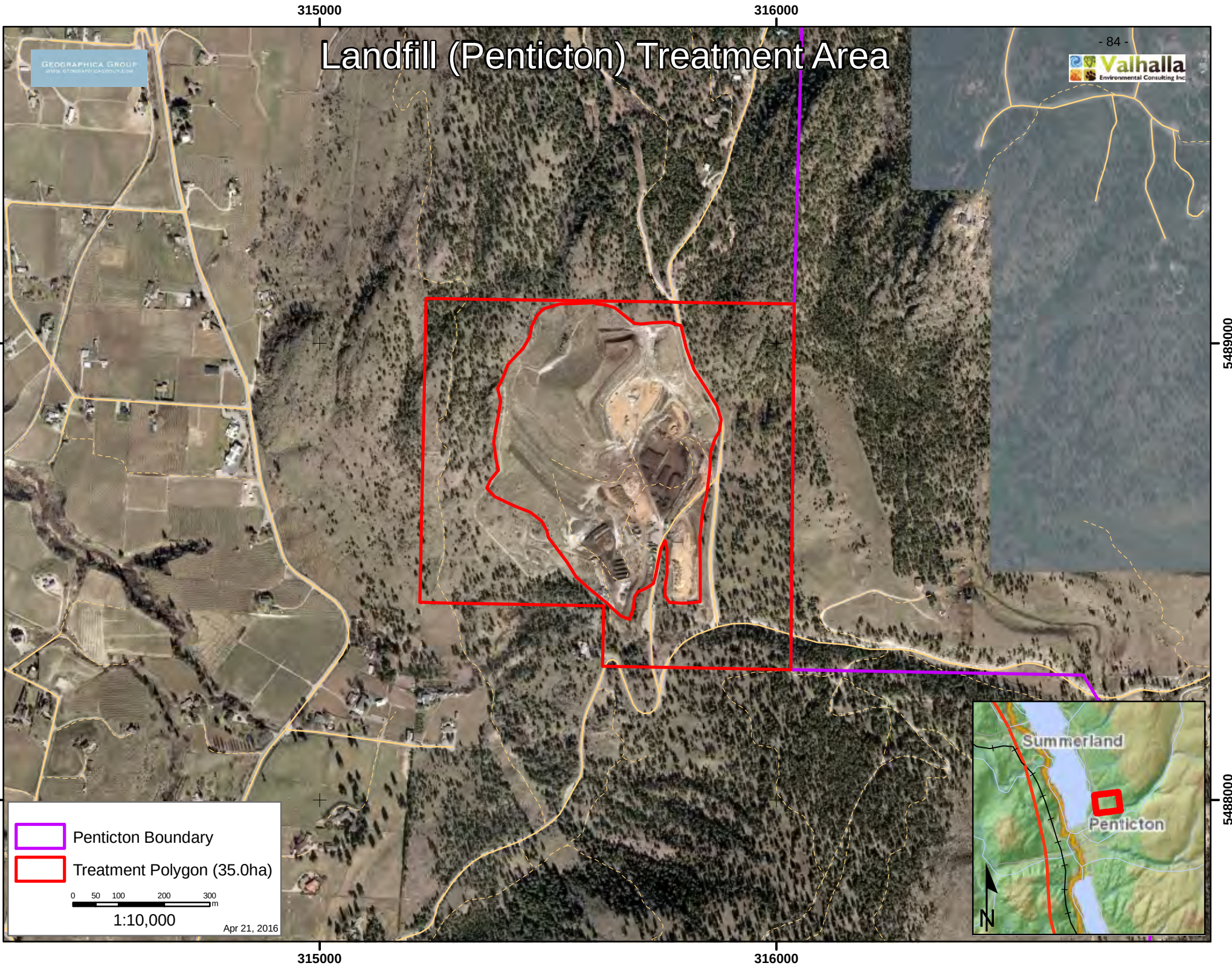
E-mail: lgps@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

First Nations: Forest Fuel Management Department, First Nations' Emergency Service Society.

E-mail: ffminfo@fness.bc.ca

Mail: 712 Mount Paul Way, Kamloops, BC, V2H 1B5



Landfill (Penticton) Treatment Area

GEORAPHICA GROUP
WWW.GEORAPHICAGROUP.COM

- 84 -
Valhalla
Environmental Consulting Inc.

Penticton Boundary

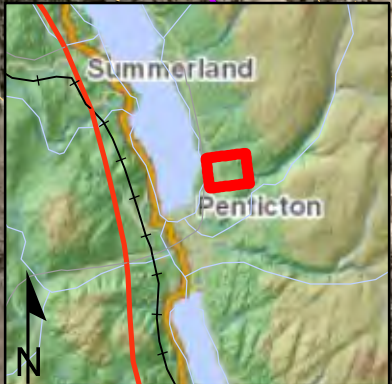
Treatment Polygon (35.0ha)

050100200300

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1:10,000

Apr 21, 2016



Council Report

penticton.ca

Date: May 16, 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

Staff Recommendation

THAT Council, subject to the approval of the RCMP and Liquor Control and Licensing Branch, approve the Rotary Club (Rib Fest) Special Occasion (Beer/Wine Garden) License for requested service hours between 11:00am and 11:00pm.

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, a local government or First Nation).

This is the second year of the Ribfest event. There are no records of noise complaints or other nuisance issues on record. Public consultation has not typically been part of the Special Occasion Licence review process and sanctioned special events can be exempt from 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

Staff brought a report to Council for endorsement of Special Occasion Licences for the Peach City Beach Cruise and Challenge on March 21. Ribfest had not, at that time, submitted its application for an hour extension beyond the 22:00 permitted by the LCLB. That request has now been made and this report seeks endorsement from Council.

The City's Liquor Licensing Review Technical Committee (LLRTC) and staff were provided with an opportunity to comment on the application received with hours beyond 10:00pm. No concerns were indicated by committee members or staff.

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 denies the requested service hours beyond 10:00pm (22:00 hours) for the Rotary Club of Penticton Ribfest.

Respectfully submitted,

Ken Kunka ASCT, RBO
Building and Permitting Manager
LLTRC Chairperson

Approvals

CAO	Director of DS
<i>ES</i>	<i>JGH</i>

Council Report

penticton.ca

Date: May 16, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 1399 Government Street
Subject: **Zoning Amendment Bylaw 2016-26"**

File No: RZ PL2016-7635

Staff Recommendation

THAT "Zoning Amendment Bylaw 2016-26" a bylaw that changes the zoning of Lot 14, District Lot 250, Similkameen Division Yale District, Plan 6501, Except Plan KAP67840, located at 1399 Government Street, from R1 (Large Lot Residential) to C1 (Commercial Transition), be given first reading and be forwarded to the June 6th Public Hearing;

AND THAT prior to "Zoning Amendment Bylaw 2016-26" being adopted by Council, a 4.87 m road dedication along Government Street, a 3.65 m road dedication along Duncan Avenue and a corner cut as identified on the map attached to this report as Attachment F, be registered at the Land Title Office;

AND THAT a "letter of authorization" to retain assets on the City right-of-way be granted to the property owner stating that assets may remain on the City's right-of-way until such time as road works are scheduled to proceed.

Strategic priority objective

N/A

Background

The applicant purchased the subject property with the intent of operating a day care / child care activity centre. The applicant has experience running other day care operations in Penticton, most recently at Carmi Elementary School.

While day care minor is a permitted use in the R1 zone, the owner is looking at a more expansive operation, including an activity drop in centre and before and after school care. A zoning amendment is required for these proposed uses.

Proposal

The applicant is proposing to change the zoning designation of the subject property from R1 (Large Lot Residential) to C1 (Commercial Transition) with the purpose of operating a child care and activity drop in centre.

Property Specification

The following table shows the property specifications and how the property conforms to the proposed C1 zone:

Item	Required by C1 zone	Existing on property
Lot size	550 m2	731 m2
Setbacks		
Front:	3.0 m	8.9m
Side (interior):	1.5m	0.98 m*
Side (exterior):	4.5m	6.5m
Rear:	6.0m	21 m
Parking:	3 Spaces	5 Spaces
Other notes:	* Existing setback is considered legal non-conforming.	
	Property is located in a development permit area.	
	A significant road widening is required on this property (4.87 m on Government Street and 3.65 m on Duncan Avenue.	

Financial implication

Cost associated with the survey and registration of the road dedication plan will be borne by the City. Estimates for this work are under \$2,000. Funds for this survey work were budgeted for in the 2016 Land Administration Operating Budget.

Technical Review

The application for rezoning was considered by the Technical Planning Committee on Thursday, April 14th, 2016. At that meeting it was noted that although no road works are being contemplated in the immediate future, the intersection size at Government Street and Duncan Avenue is insufficient to meet traffic flows when Penticton grows in size (50,000 population). To achieve the desired intersection size, a significant road widening is identified on the City's Road Widening Map. The road dedication would make the current building non-conforming to the required building setbacks, but none of the building would be encroaching into the right-of-way. Fencing and landscaping, currently existing on the site, would encroach into the City's ultimate right-of-way area. Staff suggests that Council give direction for the City's Land Administrator to issue a letter of authorization allowing the existing assets to remain on the right-of-way until such time as the actual road way is needed for road works.

The conversion of older houses to commercial uses often requires significant building upgrades to both bring a building up to today's building code and to change the use from residential to commercial. A review of the building was not conducted by City building officials at the time of zoning application. If the zoning amendment is successful an application for the change in use, relating to building code will be required.

Prior to being able to operate a day care or childcare activity centre, approval from Interior Health is required. Staff understands that those applications are in process. Proof of approval will be required prior to issuance of a business licence for the intended use.

Analysis

Support Zoning Amendment Bylaw 2016-26

The subject property is designated as MR (Medium Density Residential) by the City's Official Community Plan. The MR designation allows for commercial uses, such as the ones being proposed by the applicant. The OCP has specific guidelines for staff and Council to consider when assessing an application to rezone a property designated MR from a residential zone to a commercial zone.

Staff's comments on those guidelines follow:

The size, scale and scope of the proposed commercial use is compatible with the character of the area: The type of development in the immediate area features a mix of single family and multi-family residential and small scale commercial uses. On the same block as the subject property there are two other houses that were converted to office uses, featuring a chiropractic office and a surgical office. The neighbourhood also features some lots that have purpose built commercial. The subject application is in keeping with trends in the immediate neighbourhood.

The proposed commercial use will not have a negative impact including noise, unacceptable traffic generation or invasion of privacy issues: The subject property is located on a busy corner, with another commercial use directly across Duncan Avenue. The increased trip generation from the proposed use, or any other use contemplated in the C1 zone, will not create any unacceptable traffic generation. The lot is designed in a way to protect the privacy of the neighbouring property. The yard is oriented towards the corner with generous landscaping and fencing.

With that analysis in mind, staff considers that the proposed zoning change is in line with OCP policy.

In addition to the information above, the applicant has provided a letter of rationale in support of the application. This letter is attached for Council's reference as Attachment 'D'. The applicant has also provided letters of support from over 40 people, including neighbours and parents of children to whom the applicant has cared for. We have not included these letters in the Council package given their length, but can make them available to Council at its request.

As the subject proposal, in staff's opinion, meets the objectives for commercial uses in the MR (Medium Density Residential) designation, staff recommends that Council support the rezoning of the property to C1 (Commercial Transition). Staff also recommends that Council approves of the zoning amendment subject to

the registration of the required road dedication to support future widening of the intersection when the time comes.

Staff notes that the intended use of the property for a day care is only one of a number of potential uses, permitted by the C1 zoning. As noted in this report, staff considers the general intent of the zoning request to be consistent with the area and recognizes that this will not represent an adverse impact on neighbouring properties.

Deny/ Refer Zoning Amendment Bylaw 2016-26

Council may consider that the subject property is not appropriate for the intended use. If that is the case, Council should deny the application. Alternatively, Council may refer the application back to staff with direction that it considers appropriate.

Alternate recommendations

THAT Zoning Amendment Bylaw No. 2016-26 be approved *without* the requirement for road dedication.

Attachments

Attachment A – Subject property location map

Attachment B – Images of subject property

Attachment C – Site Plan

Attachment D – Letter from applicant

Attachment E – OCP designation and zoning maps

Attachment F – Road dedication map

Respectfully submitted,

Blake Laven, MCIP, RPP
Planning Manager

Approvals

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



Attachment B
Images of Subject Property



Figure 1: Image of subject property from Government Street looking south west



Figure 2: Image of subject property from the corner of Government Street and Duncan Avenue looking north west

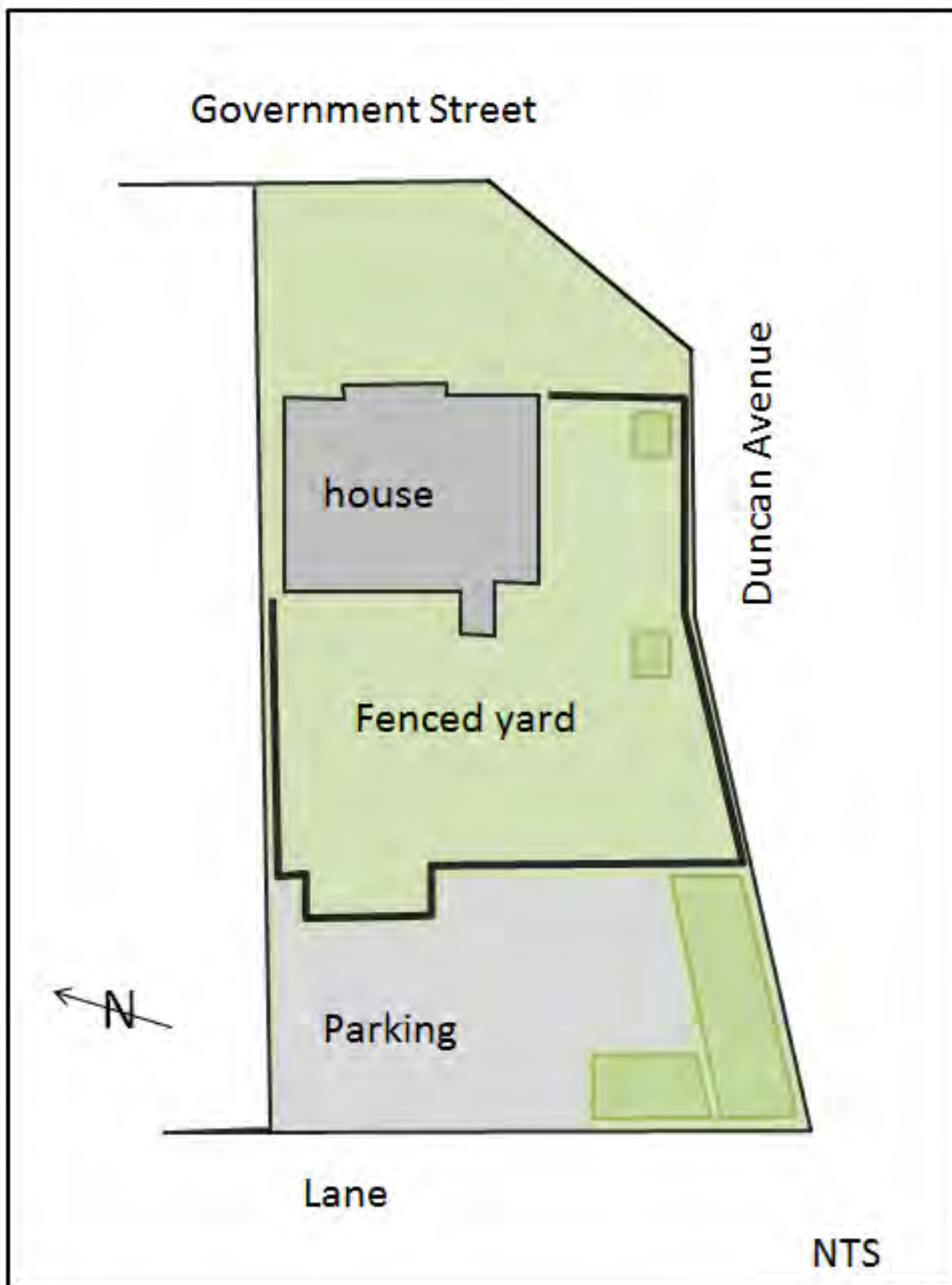


Figure 3: Image of subject property from Duncan Avenue looking north east



Figure 4: Images of parking area on subject property from the back lane

Attachment C
Site Plan



Attachment D
Letter from Applicant

Dear Property Owner

march 23/2015

RE: 1399 GOVERNMENT STREET (Corner of Duncan and Government)

I would like to introduce myself to you, my name is Karen Noe-Vack. I have been a resident of Penticton for 32 years and have been a daycare owner and provider for most of that time in the Carmi School area. The daycare has been in a classroom at Carmi School for almost 11 years and I have owned it for nearly 6 years. I am moving my daycare out of the school and looking at operating it out of 1399 Government Street.

My plan is to have the property rezoned for the purpose of operating a small daycare. I would like to start in the early Fall with offering a program for 3 to 5 year olds from 10 am to 1 pm Monday through Friday. I do not see any problem with this plan as there are ample parking spots for pick up and drop off. Therefore there will be no traffic congestion. I do not see that there would be a noise issue either.

If you would like to talk with me please feel free to contact me at (250) 493-4932 in the early evening.

Thank you

Karen Noe-Vack

Speckled Frogs Daycare



Attachment E
OCP and Zoning Maps



Figure 5: OCP Future Land Use Map



Figure 6: Zoning Map

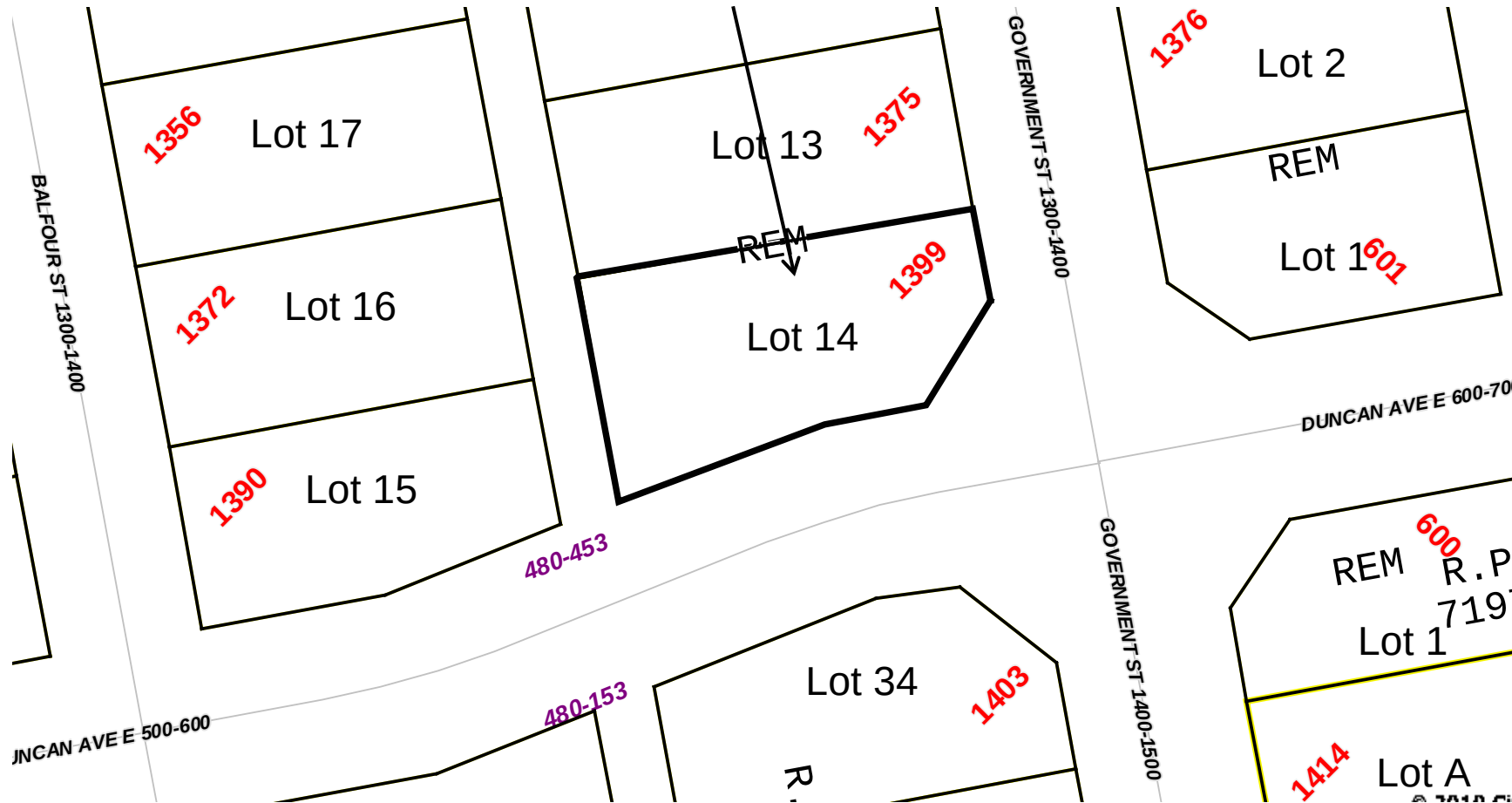
Attachment F
Proposed road dedication map



A Bylaw to Amend Zoning Bylaw 2011-23

Rezone 1399 Government Street From R1 (Large Lo Residential) to C1 (Commercial Transition)

- 99 -



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-26

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: May 16, 2016
To: Eric Sorensen, Chief Administrative Officer
From: Amber Coates, Revenue Supervisor
Subject: **Amended Collections/Disconnections Council Policy**

File No:

Staff Recommendation

THAT Council approve the amended Collections/Disconnections Policy and direct staff to implement the amended Collections/Disconnections Council Policy effective August 23, 2016;

AND THAT Council direct staff to immediately commence a customer notice process with respect to the implementation of the adoption of a no-disconnect policy for utility arrears.

Background

In open session March 21, 2016 Staff received direction to draft an amended Collections/Disconnections Policy that discontinues the practice of disconnection for no-payment of utility arrears.

Analysis

The amended policy acknowledges and provides provision for 1) utility customers residing in their own residences who are fully aware and responsible for amounts unpaid on their utility bills, and 2) provides risk mitigation options for property owners who are in the business of using their property investment for revenue purposes (i.e. landlords of rental properties) who may not be fully aware of amounts owed yet are ultimately responsible for unpaid utility bills on the property.

The intent is to focus the Utility Department's efforts towards customer service for the account and property owners, replacing the current focus being management of unpaid accounts in the form of continuous disconnections and arrangements. For account holders, the Utility Department focus shifts to improving the customer's education in electricity and water consumption and understanding also how to read the utility bill effectively. For owners of revenue properties, the Utility Department will focus on providing direction and education of the rental business in relation to City utility accounts by advising of best practices and options for working with City staff to reduce the risk of unpaid tenant utility accounts.

Provided below is a brief comparison overview of the most significant changes to the utility ARREARS procedures in the new policy. By definition, accounts in arrears are any active accounts currently open and held by the holders on an ongoing basis that have gone unpaid past the bill's due date.

Current Policy	Amended Policy
1 Day After Due Date - Arrears balances of <u>any</u> amount are viewable on registered MyCity tax account properties. 2 Days After Due Date - Customers with an arrears balance greater than \$50.00 that have never been late or twelve months have passed since their last late notice, with a valid phone number in the utility system receive an automated phone call advising them they have missed payment. - All other customers with an arrears balance greater than \$50.00 are printed a Blue Notice advising of payment due to avoid disconnection. 5 Days After Due Date - Customers that received the reminder phone call and payment remains outstanding are printed a Blue Notice advising of payment due to avoid disconnection. 7-9 Days After Due Date - A further warning notice of arrears is printed on the next month's billing.	1 Day After Due Date - Arrears balances of <u>any</u> amount are viewable on registered MyCity tax account properties. 3 Days After Due Date - All account holders with an arrears balance greater than \$75.00 and a valid phone number in the utility system will receive an automated phone call advising them they have missed payment. - For tenant accounts, all property owners or their designates with a valid phone number or email address in the utility system will receive either an automated phone call or email advising the account has entered an arrears status with an arrears balance greater than \$75.00. 6 Days After Due Date - Any account holder with an arrears balance greater than \$75.00 are printed a Blue Notice advising of payment due to avoid having the account officially referred to the property owner for review or transferred to property taxes at the end of the year. 7-9 Days After Due Date - A further warning notice of arrears is printed on the next month's billing.
14-21 Days After Due Date Disconnections of active accounts with arrears balances greater than \$50.00 commence.	14-21 Days After Due Date - In the case of tenant accounts, an official notice will be mailed to the property owner or their designate advising of the continued unpaid status of the account for arrears balances greater than \$75.00. - In the case of owner accounts, owners are considered duly notified of the consequences of non-payment via Blue Notice and warning notice received prior.
End of Year Delinquent account balances are transferred to property taxes and begin accruing interest.	End of Year Arrears and delinquent account balances are transferred to property taxes and begin accruing interest.

It is important to note that the City of Penticton will continue to practice the current collection practices, including disconnection or refusal of new services, for non-payment of DELINQUENT accounts. By definition, delinquent accounts are any previously finalized and closed utility account with a balance left outstanding by the account holder. The City will not knowingly provide further services to a customer if that customer owes on a previous account.

Implementation

The proposed effective date for the amended policy provides time to notify tenants and landlords of the change. It will be important to educate property owners and their designates of the change and allow time to gather the information required to put the owner notification process in place.

Owner accounts will require less for implementation as they are already privy to, and have control of, all pertinent information. The change is anticipated to provide owner account holders with more flexibility and less punitive costs when juggling their household budget on a month where their income falls short of their monthly bills or an unexpected trip has them away at the time of that bill's due date, and allow them to catch up the payment in a reasonably timely fashion without further repercussion.

If the amended policy is endorsed, the first step will be to mail information packets out to known landlords and property managers. This same information will be made available on the City website. The packet will include information such as:

- The upcoming changes and when they take effect.
- Contact information form to be returned to the Utility Department requesting information on how or who the owner would like contacted (email address and/or phone number) when a utility account on a property they own falls into arrears. Email will be suggested as most desirable, as it will provide the landlord with a written record of past due utilities and help keep things straight in the event of multiple tenant accounts past due.
- Landlords will be advised as to exactly what information the City will release in accordance with FOIPPA. This information includes only: 1) the utility account number; 2) the utility service address; and 3) the amount in arrears.
- How to register the Property Taxes on MyCity in order to see daily updated tenant arrears balances or if the account is up to date.
- Options to consider when renting to a new tenant or renewing a lease.
- Contact information for the Residential Tenancy branch.

Letters will be mailed to current tenant accounts advising them of the upcoming change as well. It will be important that tenants understand the City will actively release arrears balances to their landlords in accordance with FOIPPA.

As the landlord information is received by the Utilities Department, the utility system will be updated accordingly in preparation for the first round of notifications August 25, 2016.

Alternate recommendations

1. Maintain the current process structure but increase the arrears threshold from \$50.00 to an amount greater than or equal to the current fee to reconnect once disconnected for non-payment as defined in Appendix 7 of the Fees and Charges Bylaw.
2. Maintain the current process structure and arrears threshold and make no changes to the Collections/Disconnections Council Policy.

Attachments

Attachment A – Amended Collections/Disconnections Policy

Respectfully submitted,

Amber Coates
Revenue Supervisor

Approvals

Chief Financial Officer 	Chief Administrative Officer <i>ES</i>
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Council Policy

penticton.ca

Approval date: Month, Day, 2016

Resolution No.:

Subject: Collections/Disconnections Policy

Goal

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

Scope

To detail the policies surrounding collections and disconnections.

Definitions

"Collector" means the municipal officer assigned responsibility as collector of taxes for the municipality, as defined by the *Community Charter*;

"Supervisor of Revenues and Collection" means the Collector for all purposes within the City of Penticton;

"Fees and Charges Bylaw" means the City Fees and Charges Bylaw as amended from time to time; and

"Municipal Utilities" includes Electricity, Sewer, and Water.

Policy

COLD WEATHER POLICIES

1. "Cold weather policies" will be in force from December 1st through March 31st of each year. At the discretion of the Supervisor of Revenues and Collection, those dates may vary from year-to-year depending upon weather conditions.
2. Disconnection for recoveries of delinquent accounts will continue to be carried out during "cold weather" conditions but the Supervisor of Revenues and Collection will review any services that are off before the end of the work day with a view to reconnecting services where cold weather damage is a concern. Should a service be reconnected for this reason, it may be disconnected again the next day if payment and/or acceptable arrangements are not made. In the case of a rental property, contact may be made with the registered owner to achieve a suitable resolution.

3. When cold weather damage is a concern, the City will attempt to monitor services that are due to be disconnected as a result of no service application on file. In certain cases, such as in the case of new owners, service may be left on and/or efforts made to reach a registered owner for instructions. Any efforts on the City's part to protect owners' property from damage will be done on a "without prejudice" basis and will not be intended to relieve owners of their responsibility to take necessary precautions to protect their property.

DELINQUENT ACCOUNTS

4. Section 258 of the *Community Charter* empowers the Collector (Supervisor of Revenues and Collection) to transfer unpaid utilities to taxes on the property to which the services were provided. Any charges on utility accounts that were due and payable by December 31st for services rendered prior to November and remain unpaid on that date, are deemed to be taxes in arrears and are so entered on the tax rolls of the benefiting property.
5. Once an unpaid account is transferred to taxes or paid by the owner, the City will create a delinquent customer record that will be used to screen all new applications for service. Should an applicant or co-occupant have an outstanding delinquent account from a former address (which has either been transferred to taxes or paid by the registered owner), that account together with applicable interest (current rate of 10%) must be paid to the City prior to the provision of service.
6. Upon recovery of any such monies, the owner whose property was attached or who paid the bill will be reimbursed. If the City is unable to locate a former owner at the time of recovery, the recovered funds will be held in suspense until the owner is located.
7. If a customer is unable to provide full payment of a delinquent account, arrangements for repayment, over a reasonable period, may be approved by the Supervisor of Revenues and Collection. Under normal circumstances, an initial payment equal to 50% of the amount owed would be required with payment of the balance within 30 days. Should a customer fail to keep the arrangement, services will be disconnected without notice.
8. This policy applies to customers who have benefited from the utility service provided whether or not they have signed the application for service. In addition, service will be withheld from premises where a delinquent customer is an occupant unless 1) that service predated the delinquent customer's tenancy or 2) the service is to be maintained in the name of the registered owner.
9. If service is provided to a customer and then the customer is found to have an outstanding delinquent account, a letter will be sent requiring payment within a reasonable time frame (normally five (5) business days). Should payment or acceptable repayment arrangements not be received, services will be withdrawn to effect payment.
10. Once services have been disconnected the delinquent amount together with the applicable reconnection fee will be required prior to reconnection. Upon receipt of payment, services will be scheduled for reconnection as soon as practical after 2:00 PM. In the case of business accounts, the 2:00 PM reconnection start time will be waived on the first occasion.

11. The applicable administration fee is payable once the City's service representative has arrived on site. Should the service representative leave the services on at the request of the customer/occupant or because access to the meter is unavailable, the normal administration fee still applies. If the service representative is required to attend to the site more than once to effect disconnection or reconnection of services, the reconnection/administration fee is payable for each trip.
12. Disconnection of services for delinquent accounts will normally be scheduled from Monday through Thursday from 8:30 AM until 2:00 PM. Reconnection will normally be carried out between 2:00 PM and 4:30 PM. In order to allow for same-day reconnection, without overtime or call-out charges, payment must be made by 4:00 PM. Exceptions to these practices will be subject to the approval of the Supervisor of Revenues and Collection.
13. If a City line crew is required to effect disconnection, the additional cost is the responsibility of the customer. Reconnection will not be carried out until payment or suitable arrangements for payment of both the delinquent amount and reconnection charge are made. If the line crew was used because of a meter access problem, the access problem is also to be resolved prior to reconnection.
14. In the case of utility accounts for both electric and water services, the City will normally withdraw electric services first. However, should the disconnection of electrical service not result in payment and reconnection within a reasonable time frame (normally 2-3 days), disconnection of water services or contact with the landlord, in the case of tenants, may be pursued to effect payment or finalization of the account.
15. While the City offers customers numerous payment alternatives, deadlines for payment to avoid disconnection of services refer to payment actually being received at City Hall by that date. Accordingly, customers subject to disconnection are to ensure the method of payment chosen will result in payment being received by City Hall prior to the deadline. In the case of electronic payments, the City must have received notification of the funds by its financial institution prior to the disconnection deadline.
16. Collection of outstanding accounts is subject to the statute of limitations for debt payment (currently six (6) years and the time period begins with the account finalization date). In all situations, the City will exercise its right to collect within that 6 year period.

ACCOUNTS IN ARREARS

17. In practice, any account holder with
 - a) arrears of \$75 or more, or
 - b) on whose account no payment has been received within three (3) monthly billings,will receive an automated phone call if a valid number exists in the utility system three (3) business days after the due date of the original bill. In addition, in the case of tenant accounts, the property

owner or designate will have the opportunity to receive notice via either automated phone call or email that the account has entered an arrears status.

- a. In order to receive notification, the property owner or designate will be required to provide either or both of:
 - i. A valid phone number
 - ii. A valid email address
- b. Property owners or their designate will only receive the information required to clear the arrears amount. This requirement is not at the discretion of the City, but regulated under the *Freedom of Information and Protection of Privacy Act*. The only information provided will be:
 - i. The utility account number,
 - ii. The utility service address, and
 - iii. The amount in arrears.

18. After a further three (3) business days, any account holder a) with arrears of \$75 or more, or b) on an account which no payment has been received within three (3) monthly billings, will receive a 'regular' notice with a scheduled deadline to bring the account back to a current status. The notice will advise the account holder that the once the scheduled deadline has passed that:

- a. In the instance of owner-held accounts the arrears amount is now eligible for transfer to tax if left unpaid December 31st as per Section 258 of the *Community Charter*, and
- b. In the instance of tenant-held accounts the arrears amount will be referred to the property owner or their designate.

19. In addition, an arrears 'warning' note will be printed on the next regular utility bill.

20. The day following the scheduled deadline, any tenant account a) with arrears of \$75 or more, or b) on an account which no payment has been received within three (3) monthly billings, will be reported by letter to the property owner or their designate. Letters will be mailed to either a mailing address provided by the property owner or their designate, or in the absence of such, the mailing address of the owner as found in the City's property tax system.

- a. The letter will advise the property owner or their designate that the arrears amount is now eligible for transfer to tax if left unpaid December 31st as per Section 258 of the *Community Charter*.
- b. Property owners or their designate will only receive the information required to clear the arrears amount. This requirement is not at the discretion of the City, but regulated under the *Freedom of Information and Protection of Privacy Act*. The only information provided will be:
 - i. The utility account number,
 - ii. The utility service address, and
 - iii. The amount in arrears.

21. The City reserves the right to disconnect for irregular or extreme non-payment situations for services in respect of which any rates and charges remain due and unpaid the day after the due date at the discretion of the Supervisor of Revenues and Collection, and no further services provided unless and

until all rates and charges in arrears in respect thereof are paid, together with reconnection charge (as per the Fees and Charges Bylaw). For greater certainty, this discretion will not be subject to any request or demand by landlords, property owners, or property managers.

RETURNED CHEQUES

22. Returned cheques (including pre-authorized payments) will be debited back to the utility account(s) involved together with a returned cheque charge and any forfeited prompt payment discount. The returned cheque charge will not be applicable in cases where the City could have prevented the item from being returned (i.e. body & figures differ, stale or postdated, no signature, etc.). Customers on pre-authorized payment plan will have their plan stopped until payment of the returned item has been made.
23. When a cheque is returned that previously covered a “current” amount, a letter will be sent to the customer requesting replacement funds, including the returned cheque charge and any forfeited discount, in certified form to be remitted within seven (7) days of the date of the letter.
24. When a cheque is returned that previously covered an “arrears” amount, the return of the cheque renders the account subject to the same remedies as would have occurred had the cheque not been remitted. A letter will be sent to the account holder requesting replacement funds, including the returned cheque charge, in certified form to be remitted immediately.
 - a. In the instance of tenant utility accounts, the return to arrears status will be reported by email (if available) or letter to the property owner or their designate. Letters will be mailed to either a mailing address provided by the property owner or their designate, or in the absence of such, the mailing address of the owner as found in the City’s property tax system.
 - i. The letter will advise the property owner or their designate that the arrears amount is now eligible for transfer to tax if left unpaid December 31st as per Section 258 of the *Community Charter*.
 - ii. Property owners or their designate will only receive the information required to clear the arrears amount. This requirement is not at the discretion of the City, but regulated under the *Freedom of Information and Protection of Privacy Act*. The only information provided will be:
 1. The utility account number,
 2. The utility service address, and
 3. The amount in arrears.
25. Upon receipt of a third returned item from an individual customer or on an individual account, the Supervisor of Revenues and Collection may require all future payments to the City by that customer or on that account to be in certified form. Notice of this requirement will be sent to the customer in writing. The privilege of payment by uncertified cheques may be restored after one year at the request of the customer and upon approval of the Supervisor of Revenues and Collection.

TRANSFER TO TAXES

26. Section 258 (1) & (2) of the Community Charter reads as follows:

Special fees may be collected as property taxes

(1) This section applies to the following:

- a. Fees imposed under this Act or the Local Government Act, for work done or services provided to land or improvements;*
- b. Fees imposed under section 196 (1) (a) [fire and security systems]*
- c. Amounts that the municipality is entitled to recover for work done or services provided to land or improvements under any provision of this Act or the Local Government Act that authorizes the municipality to recover amounts in the event of default by a person.*

(2) An amount referred to in (1)

- a. May be collected in the same manner and with the same remedies as property taxes and,*
- b. If it is due and payable by December 31 and unpaid on that date, is deemed to be taxes in arrears.*

27. The above quoted sections of the *Community Charter* empowers the Collector (Supervisor of Revenues and Collection) to transfer unpaid utilities to taxes on the property to which the services were provided regardless of whose name the utility account was in.

28. This transfer to tax and any adjustments is performed within 45 days of December 31st. Payment received after December 31st but prior to the completion of the transfer will eliminate the need to transfer the account to taxes.

29. An ongoing effort is made throughout the year to alert registered owners to unpaid utility accounts prior to the arrears balances being transferred to property. As well, if the account remains unpaid and is transferred to property taxes, an additional letter will be generated advising the registered owner of the transfer to taxes.

30. In the case of all Municipal Utilities, the *Community Charter* deems utility charges to be equivalent to taxes and, as such, are recoverable in the same manner as taxes. That means that the utility transfer to taxes survives any change of ownership. Accordingly, when property is changing hands, legal firms should be searching for unpaid utilities as well as unpaid taxes on the property. To facilitate this process, the City makes utility information available to legal firms who are conveying the property via online Tax Certificates. It is then up to the legal firm as to what steps they will take to protect their client's interests.

31. Should a purchaser of property become aware that a utility account, for a period of time that precedes their ownership of the property, is outstanding and subject to a transfer to taxes, he/she should refer the matter to the legal firm that handled the conveyance on their behalf.

32. Once an unpaid account is transferred to taxes or paid by an owner prior to transfer, the City will not knowingly provide service to the customer who left the bill unpaid until the amount involved has been repaid either directly to the owner or through the City to the owner (see "Delinquent Accounts" policy for details).

UNPAID FINAL ACCOUNTS

33. If a tenant customer has finalized service with the City in one location and is receiving service elsewhere within the City, service at the new location is subject to disconnection if the utility account at the former location becomes overdue. Should the tenant customer move to a location within the City where the previously unpaid utility account predates the tenant customer's move by more than the statute of limitations or where the utility account is maintained in the name of the property owner, that account will not be subject to disconnection.
34. A finalized utility account entering arrears status will follow the same process as an active utility account entering arrears status with the exception that after the scheduled deadline, service at the new location is in jeopardy. When this condition exists, utility staff will issue a "manual" disconnection notice based on the same criteria as a delinquent utility account.

Previous revisions

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

Certified Correct:

Minutes



Waterfront Revitalization Sub-Committee Meeting

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

Tuesday, April 26, 2016
at 8:00 a.m.

Present: Campbell Watt, Councillor
Helena Konanz, Councillor
Rod King, Chair
Doug Eaton, Chamber of Commerce Representative
Wayne Lebedow, Marina Representative
Jim Cooper, Member at Large
Cal Meiklejohn, Member at Large
Lauren Cornish, Member at Large

Staff: Mitch Moroziuk, General Manager of Infrastructure
Lorraine Williston, Committee Secretary

Guest: Peter Osborne

1. Call to Order

The Waterfront Revitalization Sub-Committee was called to order by the Chair at 8:03 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Waterfront Revitalization Sub-Committee adopt the agenda for the meeting held on April 26, 2016 as amended (refer to Item 5.1).

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Waterfront Revitalization Sub-Committee adopt the minutes of the February 4, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

4. **Delegation**

4.1 Peter Osborne Re: Lake to Lake Connection

Mr. Osborne provided background information on his architectural model and presented his concept for a lake to lake linear park connection on Main Street and Skaha Lake Road. Mr. Osborne stated by adding another 4 feet on the west side of the road from the Library south to Skaha Lake and installing features such as grass, trees, decorative railings, lighting and banners, this would create a linear park that runs from beach to beach. Drawings of potential locations for pocket parks in the 300 to 700 block (Three Gables, former Kentucky Fried Chicken and Lloyd Gallery properties) were also presented. Questions and discussion followed.

It was MOVED and SECONDED that the Waterfront Revitalization Sub-Committee recommends to Council:

THAT Council direct staff to research the concept of creating a lake to lake linear park connection.

CARRIED UNIMOUSLY

5. **Business Arising from Prior Meetings**

5.1 S.S. Sicamous Detail Design Update

The General Manager of Infrastructure reported the project is behind schedule which is fine as no construction is slated to occur in 2016. Staff have been consulting with the Ministry of Environment regarding an old wooden retaining wall that is failing along the south and east bank behind the boat shed. Due to the high environmental values in that area, infilling that area is not an option. Currently a sheet pile wall in front of the failing wall is being considered. Staff will also be making an application for a 5 year permit period to allow for changes or issues. Questions and discussion followed.

6. **New Business**

7. **Council Outcome**

Council Resolution 96/2016 from the minutes dated February 4, 2016 was received.

8. **Next Meeting**

The next regularly scheduled meeting of the Waterfront Revitalization Sub-Committee will be May 24, 2016 at 8:00 a.m.

9. **Adjournment**

The Waterfront Revitalization Sub-Committee adjourned the meeting at 8:42 a.m.

Minutes



Penticton Creek Restoration Committee Meeting

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

Wednesday, April 27, 2016
at 9:00 a.m.

Present: Helena Konanz, Councillor
Bryn White, Chair & South Okanagan Conservation Representative
Paul Askey, Freshwater Fisheries Society of BC Representative
Camille Rivard-Sirois, Okanagan Nation Alliance Representative
Kerri Milton, Downtown Penticton Association
Doug Maxwell, Member at Large

Staff: Mitch Moroziuk, General Manager of Infrastructure
Ian Chapman, City Engineer
Lorraine Williston, Committee Secretary

Guests: Steve Matthews, Mould Engineering
Jodi Goode, Mould Engineering
Stu Mould, Mould Engineering
Hilary Ward, Province of BC Fisheries

1. Call to Order

The Penticton Creek Restoration Committee was called to order by the Chair at 9:10 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adopt the agenda for the meeting held on April 27, 2016 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adopt the minutes of the March 18, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

4. Delegation

4.1 2016 Showcase Monitoring/Master Plan Task 1 & 2

The Mould Engineering representative presented an overview of the Showcase monitoring to date. Flow data at numerous locations is being collected using a variety of methods and water profiles are being surveyed to confirm roughness values.

The Mould Engineering representative reviewed the Master Plan communications to date including public comments received by surveyors and Mould Engineering. Through the surveying process, landowners have been very helpful in allowing access to the channel. Some landowners have expressed concerns over yard improvements done near the channel and would like to know when they can provide input. Mould Engineering will be providing a draft communication plan to the City as soon as possible. The Master Plan involves three stages, preparation, public consultation and construction.

The Mould Engineering representative presented information on the Master Plan data collection including a historical review, diagram comparisons and aerial photos of the 1938 creek alignment vs. current alignment. The creek has been split into three sections and broken into 13 reaches that have been identified by hydraulic characteristics. In summary, there is 1,255m of concrete lined channel and accounts for 28.7% of the total length, 3,125m of unlined channel and accounts for 71.3% of total length, 12 bridges and 3 above ground utility crossings were identified, 17 rock riffles and 38 drop structures were identified and photos provided. Mould Engineering will be identifying structure conditions and rating each as either good, moderate, poor, partially failed etc. and consequence of failure and prioritization of work.

The Mould Engineering representative provided a breakdown of the sections. The three sections were identified by run vs. pool characteristics, number of structures, reaches and average slope percentage. Section 1 (from the location of the French school down to lake) is concrete lined. Section 2 (top of Forestbrook strata development down to school) contains stepped channels. Section 3 (remaining portion up to Penticton Water Treatment Plant) is a natural/rock lined run. They are currently collecting data on the reaches. The next steps are to complete the data collections.

4.2 Penticton Creek Fish and Riparian Habitat Assessment Review

The Matthews Environmental Consulting representative presented an overview of their assessment of current fish and riparian habitat conditions and provided ratings of habitat quality. Assessment methods included streamside observations of migration, spawning and rearing habitats and riparian zone conditions. A draft report has been submitted to the City and restoration recommendations will be presented in the future.

The Matthews Environmental Consulting representative reviewed their habitat rating table for species, life stage, migration and incubation/rearing/spawning. Results were reviewed for all 13 reaches that included habitat limitations, habitat contributions and a habitat quality rating for the current condition of the creek. Migration limitations and lack of spawning areas for kokanee and trout are critical issues to address particularly in the lower reaches. Trout rearing habitat is limited and functional riparian habitat is largely restricted to the upper reaches. An all-inclusive restoration will be largely dependent on channel/floodplain expansion.

5. **Business Arising from Prior Meetings**

5.1 Showcase Project Signage Update

Photos were provided displaying the newly installed interpretive signage for the Penticton Creek Showcase Project.

5.2 Master Plan Development Discussion

The City Engineer reported information gathering will be done by the middle of May. The next milestone will be the completion of the draft plan by the middle of July.

5.3 HCTF Year 3 Financial Reporting Update

No new updates. Item was reported out at last meeting.

5.4 HCTF Year 4 Deliverables

Item tabled.

5.5 RFCPP Application for Funding

The Freshwater Fisheries Society of BC representative reported he has been working with the committee and confirmed the application has been submitted.

6. **New Business**

7. **Council Outcome**

Council Resolution 163/2016 from the minutes dated March 18, 2016 was received.

8. **Next Meeting**

The next regularly scheduled meeting of the Penticton Creek Restoration will be at the call of the Chair.

9. **Adjournment**

The Penticton Creek Restoration Committee adjourned the meeting at 11:00 a.m.

Minutes



Downtown Revitalization Sub-Committee Meeting

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

Thursday, April 28, 2016
at 8:00 a.m.

Present: Campbell Watt, Councillor
Helena Konanz, Councillor
Judy Sentes, Councillor
Barb Haynes, Chair
Kerri Milton, DPA Representative
Tim Scott, Member at Large
Pamela Stevenson, Member at Large
Erin Hanson, Member at Large
Cheryl Watts, Member at Large

Staff: Mitch Moroziuk, General Manager of Infrastructure
Ian Chapman, City Engineer
Blake Laven, Planning Manager
Ken Kunka, Building & Permitting Manager
Lorraine Williston, Corporate Committee Secretary

Guest: Peter Osborne

1. Call to Order

The Downtown Revitalization Sub-Committee was called to order by the Chair at 8:02 a.m.

2. Adoption of Agenda

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

THAT the Downtown Revitalization Sub-Committee adopt the agenda for the meeting held on April 28, 2016 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

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

THAT the Downtown Revitalization Sub-Committee adopt the minutes of the February 5, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

4. **Peter Osborne Re: Lake to Lake Connection**

Mr. Osborne provided background information on his architectural models and presented his concept for a lake to lake linear park connection on Main Street and Skaha Lake Road. Mr. Osborne stated by adding another 4 feet on the west side of the road from the Library south to Skaha Lake and installing features such as grass, trees, decorative railings, lighting and banners, this would create a linear park that runs from beach to beach. Drawings of potential locations for pocket parks in the 300 to 700 block (Three Gables, former Kentucky Fried Chicken and Lloyd Gallery properties) were also presented. Questions and discussion followed. The General Manager of Infrastructure suggested Mr. Osborne be invited back when revitalization of the Gyro Park area happens with respect to his design elements for Veteran's Park.

5. **Business Arising from Prior Meetings**

5.1 Main Street Revitalization Update

The City Engineer provided an update on the construction to date. Discussion followed on the appearance of the breezeways and how to improve the condition, safety and lighting issues. Staff to look into increasing the current maintenance schedule.

It was MOVED and SECONDED that the Downtown Revitalization Sub-Committee recommends to Council:

THAT Council direct staff to research the cost of improving the condition of the breezeways.

CARRIED UNANIMOUSLY

The City Engineer presented a timeline of works in progress and scheduled completion dates for the Westminster/Nanaimo Ave intersections, 200 Block concrete and pavers, asphalt surfaces, traffic signals, street lights and furniture and landscape. The start date for the 100 block is scheduled for Sept. 7 to be completed Dec. 3. Discussion and questions followed. A question was brought forward on signage. Staff to look into previous wayfinding signage plans and bring forward the information to the next meeting.

5.2 Downtown Washrooms

The City Engineer presented information on options for locations, types and costs for installation of washrooms. Pictures and diagrams of each bathroom model were presented. Options included the following:

Woody Model – 2 unit (4.4m x 3m) - \$28,000

Dedicated washroom for male and female. Precast concrete floor, walls and roof, stainless steel fittings. Vernon, BC product.

Romtec Model – 1 Unit - \$46,000 - 2-3 weeks delivery

Easy to maintain, solar powered basic blue light to deter unsociable activity bottom louvers allow you to see if someone is sleeping in there, stainless steel toilet & accessories. Open air

concept. Summer use only. Could not heat in winter. \$1,000 for site prep and base slab. US product.

Kodiak – 2 Multi user restrooms (8m x 3.4m) – \$129,000 per unit

4 separate toilet fittings, 150 mph wind load, 250 pounds per square foot snow load. Pre-plumbed/pre-wired vandal resistant, reinforced concrete floor, walls and roof. Porcelain fittings. US product.

Discussion and questions followed. One suggestion was to look into the cost of converting a cargo container into washrooms and to contact local companies for quotes. By consensus, the committee agreed that there is a need for two washroom units and those local companies should be contacted to see if they can be manufactured here. Discussion on location followed. It was agreed that the location closet to the breezeway beside the car charging station would be the best location for a washroom.

Public Art Opportunities

The City Engineer presented on public art opportunities and provided images of planned conventional street furniture, public street art features and potential locations for public art in the 100 and 200 Block. It was suggested that once construction is completed, specific locations for art can be determined. Discussion followed and it was suggested that a joint meeting be arranged with the Arts, Creative & Cultural Innovations Committee and the Downtown Revitalization Sub-Committee regarding public art opportunities.

Pamela Stevenson left the meeting at 9:39 a.m.

It was MOVED and SECONDED that the Downtown Revitalization Sub-Committee recommends to Council:

THAT Council direct Staff to substitute 5 standard benches and 2 standard bike racks for 5 public art benches and 2 public art bike racks;

AND THAT Council allocate surplus project funds towards public art and public wayfinding in the downtown core.

CARRIED UNANIMOUSLY

Tim Scott left the meeting at 9:52.

Ken Kunka presented on the Storefront Use Bylaw Amendment for the 100 & 200 Block of Main Street and provided an overview of the current storefront bylaw and Main Street regulations for sidewalk sales and café areas. Proposed changes to the regulations were presented for input to the committee. Discussion and questions followed. The topic of whether fees should be charged was discussed. Staff to research what was previously promised to business owners and report back.

6. Council Outcome

Council Resolution 75/2016 from the minutes dated November 26, 2015 was received.

7. **Next Meeting**

The next regularly scheduled meeting of the Downtown Revitalization Sub-Committee is scheduled for May 26, 2016 at 8:00 a.m.

8. **Adjournment**

The Downtown Revitalization Sub-Committee adjourned the meeting at 10:25 a.m.

Minutes



Community Sustainability Committee Meeting

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

Wednesday, May 4, 2016
at 1:30 p.m.

- Present:** Chris Allen, Chair
Pam Moore, Interior Health Representative
Ryan Foster, Member at Large
Anne Hargrave, Member at Large
Zoe Kirk, Member at Large
- Staff:** Sharon Thompson, Corporate Administrative Secretary
- Guests:** Barry Salaberry
Kristi Estergaard, Interior Health Representative
Leda Cedar, Incredible Edibles
Jacqueline Duncan, Interior Health Representative

1. Call to Order

The Community Sustainability Committee was called to order by the Chair at 1:33 p.m.

2. Adoption of Agenda

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

THAT the Community Sustainability Committee adopt the agenda for the meeting held on May 4, 2016 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

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

THAT the Community Sustainability Committee adopt the minutes of the April 6, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

4. Delegation

4.1 Barry Salaberry – Incubator Farm

Mr. Salaberry, a professional potter, provided information on the Farm Business Incubator Program (FBIP) that has been undertaken by the City of Kamloops. A FBIP model functions as a start-up for farmers and followed the adoption of the city's first

Agriculture Area Plan (AAP) which contains a set of goals and actions designed to preserve, grow and diversify local agriculture, while responding to challenges identified by the farming community. One of the main challenges identified was the need to support and educate new farmers. A FBIP offers new farmers access to land (high land prices have been an insurmountable barrier), training and shared equipment.

In the discussion that followed, the committee identified several communities and programs in the area that are addressing food security. Penticton challenges included:

- Currently no agriculture plan
- Short term (1 year) leases
- Access to land (land is being purchased by non-farmers)
- Access to resources (including knowledgeable farmers and equipment)
- Resource hub/website/database - FarmFolk CityFolk has www.getlocabc.org and is partnering with web designer, citymate, in Kelowna

4.2 Kristi Estergaard – Interior Health Representative

The Interior Health representative, a registered dietitian, discussed the importance of community food security, the food security continuum and explained there are three stages. Stage 1 – short term relief; Stage 2 – capacity building and Stage 3 – policy and systems redesign. Examples of what is happening in communities in this region were provided as follows:

- gleaning and processing fruit program started at Okanagan Tree Fruits
- City water in-kind agreement in Williams Lake
- Public produce gardens in Kamloops and Cranbrook
- Revelstoke's food charter – 1st year funding accessed through a grant from BC's Real Estate Foundation (IH funding accessed the 2nd year)
- Oliver has received IH funding as they develop a food security plan

Discussion led to opportunities that exist in Penticton to develop a food security program and ideas included:

- reduce/eliminate irrigation charges (example: \$40/month at Parkway Elementary)
- reduce water charges if property is used for growing food (Peachland bylaw)
- assist with fencing (Incredible Edible on South Main)
- more than 1-year terms for city owned land leases to allow non-profit groups to secure long term funding/grants (3+ years)
- strike a food action committee or coalition
- through Council, develop a City agriculture plan or strategy, policy or initiative
- access grants through the BC Real Estate Foundation and IH

Next steps:

- develop an agriculture strategy
- speak to appropriate staff (Planning Dept.) and/or Council Representative (Tarik) to elevate the strategy

Angelique Wood, Okanagan-Similkameen Healthy Living Coalition, Kristi Estergaard, Interior Health and Jennifer Vincent, FarmFolk CityFolk to be invited to the next meeting.

5. Business Arising from Prior Meetings

6. **New Business**

7. **Next Meeting**

The next regularly scheduled meeting of the Community Sustainability Committee is scheduled for June 1, 2016.

8. **Adjournment**

The Community Sustainability Committee adjourned the meeting at 3:03 p.m.