



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

**Tuesday, January 17, 2017**  
**at 1:00 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 January 10, 2017 Committee of the Whole Meeting | 1-2 | Receive |
| 4.2 | Minutes of the January 10, 2017 Regular Council Meeting        | 3-6 | Adopt   |

5. **Committee and Board Reports:**

- |     |   |      |  |
|-----|---|------|--|
| 5.1 | Development Services Advisory Committee Minutes of December 14, 2016  | 7-8  |  |
|     | <i>Recommendation: THAT Council receive the minutes of the Development Services Advisory Committee meeting of December 14, 2016.</i>                  |      |  |
|     | <i>Committee Recommendation: THAT Council support the Development Cost Charges Amendment Bylaw and DCC Program Review. (Bylaw is in progress)</i>     |      |  |
| 5.2 | Arts Creative & Cultural Innovations Committee Minutes of December 15, 2016   | 9-12 |  |
|     | <i>Recommendation: THAT Council receive the draft minutes of the Arts Creative &amp; Cultural Innovations Committee meeting of December 15, 2016.</i> |      |  |
|     | <i>Committee Recommendation: (See Staff Report item 7.1)</i>  |      |  |

6. **Correspondence**

7. **Staff Reports:**

- |     |     |  |       |  |
|-----|-----|--|-------|--|
| RCM | 7.1 | Mosaic Tile Project  | 13-16 |  |
|     |     | <i>Staff Recommendation: THAT Council direct staff to investigate placing the Canada 150 Mosaic on the outside wall of the Community Centre below the Cleland Theatre sign;</i>                        |       |  |
|     |     | <i>AND THAT the \$2,000 shortfall owing for the Canada 150 Mosaic project be paid from the Public Arts Reserve Fund.</i>   |       |  |
| DFC | 7.2 | Strategic Wildfire Prevention Initiatives  | 17-23 |  |
|     |     | <i>Staff Recommendation: THAT Council support the application for grant funding for the UBCM Strategic Wildfire Program Initiative, for a 2017 FireSmart Planning Grant Program;</i>                   |       |  |
|     |     | <i>AND THAT the Fire Department enlist the services of John Davies of Davies Wildfire Management to secure the grant funding and to carry out the process in order to meet the grant requirements.</i> |       |  |

DDS	7.3	Economic Investment Zone Program - Update <u>Staff Recommendation:</u> <i>THAT Council receive this report for information; AND THAT Council direct staff to review opportunities for the next phase of the EIZ program coming out of the analysis to be completed through the upcoming Official Community Plan review process.</i>	24-38	
	8.	<b>Public Question Period</b>		
	9.	<b>Recess to In-Camera Meeting</b> <u>Resolution:</u> <i>THAT Council recess to a closed meeting of Council pursuant to the provisions of the Community Charter section 90 (1) as follows:</i>		
		<i>(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity.</i>		
		<i>(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;</i>		
		<i>(g) litigation or potential litigation affecting the municipality;</i>		
		<i>(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.</i>		
	10.	<b>Public Hearing at 6:00 p.m.</b>		
	11.	<b>Reconvene the Regular Council Meeting following the Public Hearing</b>		
	12.	<b>Reconsideration of Bylaws and Permits:</b>		
	12.1	Zoning Amendment Bylaw No. 2016-71 Re: 750 Kamloops Street	39-40	2 <sup>nd</sup> /3 <sup>rd</sup>
	12.2	Zoning Amendment Bylaw No. 2016-73 Re: 1220, 1228, 1236 Government Street	41-42	2 <sup>nd</sup> /3 <sup>rd</sup> /Adopt
	13.	<b>Land Matters:</b>		
DDS	13.1	Development Variance Permit PL2016-7801 Re: 280 & 282 South Beach Drive <u>Staff Recommendation:</u> <i>THAT Council approve "Development Variance Permit PL2016-7801" for Lot 7, District Lot 189, SDYD, Plan 5885, located at 280 South Beach Drive, and Lot 8, District Lot 189, SDYD, Plan 5885, located at 282 South Beach Drive, a permit to decrease the minimum front yard from 6m to 4.5m and to decrease the minimum west interior yard from 1.5m to 1.2m; AND THAT staff be directed to issue "Development Variance Permit PL2016-7801."</i>	43-55	Del/Sub
DDS	13.2	Zoning Amendment Bylaw No. 2017-04 & DVP PL2016-7786 Re: 251 Rigsby Street <u>Staff Recommendation:</u> <i>THAT "Zoning Amendment Bylaw No. 2017-04," a bylaw to rezone Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the February 7, 2017 Public Hearing; AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-04," a 1.5m road widening and corner cut on the east side of the subject property is registered with the Land Title Office.  THAT delegations and submissions be heard for "Development Variance Permit PL2016-7786" for Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street, a permit to decrease the minimum front yard from 3.0m to 2.7m, to decrease the minimum south interior side yard</i>	56-75	

from 3.0m to 1.5m, to decrease the minimum exterior side yard from 6.0m to 4.4m and to decrease the minimum rear yard from 6.0m to 3.5m; AND THAT "DVP PL2016-7786" be considered only after adoption of "Zoning Amendment Bylaw No. 2017-04".

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-04," approve Development Permit PL2016-7787, for Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street, a permit that allows for the construction of a townhouse.

DDS 13.3 OCP Amendment Bylaw No. 2017-06 & Zoning Amendment Bylaw No. 2017-07 76-103  
Re: 1830 Ridgedale Avenue

Staff Recommendation: THAT prior to consideration of the bylaw and in accordance with Section 475 of the Local Government Act, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies.

AND THAT it is determined that further consultation with School District #67 is necessary;

AND THAT "OCP Amendment Bylaw No. 2017-06", being a bylaw to amend "OCP Bylaw 2002-20" amending Schedule B: Future Land Use Map; Schedule D: Natural Areas Map; and, Schedule H: Development Permit Area Map of Bylaw 2002-20 with regard to a new 110 lot residential development proposed for Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103, located at 1830 Ridgedale Avenue and in accordance with the land use plan attached to the Bylaw, be given first reading and forwarded to the February 7<sup>th</sup>, 2017 Public Hearing.

THAT "Zoning Amendment Bylaw 2017-07", being a bylaw to amend "Zoning Bylaw 2011-23" changing the zoning designations in support of a residential development proposed for Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103, located at 1830 Ridgedale Avenue, in accordance with the land use plan attached as Schedule A of the Bylaw, be given first reading and be forwarded to the February 7<sup>th</sup>, 2017 Public Hearing.

AND THAT the following items must be satisfied prior to final adoption of "Zoning Amendment Bylaw 2017-07":

1. Adoption of "Official Community Plan Amendment Bylaw 2017-06";
2. All the recommendations regarding traffic calming contained in the Traffic Impact Assessment prepared by Watt Consulting Group and dated December 16, 2016 must be designed to the satisfaction of the City's Development Engineer and bonded for prior to final approval;
3. Tree replacement plan prepared to the satisfaction of the City's Parks Supervisor to replace the 247 trees that were removed prior to earthworks (bonding for the works to be submitted prior to zoning approval);
4. Design for park and walkway to the satisfaction of the Parks Supervisor, with all works bonded for and constructed as a condition of subdivision approval; and
5. Registration of the geotechnical report prepared by Ecora Engineering dated August 17, 2016 as a covenant against the development lands.

14. **Notice of Motion**

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

16. **Council Round Table**

17. **Public Question Period**

18. **Adjournment**

**Committee of the Whole**  
held at City of Penticton Council Chambers  
171 Main Street, Penticton, B.C.

**Tuesday, January 10, 2017**  
**Recessed from the Regular Council Meeting at 1:00 p.m.**

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

**Staff:** Peter Weeber, Chief Administrative Officer  
Ian Chapman, City Engineer  
Jim Bauer, Chief Financial Officer  
Anthony Haddad, Director of Development Services  
Dana Schmidt, Corporate Officer  
Angie Collison, Deputy Corporate Officer

**1. Call to order**

The Mayor called the Committee of the Whole meeting to order at 1:02 p.m.

**2. Adoption of Agenda**

**It was MOVED and SECONDED**

THAT the agenda for the Committee of the Whole meeting held on January 10, 2017 be adopted as circulated.

**CARRIED UNANIMOUSLY**

**3. Delegations and Staff Presentations:**

3.1 Official Community Plan Process Guiding Principles and Task Force

Ben Johnson, Special Projects Manager, provided Council with the rationale for the Official Community Plan (OCP) update, the planning process guiding principles and the draft Terms of Reference for the Official Community Plan Task Force.

Councillor Konanz left the meeting.

**It was MOVED and SECONDED**

THAT the Committee of the Whole endorse the draft Guiding Principles as contained in the Discussion section of this Council Report for the upcoming review and update of the Official Community Plan Bylaw No. 2002-20;

AND THAT the Committee of the Whole endorse the creation of the Official Community Plan Task Force and the draft Terms of Reference as contained in Attachment "A" to this Report and direct staff to advertise for members.

**CARRIED UNANIMOUSLY**

**4. Adjourn to Regular Meeting**

**It was MOVED and SECONDED**

THAT Council adjourn the Committee of the Whole at 1:26 p.m. and reconvene the Regular Meeting of Council.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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Dana Schmidt  
Corporate Officer

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Andrew Jakubeit  
Mayor

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**Present:** Mayor Jakubeit  
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**Staff:** Peter Weeber, Chief Administrative Officer  
Ian Chapman, City Engineer  
Dana Schmidt, Corporate Officer  
Jim Bauer, Chief Financial Officer  
Anthony Haddad, Director of Development Services  
Angie Collison, Deputy Corporate Officer

**1. Call to Order**

The Mayor called the Regular Council meeting to order at 1:01 p.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

01/2017

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council meeting held on January 10, 2017 as presented.

**CARRIED UNANIMOUSLY**

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

Council recessed to a Committee of the Whole Meeting at 1:02 p.m.

Councillor Konanz left the meeting.

**5. Reconvene the Regular Council Meeting**

Council reconvened the Regular Council Meeting at 1:26 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the December 20, 2016 Committee of the Whole Meeting

02/2017

**It was MOVED and SECONDED**

THAT Council receive the minutes of the December 20, 2016 Committee of the Whole meeting as presented.

**CARRIED UNANIMOUSLY**

6.2 Minutes of the December 20, 2016 Public Hearing

03/2017

**It was MOVED and SECONDED**

THAT Council receive the minutes of the December 20, 2016 Public Hearing as presented.

**CARRIED UNANIMOUSLY**

6.3 Minutes of the December 20, 2016 Regular Council Meeting

04/2017

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the December 20, 2016 Regular Council Meeting as amended.

**CARRIED UNANIMOUSLY**

**7. Committee and Board Reports**

**8. Correspondence**

8.1 SILGA

Re: Call for Nominations and Resolution for Convention

Council reviewed the correspondence dated December 16, 2016 from Southern Interior Local Government Association (SILGA) requesting nominations and resolutions for the 2017 Convention.

**9. Staff Reports:**

9.1 Section 57 Notice on Title and Injunctive Action

Re: 144 Williamson Place

Owner: Carlos Madeira, 144 Williamson Place, misunderstanding with permit, thought renewal permit was for one year. Would like until March or April to finish wall as soon as ground thaws, project is near completion and would take a couple weeks.

05/2017

**It was MOVED and SECONDED**

THAT if the building permit is not closed by April 15, 2017;

THAT Council place a Notice on Title under Section 57 of the *Community Charter* on Lot 18, DL2710, KAP48093 located at 144 Williamson Place, stating the following:

“Failure to complete building permit (expired), which is a violation of City of Penticton Building Bylaw 94-45 and provide final Registered Professional (Engineer) approval to ensure installation meets engineered design. Further information about it may be inspected at the municipal hall.”

AND THAT further injunctive action be commenced by staff within 60 days of Section 57 Notice on Title being registered if outstanding deficiencies are not completed by April 15, 2017.

**CARRIED UNANIMOUSLY**

- 9.2 Update – Section 57 Notice on Title  
Re: 329 Upper Bench Road S

06/2017

**It was MOVED and SECONDED**

THAT Council receive the report titled "Update – Section 57 Notice on Title – 329 Upper Bench Road S" for information.

**CARRIED UNANIMOUSLY**

- 9.3 Zoning Amendment Bylaw No. 2017-02  
Re: 457 & 461 Neslon Avenue

07/2017

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2017-02" a bylaw to Rezone Lot 80, District Lot 250, Similkameen Division Yale District, Plan 845, located at 457 Nelson Avenue, Rezone the West ½ of Lot 79, District Lot 250, Similkameen Division Yale District, Plan 845, located at 461 Nelson Avenue and Rezone the East ½ of Lot 79, District Lot 250, Similkameen Division Yale District, Plan 845, located at 461 Nelson Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), be given first reading and be forwarded to the February 7, 2017 Public Hearing.

**CARRIED UNANIMOUSLY**

**10. Reconsideration of Bylaws and Permits**

- 10.1 Zoning Amendment Bylaw No. 2016-69  
Re: 1786 Fairford Drive

08/2017

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2016-69".

**CARRIED UNANIMOUSLY**

**11. Notice of Motion**

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

**13. Council Round Table**

**14. Public Question Period**

**15. Adjourn to In-Camera Meeting**

09/2017

**It was MOVED and SECONDED**

THAT Council adjourn at 2:14 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (a) *personal information about an identifiable individual who is being considered for a municipal position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (e) *the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- (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 that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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Dana Schmidt  
Corporate Officer

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Andrew Jakubeit  
Mayor

## Development Services Advisory Committee Meeting

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

Wednesday, December 14, 2016  
at 8:00 a.m.

**Present:** Campbell Watt, Councillor  
Frank Conci, Chair  
Darshan Jassar, Development Community Representative  
Drew Barnes, Development Community Representative  
Jeff McGinley, Development Community Representative (via conference call)  
Peggy Gilmore, Member at Large (via conference call)

**Staff:** Michael Hodges, Development Engineer  
Ben Johnson, Special Projects Manager  
Ken Kunka, Building & Permitting Manager  
Lorraine Williston, Committee Secretary

### 1. Call to Order

The Development Services Advisory Committee was called to order by the Chair at 8:01 a.m.

### 2. Adoption of Agenda

**It was MOVED and SECONDED**

THAT the Development Services Advisory Committee adopt the agenda for the meeting held on December 14, 2016 as circulated.

**CARRIED UNANIMOUSLY**

### 3. Adoption of Minutes

**It was MOVED and SECONDED**

THAT the Development Services Advisory Committee adopt the minutes of November 9, 2016 meeting as circulated.

**CARRIED UNANIMOUSLY**

### 4. Business Arising from Prior Meetings

#### 4.1 Development Cost Charge (DCC) Bylaw Housekeeping and DCC Program Review

The Development Engineer presented the draft Council Report for review of the proposed housekeeping amendments to the DCC bylaw that include minor amendments and definitions to be clarified and updated. Staff are asking Council to support a full revision of the

DCC bylaw. The amendments are needed to stop developers from taking out multiple permits to avoid paying development cost charges with respect to duplexes. Staff would like a recommendation from this committee in support of those amendments. The Development Engineer stated in 2017 staff will be reviewing fees and charges but do not anticipate much of a change. Discussion and questions followed.

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

**THAT Council support the Development Cost Charges Amendment Bylaw and DCC Program Review.**

**CARRIED UNANIMOUSLY**

**5. New Business**

**5.1 Planning and Building Department Statistics for November 2016**

The Planning and Building Manager reviewed the Building Department statistics for November. 149 applications were received. By end of this year the City will be using the new online system which will produce better statistics. Plumbing and heating permits were up as well. Construction values are currently at \$190,000,000 which is 235% over this time last year and triple what we were doing last year for applications. The Planning and Building Manager also noted staff have done close to 3,000 inspections. Planning statistics were reviewed and it was noted they are at record numbers this year.

**6. Next Meeting**

The next regularly scheduled meeting of the Development Services Advisory Committee to be determined.

**7. Adjournment**

The Development Services Advisory Committee adjourned the meeting at 8:44 a.m.

## Arts, Creative & Cultural Innovations Committee Meeting

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

Thursday, December 15, 2016  
at 8:00 a.m.

**Present:** Allison Markin, Chair  
Robin Robertson, Vice-Chair  
Paul Crawford, Penticton Art Gallery Representative  
Jane Shaak, Okanagan School of the Arts, Shatford Centre Representative  
Gerald Kenyon, South Okanagan Performing Arts Representative  
Murray Swales, Member at Large

**Staff:** Lori Mullin, Recreation and Culture Manager  
Lorraine Williston, Committee Secretary

1. **Call to Order**

The Arts, Creative & Cultural Innovations Committee was called to order by the Chair at 8:03 a.m.

2. **Adoption of Agenda**

**It was MOVED and SECONDED**

THAT the Arts, Creative & Cultural Innovations Committee adopt the agenda for the meeting held on December 15, 2016 as circulated.

**CARRIED UNANIMOUSLY**

3. **Adoption of Minutes**

**It was MOVED and SECONDED**

THAT the Arts, Creative & Cultural Innovations Committee adopt the minutes of the November 17, 2016 meeting as circulated.

**CARRIED UNANIMOUSLY**

#### 4. Business Arising from Prior Meetings

##### 4.1 Canada 150 Mosaic Initiative

The Chair stated she has no updates on a new location. The Recreation & Culture Manager stated the SOEC would be willing to display the piece. Another location could also be the outside wall below the Cleland Theatre sign at the Community Centre. City Hall also has an area on the south wall. The Chair will contact Jason Cox to find out if there he has found any suitable locations. Discussion followed on the suggested potential locations and the matter of the \$2,000 shortfall for the project.

It was Moved and Seconded that the Arts, Creative & Cultural Innovations Committee recommends:

**THAT Council direct staff to investigate placing the Canada 150 Mosaic on the outside wall of the Community Centre below the Cleland Theatre sign;**

**AND THAT the \$2,000 shortfall owing for the Canada 150 Mosaic project be paid from the Public Arts Reserve Fund.**

**CARRIED UNANIMOUSLY**

##### 4.2 Valley First Public Sculpture Proposal Update

The Recreation & Culture Manager reported the proposal has been included in the 2017 budget process.

The Recreation & Culture Manager further reported that in her 2017 budget presentation she is requesting \$50,000 for the Public Arts Reserve Fund (\$18,000 of matching funds for the Valley First Public Sculpture Project and \$32,000 for the general arts reserve for art projects which could include the continuation of the sculpture program). Currently there is no Council approved resolution for an annual contribution to the arts reserve. In 2016, Council contributed \$25,000. Discussion followed. By consensus the committee was in agreement that public art funding is very important to the community and an annual allocation of funds for public art is needed and hopes Council understands its importance. Staff welcomed any input from the Committee on the budget presentation to be forwarded.

##### 4.3 Public Sculpture Project Update

The Vice-Chair reported there have been eleven submissions from artists received to date and noted the deadline is Dec. 16, 2016. A meeting to review all submissions by the jury has been set for Jan. 4, 2017 at 1:00 p.m. The members of the jury include, Cal Meiklejon from the Waterfront Revitalization Sub-Committee and Erin Hanson from the Downtown Revitalization Sub-Committee, Jake Kimberly, Paul Crawford, Vaelei Walkden-Brown, and Robin Robertson. Lori Mullin will attend as a staff liaison. Once the jury has made the selections, they will be brought forward to Council for review before finalization. They have had great media coverage and are also receiving a lot of support from various art organizations. Discussion and questions followed.

5. **New Business**

6. **Art Funding Opportunities**

The Vice-Chair noted there was Community Foundation of the South Okanagan Similkameen funding available this year that was not been taken advantage of and noted this opportunity should be looked at next year. A question was raised if there was a catalogue or listing for all grants available. The Recreation & Culture Manager noted there was not and that the City no longer holds a membership with the Big Online data base as there wasn't any success with that program in the past. The City has a grant writer that will research grants as required as asked by staff to look into.

7. **Representative Updates**

7.1 Okanagan School of the Arts, Shatford Centre

The OSA, Shatford Centre representative reported their next event is the Winter Solstice and currently have an exhibit running on the Doukhabor community.

7.2 Penticton Art Gallery

The Penticton Art Gallery representative reported he has just returned from the Yukon with the Syrian exhibit and will be heading to Vancouver Island followed by Langley and Calgary with the show. The next show at the Art Gallery will be in January in collaboration with the En'owkin Centre. They are also working on a Truth Reconciliation Project featuring the 1990 Canadian Metis missionary artist Jim Logan exhibit.

7.3 En'owkin Centre

The En'owkin Centre representative was not in attendance.

7.4 Penticton & District Community Arts Council

The Penticton & District Community Arts Council representative was not in attendance and provided a written report as follows:

- Recent Christmas Craft show was a great success which included sales of exhibited artwork from the George and Friends Show! We are considering monthly craft sales.
- Upcoming joint fundraiser with the Penticton Art Gallery called 'A New Start' New Year's Eve Party. Tickets at Leir House and PAG. \$30 members/\$35 nonmembers.
- Cathy Jones in Stranger to Hard Work February 1st at the Cleland. Proceeds will go towards SOAP Festival 2017.
- 2nd Strategic Planning Session booked for January to refine Mission Statement and Mandate and clarify annual event schedule planning.
- Participation in Peace Talks at the Shatford Centre for the Winter Solstice Event...our first official collaboration with the new board.
- Creation of fundraising event for and with SOPAC for November 2017 with local acts and featuring international pianist Luke Welch. To be held at Cleland Theatre. Special project team being created in January.
- Arts Awards confirmed for March 2nd at the Cleland Theatre. Nominations are open online at website.

#### 7.5 South Okanagan Performing Arts Centre

The SOPAC representative reported they are working on an updated presentation for Council with the assistance from City staff. They have also had a productive meeting with the Penticton Arts Council and will be collaborating with the Arts Council on a joint fundraising venture and how to bring more awareness and support for the arts community.

A question was raised regarding the Glenn Clark mural that has been painted over on the previous Visitor's Centre building. Staff to research and item to be added to the next agenda.

#### 8. **Next Meeting**

The next regularly scheduled meeting of the Arts, Creative & Cultural Innovations Committee to be determined.

#### 9. **Adjournment**

The Arts, Creative & Cultural Innovations Committee adjourned the meeting at 8:58 a.m.

# Council Report

penticton.ca

**Date:** January 17, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Lori Mullin, Recreation & Culture Manager  
**Subject:** **Mosaic Tile Project**

File No:

Supporting documentation to the Arts, Creative and Cultural Innovations Committee Meeting Minutes of December 15, 2016

## Staff Recommendation

THAT Council direct staff to investigate placing the Canada 150 Mosaic on the outside wall of the Community Centre below the Cleland Theatre sign;

AND THAT the \$2,000 shortfall owing for the Canada 150 Mosaic project be paid from the Public Arts Reserve Fund.

## Strategic priority objective

Strategic Pillar: Livable

Strategy: Ensuring the city is safe, healthy, welcoming and inclusive.

## Background

In 2015, the City of Penticton was accepted as a host community to participate in the Canada 150 Mosaic Tile Project to celebrate Canada's 150 year anniversary. Five to fifteen communities are to be chosen from each province and territory to participate over 2 years with the full project wrapping up the end of 2017.

The goal of the program is to create a mural involving all provinces and territories, which will include over 80,000 paintings and 150 individual murals which represent both a cultural mosaic and a visual portrayal of history. Each individual mural will represent a train car, which will join the other murals to form a 365 meter long virtual mosaic train- the train representing the foundation of the unification of Canada. Penticton's mural remains in Penticton as a historical legacy to commemorate the anniversary.

Led and inspired by internationally recognized artist Lewis Lavoie and his Mural Mosaic, the City of Penticton Arts, Creative and Cultural Innovations Committee was tasked with collaborating with the community to create a mural depicting our City through the eyes and creative spirit of local artists.

A concept representing Penticton was created by the Committee and designed by the artist. Once the mural design work was completed, the artist came to Penticton to host two tile painting workshops where the community was invited to paint one of the 400 tiles. Penticton also received 48 tiles in advance of the workshops where local artists were given the opportunity to paint a tile which were distributed through the Shatford Centre.

Community tile painting workshops led by Lewis Lavoie were held:

- Saturday July 30, 2016 at the Downtown Community Market on Main Street.
- Monday August 1, 2016 at the Downtown Penticton Association Family Fun Day (BC Day) in Gyro Park.

The tiles were mounted on 4 panels and make up the 8 foot by 8 foot mural. See attachment of completed mural.

For more information on the national project: [www.Canada150Mosaic.com](http://www.Canada150Mosaic.com)

View Penticton's 3-minute video: <https://youtu.be/-1Vo9GMZePQ>

### **Financial implication**

The budget for the project is \$10,000. Funding support for this project was to be shared between the City of Penticton and local organizations. Funding contributions of \$1000 each were provided by the Penticton & District Arts Council, Okanagan School of the Arts, and the Downtown Penticton Association. The Arts, Creative and Cultural Innovations Committee were tasked with obtaining an additional \$2000 to match the City's contribution of \$5000 but were unsuccessful in finding these outstanding funds.

### **Analysis**

The Arts, Creative & Cultural Innovations Committee reviewed potential locations where the mural could be installed and confirmed the recommended location as the outside wall of the Penticton Community Centre under the Cleland Theatre sign. This location was chosen because of the high volume of people who frequent this area and the ability to view the artwork from a distance to get the true effect of the mosaic while also being able to get up close to view the individual detail of each tile. The artist said most communities are placing their murals outdoors and they are designed to be able to weather the conditions.

The Arts Reserve currently has \$25,000 in it for the Public Sculpture Program and a remaining \$12,011 for public art.

At the December 15, 2016 Arts, Creative & Cultural Innovations Committee meeting the Committee made the following recommendation to Council:

THAT Council direct staff to investigate placing the Canada 150 Mosaic on the outside wall of the Community Centre below the Cleland Theatre sign;

AND THAT the \$2,000 shortfall owing for the Canada 150 Mosaic project be paid from the Public Arts Reserve Fund.

CARRIED UNANIMOUSLY

**Alternate recommendations**

1. THAT Council direct staff to investigate another location to install the mural.  
or
2. THAT Council direct staff to investigate other funding sources to obtain the \$2000 project shortfall.  
or
3. THAT Council provide alternate directions to staff.

**Attachments**

Attachment A: Final Mural Artwork

Respectfully submitted,



Lori Mullin  
Recreation & Culture Manager

Approvals

CAO
PW



# Council Report

[penticton.ca](http://penticton.ca)

**Date:** January 17, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Dave Spalding, Deputy Fire Chief  
**Subject:** Strategic Wildfire Prevention Initiatives

File No:

## Staff Recommendation

THAT Council support the application for grant funding for the UBCM Strategic Wildfire Program Initiative, for a 2017 FireSmart Planning Grant Program;

AND THAT the Fire Department enlist the services of John Davies of Davies Wildfire Management to secure the grant funding and to carry out the process in order to meet the grant requirements.

## Background

The FireSmart Planning Grant Program was a new initiative started in 2016. Penticton successfully submitted one of the first grant applications in the province for the Sendero Canyon neighborhood. The work under the grant was completed by December of 2016 and will be recognized by FireSmart Canada and the UBCM in the spring of 2017. Under our current CWPP, which was also updated in 2016 with associated maps and conforms to the current provincial standards, there are continued opportunities for additional grant funding. Grants are available to educate private land owners and to develop treatment prescriptions for fuel management projects on City land.

For 2017, Penticton Fire Department will focus on the Spiller Road area, and are requesting the appropriate funding from the UBCM for this fully funded FireSmart Planning Grant.

The objective moving forward will be to continue to secure grant funding for fuel treatments in high hazard municipal land areas and to encourage private land owners to implement FireSmart fuel management on their properties.

## Financial implication

The UBCM Strategic Wildfire Prevention Initiative (SWPI) will contribute 100% of the FireSmart Planning Grant under this program, up to a maximum of \$10,000. There is no financial requirement from the City, simply a resolution showing support for the FireSmart program.

**2017 FireSmart Planning Grant Program**

The Strategic Wildfire Prevention Initiatives FireSmart Grant program provides funding to local governments to support residents to undertake FireSmart Planning activities for private lands and/or to advance local planning activities to mitigate risk from wildfires on private lands.

In order to qualify the applicant must have a current CWPP, which we now have.

The 2017 SWPI FireSmart Program can contribute up to 100% of the costs of eligible activities to a maximum of \$10,000.00

Eligible Costs & Activities:

- Training costs to train a local FireSmart Representative;
- Conduct site visits and developing FireSmart Community Plans for specific areas;
- Organizing and holding a FireSmart day(s);
- Developing a communications strategy or public information program directly related to FireSmart activities;
- Staff costs directly related to FireSmart activities.

**Working with John Davies, Registered Professional Forester (RPF), Davies Wildfire Management**

Mr. Davies has completed the updated CWPP for the City of Penticton in 2016, and has extensive experience with fuel management projects, wildfire risk and threat assessments in the Penticton area.

Mr. Davies is already certified as a Local FireSmart Representative and therefore the cost of this certification will not have to be covered by the grant received by the City. He completed the 2016 FireSmart Grant application for the Sendero Canyon neighbourhood. Mr. Davies has also been secured by other local governments for these same services and, therefore, congruencies and cost savings are expected using him as the service provider.

**Alternate recommendations**

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

**Attachments**

Attachment A – 2017 FireSmart Planning Grant Program, *2017 Program & Application Guide*, UBCM

Respectfully submitted,



Dave Spalding  
Deputy Fire Chief

Fire Chief	Chief Administrative Officer
L.W	PW

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## Strategic Wildfire Prevention Initiative FireSmart Planning Grant Program

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### 2017 Program & Application Guide

#### 1. Introduction

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The [Strategic Wildfire Prevention Initiative](#) (SWPI) is a suite of funding programs managed through the Strategic Wildfire Prevention 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). Funding is provided by the Province of BC and is administered by UBCM.

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.

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 Planning grants

#### 2017 SWPI FireSmart Planning Grant Program

The [FireSmart Communities Program](#), provided by [Partners in Protection](#), is designed to encourage self-organized groups of residents to take the lead in implementing solutions for wildfire safety on their own properties. First Nations and individual neighbourhoods or subdivisions within local governments that are in areas prone to wildfire can earn FireSmart Community Recognition status by meeting the criteria set by Partners in Protection.

The 2017 SWPI FireSmart Planning grant program provides funding to local governments and First Nations in BC to support residents to undertake FireSmart planning activities for private lands, as identified by Partners in Protection through the FireSmart Communities Program, and/or to develop or advance local planning efforts to mitigate risk from wildfire on private lands in the wildland urban interface.

The program can also support residents or community groups within a local government or First Nation to take the required actions in order to achieve and/or maintain FireSmart Community Recognition status from Partners in Protection.

#### 2. Eligible Applicants

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

### 3. Eligible Projects

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In order to qualify for funding:

- There must be credible evidence of an apparent threat to the community from interface fires
- Proposed activities must be new (retroactive funding is not available) and capable of completion by the applicant within one year from the date of grant approval
- The applicant must have a current CWPP<sup>1</sup> as defined by the Strategic Wildfire Prevention Working Group

Please note: Applicants that received funding through SWPI from 2004-2014 are required to submit any outstanding reporting prior to 2017 applications being considered.

### 4. Eligible & Ineligible Costs & Activities

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#### Eligible Costs & Activities

Eligible costs are direct costs that are approved by the Strategic Wildfire Prevention 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.

The 2017 SWPI FireSmart Planning grant program is intended support FireSmart planning activities for private lands, and/or to develop or advance local planning efforts to mitigate risk from wildfire on private lands in the wildland urban interface.

Eligible activities must be cost-effective and may include only the following activities:

- Hiring a Local FireSmart Representative(s) and/or training costs for a Local FireSmart Representative(s)
- Establishing a FireSmart Board(s)
- Conducting site visits and assessments and/or developing FireSmart Community Plans for specific areas
- Organizing and holding a FireSmart day(s), including off-site debris disposal activities such as collection and/or chipping of debris from private landowners who have undertaken their own treatments
- Implementing a communications strategy and/or public information directly related to FireSmart activities
- Presenting the FireSmart Community Plan to a local government Council, Bboard or First Nation Band Council
- Amendments to Official Community Plans, Comprehensive Community Plans and/or land use, engineering and public works bylaws and policies that are specific to FireSmart activities
- Staff and contractor costs directly related to FireSmart activities
- Applicant administration costs directly related to FireSmart activities
- Applying for FireSmart Community Recognition status

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<sup>1</sup> Generally speaking, CWPPs should be reviewed every five years to ensure the plan is in alignment with the current PSTA, development, completed fuel treatments and FireSmart activities

## **Ineligible Costs & Activities**

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Strategic Wildfire Prevention Working Group is not eligible for grant funding. This includes:

- Operational fuel treatment activities (e.g. pruning and thinning, tree cutting, brush removal, etc.)

## **5. Grant Maximum**

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The 2017 SWPI FireSmart Planning grant program can contribute up to 100% of the cost of eligible activities to a maximum of \$10,000.

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.

## **6. Application Requirements & Process**

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### **Application Deadline**

The application deadline for the 2017 SWPI FireSmart Planning program is January 27, 2017.

### **Required Application Contents**

- Completed Application Form
- Detailed budget
- 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

### **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.

Submit applications to Local Government Program Services, Union of BC Municipalities

E-mail: [swpi@ubcm.ca](mailto:swpi@ubcm.ca)      Mail: 525 Government Street, Victoria, BC, V8V 0A8

### **Review of Applications**

The Evaluation Committee will assess and score all eligible applications and consider the location of each proposed project in order to ensure a balanced representation of projects across the province. Higher application review scores will be given to applications that:

- Clearly advance wildfire mitigation planning activities for private lands
- Demonstrate highest wildfire risk
- Advance a recommended FireSmart activity for a priority area as outlined in the local CWPP
- Indicate that a local government or First Nation staff person or elected official, or a community member involved in the proposed activities, attended a Local FireSmart Representative workshop
- Are from eligible applicants that have not yet received a SWPI FireSmart Planning grant
- Are from eligible applicants that have not yet received FireSmart Community Recognition status from Partners in Protection
- Include collaboration with one or more partners (e.g. community or resident organization, First Nation or Aboriginal organization or other local government)
- Demonstrate cost-effectiveness

Please note the following important points when preparing your application:

- The maximum grant is \$10,000 and matching funds and/or cost sharing are not required
- Only one application per municipality or First Nation will be accepted per intake. Up to three applications per regional district per intake can be submitted.
- Funds are for new activities that support achieving/maintaining FireSmart Community Recognition status and are not for on-going operations or regular planning activities
- All funded activities are to take place within the 2017 calendar year and the final report will be due within 30 days of project completion and no later than January 31, 2018
- The detailed budget must indicate proposed expenditures and align with the proposed activities outlined in the application form
- All application information and final reports will be shared with the Province of BC, Strategic Wildfire Prevention Working Group and Partners in Protection

## **7. Grant Management & Applicant Responsibilities**

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Please note that grants are awarded to eligible applicants only. When collaborative projects are undertaken with community partners, the eligible applicant remains the primary organization 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 Strategic Wildfire Prevention 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.

### **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 SWPI Evaluation Committee will be required for any significant variation from the approved project.

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

- Revised application package, including updated, signed application form and budget. An updated Council, Board or Band Council resolution may be required.
- Written rationale for proposed changes to activities and/or expenditures

The revised application package will then be reviewed by the SWPI Evaluation Committee.

Applicants are responsible for any costs above the approved grant unless a revised application is submitted and approved prior to work being undertaken.
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### **Extensions to Project End Date**

All approved activities are required to be completed within the 2017 calendar year and all extensions beyond this date must be requested in writing and be approved by the Strategic Wildfire Prevention Working Group.

## **8. Final Report Requirements**

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### **Required Final Report Contents**

Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form
- Financial summary
- Copies of any community assessments, FireSmart Community Plans or any other plan that was developed or updated as part of the 2017 SWPI FireSmart planning grant.

### **Submission of Final Reports**

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

Submit final reports to Local Government Program Services, Union of BC Municipalities

E-mail: [swpi@ubcm.ca](mailto:swpi@ubcm.ca)

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

# Council Report

penticton.ca

**Date:** January 17, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Anthony Haddad, Director of Development Services  
**Subject: Economic Investment Zone Program – Update Report**

File No: RMS

## Staff Recommendation

THAT Council receive this report for information;

AND THAT Council direct staff to review opportunities for the next phase of the EIZ program coming out of the analysis to be completed through the upcoming Official Community Plan review process.

## Strategic priority objective

The Economic Investment Zone program is part of the City's growth strategy, with a focus on growth in the downtown and employment centers – targeting specific uses that will have community wide benefits.

## Background

The authority for the creation of economic investment zones comes from Section 226 of the Community Charter, which states that *"a Council may, for the purpose of encouraging revitalization in the municipality, provide tax exemptions for land or improvements or both"*. Revitalization tax exemptions are a tool that municipalities may use to encourage various types of revitalization to achieve a range of environmental, economic or social objectives. This legislation can apply to a small area or areas, a certain type of property or properties, a particular activity or circumstance related to a property or properties, or an entire municipality.

Tax exemptions are for the municipal portion of taxes only. The property owners qualifying for an exemptions are still required to pay taxes that are collected by the city on behalf of other organizations, such as the Regional District, Hospital District, School Board and BC Assessment.

## Economic Investment Zones in Penticton

The Economic Investment Zone (EIZ) program was first established in Penticton in 2010, when the City was facing low levels of development activity. This was also a time when the City had begun to focus on two main strategic areas of the City for revitalization and enhancement: the downtown and the waterfront areas. The EIZ program was intended to stimulate building development and job creation in general as well as direct investment to specified areas of the City, where it was felt that investment would have a greater impact (downtown, tourism, waterfront and industrial areas). The creation of

the bylaws were also intended to encourage reinvestment in existing businesses already established in the community.

Since the creation of the first EIZ Bylaw in Penticton in 2010, there have been four separate versions of the EIZ Bylaws created in line with the provincial legislation and through consultation and with advice from various sectors of the community. The following provides a summary of the intent of each bylaw, time horizon and a summary of the developments that qualified for incentives. Copies of maps showing the specific areas relevant to each bylaw are provided in Attachment 1, 2 & 3 to this report).

2010 EIZ Bylaw (Construction Start: 2010 / Construction Complete 2013)

The first of the EIZ bylaws was created in 2010 to focus on the Downtown, Industrial and Hotel/Motel sectors of our economy. Developed in association with the Economic Development Advisory Committee of the time, Development Services Advisory Committee, Penticton Industrial Development Association, Downtown Penticton Association and Tourism and Hospitality sector, the bylaw created incentives for developments greater than \$100K in value within specific areas. With the intention of the bylaw to spur on development in a short term timeframe, during periods of economic decline, the bylaw had a sunset clause of one year for construction to commence and three years to complete – intended to stimulate development within that short timeframe.

Applications	Areas (Eligible Developments)	Construction Value	Exemption Term (Years)	Estimated Tax Relief over Term	Estimated Annual Municipal Tax received (once exemption complete)
6	Industrial (3) Downtown (2) Hotel/Motel (1)	\$2,812,000	5	\$116,000	\$23,000

2011-12 EIZ Bylaws (Construction Start: 2011 / Construction Complete 2017-18)

In 2011 and 2012 the EIZ bylaws were amended to increase the timeframe for a development to qualify and added new areas in the community that the bylaw would apply to. In addition to the Downtown and Industrial areas, the amended bylaws provided incentives for other strategic areas of Council priority around the Okanagan Lake Waterfront and Highway 97 / Railway Street. The original Hotel/Motel incentive zone was also amended to better reflect the location of hotels and also create opportunities for a wider variety of tourism related uses – specific to Tourism, Sport & Culture (TSC). These bylaws first introduced ‘key land use’ incentives whereby larger incentives were provided to developments that were of a larger scale and subsequent building permit value.

Applications	Areas (Eligible Developments)	Construction Value	Exemption Term (Years)	Estimated Tax Relief over Term	Estimated Annual Municipal Tax received (once exemption complete)
16	Industrial (9) Downtown (5) TSC (3)	\$29,540,795	5	\$880,000	\$185,000

2014 EIZ Bylaws (Construction Start: 2014 / Construction Complete 2018)

The two EIZ bylaws created in 2014 brought upon the most targeted and specific incentive bylaws, for the Downtown and Industrial areas. Learning from what was achieved through the implementation of the first series of EIZ programs, the 2014 bylaws went into greater detail with regards to incentives provided for uses and employment opportunities that would have greater benefits for the community.

The 2014 Downtown EIZ bylaw was proposed after significant community consultation as part of the 2013 Downtown Plan, where the community were consulted to identify what uses were critical to the success of the downtown core and needed to spur on additional investment and support existing businesses. Working alongside the Downtown Penticton Association and Development Services Advisory Committee this new bylaw created a list of eligible developments that would be able to achieve incentives, if constructed within the four year timeframe of the bylaw (occupancy permit no later than December 31<sup>st</sup> 2018). In this bylaw specific incentives were provided for those uses (Cinema, Grocery, façade improvements, residential, etc.) in support of the downtown vision the community wanted to see.

The 2014 Industrial EIZ bylaw built upon the success and learnings of the original Industrial incentive zones, however this time around focused on one of the greatest needs in our community – job creation. ‘Catalyst’ development were introduced to this bylaw where developments of greater than \$1M in construction value in the industrial area and creation of 20 or more new full time jobs, would achieve the maximum incentive permitted under the bylaw.

Applications	Areas (Eligible Developments)	Construction Value	Exemption Term (Years)	Estimated Tax Relief over Term	Estimated Annual Municipal Tax (once exemption complete)
7	Industrial (2) Downtown (5)	\$2,227,000	5-10	\$82,500	\$15,000

2015 EIZ Bylaw (Construction Start: 2015 / Construction Complete 2018)

In 2015, Council approved a new bylaw targeting major development opportunities in the community, where eligible developments were required to have a building permit issued after December 2015 and be completed no later than December 31<sup>st</sup> 2018. Criteria for these major developments required a building permit value of \$17M or greater in order to be eligible for incentives of 10 years on land and improvements value on a property. A maximum of two developments can qualify for these incentives.

Areas Currently Subject to EIZ Bylaws

The three most recent EIZ bylaws are still in place for developments to qualify for. Both the 2014 Downtown and Industrial Zone bylaws (Attachments 3a&3b) are available for developments to qualify for, as long as they received occupancy no later than December 31<sup>st</sup> 2018. The 2015 EIZ Bylaw specific to two ‘Major Developments’ required development to be constructed after December 1<sup>st</sup> 2015 and gain occupancy prior to December 31<sup>st</sup> 2018.

## **Determining the Financial Benefits of EIZ Development**

To date 27 projects have qualified for exemptions equating to approximately \$34M in building permit value and over 300 new jobs, 3 more are currently in the process of construction and are required to be completed in accordance with the requirements of the bylaws before the incentives commence. Out of the 27 projects, 30% of those were for new investments into our community, whereas 70% of the applications receiving incentives were for reinvestment in existing businesses/industry in our community. The total tax exemptions provided for all of the properties over the life of each agreement signed to date is estimated at approximately \$1.1M, which when spread over the 12 years of the life of the current exemptions, averages to approximately \$90k per year for the life of the current projects. This does not include tax increases or taxation received by other levels of government that would also benefit from qualifying developments. A complete list of the development that have qualified for incentives is provided in Attachment 4.

There has been some analysis completed in North America around the value to local government with regards to the provision of incentives for development and job creation in communities of all sizes. Typically incentive packages are brought forward by municipalities during periods of economic decline, which is consistent with what occurred in Penticton. A study completed in 2010 by the *University Of North Carolina School Of Government* outlined that a typical economic impact analysis can help with estimating the total impact of a change in economic activity as the sum of effects on three different levels:

- *Direct effects: are the initial changes in employment, income, or output that trigger the first round of spending (e.g., the value of a new business' initial change in payroll or production).*
- *Indirect effects: are the changes in employment, income, or output in subsequent rounds of re-spending that arise through purchases from local supplier industries (inter-industry purchases).*
- *Induced effects: are created when payrolls increase and workers in affected industry sectors spend more on local goods and services (household spending effect).*

These effects should be included to help determine the best way forward with regards to EIZ's, and is one of many resources that is available our community to help determine if we should continue on with EIZ programs.

The local community benefits resulting from growth and development include the increased revenues from property taxes, fees, user charges and utilities to name a few. Different types of development projects will affect these various sources of revenue in different ways. A comprehensive financial and economic analysis will assist in determining from a financial perspective, the pros and cons of incentives that the City should look at moving forward.

## **Measuring Success of Previous Bylaws**

When considering the benefits resulting from projects that are developed in areas requiring revitalization, a broader review of the eventual benefit is required, as indicated above. While the 'tax exemption' is one component of incentivizing developments, which is summarized earlier in the report, the more critical function of this bylaw are the revitalization elements that were intended to be addressed with the creation of this legislation. It is short sighted to look at the results of this bylaw through solely a financial lense. As difficult as they may be to quantify from a financial perspective –

the community and social benefits resulting can serve our City well into the future, long after the short period of ‘tax exemptions’ are complete.

Revitalization can come in many forms of environmental, economic and social benefits to our community resulting from new development and depending on the type of development and location, the community benefits resulting from new investment are not as clear cut as seeing the results on the tax roll. For example, the social benefits from being employed has important spillover benefits for other family members and quality of life – but is difficult to measure. However considering the importance of measuring success and learning from this program, discussing the environmental, economic and social benefits has been a focus of the development of each bylaw and will be as the community moves forward.

To provide the community with a snapshot of some of the developments that have taken advantage of the EIZ program since 2010, the following provides a brief summary of the environmental, economic and social sustainability benefits of a few of these application. This analysis helps support the notion that the construction value and tax benefit of an investment should not be used as the sole indicator of the community benefit of development qualifying under the EIZ program.

<b>Development</b>	<b>Environmental</b>	<b>Economic</b>	<b>Social</b>
<b>Downtown</b>			
<b>Landmark Cinema (New construction)</b>	Redevelopment of brownfield site	Catalyst for new investment around site and reinvestment in existing businesses	Social amenity benefiting the widest demographic in the community
<b>Bad Tattoo Brewing (New construction)</b>	Redevelopment of brownfield site	Multi industry benefits (downtown, tourism, culture, etc.). Part of an emerging beverage manufacturing industry cluster.	Unique local amenity for residents and tourists and contribution to emerging local brewing culture
<b>Cannery Brewing (New construction / Renovation)</b>	Redevelopment of brownfield site	Contribution to early redevelopment of underutilized land along Ellis Street. Part of an emerging beverage manufacturing industry cluster.	Local gathering place, tourist draw and emerging event space for cultural offerings
<b>218 Main Street (New construction)</b>	Redevelopment of vacant site and clean-up of unsightly premises	Addition of two smaller affordable commercial spaces downtown offering unique boutique retail	Addition of 4 rental units to downtown community
<b>146 Ellis Street (Renovation)</b>	Reinvestment into rundown building	Provision of space for non-profit agency	Use supports family, youth, adults and employment
<b>Industrial</b>			
<b>Waycon Manufacturing (New construction)</b>	Greater efficiency in use of industrial land	Reinvestment in local employer to ensure retention in our community	Support for local job creation resulting in job retention, housing demand

<b>Nor-Mar Industries (New construction)</b>	More efficient use of industrial parcel of land	Local construction and full time jobs brings stability to local economy	Support for local industry and job creation provided numerous spinoff benefits in our community
<b>Value Village (Renovation)</b>	Reuse of second hand clothing	Reuse of existing building and infrastructure for higher density employment	Affordable retail outlet
<b>1900 Camrose (New construction)</b>	Redevelopment of vacant industrial land / environmentally sustainable building design	Creation of new small scale industrial spaces for lease	New employment opportunities and industry in community
<b>Tourism, Sports &amp; Culture</b>			
<b>Regency Retirement Village (New construction)</b>	Redevelopment of portion of large vacant parcel and stimulus to development of remainder of parcel	Creation of living environment to attract affluent retirees, in line with direction from OCP	Community oriented living environment with the provision of amenities for senior population
<b>Lakeside Resort (Upcoming – New Construction)</b>	Redevelopment of underutilized land	Addition of quality accommodation for tourists.	Increased tourist accommodation in downtown core, benefitting downtown business community.

**Other Communities**

Penticton is certainly not the only city in BC to utilize the revitalization tax exemption bylaw sections of the Community Charter, nor is Penticton the only City in the Okanagan using these programs. In fact most mid-sized communities, outside of the Lower Mainland, have similar programs to the one offered by Penticton. The incentive programs all vary, however common themes exist around revitalization efforts in downtown cores and strategically located properties. Specific to municipal properties, some communities provide incentives for redevelopment of municipal land for a vision that will provide positive community benefits. Typically these developments are identified to trigger adjacent development interest and investment.

The following is a list of some other Okanagan communities that have revitalization tax incentive programs:

<b>Community</b>	<b>Year adopted</b>	<b>Details</b>
Kelowna	2006	Provides large incentives for rental housing (100% abatement of taxes for increased assessed value). Also provides for incentives for downtown commercial construction and in Rutland town centre.
Vernon	2012	Provides up to ten years of incentives with years 1-5 providing a 100% tax abatement on the increases assessed value of property and a declining percentage thereafter for construction in the downtown.
Peachland	2013	100% tax exemption on increased assessment value for 5 years, with an additional 5 years at a declining rate for projects in the downtown over \$50,000
Kamloops	2010	100% tax exemption on increased assessed value on any construction project over \$100,000 in the City Centre for a period of ten years

With regards to competing with other municipalities and cities in North America for investment and job creation, the incentive tool kit available in British Columbia pales in comparison to the incentives that are available in the US for attracting new companies or relocating existing ones. In addition to local government tax exemptions, there are State and Federal initiatives that provide benefits around the labour force costs and land value, in addition to other means of tax relief that make it difficult for smaller communities in British Columbia to compete for different types of industry.

### **Analysis – Moving Forward**

With the creation of any bylaw, in particularly one that has an impact on municipal finances; performance measures should be put in place to assist in determining the value and benefits of the bylaw. More importantly, it is important to learn from what may have not worked as originally anticipated so that when the time comes for making decisions as to next steps, Council can be fully informed with the most up to date and accurate data and facts.

As each of the new bylaws in Penticton have been created, a thorough review, consultation and input process was developed, as outlined above. Consultation with those that have taken advantage of the incentive will be key to determining their success on the community benefit side of things. In looking forward, the following criteria and questions, amongst others, will need to be considered to determine if incentives are the right mechanism to meet community objectives for reinvestment in existing businesses and attracting new development to our community.

- Financial
  - What is the municipalities' financial situation?
  - Can the municipality afford potential short term loss of revenues, based on projected developments?
  - What is the payback period that the qualifying development will return the City's investment?
  - What are the long term financial benefits to the City for the development it is seeking?
  - Would the relevant development that qualified for incentives under previous bylaws have gone ahead without the incentives?
  - If the developments went ahead without the incentives, what would the municipality have spent those funds on, and would that have greater value to the community than the developer reinvesting them into the community in other ways?
  
- Environmental
  - Is the redevelopment of brownfield sites an issue for our community?
  - Should environmentally sustainable buildings be rewarded with an incentive?
  - What environmental assets are important to our community that require incentives to either be protected or enhanced?
  
- Economic
  - Were the jobs that were created with the original EIZ developments sustained into the future?
  - How many jobs were created during the design phase / construction phase of each project?
  - What industries are important to the growth of our local and regional economy?

- What key uses in strategic areas of community growth should be incentivized and how will those developments have a wider benefit to our community?
- What is the value of being a community with a perception or reputation for encouraging new investment and supporting existing business growth?
- Social
  - Were the jobs that were created with the original development sustained into the future?
  - What are the critical social needs in our community and are incentives the right tool for use to encourage their development?
  - Should we be concentrating incentives on supporting existing businesses that want to expand or concentrate on bringing new industry to our community?

Further work will be required to analyse these questions and indicators, and will be a focus dealt with through the upcoming OCP process, whereby the community can be involved in informing these indicators. It is critical for the community and stakeholders to provide direction for where incentive may or may not be appropriate to use a tool for encouraging growth in specific sectors of our economy.

The question as to whether or not any of the above developments would have taken place if no incentives were available is a good question and one that deserves further analysis as we move forward. Through a detailed survey and review with the applicants and independent analysis, some light could be shed on this issue. In addition to questioning the value of the incentives in the realm of the complete development cost analysis and profit margins for the developer, the example below can also be used as one way to help explain the benefits of the incentives.

- For the \$33M worth of construction value applied to developments under this bylaw, the \$1.1M in tax break equates to just over 3% of the total project value. Project values include hard costs (e.g. materials, labour, etc.) and soft costs (e.g. design fees, engineering, etc.) and the cost for design in a construction project can range between 5% and 10% of the overall project value. One could argue that those costs (which are contributed towards by the tax breaks) goes back into the local economy through use of local design firms for these projects (architectural fees can range from 1%-2% of the total construction value). If the design firm obtains more work, they require more employees and the trickle down benefits of the incentives begins to show its value – with local job creation. That is just one sector of the local economy, not to mention the construction jobs created for each project, that are directly impact with the increase in construction activity within our community.

While it may not be simple to completely determine if the EIZ program has been the deciding factor in whether or not a project moves ahead, a closer look at how the tax breaks provided can be returned and add further value into the local economy for local benefit would also be beneficial.

### **Staff Recommendation**

As our community grows, economic climate changes and priority areas for community growth are identified, we need to ensure that EIZ programs are used in the most appropriate manner, which staff believe they have been in the past. With the upcoming Official Community Plan process, there is a

great opportunity to see where, or if, the EIZ program should be used moving forward as a tool to help support and promote targeted strategic growth in our community.

In consideration of the above analysis and the upcoming OCP planning process in 2017-18, staff are recommending that through that process, this issue be raised, analyzed and dealt with in order to inform the next phase of EIZ programs, so that recommendations can be brought back for community and Council review at the appropriate time.

**Alternate recommendations**

Should Council wish to complete a more detailed analysis of the existing EIZ programs, the following recommendation is put forward for Council’s considerations:

THAT Council direct staff to put out a request for quotes (RFQ) to hire a third party to review the EIZ program;

AND THAT staff bring back a budget request through the 2017 budget process.

A review of this nature would be in the order of \$20,000-\$30,000 and would complete a detailed economic analysis as to the benefits of the EIZ program to date. It would also be prudent to have the consultant provide recommendations moving forward, not only for policy direction moving forward, but also with regards to the development of key performance indicators and criteria, similar to that listed above.

Staff believe that this may be difficult without the benefit of the community led OCP process that will be commencing in early 2017. Without knowing how and where growth priorities may be for our community, an independent review right now would not be considered effective. There is sufficient budget within the framework of the OCP to have this portion of work included in the project scope and be tied to a larger economic analysis that will be completed over the coming year.


**Attachments**

**Attachment 1:** 2010 EIZ Map

**Attachment 2:** 2011-12 EIZ Map

**Attachment 3a:** 2014 EIZ Map (Downtown)

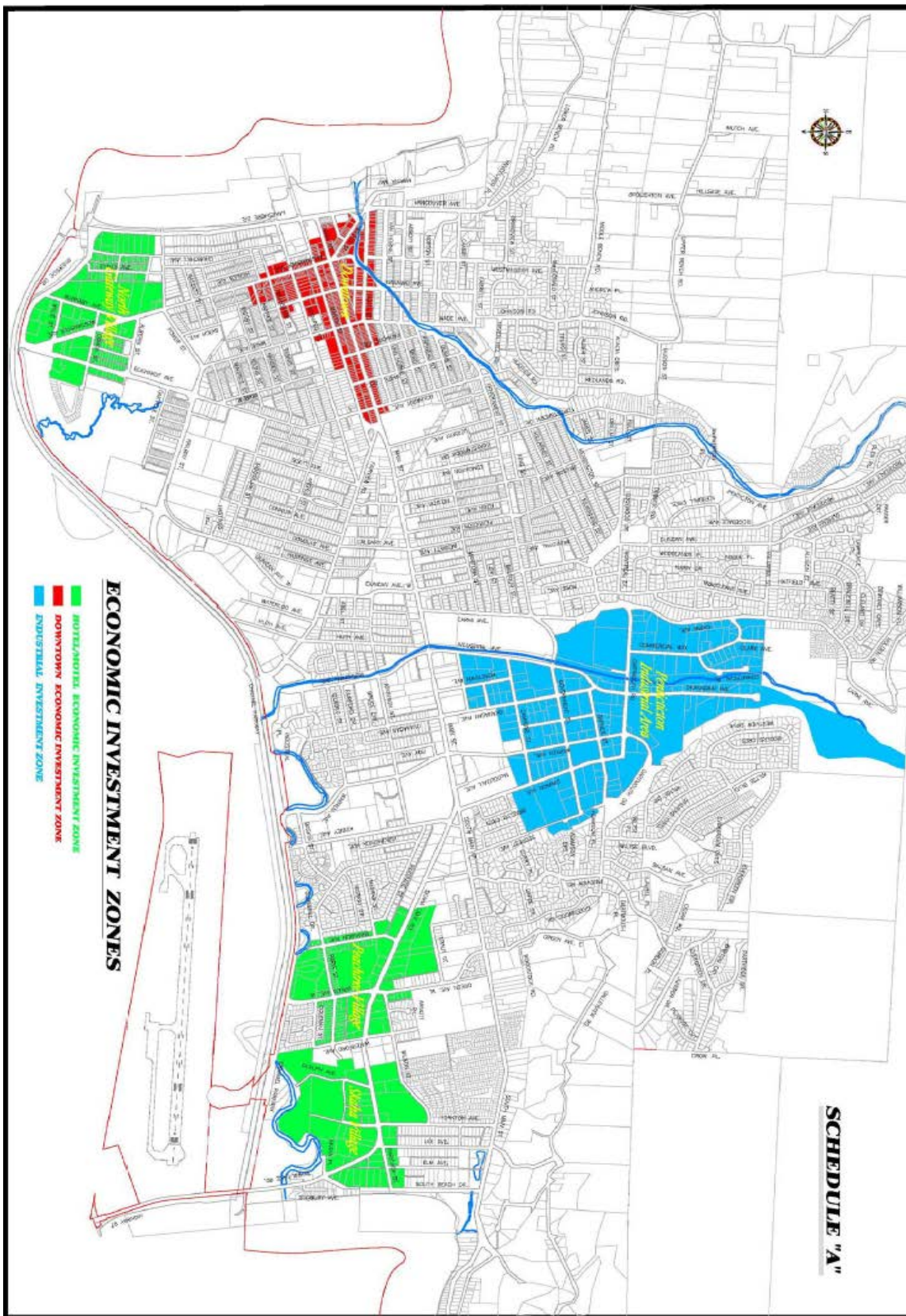
**Attachment 3b:** 2014 EIZ Map (Industrial)

<p>Director</p> 	<p>Chief Administrative Officer</p> <p>PW</p>
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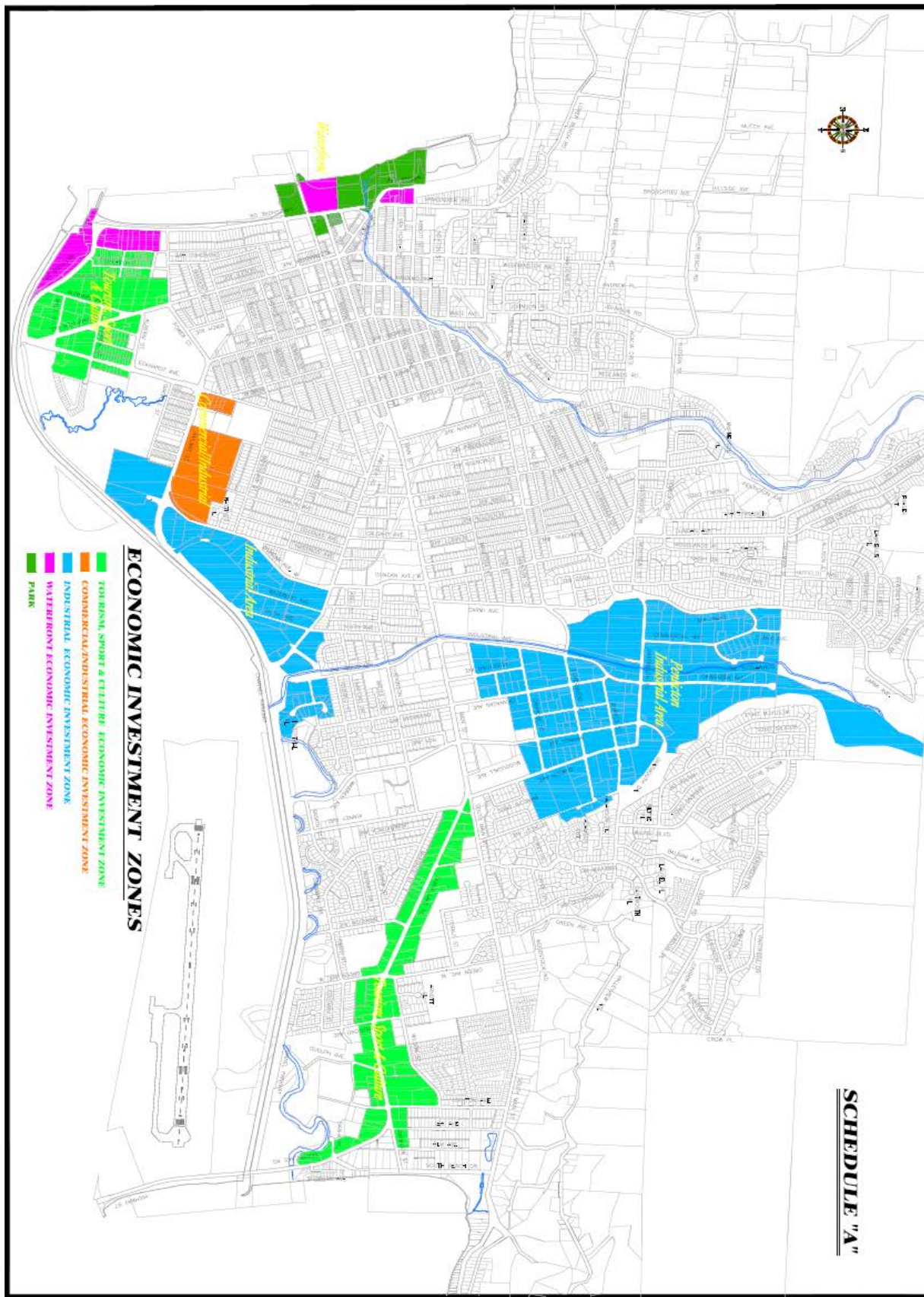
Respectfully submitted,

Anthony Haddad, Director of Development Services  
Colleen Pennington, Economic Development Officer

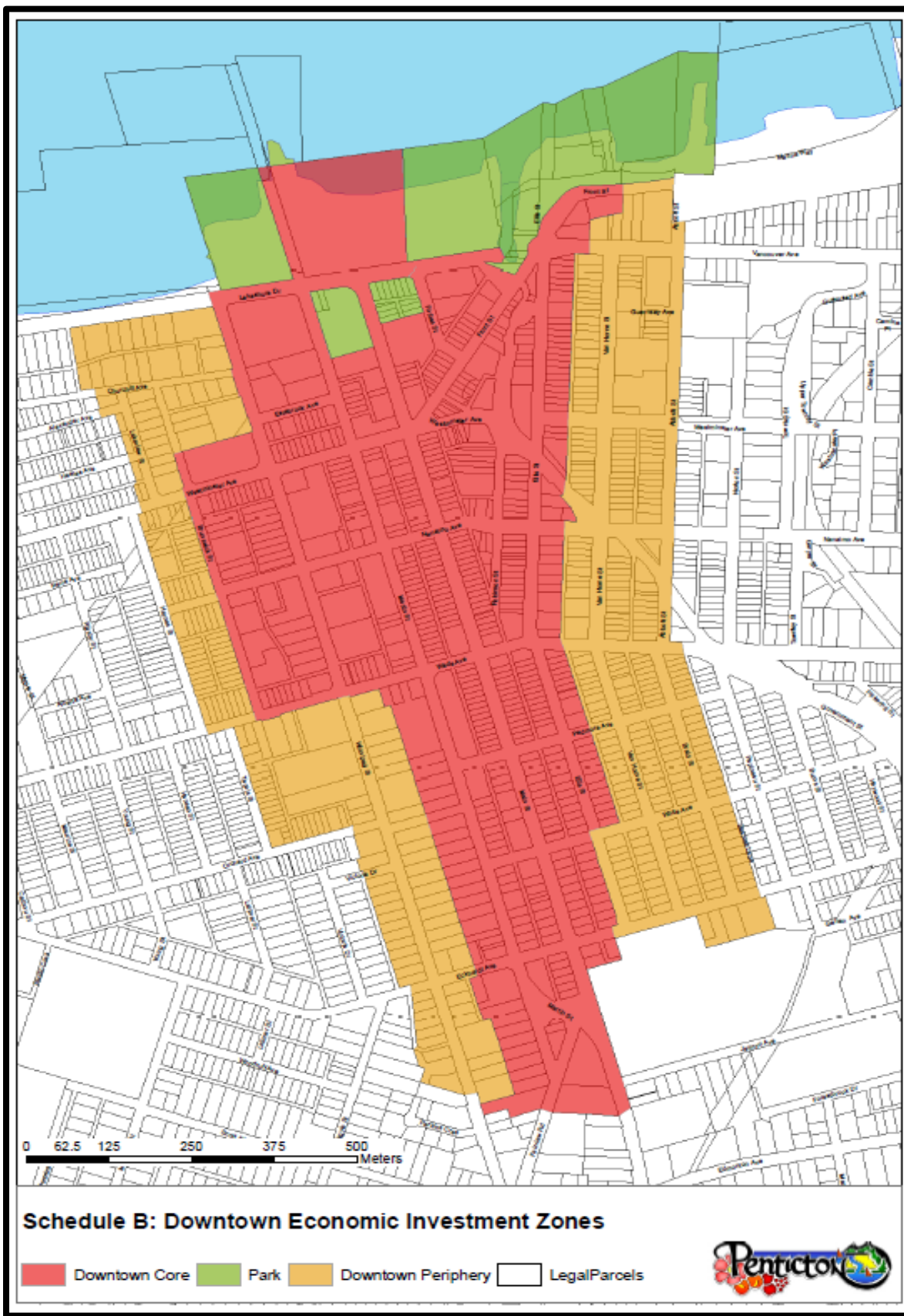
### Attachment 1: 2010 EIZ Map



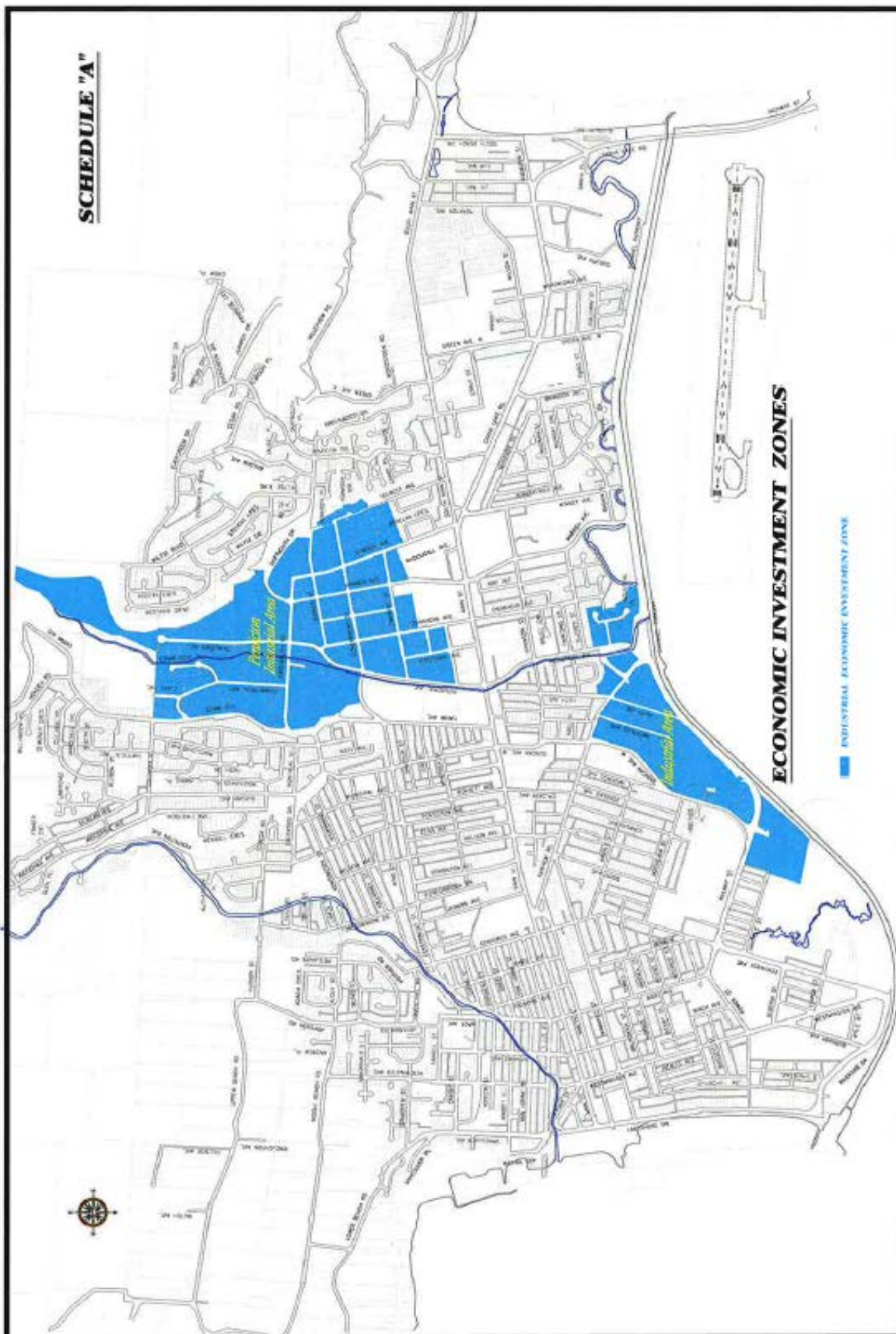
### Attachment 2: 2011-12 EIZ Map



### Attachment 3a: 2014 EIZ Map (Downtown)



### Attachment 3b: 2014 EIZ Map (Industrial)



### Attachment 4 – EIZ Development List

Zone	Applicable Bylaw	Civic	Description	Jobs Created (Approx.)	Construction Value	Exemption Start Year	Exemption Term (Years)	Total Municipal Taxes Exempted
TSC	2010-10	1050 Eckhardt Avenue West	New pool in existing hotel (Ramada)	0	\$150,000	2013	5	\$0.00
DT	2010-10	218 Main Street	New mixed-use building with ground floor commercial and four residential units	4	\$550,000	2013	5	\$13,131.18
DT	2011-56	146 Ellis Street	Internal renovations to an existing building in the downtown	5-6	\$200,000	2013	5	\$507.26
I	2010-10	101 Rosetown Avenue	Renovation to existing industrial building (Value Village)	45-50	\$185,000	2013	5	\$18,375.86
I	2010-10	1900 Camrose St. 300 Okanagan Ave. E.	New industrial building (Warehouse)	4-5	\$700,000	2013	5	\$24,415.15
I	2011-56	1195 Commercial Way	New industrial building	N/A	\$245,598	2013	5	\$15,072.16
I	2010-10	662 Okanagan Avenue East	New manufacturing building (Nor-Mar)	60	\$1,120,000	2013	5	\$56,780.16
DT	2011-56	250 Winnipeg Street	New cinema (Landmark) KEY LAND USE	From 15 (Pen-Mar) to 25 (Landmark)	\$2,310,000	2014	5	\$197,431.40
I	2012-5028	275 Waterloo Avenue	Various additions to industrial property (Waycon Manufacturing)	TBA	\$365,000	2015	5	\$17,814.85
I	2012-5028	1690 Fairview Road	2,400 sq ft addition and reroof existing industrial building (Inland Kenworth)	10	\$275,000	2015	5	\$8,639.50
I	2012-5028	110 Industrial Place	Small storage warehouse (Warehouse)	2	\$101,000	2015	5	\$14,352.72
DT	2012-5028	169 Estabrook Avenue	8,852 sq ft brewery and restaurant (Bad Tattoo)	12	\$944,000	2015	5	\$22,858.52
DT	2012-5028	317 Winnipeg Street	Interior renovations to existing senior's care centre (Cherry Park Retirement Residence)	2	\$170,000	2015	5	\$0.00
DT	2012-5028	412 Main Street	Renovation (The Cellar/Residential)	13	\$350,000	2015	5	\$9,222.85
I	2011-56	1704 Government Street	Renovation for new paint booth (Britco)	From 120-185	\$160,000	2015	5	\$13,311.47
I	2012-5028	568 Dawson Avenue	24,000 sq ft industrial steel warehouse building (Foundry)	5	\$527,696	2015	5	\$31,589.90
DT	2014-04	437 Martin Street	Improvements to a vacant retail/commercial space for a furniture store	3	\$150,000	2016	5	\$3,751.01
I	2011-56	182 Industrial Court	Industrial building	2	\$330,000	2016	5	\$7,737.11
TSC	2012-5028	3475 Wilson Street	Regency Retirement Village	27 FTE 17 PT	\$22,162,500	2016	5	\$538,988.48

<b>DT</b>	2014-04	260 (270) Martin Street	Building renovation (Twisted Stalk Distillery) & Façade Renovation (Best Damn Sports Bar)	3	\$100,000	2016	5	\$2,355.17
<b>DT</b>	2014-04	198 Ellis Street	New Brewery (Cannery Brewing Company)	10	\$1,300,000	2016	10	\$43,306.77
<b>DT</b>	2014-04	52 Front Street	Downtown renovation	2	\$50,000	2016	5	\$3,239.51
<b>I</b>	2011-56	1356 Commercial Way	Incline Contracting - Addition	2	\$200,000	2016	5	\$4,026.10
<b>I</b>	2012-5028	1374 Commercial Way	Warehouse addition (furniture store)	0	\$250,000	2016	5	\$24,470.58
<b>I</b>	2014-44	682 Okanagan Avenue	NOR-MAR INDUSTRIES LTD	TBC	\$373,000	2016	5	\$19,428.71
<b>I</b>	2014-44	272 Dawson Avenue	BC TREE FRUITS CO-OP	TBC	\$250,000	2016	5	\$10,471.87
<b>DT</b>	2010-10	166 Main Street	Ogo's Renovation	3	\$107,000	2011	5	\$3,200
<b>TOTALS</b>				<b>300+</b>	<b>\$33,625,749</b>			<b>\$1,104,478.30</b>

Bylaw No. 2016-71

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. 2016-71".

2. Amendment:

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

Rezone Lot 1, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale - Lytton) District, Plan 8381, located at 750 Kamloops Avenue from RM2 (Low Density Multiple Housing) to RD2 (Duplex Housing: Lane).

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

READ A FIRST time this	20	day of	December, 2016
A PUBLIC HEARING was held this	17	day of	January, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 6 day of January, 2017 and the 11 day of January, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

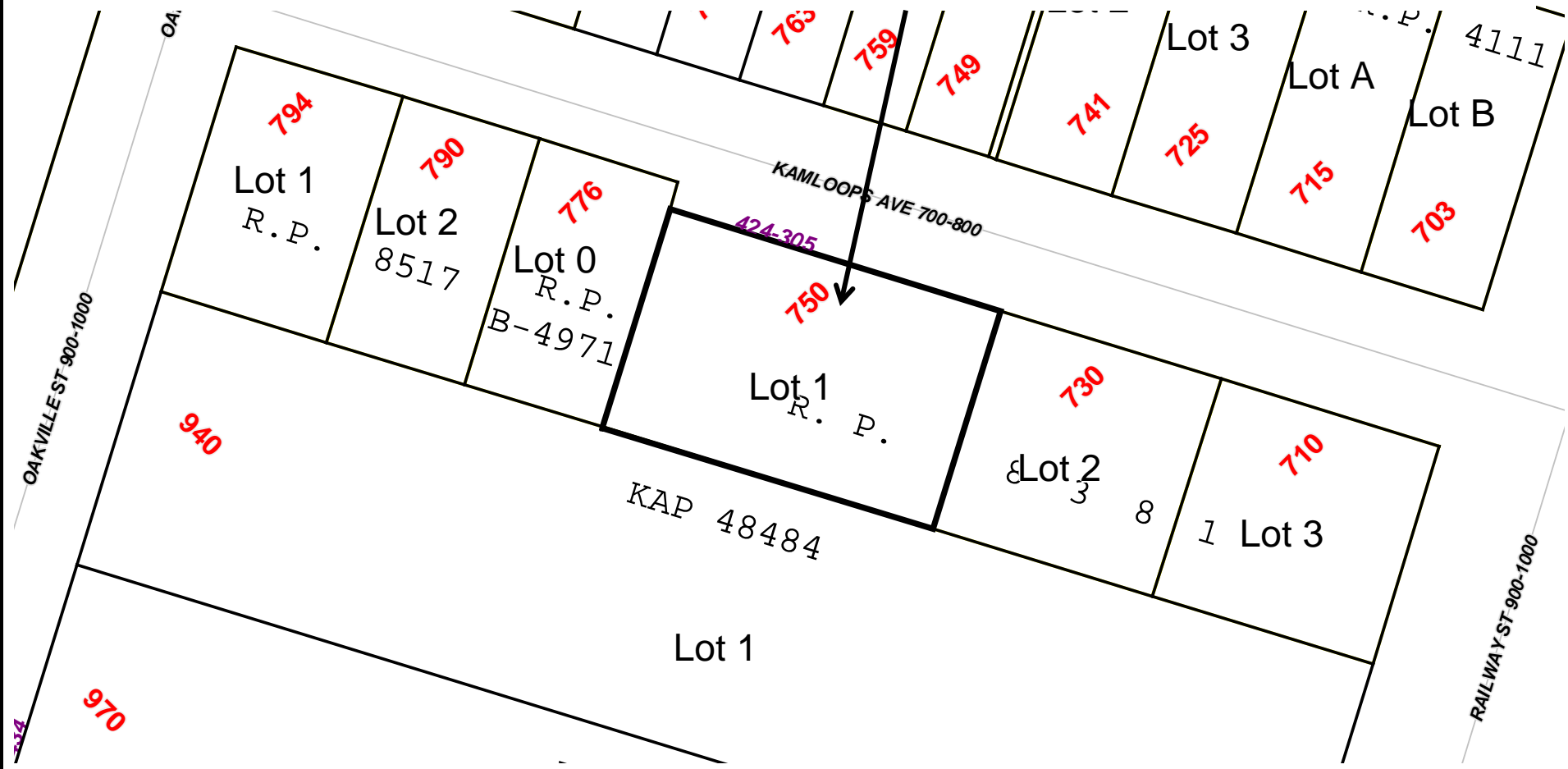
<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i>  this _____ day of _____, 2017</p> <p>_____</p> <p>for Minister of Transportation &amp; Infrastructure</p>
---

\_\_\_\_\_  
Andrew Jakubeit, Mayor

\_\_\_\_\_  
Dana Schmidt, Corporate Officer

# Rezone 750 Kamloops Avenue

## From RM2 (Low Density Multiple Housing) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-71

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

**Bylaw No. 2016-73**

*A Bylaw to Amend Zoning Bylaw 2011-23*

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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. 2016-73".

2. **Amendment:**

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

Rezone Lot 69, District Lot 250, Similkameen Division Yale District, Plan 881, Except Plan KAP67713 located at 1220 Government Street, Lot 70, District Lot 250, Similkameen Division Yale District, Plan 881, Except Plan KAP67896 located at 1228 Government Street, Lot 71, District Lot 250, Similkameen Division Yale District, Plan 881, Except Plan KAP67896 located at 1236 Government Street 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	20	day of	December, 2016
A PUBLIC HEARING was held this	17	day of	January, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 6 day of January, 2017 and the 11 day of January, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

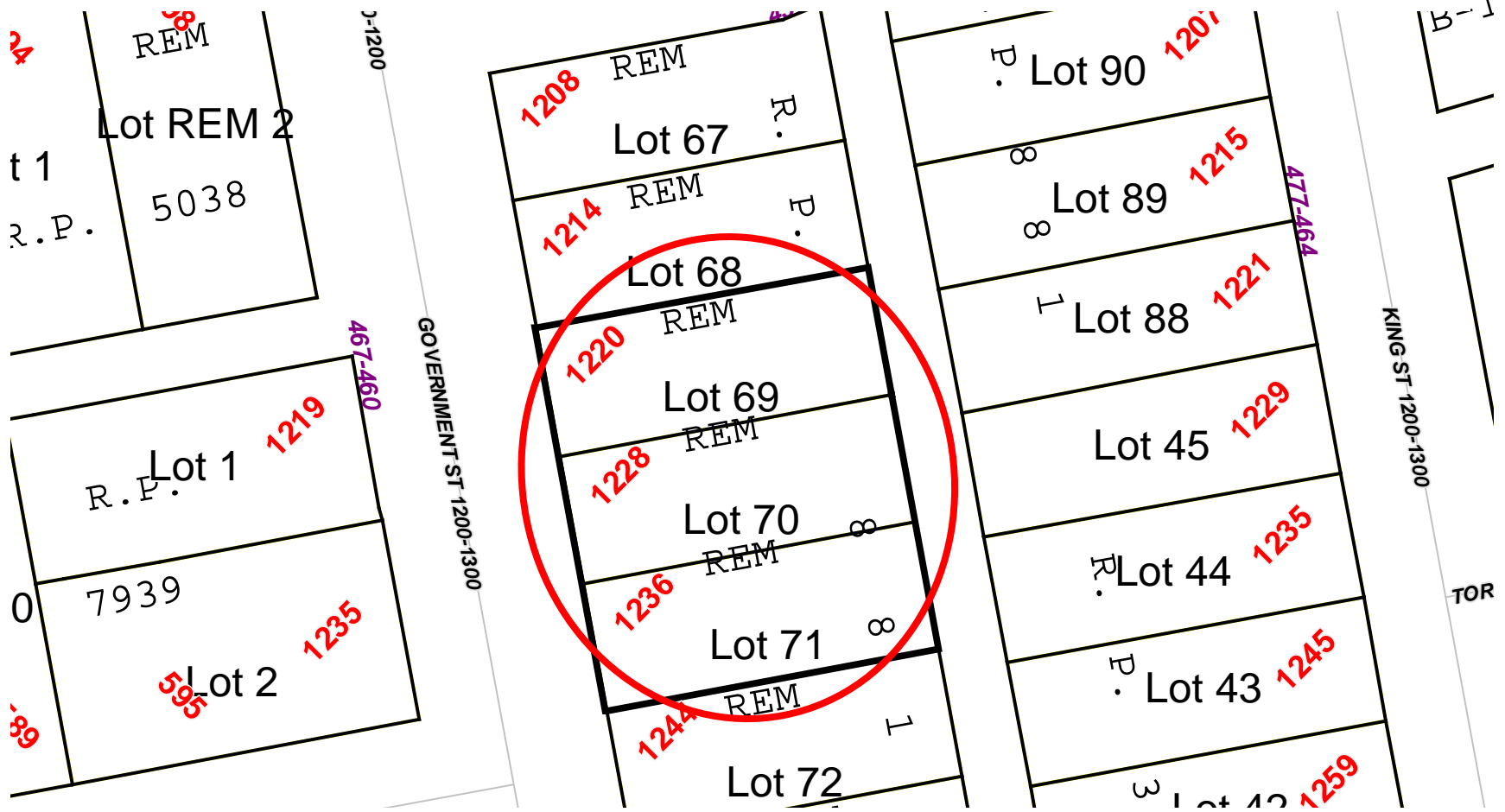
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Andrew Jakubeit, Mayor

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Dana Schmidt, Corporate Officer

# Rezone 1220, 1228 and 1236 Government Street From R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2016-73

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

# Council Report

penticton.ca

**Date:** January 17, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Randy Houle, Planner I  
**Address:** 280/282 South Beach  
**Subject:** **Development Variance Permit PL2016-7801**

File No: DVP PL2016-7801

## Staff Recommendation

THAT Council approve "Development Variance Permit PL2016-7801" for Lot 7, District Lot 189, SDYD, Plan 5885, located at 280 South Beach Drive, and Lot 8, District Lot 189, SDYD, Plan 5885, located at 282 South Beach Drive, a permit to decrease the minimum front yard from 6m to 4.5m and to decrease the minimum west interior yard from 1.5m to 1.2m;

AND THAT staff be directed to issue "Development Variance Permit PL2016-7801."

## Strategic priority objective

N/A

## Background

The subject lots (Attachment 'A') are designated by the Official Community Plan (OCP) as PR (Parks and Recreation) and are currently zoned R1 (Large Lot Residential). The subject lots are a combined 761m<sup>2</sup> (8194ft<sup>2</sup>) and feature a Single Family Dwelling that straddles both lots. Photos of the site are included as Attachment 'D'. The adjacent properties are zoned Large Lot Residential (R1) and Parks and Recreation (P2).

The applicant intends to construct a 45m<sup>2</sup> garage addition to the existing dwelling as well as some interior renovations. The addition will result in a 4.5m front yard. The Zoning Bylaw requires a 6m minimum front yard. As such, a variance to that section of the bylaw is required. The addition will result in a 1.2m west interior yard. The Zoning Bylaw requires a 1.5m minimum interior yard. As such, a variance to that section of the bylaw is required prior to construction.

## Proposal

The applicant is requesting a development variance permit to vary the following sections of Zoning Bylaw No. 2011-23:

- Section 10.1.2.5: To decrease the minimum front yard from 6m to 4.5m.
- Section 10.1.2.6.i: To decrease the minimum west interior side yard from 1.5m to 1.2m.

## Technical Review

This application was reviewed by the City's Technical Planning Committee. Concerns pertaining to storm drainage was raised but will be addressed by a QEP through a Riparian Assessment Area Development Permit. It will be a requirement to consolidate the subject lots prior to issuance of a building permit. If the requests for the variances are supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

## Financial implication

N/A

## Analysis

### Support Variances

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

Section 10.1.2.5: To decrease the minimum front yard from 6m to 4.5m.

The proposed garage will be 4.5m from the north property line. As seen in the photos included as Attachment 'D', the property is set back an adequate amount from the street. A letter of support has been received from the immediate neighbour to the west. The proposed garage will enable the applicants to store their marine equipment out of sight, thus having a positive impact on the surrounding neighbourhood. Given the above, it is reasonable to reduce the minimum front yard from 6m to 4.5m.

Section 10.1.2.6.i: To decrease the minimum west interior side yard from 1.5m to 1.2m.

The existing residence is 1.2m from the west property line. The proposed garage will align with the existing residence and will not reduce the interior yard any further. A 1.2m yard will still provide adequate separation from the neighbouring property. No openings on the west side of the garage are proposed. Given the above, it is reasonable to reduce the minimum west interior yard from 1.5m to 1.2m.

Given the above, staff feel that the variances requested are sensible and recommend that Council support the application.

### Deny/Refer

Council may consider that the variances are not justified and will negatively affect the neighbourhood. If this is the case, Council should deny the variances.

## Alternate Recommendations

1. THAT Council support "DVP PL2016-7801" with conditions.
2. THAT "DVP PL2016-7801" be referred back to staff.

**Attachments**

- Attachment A: Subject Property Location Map
- Attachment B: OCP Map
- Attachment C: Zoning Map
- Attachment D: Images of Subject Property
- Attachment E: Site Plan
- Attachment F: Elevations
- Attachment G: Letter of Intent
- Attachment H: Letter of Support
- Attachment I: "DVP PL2016-7801"

Respectfully submitted,

Randy Houle  
Planner I

Approvals

DDS  <i>AH</i>	CAO  PW
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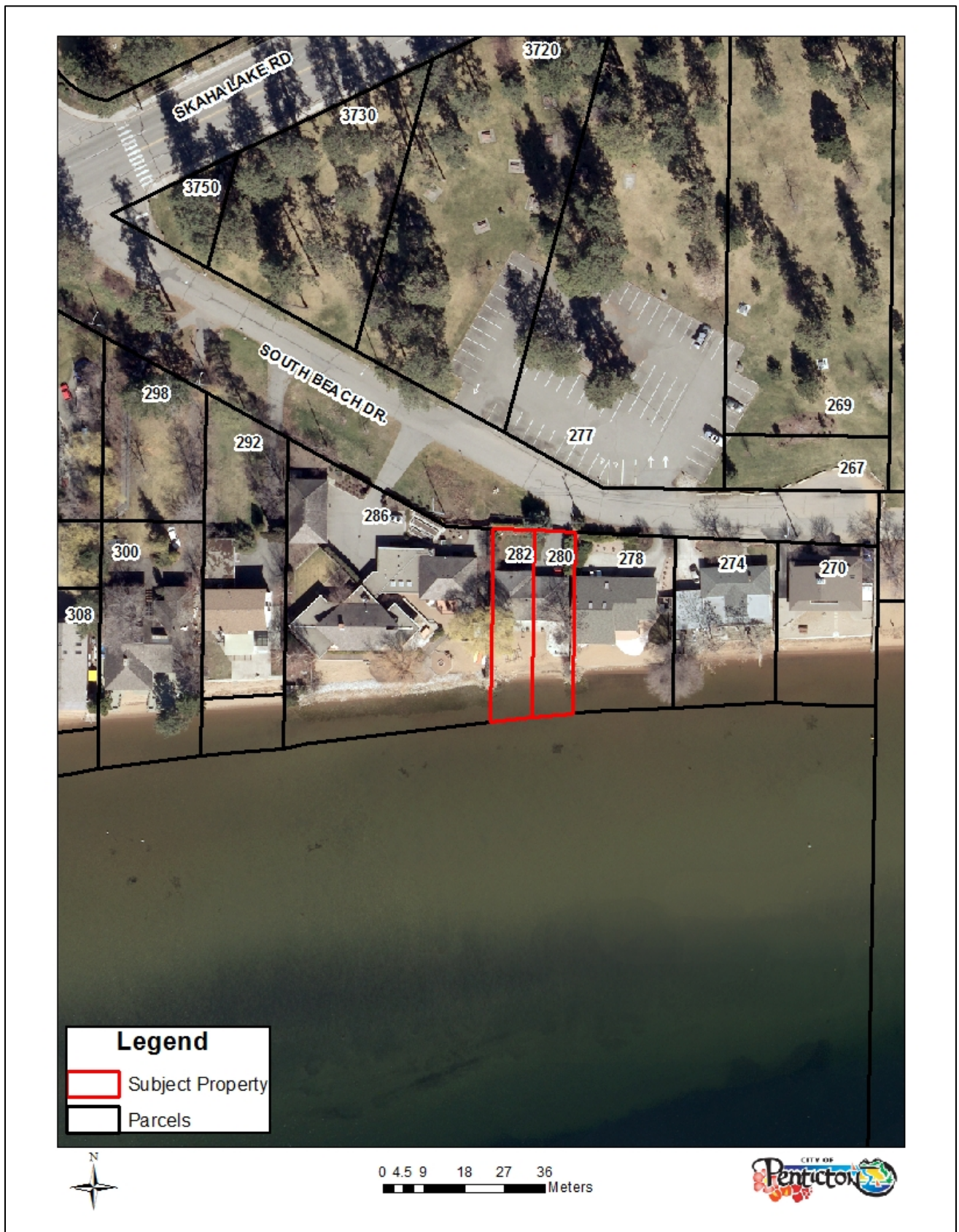


Figure 1: Subject Property

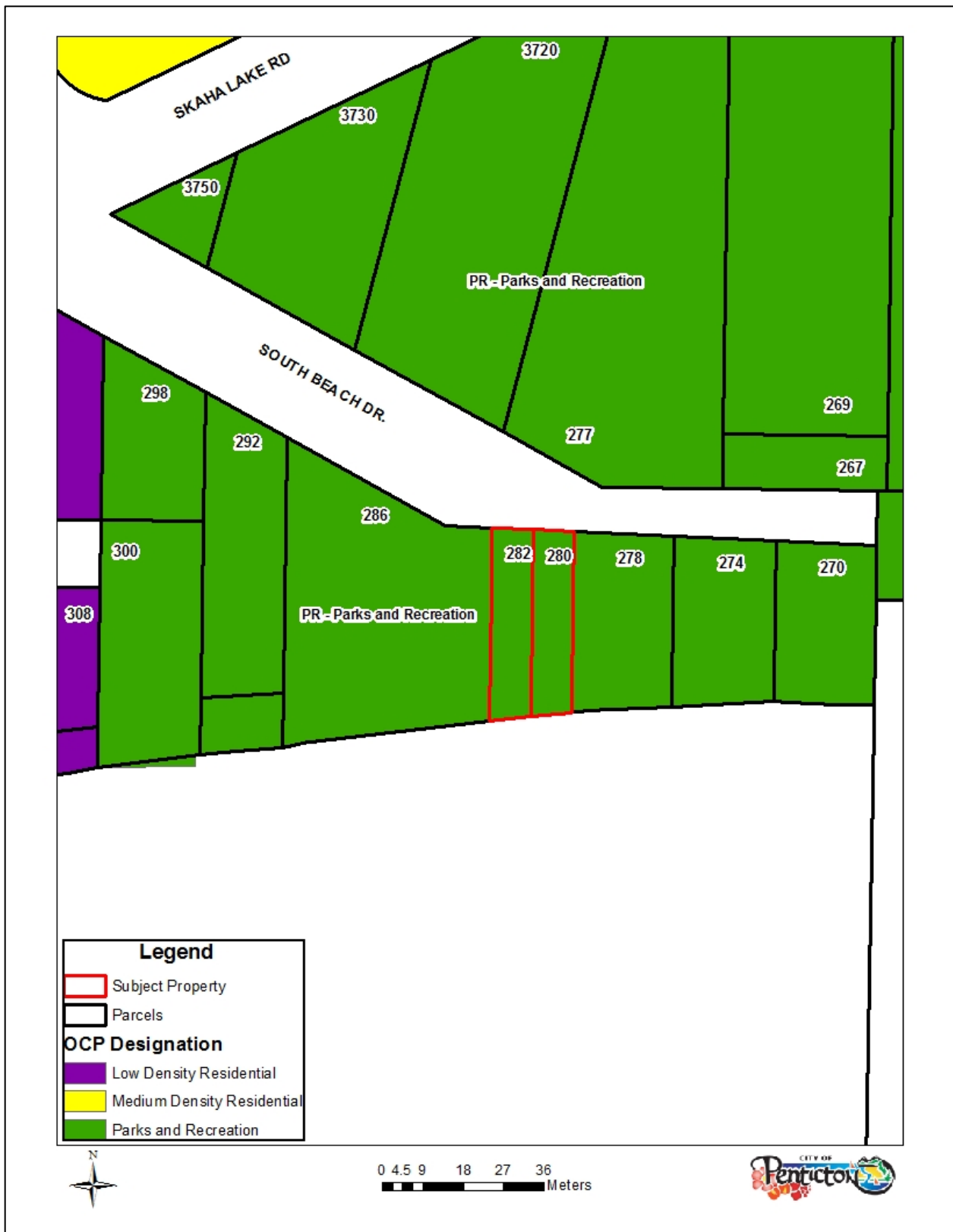


Figure 2: OCP Map

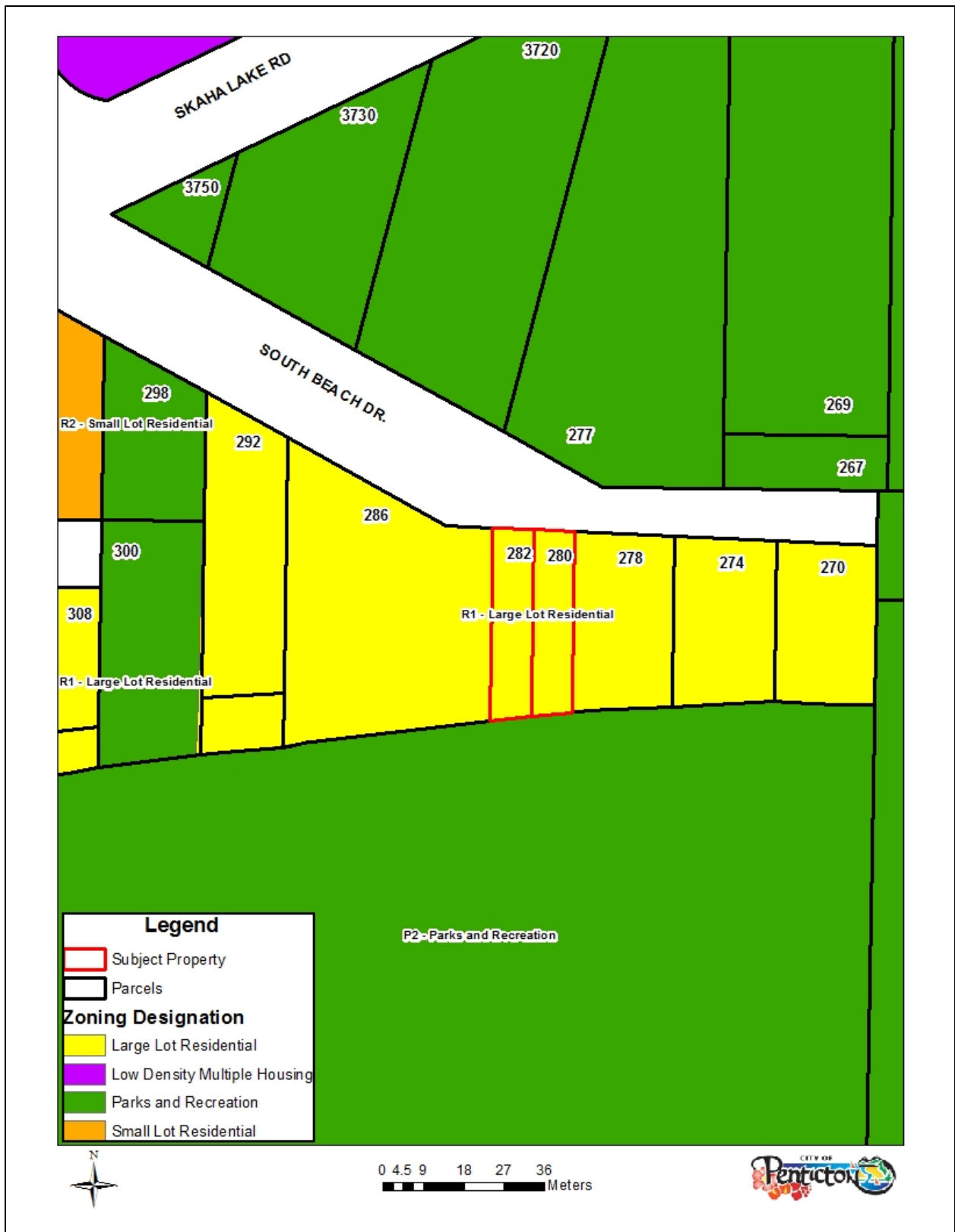


Figure 3: Zoning Map



Figure 4: Street View of Subject Property



Figure 5: Location of Proposed Garage

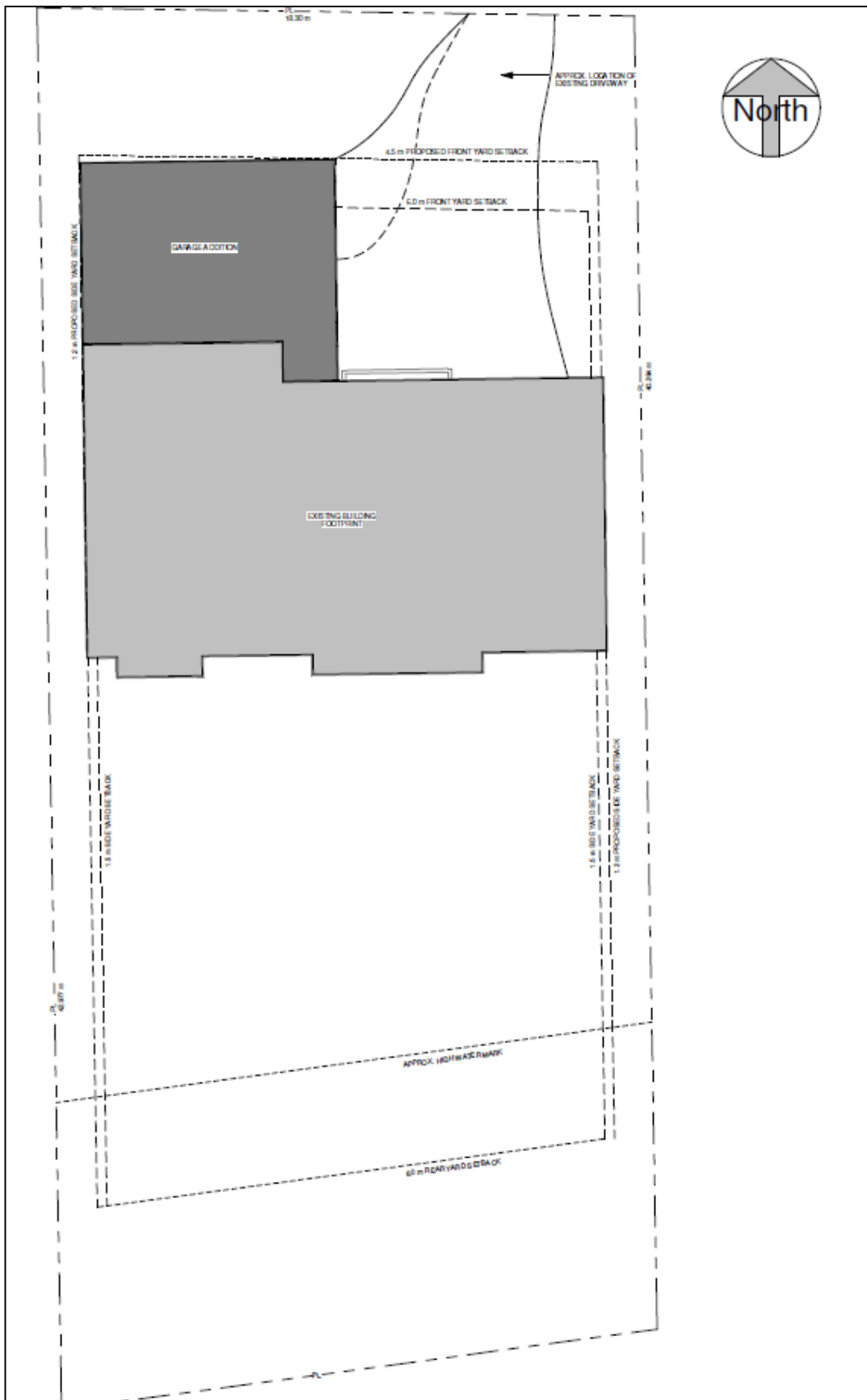


Figure 6: Site Plan



Figure 7: North Elevation



Figure 8: East Elevation



Figure 9: 3D View of Garage



November 22, 2016

Mr. Blake Laven, Planning Manager  
 City of Penticton  
 171 Main Street  
 Penticton, BC V2A 5A9

Re: Development Variance Permit Application for 280 South Beach Drive

On behalf of the owner of 280 South Beach Drive, we are respectfully applying for a development variance permit for the construction of a garage addition. Since the loss of storage at the Skaha Lake Marina, the owner now requires secure storage on site for their equipment. Given the siting of the existing residence, there is not another location for the proposed garage addition.

Furthermore, the neighbouring property, 292 South Beach Drive, had an approved front yard variance of 4.5 m. Therefore, approval of the requested front yard variance would be consistent with the area development.

The current R1 Large Lot Residential zoning requires a 1.5 m interior side yard setback. The west side of the existing residence is located 1.2 m from the interior side yard. As we are requesting a front yard variance we recognize that the interior side yard (west façade) variance must also be addressed.

We are requesting a variance for the following yard setbacks:

Front yard:	Required	6.0 m
	Proposed	4.5 m
Interior side yard (West):	Required	1.5 m
	Provided	1.2 m

If you have any questions or require additional information, please contact my office.

Regards,

A handwritten signature in black ink that reads 'H. Shedden'.

Heather Shedden  
 MCIP, RPP, BAAID  
 203-166 Main Street  
 Penticton BC V2A 5A4  
 250.486.1481

Figure 10: Letter of Intent

**Re: David and Dana Taylor, application for variance.**

I understand that the new requirements for side yard setback in our area of Penticton is 1.5 meters. I am the immediate neighbour on the west side of the Taylor property, I am located at 286 South Beach Drive and have owned this property since 1975. The Taylor home was constructed in 1954 and is situated 1.2 meters from our joint property line. I have no issues with the granting of a variance so that their proposed garage lines up with the existing home. If you require anything further from me in support of their application, please let me know.

Yours truly,

Judy Lloyd  
286 South Beach Drive,  
Penticton, B.C. V2A 3W3  
250-492-8229



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

## Development Variance Permit

**Permit Number: PL2016-7801**

Name:  
 Address:

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:
  - Legal: Lot 7, District Lot 189, SDYD, Plan 5885
  - Civic: 280 South Beach Drive
  - PID: 001-891-995
  
  - Legal: Lot 8, District Lot 189, SDYD, Plan 5885
  - Civic: 282 South Beach Drive
  - PID: 001-892-029
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 to allow for a garage addition to a Single Family Dwelling, as shown in the plans attached in Schedule 'A'.
  - Section 10.1.2.5: To decrease the minimum front yard from 6m to 4.5m.
  - Section 10.1.2.6.i: To decrease the minimum west interior side yard from 1.5m to 1.2m.

### 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

# Council Report

penticton.ca

**Date:** January 17, 2017  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Randy Houle, Planner 1  
**Address:** 251 Rigsby Street

File No: RZ PL2016-7785  
DVP PL2016-7786  
DP PL2016-7787

**Subject: Zoning Amendment Bylaw No. 2017-04  
Development Variance Permit PL2016-7786  
Development Permit PL2016-7787**

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## Staff Recommendation

### *Zoning Amendment*

THAT "Zoning Amendment Bylaw No. 2017-04," a bylaw to rezone Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the February 7<sup>th</sup>, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-04," a 1.5m road widening and corner cut on the east side of the subject property is registered with the Land Title Office.

### *Development Variance Permit*

THAT delegations and submissions be heard for "Development Variance Permit PL2016-7786" for Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street, a permit to decrease the minimum front yard from 3.0m to 2.7m, to decrease the minimum south interior side yard from 3.0m to 1.5m, to decrease the minimum exterior side yard from 6.0m to 4.4m and to decrease the minimum rear yard from 6.0m to 3.5m;

AND THAT "DVP PL2016-7786" be considered only after adoption of "Zoning Amendment Bylaw No. 2017-04".

### *Development Permit*

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-04," approve Development Permit PL2016-7787, for Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street, a permit that allows for the construction of a townhouse.

## Strategic priority objective

N/A

## **Background**

The subject property (Attachment 'A') is zoned RD2 (Duplex Housing: Lane) and is designated by the City's Official Community Plan as MFLD (Multi-Family Low Density). Photos of the site are included as Attachment 'D'. The site is 563m<sup>2</sup> (6060 ft<sup>2</sup>). A Single Family Dwelling and garage that previously occupied the site have been demolished. The surrounding properties are primarily zoned RD2 (Duplex Housing: Lane), RM2 (Multiple Family Low Density) and C6 (Mixed Use Commercial). Surrounding properties are designated by the OCP as MFLD (Multi-Family Low Density) and MFMD (Multi-Family Medium Density).

The applicant is proposing to construct a triplex which is classified as a townhouse in the Zoning Bylaw. Each unit will have a living area on the main floor and three bedrooms on the second floor. Since a townhouse is not a permitted use in the duplex zone, a rezoning to RM2 (Low Density Multiple Housing) is required.

The proposed construction will result in a 2.7m front yard along Rigsby Street. Under the RM2 zone, a 3.0m minimum front yard is required. As such, a variance to that section of the bylaw is required. The proposed construction will result in a 1.5m south interior side yard. The Zoning Bylaw requires a 3.0m minimum interior yard. As such, a variance to that section of the bylaw is required. The proposed townhouse will result in a 4.4m exterior side yard along Rene Avenue. The Zoning Bylaw requires a 6.0m minimum exterior side yard. As such, a variance to that section of the bylaw is required. Lastly, the proposed townhouse will result in a 3.5m rear yard on the west side of the property. The Zoning Bylaw requires a 6.0m minimum rear yard. As such, a variance to that section of the bylaw is required.

The property is located within the Downtown Multiple Family Development Permit area.

## **Proposal**

The applicant is requesting that the subject property (251 Rigsby Street) be rezoned from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

The applicant is also requesting a Development Variance Permit to vary the following sections of Zoning Bylaw No. 2011-23:

- Section 10.8.2.6: To decrease the minimum front yard from 3.0m to 2.7m.
- Section 10.8.2.7.i: To decrease the minimum south interior side yard from 3.0m to 1.5m.
- Section 10.8.2.7.ii: To decrease the minimum exterior side yard from 6.0m to 4.4m.
- Section 10.8.2.8: To decrease the minimum rear yard from 6.0m to 3.5m.

Furthermore, the applicant requires Development Permit approval for the form and character of the building and to address landscaping requirements.

## **Financial implication**

NA

## **Technical Review**

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Storm water/drainage is to be maintained on site. A 1.5m road widening and corner cut is proposed along Rigsby Street to closely match the standard set out in Subdivision and

Development Bylaw 2004-81. The 1.5m widening will match the existing road dedication to the south. A sidewalk and curbing will be required at the developer’s expense. These items have been communicated to the applicant. If the requests for the zoning amendment, variances and development permit are supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

### Development Statistics

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

Item	Requirement of RD2 Zone (current)	Requirement of RM2 Zone	Provided on Plans
<b>Maximum Lot Coverage:</b>	40 %	40%	40%
<b>Maximum Density:</b>	0.95 FAR	0.75 FAR	0.75 FAR
<b>Vehicle Parking:</b>	1 per unit	1 per unit	1 per unit (3 total)
<b>Required Setbacks</b>			
Front yard (East):	4.5m	3.0m	2.7m (variance required)
Rear yard (West):	6.0m	6.0m	3.5m (variance required)
Interior yard (South):	1.5m	3.0m	1.5m (variance required)
Exterior yard (North):	3.5m	6.0m	4.4m (variance required)
<b>Maximum Building Height:</b>	10.5m	12m	7.9m
<b>Other Information:</b>	Subject property is located within the Downtown Multiple Family Development Permit Area.		

### Analysis

#### Zoning Amendment

##### Support “Zoning Amendment Bylaw No. 2017-04”

The site is situated in an area experiencing some densification. The OCP designation for this site is Multi-Family Low Density Residential, which is conducive to a townhouse development. Staff consider that the zoning amendment to allow for a three-unit townhouse represents best use of the land for the following reasons:

- The proposal is consistent with the OCP’s view that infill residential development is an appropriate method of maximizing the use of land and increasing housing choices for Penticton residents.
- The OCP encourages densification in areas where existing services can accommodate higher densities, which is the case here.
- The proximity to the lake, downtown and nearby services encourages more walking and active forms of transportation.
- Developing an empty lot with an attractive proposal such as this can have a positive impact on the surrounding neighbourhood.

Staff considers that the design is suitable and consistent with the redevelopment trends in the area. The location of the site and characteristics of the surrounding neighbourhood make it appropriate for residential densification. Given the above, staff recommends that Council support "Zoning Amendment Bylaw No. 2017-04" and forward the application to the February 7, 2017 Public Hearing for comments from the public.

#### Deny/Refer Zoning Amendment

Council may consider that the proposed amendment is not suitable for this site due to the number of variances required. If this is the case, Council should deny the bylaw amendment. Alternatively, Council may wish to refer the matter back to staff to work with the applicant with any direction that Council considers appropriate.

#### **Development Variance Permit**

##### Support Variances

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

*Section 10.8.2.6: To decrease the minimum front yard from 3.0m to 2.7m.*

- The proposed development will result in a 2.7m front yard setback from the proposed road widening. The 1.5m road widening will allow for a sidewalk to be constructed. It is reasonable to support the variance as the road widening makes it difficult for the applicant to meet the front yard minimum.

*Section 10.8.2.7.i: To decrease the minimum south interior side yard from 3.0m to 1.5m.*

- The proposed development will result in a 1.5m interior yard on the south side of the property. 1.5m is an adequate distance between the development and the property line. The townhouse development to the south is set back a fair distance from the property line. The proposed 1.5m interior yard will help to maximise the density of the lot with minimal impacts to adjacent properties. Similar variances have been approved by Council in the past year.

*Section 10.8.2.7.ii: To decrease the minimum exterior side yard from 6.0m to 4.4m.*

- The proposed development will result in a 4.4m exterior yard along Rene Avenue. The exterior yard is large enough to provide the required amenity space for the development. Adequate space will be provided for landscaping which will act as a buffer from Rene Avenue.

*Section 10.8.2.8: To decrease the minimum rear yard from 6.0m to 3.5m.*

- The proposed development will result in a 3.5m rear yard. The proposed road dedication on Rigsby Street resulted in the applicants having to shift the building to the west, which reduced the rear yard. The rear yard will still provide enough space for a patio. Adequate landscaping and a fence will provide screening from the neighbouring properties.

Although a duplex may be a bitter fit for the property, supporting the variances would help to maximise the density of the property, without providing an overly crowded appearance from the street. The lot coverage (40%) and density (0.75 FAR) meet the requirement of the bylaw. The height of the proposed development (7.9m) is well below the 12m maximum permitted in the RM2 zone. Additionally, the proposed development will be less than the height (9.5m) of the townhouse development to the south. In 2006, variances were approved for a duplex development at 496 & 500 Westminster Avenue West which reduced the setback along Rigsby Avenue to 2m.

Given the above, staff feels that the variances requested are sensible and recommend that Council, after hearing from any other affected neighbours, support the application.

### Deny/Refer Variances

Council may consider that the number of variances is too significant and this type of development will negatively affect the neighborhood. If this is the case, Council should deny the variances.

### **Development Permit**

#### Support Development Permit

This property is within the Downtown Multiple Family Development Permit Area. As a consequence, a Development Permit is required. Although this Development Permit can be staff-issued, it has been included in this report for Council's decision in order to streamline the approvals process. The Development Permit Area guidelines are intended to address the form and character of new multi-family buildings. The objective of these guidelines, according to the OCP, is to "ensure that the citing, form, character and landscaping of new multi-family development and exterior renovations and additions to existing buildings in the downtown area are compatible with the context of the traditional neighbourhood character in some downtown neighbourhoods."

- The building shape, roof line and architectural features such as window and door detailing are sufficiently varied and create visual interest.
- Small, but private amenity space is proposed for each unit.
- The entrances have a street orientation with picture windows, creating an aesthetically pleasing connection to the street.
- Landscape plan features a variety of different plants, flowers and trees.

Staff feel that the plans submitted meet the intent of the DPA guidelines and generally conform to the zoning bylaw. As such, staff recommend that Council approve the Development Permit application.

### Deny/Refer Development Permit

Council may consider that the proposals do not reflect the current built form of the neighbourhood, or that the development should soften the impact on neighbouring properties. If this is the case, Council should deny the permit.

**Alternate Recommendations**

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2017-04" and deny support for DVP PL2016-7786 and DP PL2016-7787.
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-04" but deny support for DVP PL2016-7786 and DP PL2016-7787.
3. THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-04" and support DVP PL2016-7786 and DP PL2016-7787 with conditions that Council feels are appropriate.

**Attachments**

- Attachment A: Subject Property Location Map
- Attachment B: Zoning Map
- Attachment C: OCP Map
- Attachment D: Images of Subject Property
- Attachment E: Site Plan
- Attachment F: Elevations
- Attachment G: Landscape Plan
- Attachment H: Letter of Intent
- Attachment I: "Development Variance Permit PL2016-7786"
- Attachment J: "Development Permit PL2016-7787"
- Attachment K: "Zoning Amendment Bylaw No. 2017-04"

Respectfully submitted,

Randy Houle  
Planner 1

Approvals

DDS	CAO
<i>AH</i>	PW

Attachment 'A' – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment 'B' – Zoning Map

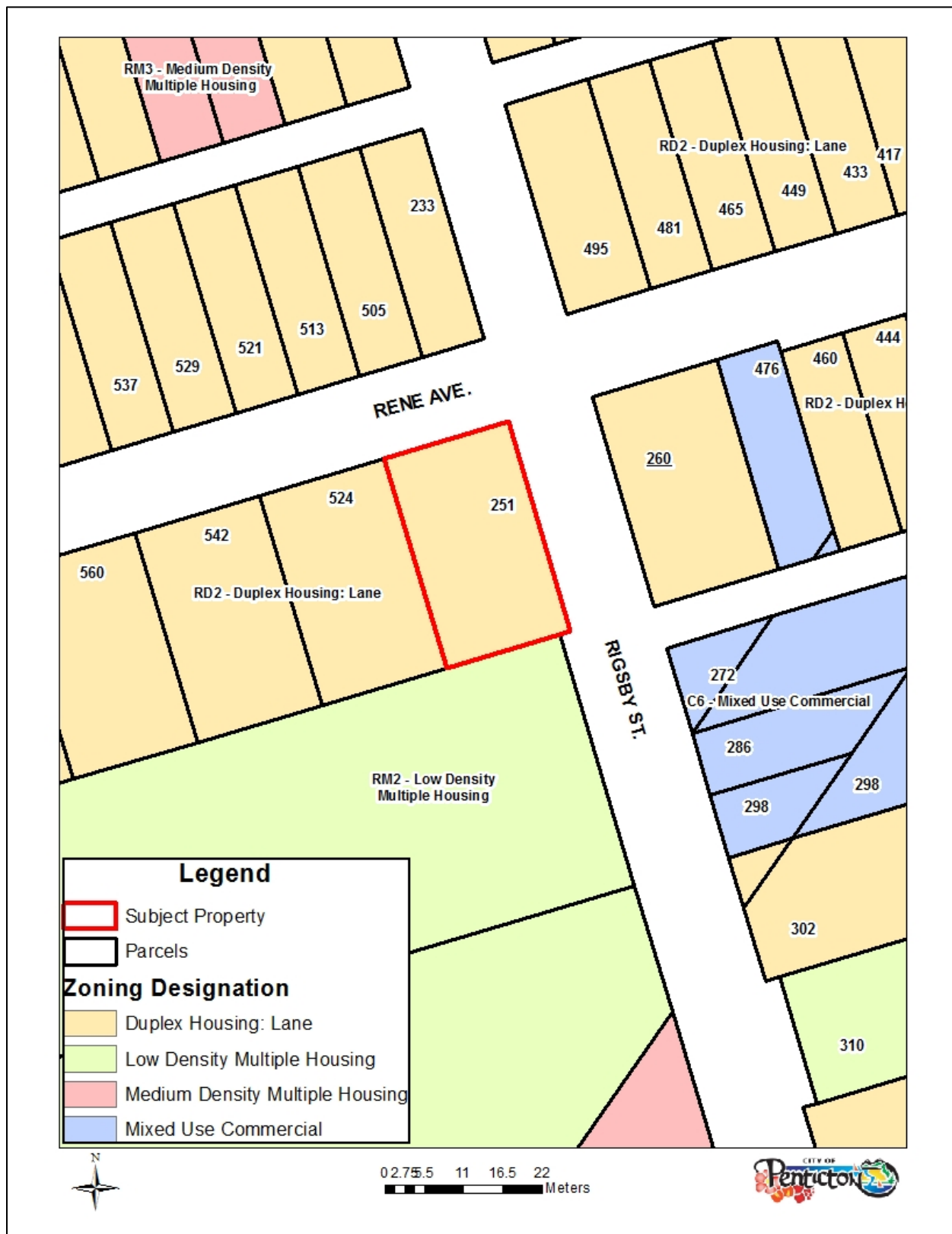


Figure 2: Zoning Map

Attachment 'C' - OCP Map

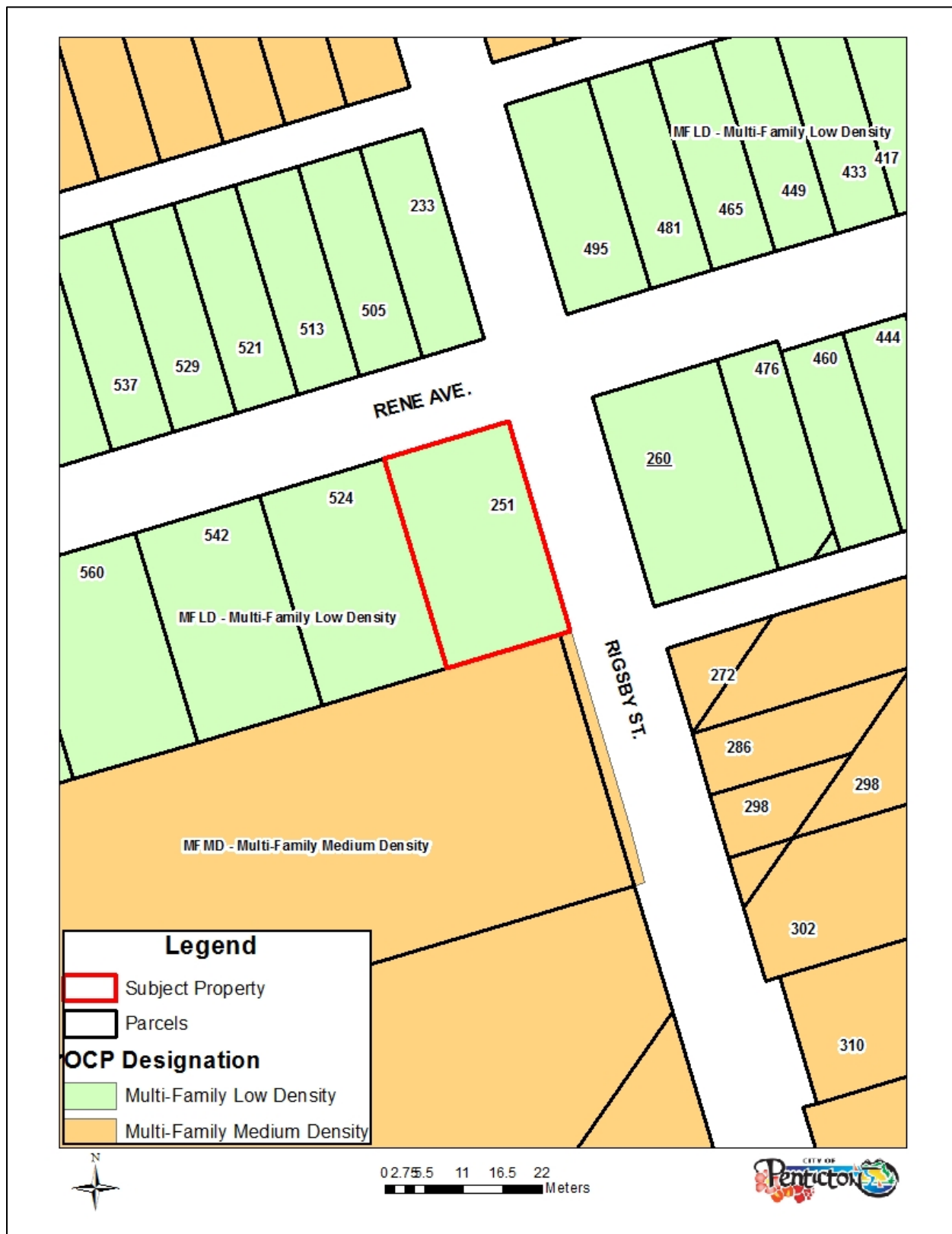


Figure 3: OCP Map

Attachment 'D' – Images of Subject Property



Figure 4: East View (from Rigsby Street)



Figure 5: North View (from Rene Avenue)

### Attachment 'E' - Site Plan

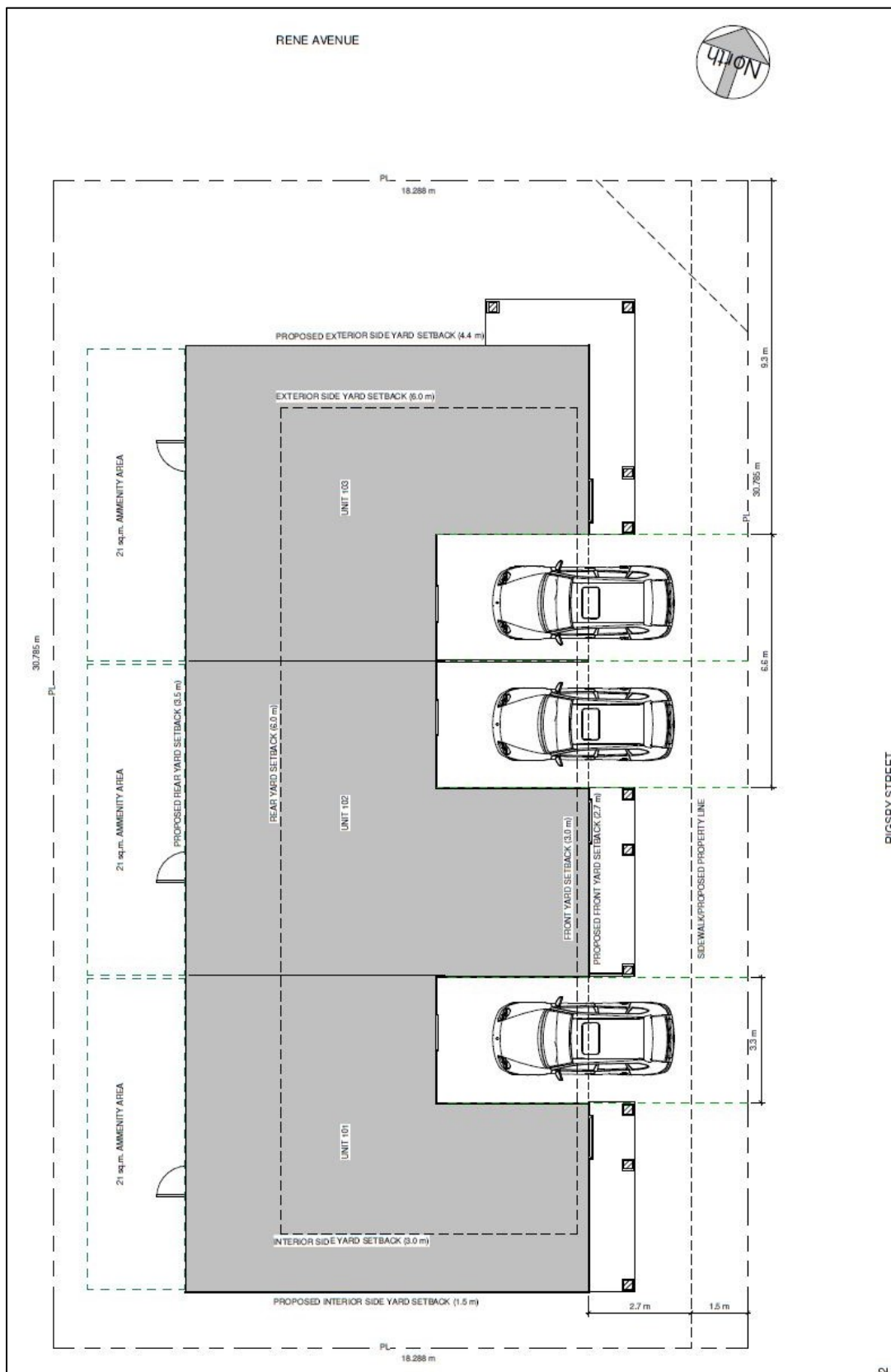


Figure 6: Site Plan

Attachment 'F' - Elevations



Figure 7: East Elevation (from Rigsby Street)

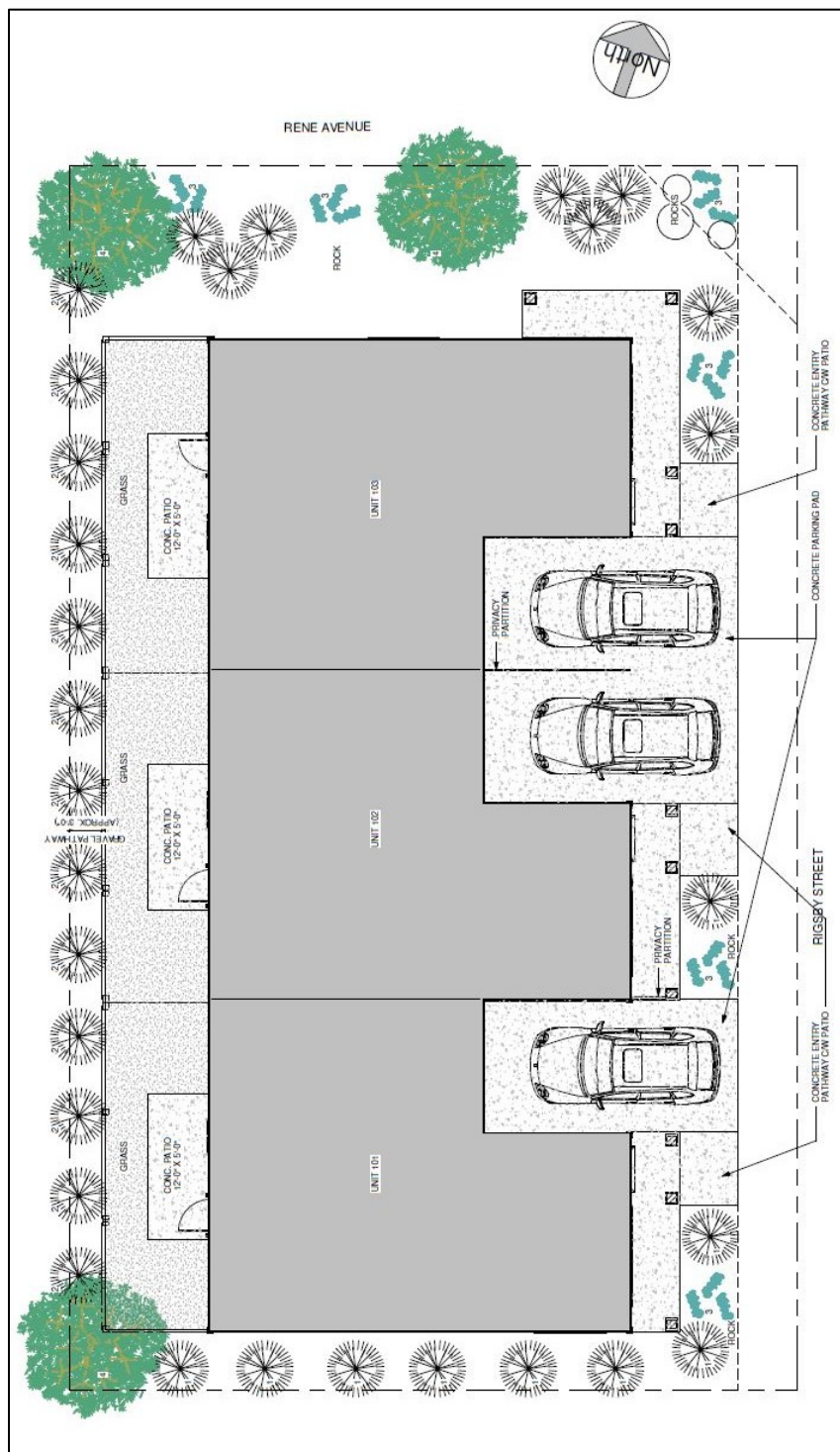


Figure 8: North Elevation (from Rene Ave.)



Figure 9: West Elevation

Attachment 'G' – Landscape Plan



**LANDSCAPE LEGEND**

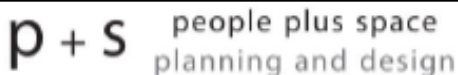
- 1 - SIOUX BLUE INDIAN GRASS
- 2 - SAPPHIRE FOUNTAIN BLUE OAT GRASS
- 3 - VARIEGATED SWEET IRIS
- 4 - TREE

**LANDSCAPE NOTES:**

- 1. ALL GRASS AREAS TO HAVE UNDERGROUND IRRIGATION C/W WATER SENSORS AND TIMER.
- 2. COVER PLANTER BEDS WITH LANDSCAPE FABRIC AND MULCH
- 3. LANDSCAPE FABRIC UNDER ROCK

Figure 10: Landscape Plan

Attachment 'H' - Letter of Intent



January 6, 2017

Mr. Anthony Haddad, Director, Development Services  
 City of Penticton  
 171 Main Street  
 Penticton, BC V2A 5A9

Re: Rezoning and Development Permit Application for 251 Rigsby Street

On behalf of the owner of 251 Rigsby Street, we are respectfully applying for a rezoning and development permit for the construction of a triplex. We are requesting to rezone the property from Duplex Housing: Lane (RD2) to Low Density Multiple Housing (RM2) in order to accommodate the construction of a triplex. The property is currently designated as a Multi-Family Low Density (MFLD) in the Official Community Plan, which is in line with the proposed rezoning. Please see the attached development plans and 3D massing proposed for the property.

As part of the rezoning application, we are requesting a variance for the following yard setbacks:

Interior side yard:	Required	3.0 m
	Proposed	1.5 m
Rear yard:	Required	6.0 m
	Proposed	3.5 m
Exterior side yard:	Required	6.0 m
	Proposed	4.4 m
Front yard:	Required	3.0 m
	Proposed	2.7 m

The proposed application meets the required maximum density of 0.75 FAR and the maximum lot coverage of 40%.

If you have any questions or require additional information, please contact my office.

Regards,

A handwritten signature in black ink that reads 'H. Shedden'.

Heather Shedden  
 MCIP, RPP, BAAID  
 203-166 Main Street  
 Penticton BC V2A 5A4  
 250.486.1481  
 heather@pspace.ca

Figure 11: Letter of Intent

Attachment 'I'- "Development Variance Permit PL2016-7786"



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

## Development Variance Permit

**Permit Number: PL2016-7786**

Name:

Address:

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:  
  
Legal: Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035  
Civic: 251 Rigsby Street  
PID: 011-855-525
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 to allow for the construction of a townhouse as shown in the plans attached as Schedule 'A'.
  - Section 10.8.2.6: To decrease the minimum front yard from 3.0m to 2.7m.
  - Section 10.8.2.7.i: To decrease the minimum South interior side yard from 3.0m to 1.5m.
  - Section 10.8.2.7.ii: To decrease the minimum exterior side yard from 6.0m to 4.4m.
  - Section 10.8.2.8: To decrease the minimum rear yard from 6.0m to 3.5m.

### 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 7<sup>th</sup> day of February, 2017

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Dana Schmidt,  
Corporate Officer

Attachment 'J' - "Development Permit PL2016-7787"



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

## Development Permit

**Permit Number: DP PL2016-7787**

Name:

Address:

### Conditions of Permit

1. This permit is issued subject to compliance with all of the bylaws of the City, except as specifically varied or supplemented by this Permit.
2. This permit applies to:  
  
Legal: Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton)  
District, Plan 1035  
Civic: 251 Rigsby Street  
PID: 011-855-525
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a townhouse, 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 \$7272 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 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 <sup>st</sup> Inspection	No fee
2 <sup>nd</sup> Inspection	\$50
3 <sup>rd</sup> Inspection	\$100
4 <sup>th</sup> 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 7<sup>th</sup> day of February, 2017

Issued this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
 Dana Schmidt,  
 Corporate Officer

Bylaw No. 2017-04

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. 2017-04".

2. Amendment:

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

Rezone Lot 25, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 1035, located at 251 Rigsby Street from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	day of	, 2017
A PUBLIC HEARING was held this	day of	, 2017
READ A SECOND time this	day of	, 2017
READ A THIRD time this	day of	, 2017
RECEIVED the approval of the	day of	, 2017
Ministry of Transportation on the		
ADOPTED this	day of	, 2017

Notice of intention to proceed with this bylaw was published on the \_\_\_ day of \_\_\_\_, 2017 and the \_\_\_ day of \_\_\_\_, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

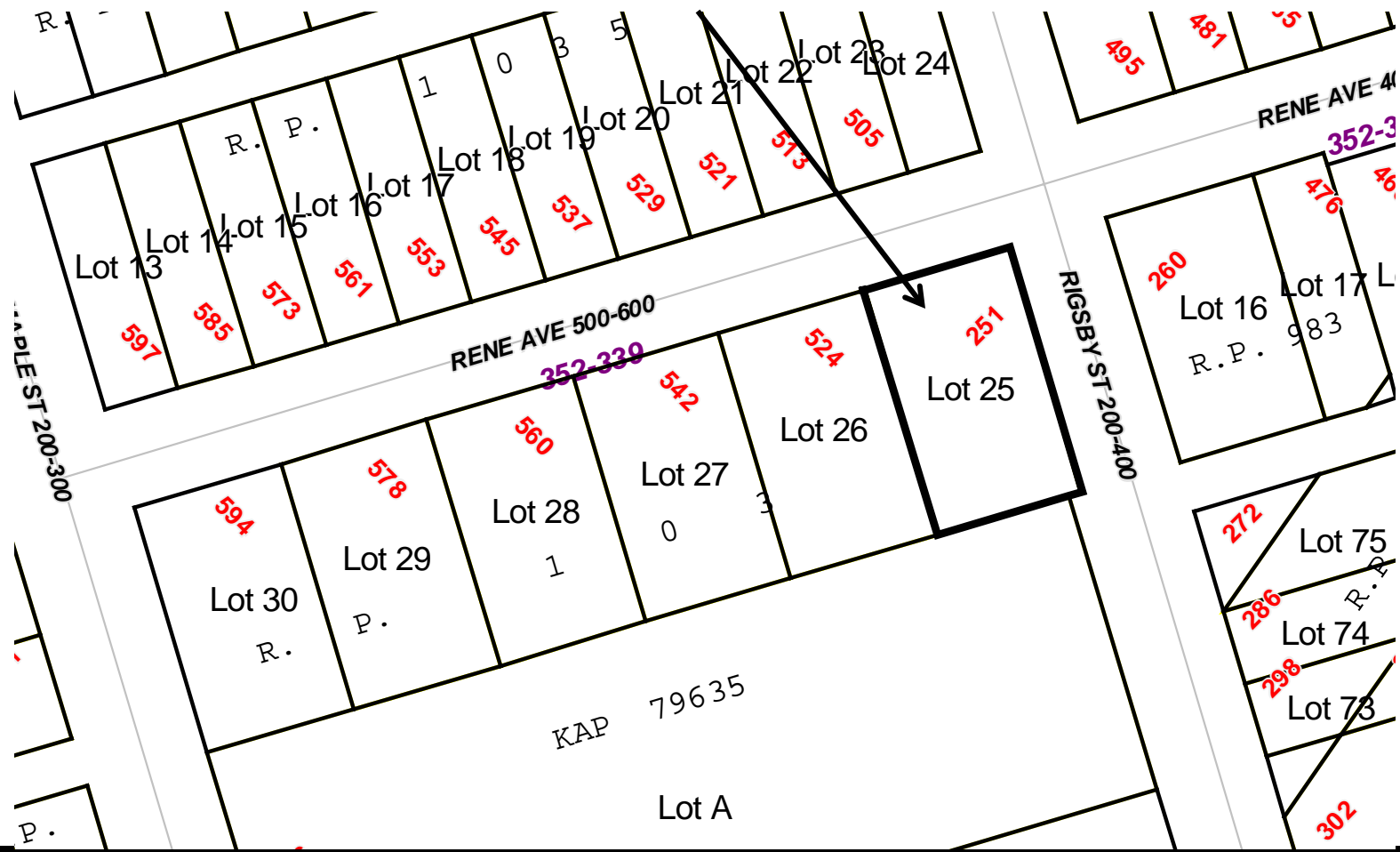
<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i>  this _____ day of _____, 2016</p> <p>_____</p> <p>for Minister of Transportation &amp; Infrastructure</p>
---

\_\_\_\_\_  
Andrew Jakubeit, Mayor

\_\_\_\_\_  
Dana Schmidt, Corporate Officer

# 251 Rigsby Street - Rezone

## From RD2 (Duplex Housing: Lane) To RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-04

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

# Council Report

penticton.ca

**Date:** January 17, 2017 File No: PRJ2016-101  
**To:** Peter Weeber, Chief Administrative Officer  
**From:** Blake Laven, Planning Manager  
**Subject:** Official Community Plan and Zoning Amendments for 1830 Ridgedale Avenue (The Ridge)

## Staff Recommendation

### *Official Community Plan Amendments*

THAT prior to consideration of the bylaw and in accordance with Section 475 of the Local Government Act, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies.

AND THAT it is determined that further consultation with School District #67 is necessary;

AND THAT "OCP Amendment Bylaw No. 2017-06", being a bylaw to amend "OCP Bylaw 2002-20" amending Schedule B: Future Land Use Map; Schedule D: Natural Areas Map; and, Schedule H: Development Permit Area Map of Bylaw 2002-20 with regard to a new 110 lot residential development proposed for Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103, located at 1830 Ridgedale Avenue and in accordance with the land use plan attached to the Bylaw, be given first reading and forwarded to the February 7<sup>th</sup>, 2017 Public Hearing.

### *Zoning Amendments*

THAT "Zoning Amendment Bylaw 2017-07", being a bylaw to amend "Zoning Bylaw 2011-23" changing the zoning designations in support of a residential development proposed for Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103, located at 1830 Ridgedale Avenue, in accordance with the land use plan attached as Schedule A of the Bylaw, be given first reading and be forwarded to the February 7<sup>th</sup>, 2017 Public Hearing.

AND THAT the following items must be satisfied prior to final adoption of "Zoning Amendment Bylaw 2017-07":

1. Adoption of "Official Community Plan Amendment Bylaw 2017-06";
2. All the recommendations regarding traffic calming contained in the Traffic Impact Assessment prepared by Watt Consulting Group and dated December 16, 2016 must be designed to the satisfaction of the City's Development Engineer and bonded for prior to final approval;
3. Tree replacement plan prepared to the satisfaction of the City's Parks Supervisor to replace the 247 trees that were removed prior to earthworks (bonding for the works to be submitted prior to zoning approval);
4. Design for park and walkway to the satisfaction of the Parks Supervisor, with all works bonded for and constructed as a condition of subdivision approval; and
5. Registration of the geotechnical report prepared by Ecora Engineering dated August 17, 2016 as a covenant against the development lands.

### **Strategic priority objective**

Approval of the zoning amendments allow for the development of additional housing for various income levels helping with housing affordability in Penticton. In addition the proposed development will help create a livable community by preserving green space and creating parks and walking trails.

### **Background**

#### *Property Description*

The subject lands are located in Penticton's eastern hillside and are currently vacant. Until quite recently a large portion of the site was used as an active aggregate extraction mine. The remainder of the property features steep terrain leading towards Penticton Creek and the City's drinking water reservoir. The lands are located to the west of the Sendero Canyon neighbourhood and uphill from the Duncan / Ridgedale neighbourhood. The steeply sloped portion of the lot is largely treed and in a natural state. The intent of the developer is to create a neighbourhood with a mixture of housing types, including 110 large and small lot single and two family residential properties, two lots for low/ mid density multiple family housing, two areas for parks and recreation and a large natural area all connected through an integrated trail network.

#### *Official Community Plan*

The lands are part of the Columbia Heights Neighbourhood Plan. The Neighbourhood Plan was created through an extensive comprehensive planning process and was originally adopted in 1997. The Plan forms part of the City's current Official Community Plan (OCP 2002-20). While the subject lands are only approximately 18 hectares (45 acres) in area, the Columbia Heights Plan covers an area of approximately 88 hectares (218 acres). The plan features a mixture of land uses and was developed with a vision towards respect for the environment, through retention and restoration of natural areas; a focus on community by offering a range of uses and a diversity of housing types, tenures and income levels; and, a development plan that includes the full service levels identified in City works and service bylaws.

The first phase of the Columbia Heights Neighbourhood Plan to go forward was Sendero Canyon, which made applications for development in 2006 and began construction in 2010. Sendero Canyon, when it is

complete will have 203 residential lots as well as a townhouse development with 44 additional residences. Sendero Canyon, being the first area to develop of the Columbia Heights plan area, constructed road ways (Lawrence Avenue) and installed significant infrastructure, including a new domestic water reservoir. The subject development will benefit from these services. The subject development represents, really, the second phase of the Columbia Heights Plan.

Presently, the Columbia Heights Area Plan shows a mixture of land uses for the subject lands. The plan shows an extensive natural area, which follows the steep northern slope of the property. The plan also shows clustered single family development, estate single family housing, an elementary school, parkland and a medium density, multiple family site.

The lands are also affected by a development permit area. The Environmental Protection Development Permit area is in place to ensure the protection of naturally sensitive areas. The steep treed slope is located in that development permit area and requires oversight by a Qualified Environmental Professional (QEP) prior to any works being done in that area. A portion of the property is also affected by the Multiple Family Development Permit Area as indicated in the Columbia Heights Plan.

### *Zoning Bylaw*

The current zoning for the property features a small area at the end of Ridgedale Avenue identified for single family development (R1) with the remainder as FG (Forestry Grazing). The current zoning does not reflect what the developer is proposing (outlined in detail below), nor what the future Land Use Plan intends for the lands.

### *Approval in place so far*

In September 2016, the City issued an earth works permit for the subject lands as part of the mine remediation works. An environmental development permit (DP) was also issued as part of those works as part of the property was located in an area deemed to be a natural area and environmental protection area. The environmental DP was issued with the support of a comprehensive review by a Qualified Environmental Professional. Prior to approval of the DP, a review by the local first nations was also conducted to determine if there were any elements of cultural or ecological importance on the site. The report submitted by the PIB Natural Resources Division did not highlight any obvious issues for the areas proposed for development, but did include 'chance find' procedures that must be followed.

To date, several trees have been removed from the site and substantive land regrading has occurred. Prior to any further works being done, zoning and subdivision preliminary layout approval need to be in place.

### **Proposal**

As stated above the developer is interested in developing approximately 110 residential lots, parkland, natural areas and two multiple family sites. The land use plan proposed is generally in conformance to that of the Columbia Heights Plan, with one major change – the school site. The developers are requesting that the OCP – and thus the Columbia Heights Plan – be amended to remove the school site from the plan.

The lot layout features the use of back lanes for vehicle access and features a pedestrian trail and walkway network throughout. There will be two small parks and a full 1/3 of the site is being preserved as a natural area. The intent of the smaller parks is for passive recreation for the residents of the surrounding community. A trail will lead through the natural area connecting the development to the Penticton Creek natural walkway.

Prior to being able to apply for subdivision and development of the lands, the property owner needs to obtain OCP and zoning amendment approval.

#### *Proposed OCP Changes*

The following OCP designations are proposed for the property (as identified on the schedule attached to the bylaw):

- Low Density Residential
- Medium Density Residential
- Natural Area
- Parks and Recreation

In addition to the change in OCP future land use designations, this Bylaw will also change the development permit area map in two ways. Firstly, the sites that are designated for multiple housing development will be places in the General Multiple Family Development Permit Area. Secondly, the Development Permit Area Map and Natural Areas maps will be amended to reflect the new environmental area boundary.

#### *Proposed Zoning Bylaw Changes*

The following zones are proposed for the development lands (as identified on the schedule attached to the bylaw):

- R1 (Large Lot Residential)
- R2 (Small Lot Residential)
- RD1 (Duplex Housing)
- RM3 (Medium Density Multiple Housing)

#### *Phasing of project*

The project is proposed in two phases with the first phase consisting of 51 single family lots. Proposed Road 3 will also be constructed at the time of Phase I as well as the eastern park, which will be an extension of the existing Sendero Canyon Park. As part of Phase I, the developer will also be responsible for most of the offsite traffic improvements and civil infrastructure. Phase II will entail the remainder of the residential lots, the westerly park and the construction of Proposed Road 1. The developer intends to begin Phase I in the Spring of 2017.

### *Proposed Form and Character of the Subdivision*

The developer is interested in carrying over much of the thematic elements of the Sendero Canyon development into this next phase of the Columbia Heights Area Plan. Back lanes are used throughout the development. The street cross section shows tree lined streets with grass boulevards, sidewalks, ornamental lighting similar in style to that of Sendero Canyon and underground electrical and services. As the developer is not planning on being the builder of all of the lots, the style of the actual residences may be more varied than seen in Sendero Canyon. However, in cases like this statutory building schemes are often used to create some uniformity. The developer has not indicated what style of housing will be encouraged on these lots or whether a statutory building scheme will be utilized.

### **Public Open House**

As part of the plan development process, the developers held a Public Open House at Columbia Elementary School. The open house was held on October 3, 2016 and attended by approximately 80 + people. The Open House was advertised in the local newspaper and letters were sent to all residences in the surrounding neighbourhoods. While the overall tone of the Open House was positive, attendees brought up several concerns that they wished to see addressed as the plan developed. A survey was also made available for attendees to fill out. In total 46 surveys were received.

A synopsis of the Open House is attached to this report (Attachment G), but the main concerns that were brought up were as follows:

- Traffic: Speed on Lawrence and traffic safety around the school
- Construction disturbance
- Environmental concerns with loss of trees and natural areas

With the comments from the public open house in mind, the developers hired a Transportation Engineering firm to make recommendations on the traffic flow of the new development, created a tree replacement plan and made some amendments to the land use plan to reflect some of the feedback.

### **Technical Review**

#### *General Utilities*

With a subdivision of this scale, early and ongoing consultation between the developer's Engineering team and the City's Development Engineering Department is vital. Discussions have been ongoing prior to applications being made. As with any greenfield development a full infrastructure plan dealing with the provision of domestic water, sanitary sewer services, an integrated road network, storm water management and electrical and communication infrastructure needs to be created. In this case, the Columbia Heights Plan identified a general concept for these needs and the Sendero Canyon development installed much of the off-site infrastructure works, including a new domestic water reservoir. While detailed plans have not been created yet, a concept plan has been submitted to the City's Development Engineer for review showing how the development will be serviced and impacts on the City's system. The City's Development Engineering has

confirmed that the City's system can handle the additional loads created by this subdivision, with adequate measures put in place. Once zoning is in place, detailed design work will commence.

### *Traffic*

As stated above a full traffic impact assessment has been conducted. The report, prepared by Watt Consulting Group, lists a number of recommendations dealing with the proposed increase of traffic and presents a general traffic calming plan to help to ease the additional traffic loads into the existing transportation network. The report reflects on both existing issues with the City's network and issues that will be created by the new development. The recommendations from the report include the following:

- City: Install sidewalk on the north side of Lawrence Avenue from Sunset Place to Allison Street.
- \* Implement curb bulbs on Lawrence Avenue for the Allison Street crosswalk to calm traffic and reduce the pedestrian crossing width.
- \* Implement curb bulbs on Lawrence Avenue at Columbia Street and maintain crosswalk to east leg of intersection only. Investigate capacity needs and road safety for the Government Street corridor.
- City: Government Street / Duncan Avenue will need additional northbound and southbound through lanes and protected-permitted left-turn phasing for 2032 background conditions; however the capacity and safety study should be conducted first to confirm the needs of the intersection
- City: Further investigate closure of the Edgewood Drive approach at Duncan Avenue.
- City: Clear constrained/obstructed sightlines in the study area.
- \* Traffic calming: Implement a raised median island at the east access for Phase 1 and one for the west access for Phase.
- \* Traffic Calming: Implement a raised median island west of Sunset Place for Phase 1.

Staff are recommending that the traffic calming aspects of these works be done by the developer as part of Phase 1 of the development (indicated with an asterisks above \*). Staff are suggesting that the designs of the works be done prior to final approval of the zoning bylaws and the works be required through an excess or extended services resolution (because the works are outside of the subject lands). The remainder of the works and further investigations the City will be responsible for as part of general Capital Works projects.

### *Geotechnical*

A geotechnical assessment of the property has identified areas that are suitable for building and those areas that are not. Given the extreme topography of the lands, the report identifies a safe building line set back from the steep slope. As part of the subdivision of the property it will be important to maintain the involvement of the geotechnical professional to ensure that any lots that are built are ultimately safe lots. Staff are recommending that as a condition of zoning approval that the geotechnical report be registered as a covenant against the lands. This will ensure that any future developers, builders or purchasers of housing are aware of the unique conditions of the lands.

## *Environmental*

Given that close to ½ of the subject property was in a natural state prior to the earthworks being done staff requested an environment review of the lands prior to any tree removal and earthworks. As part of the environmental review a tree inventory was conducted, with the understanding that all trees that were removed would be replaced at a 1:1 ratio. The environmental report also indicated areas of remediation on the natural area. The environmental investigation found areas of sloughing within a slope in the natural area. As part of the development permit approval for the Environmental Protection DP (to be able to do works within an environmental area) bonding was taken to remediate the sloughing portion. This was important as the sloughing takes place where the nature trail leading from the residential portion of the subdivision down to the Penticton Creek walkway is proposed. The environmental report also features a number of other conditions that include best practices during construction and environmental oversight of the project. These recommendations will form part of any subdivision and building permit approvals.

## **Financial implications**

Approval of the subject development has the potential for an immediate positive financial impact on the city, if the development proceeds as proposed. Some estimated financial implications for full development of the lands include:

- An estimate \$54 million dollars in construction value, equating to approximately \$650,000+ in building permit value
- An estimated \$1.75 million in development cost charges, to go towards city wide DCC program infrastructure upgrades and installations
- Approximate tax contributions of \$300,000 a year when the lots are completely built out (anticipated prior to 2020)
- Over 350,000 man hours of employment created for Penticton builders

In the short term, the City will be responsible for some minor transportation upgrades, including installing some sidewalks and monitoring transportation impacts and will be responsible for the maintenance of the two park areas and trails that are proposed. Longer term costs to the city include the responsibility for maintenance of the new civil infrastructure being installed.

## **Analysis**

### *Support OCP and Zoning Bylaw Amendments*

The proposed development strategy for the subject lands is generally in conformance with the Columbia Heights Neighbourhood Plan. The major change has to do with the fact that the plans no longer show a school site. Staff have had initial discussions with the school board about this proposed change, and the indication was that the school board will support the change. Staff are recommending however that the school board be given the opportunity to officially respond to the change in land use designation.

The proposed plan is reflective of a good planning process, with the developer seeking public input prior to finalizing plans and incorporating those findings into the final designs. The outcome is a plan that preserves a large portion of the land as a natural area, provides a mixture of land uses and is compatible with neighbouring development. The transportation network featuring back lanes, trails and a pedestrian focused network represents good planning practice and will, in staff's opinion provide a good structure for a sustainable neighbourhood.

The development meets the following policies and principles of the City's Official Community Plan and Columbia Heights Neighbourhood Plan:

- Facilitating the provision of a variety of housing types, tenures and densities that will respond to the diverse needs, including income levels of individuals and families in Penticton at varying stages of their life.
- Developing new neighbourhoods that are considerate of the environment and of important habitat
- Developing neighbourhoods that have a feeling of community, incorporating the following elements: parks, green spaces, trails and natural areas, a mixture of housing types, pedestrian orientation
- At the time of rezoning the City will require site specific natural vegetation and tree cover assessment.
- Implementing multi-use trails throughout the Columbia Heights plan area
- Ensuring pedestrian linkages between residential areas and schools and parks.
- Urban services will be provided concurrent with development

Given that the development is in general conformance with the Columbia Heights Plan and represents good planning practice, staff are recommending that Council give first reading to the OCP and zoning amendment bylaws and refer the bylaws to the February 7, 2017 Public Hearing for comment from the public. Staff are also recommending that ultimate approval of the zoning bylaw be subject to a number of conditions, including improvements to the road network, bonding for tree replacement, designing and bonding for parks works and registering the geotechnical report on the title of the parent parcel.

#### *Deny / Refer OCP and Zoning Bylaw Amendments*

Council may feel that the proposed development plan is not adequate for the lands in question. If that is the case Council may wish to deny first reading of the Bylaw. Alternatively, Council may feel that further conditions are warranted prior to approval.

#### **Alternate recommendations**

THAT Council deny first reading of "OCP Amendment Bylaw 2017-06" and "Zoning Amendment Bylaw 2017-07".

THAT Council support "OCP Amendment Bylaw 2017-06" and "Zoning Amendment Bylaw 2017-07" with conditions that differ from those identified by staff.

**Attachments**

- Attachment A – Subject Property Location Map
- Attachment B – Images of Subject Property
- Attachment C – Current OCP Future Land Use Designations (Columbia Heights Neighbourhood Plan)
- Attachment D – Proposed OCP Future Land Use Designations
- Attachment E – Current Zoning
- Attachment F – Proposed Zoning
- Attachment G – Public Open House Synopsis
- Attachment H – Proposed Phasing Plan
- Attachment I – Proposed Street Cross Section
- Attachment J – Predevelopment Tree Count

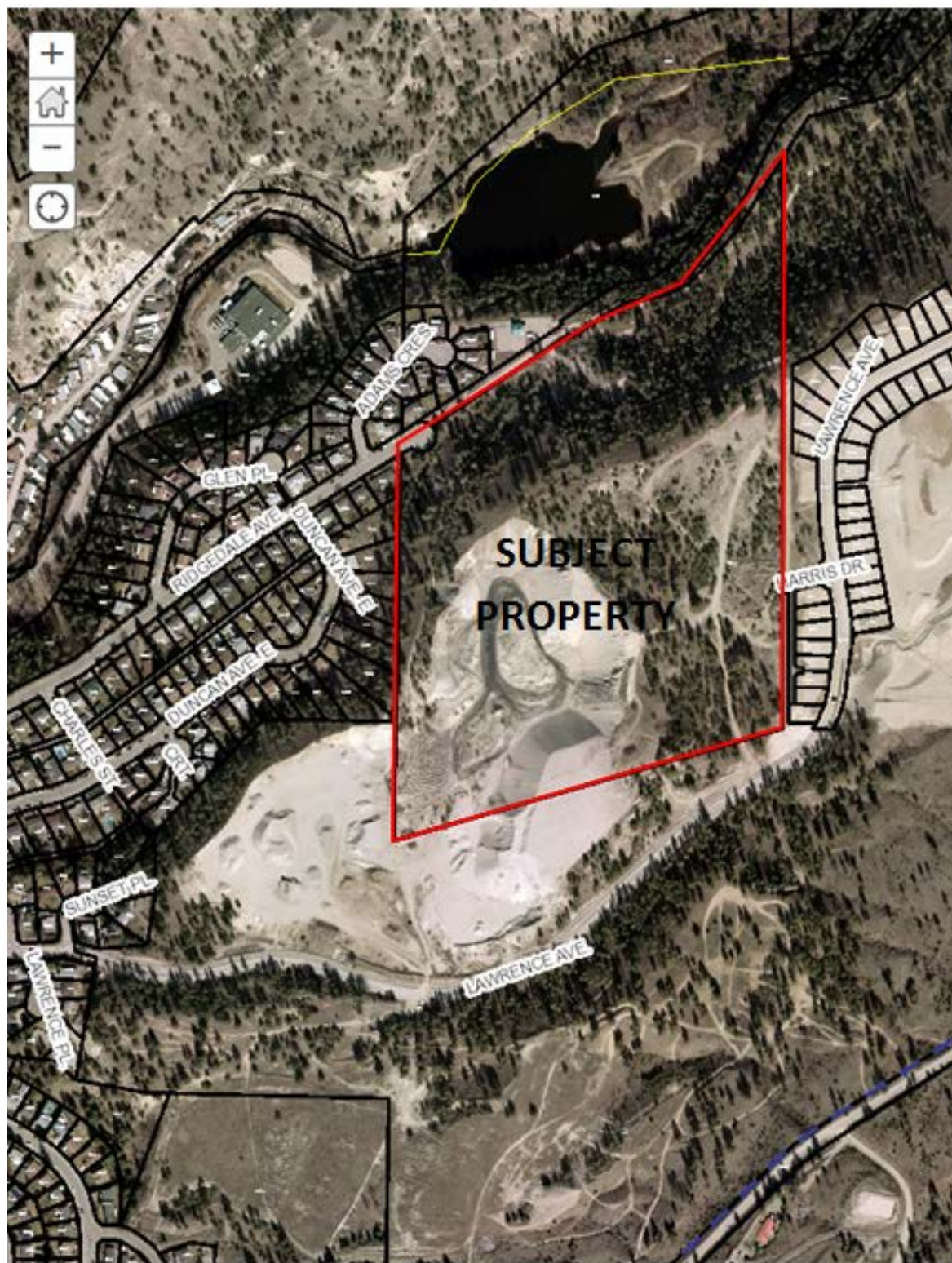
Respectfully submitted,

Blake Laven, RPP, MCIP  
Planning Manager

Approvals

Director  <i>AL</i>	Chief Administrative Officer  PW
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Attachment A  
Subject Property Location Map



Attachment B  
Images of Subject Property



**Figure 1: Drone image of subject property with Sendero Canyon development in the foreground, looking west**



**Figure 2: Drone image of subject lands showing the aggregate extraction area**

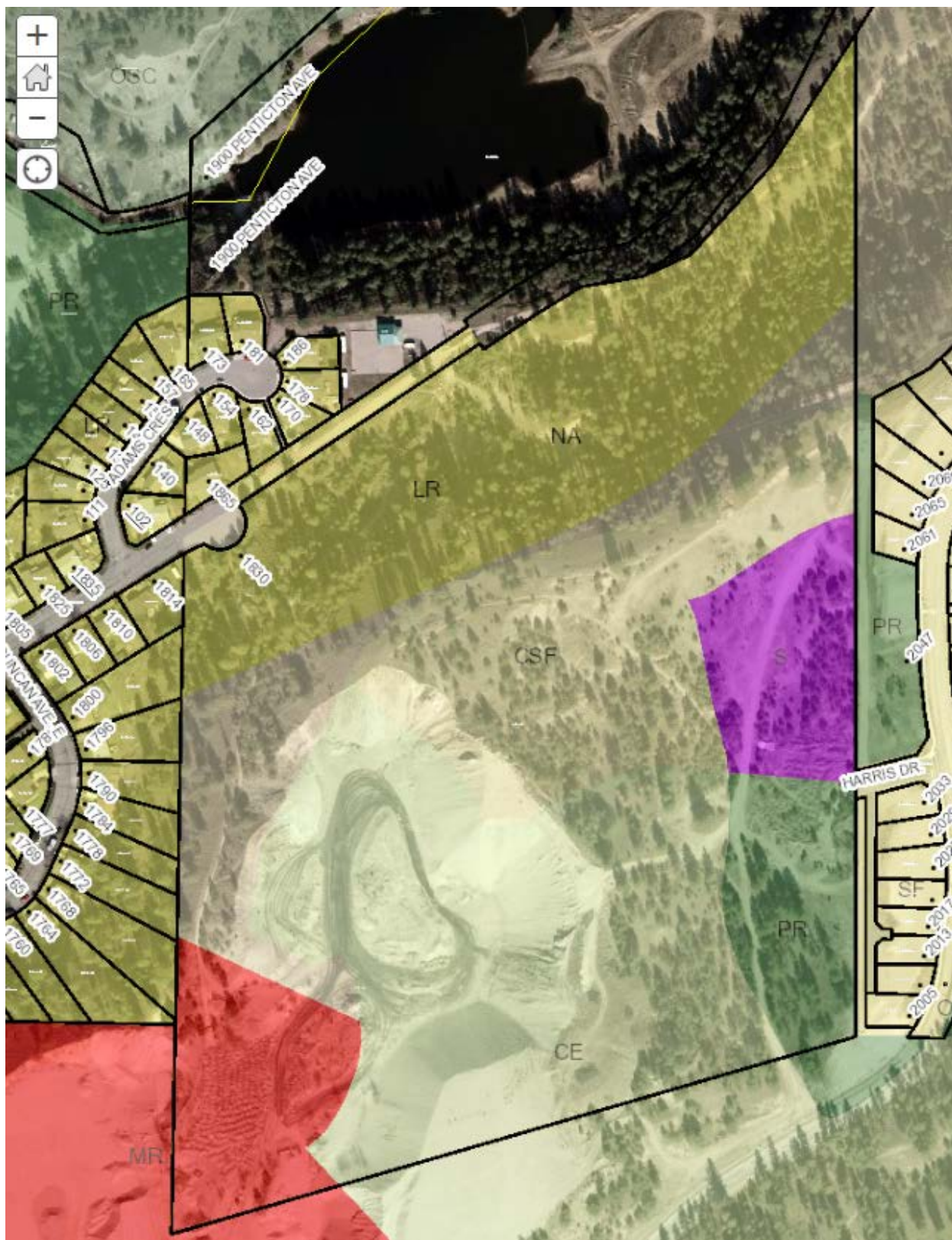


**Figure 3: Image of subject lands looking east**

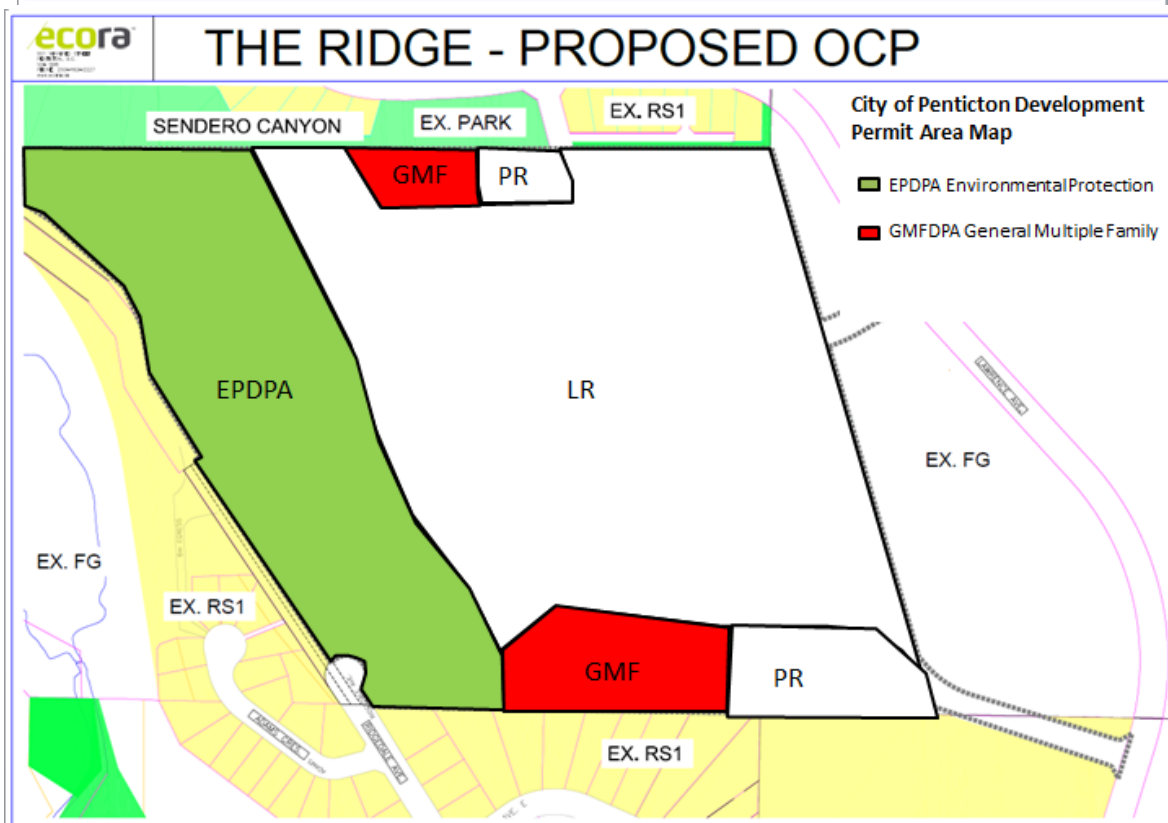
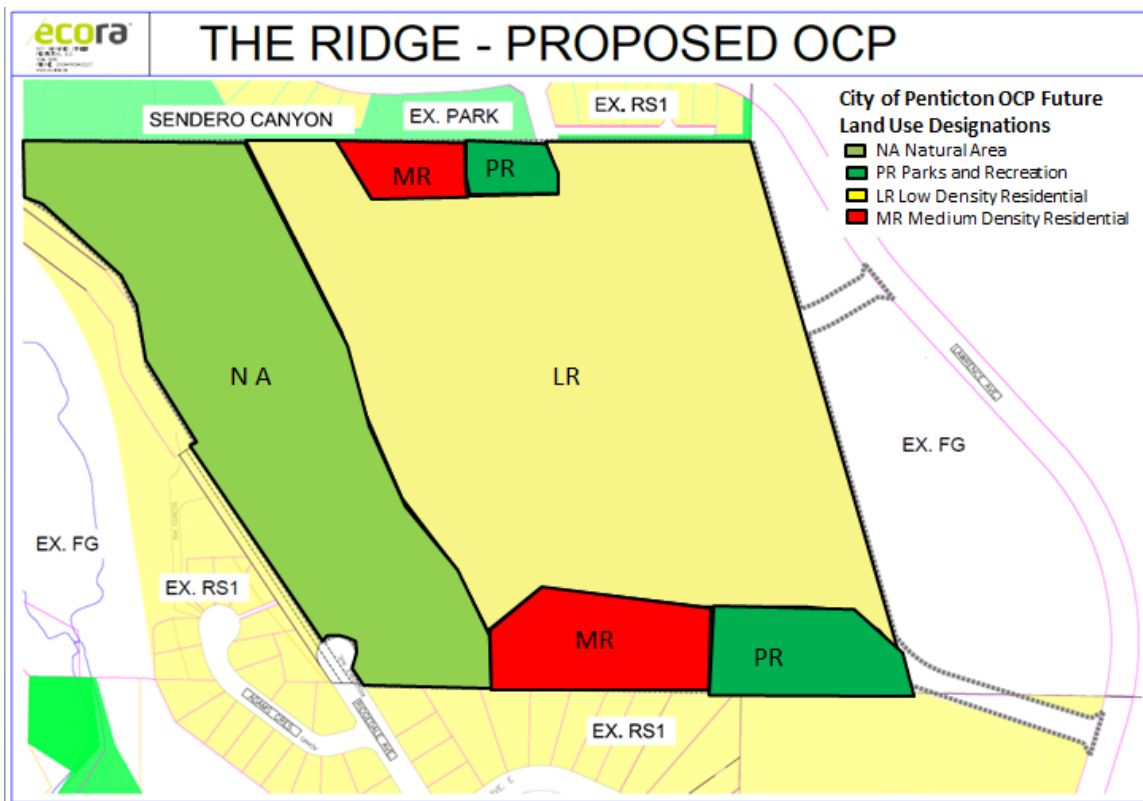


**Figure 4: Image of subject lands looking south**

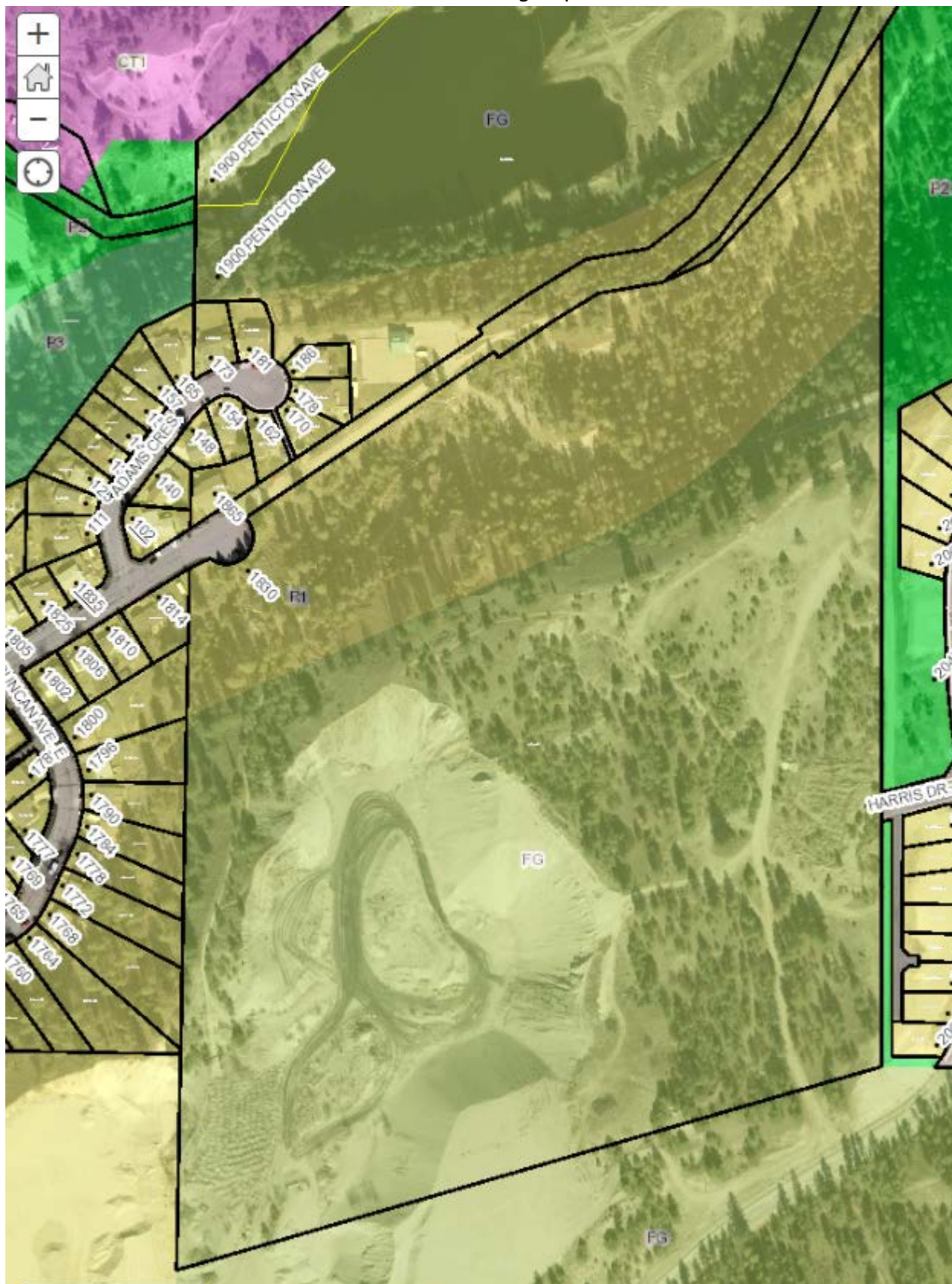
Attachment C  
Current Official Community Plan Land Use Plan Designations



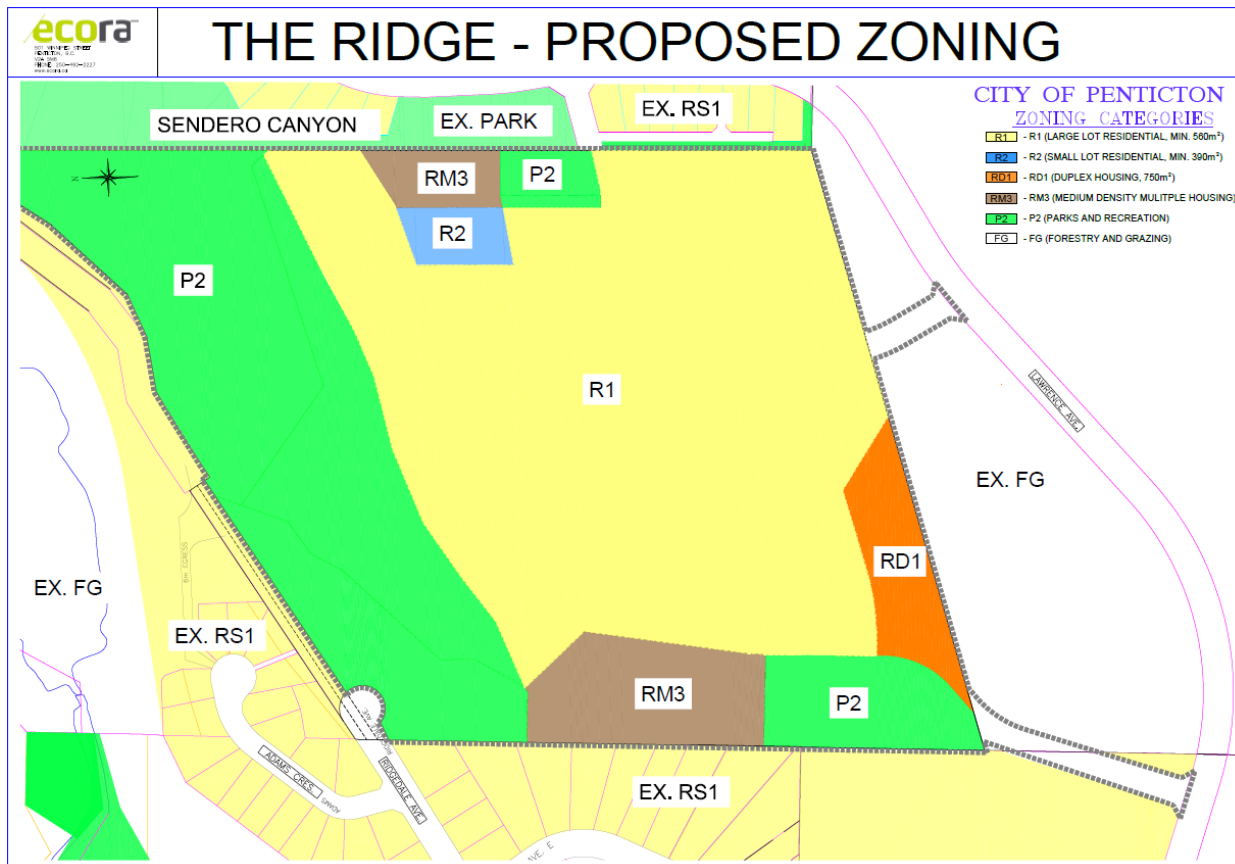
Attachment D  
Proposed Official Community Plan Amendments



### Attachment E Current Zoning Map



Attachment E  
Proposed Zoning



Attachment F  
Open House Synopsis



## Memorandum

penticton.ca

To: Blake Laven  
From: Randy Houle  
Date: October, 5, 2016  
Subject: 1830 Ridgedale Avenue Open House (October 3<sup>rd</sup>, 2016) Summary of Survey Responses

### Background Information:

The proposed development at 1830 Ridgedale Avenue consists of approximately 140 dwellings with a mix of single family, duplexes and multiple family housing. The development proposes multiple parks while also ensuring that environmentally sensitive areas are protected.

An Open House was held at Columbia Elementary School on Monday October 3<sup>rd</sup>, 2016 from 4:30 till 7pm. Ecora hosted the event with employees from the City of Penticton's Development Services Department in attendance to provide advice on process and current City policy.

Residents of nearby neighbourhoods attended to gather information and voice their opinions on the proposed development. An estimate of 80 + people were in attendance.

46 Surveys Received

Average of 2.8/5 in terms of satisfaction with proposed land use changes.

### Main Concerns:

#### *Traffic:*

- Improvements needed for Lawrence & Duncan intersection.
- Sidewalks, speed bumps and pedestrian crossings needed to slow traffic on Lawrence.

#### *Construction Site:*

- Reduce working hours (currently 7 days a week, 7-6pm).
- Generator noise.
- Dust.
- Garbage.

*Environment:*

- Numerous concerns over removal of old growth trees.
- Increased dumping of yard waste over the hill.
- Slope stability on the West side of development.

**Missing Information from proposed land use changes:**

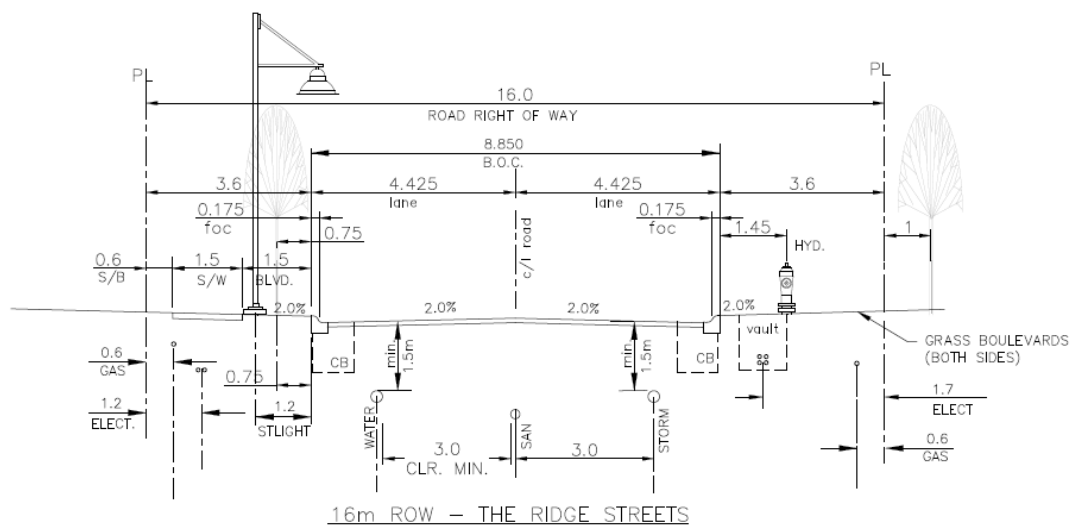
- Parks for children, more green space and trails.
- Ensuring environmentally sensitive areas are protected, especially ESA2 and area west of Sendero.

**Additional Comments:**

- Is the water supply adequate for the proposed development?
- School shortages in this area.
- Loss of privacy for neighbours below development.
- Sendero has not followed through with green space plans.
- Remove obstruction at Basham Court & Lawrence intersection.
- More separation needed between existing neighbourhood around upper Ridgedale and proposed development.
- Are fire escape routes adequate?
- Keeping residents outside of the 30m buffer informed as well.
- Reduce 6m walkway in environmentally sensitive area.
- OCP promotes density in downtown core and reducing urban sprawl, this project contradicts this.
- How many families will this project bring in?
- Ecora has done the environmental impact survey, and they work on behalf of developer. Is that a conflict of interest?



## Attachment H Proposed Typical Street Cross Section



**NOTES**

**ROAD & LANE STRUCTURE**

- 50mm ASPHALT PAVEMENT
- 100mm - 19mm CRUSHED GRAVEL BASE
- 200mm - 75mm CRUSHED GRAVEL SUB-BASE
- ALL CURB AND GUTTER TO BE ROLLOVER CURB & GUTTER AS PER MMCD C-4
- SIDEWALK 120mm CONC.

Attachment I  
Predevelopment Tree inventory



# Memo

To: Michael Hodges

Date: August 12, 2016

CC: Kelly Mercer

File: CP\_15\_287\_CUZ

From: Shikun Ran, RPF

Memo No. 01

Subject: Ridgedale Development Property Tree Count

Trees in the development property of Ridgedale were mapped and field verified By Ecora Engineering and Resource Group Ltd. during the period of August 10<sup>th</sup> - 12<sup>th</sup>, 2016. The following methodology was used:

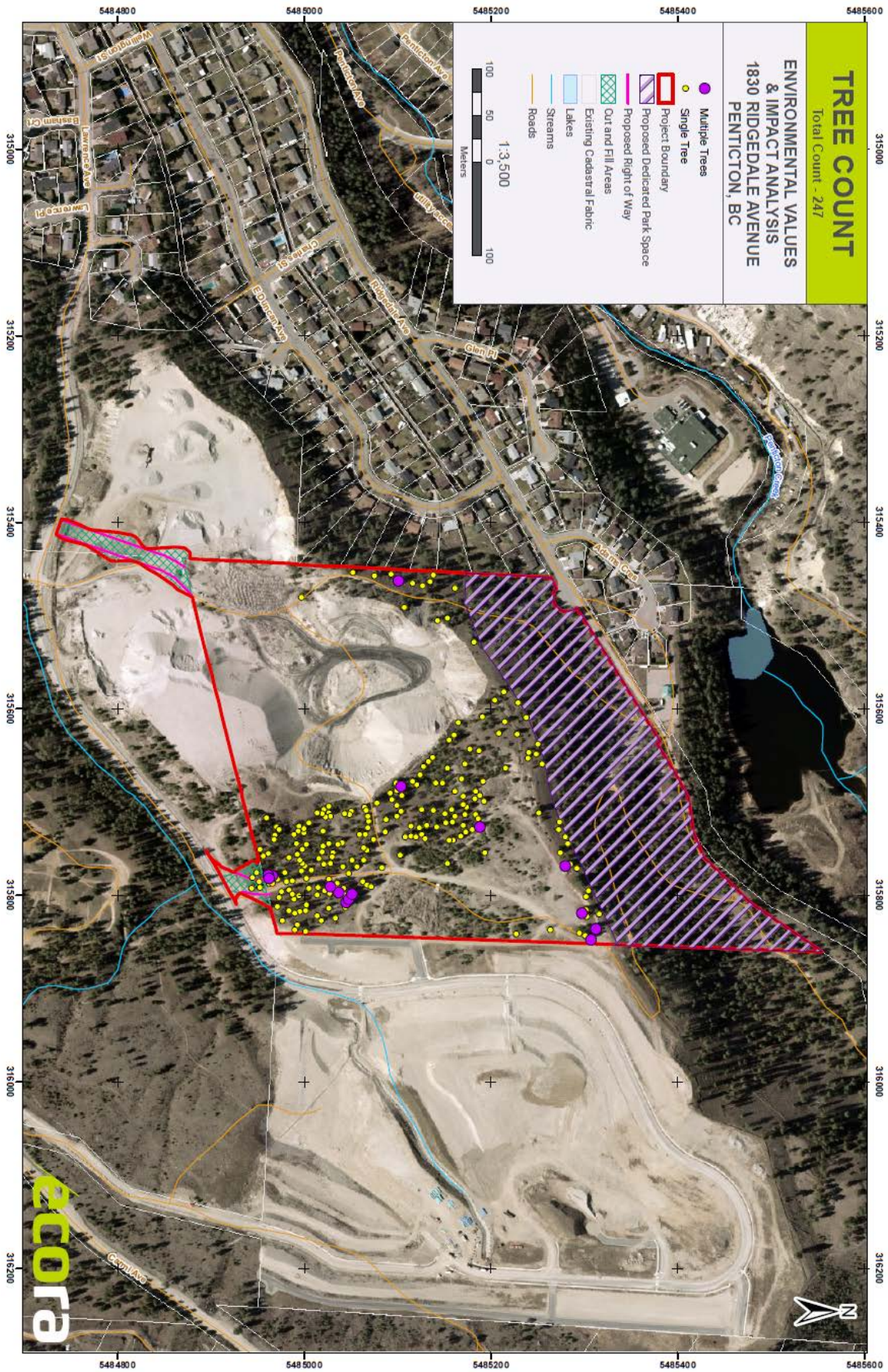
- 1) All individual trees of larger size were mapped in the office using high resolution images and GIS technology. The mapped trees were loaded into an iPad for the purpose of field verification.
- 2) Field verification occurred in August 11<sup>th</sup>, 2016. Mr. Shikun Ran, RPF verified every individual mapped trees in the field.
- 3) In some cases, a clump of trees were mapped as one individual due to difficult for separating them in the mapping process. Actual trees were counted in the field if diameter of the trees is equal or greater than 25 cm.

As a result of above process, a total of 247 trees were found to have diameters at breast height (DBH) equal to or greater than 25 cm.

Sincerely,

Shikun Ran, RPF





Bylaw No. 2017-06

A Bylaw to Amend Official Community Plan Bylaw 2002-20

WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the Local Government Act;

AND WHEREAS the Council of the City of Penticton wishes to amend Official Community Bylaw 2002-20;

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 "Official Community Plan Amendment Bylaw No. 2017-06."

2. Amendment:

"Official Community Plan Bylaw No. 2002-20" is hereby amended as follows:

- 2.1 Change Schedule 'B' Future Land Use designation for Lot 1, District Lot 2710, Similkameen Division Yale District, Plan 21103, located at 1830 Ridgedale Avenue in accordance with Schedule "A" attached hereto and forming part of this bylaw.
2.2 Change Schedule 'D' Natural Areas Map to include Lot 1, District Lot 2710, Similkameen Division Yale District, Plan 21103, located at 1830 Ridgedale Avenue in accordance with Schedule "B" attached hereto and forming part of this bylaw.
2.3 Change Schedule 'H' Development Permit Area Map to include Lot 1, District Lot 2710, Similkameen Division Yale District, Plan 21103, located at 1830 Ridgedale Avenue in accordance with Schedule "C" attached hereto and forming part of this bylaw.

READ A FIRST time this day of , 2017
A PUBLIC HEARING was held this day of , 2017
READ A SECOND time this day of , 2017
READ A THIRD time this day of , 2017
ADOPTED this day of , 2017

Notice of intention to proceed with this bylaw was published on the \_\_ of \_\_, 2017 and the \_\_ of \_\_, 2017 in the Penticton newspapers, pursuant to Section 94 of the Community Charter.

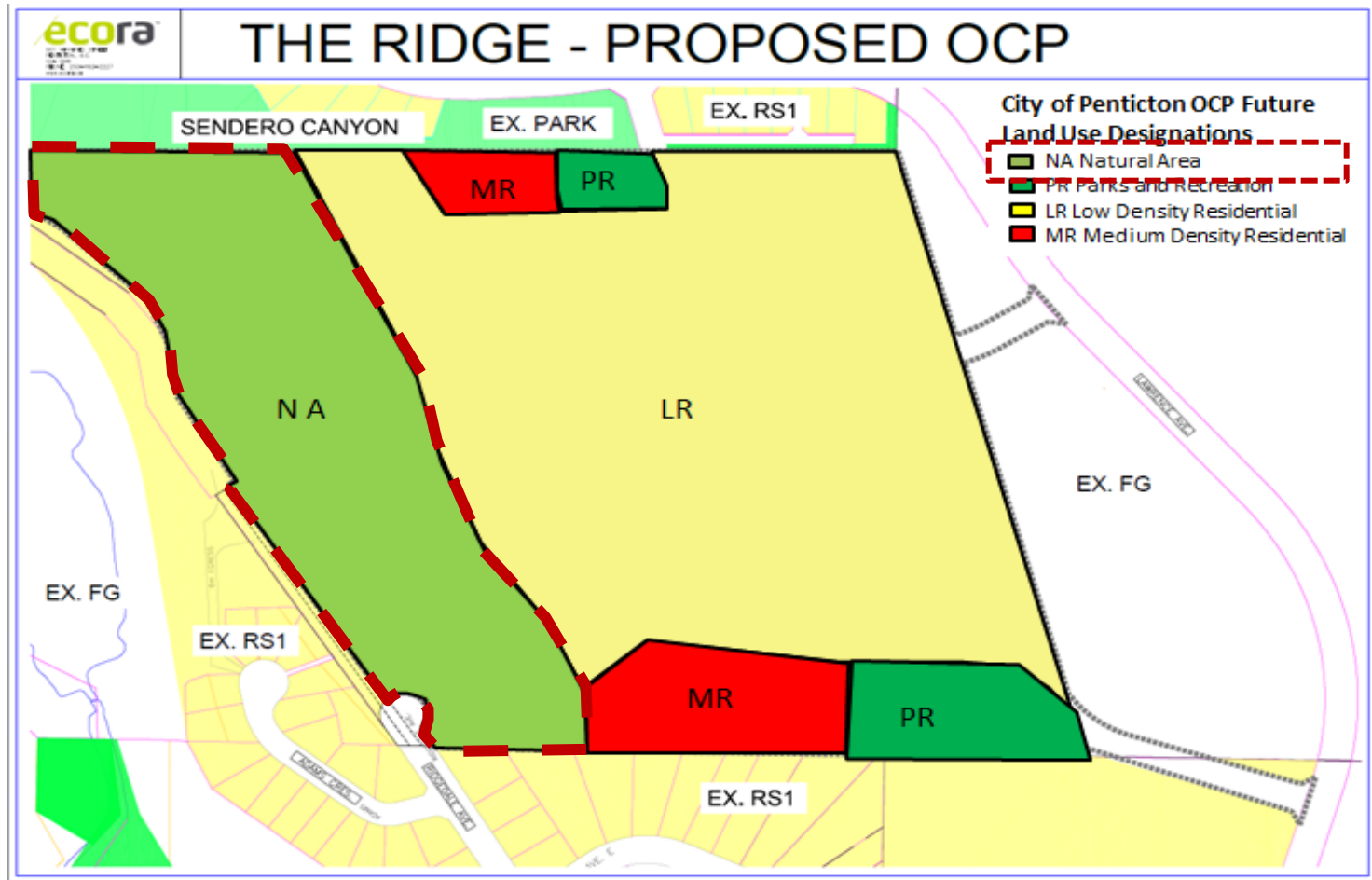
Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer



# 1830 Ridgedale Avenue

## Amend Schedule D: Natural Areas Map of OCP Bylaw 2002-20



City of Penticton – Schedule 'B'

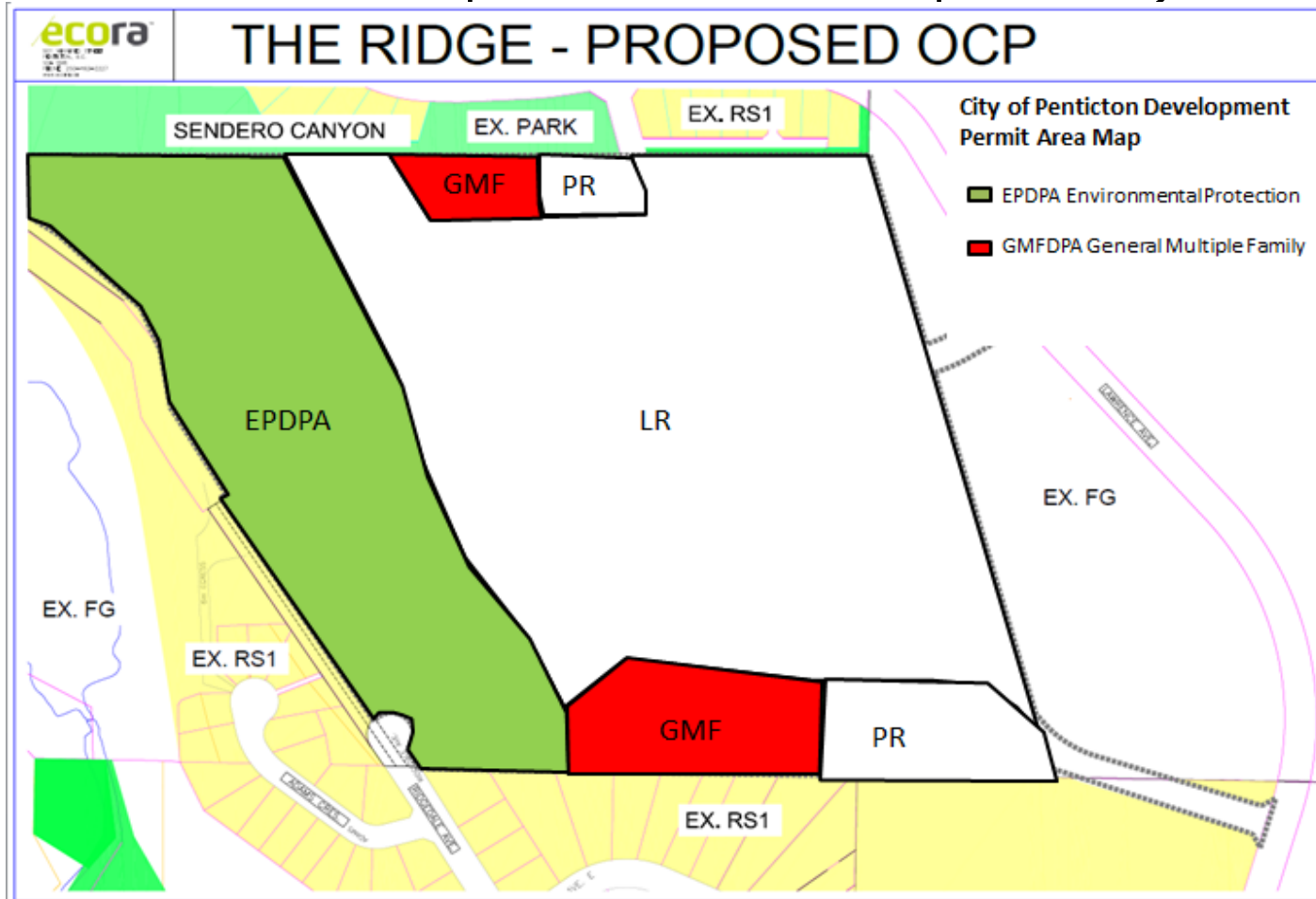
Official Community Plan Amendment Bylaw No. #2017-06

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

# 1830 Ridgedale Avenue

## Amend Schedule H: Development Permit Area Map of OCP Bylaw 2002-20



City of Penticton – Schedule 'C'

Official Community Plan Amendment Bylaw No. #2017-06

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

**Bylaw No. 2017-07**

*A Bylaw to Amend Zoning Bylaw 2011-23*

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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. 2017-07".

2. **Amendment:**

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

Change the zoning designations for Lot 1, District Lot 2710, Similkameen Division Yale District, Plan 21103, located at 1830 Ridgedale Avenue, in accordance with Schedule "A" attached hereto and forming part of this bylaw.

READ A FIRST time this	day of	, 2017
A PUBLIC HEARING was held this	day of	, 2017
READ A SECOND time this	day of	, 2017
READ A THIRD time this	day of	, 2017
ADOPTED this	day of	, 2017

Notice of intention to proceed with this bylaw was published on the \_\_ day of \_\_\_\_, 2017 and the \_\_ day of \_\_\_\_, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

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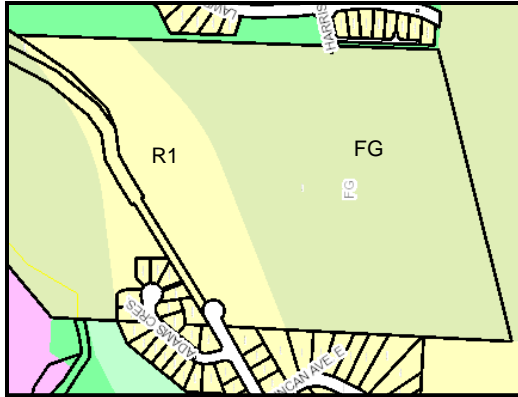
Andrew Jakubeit, Mayor

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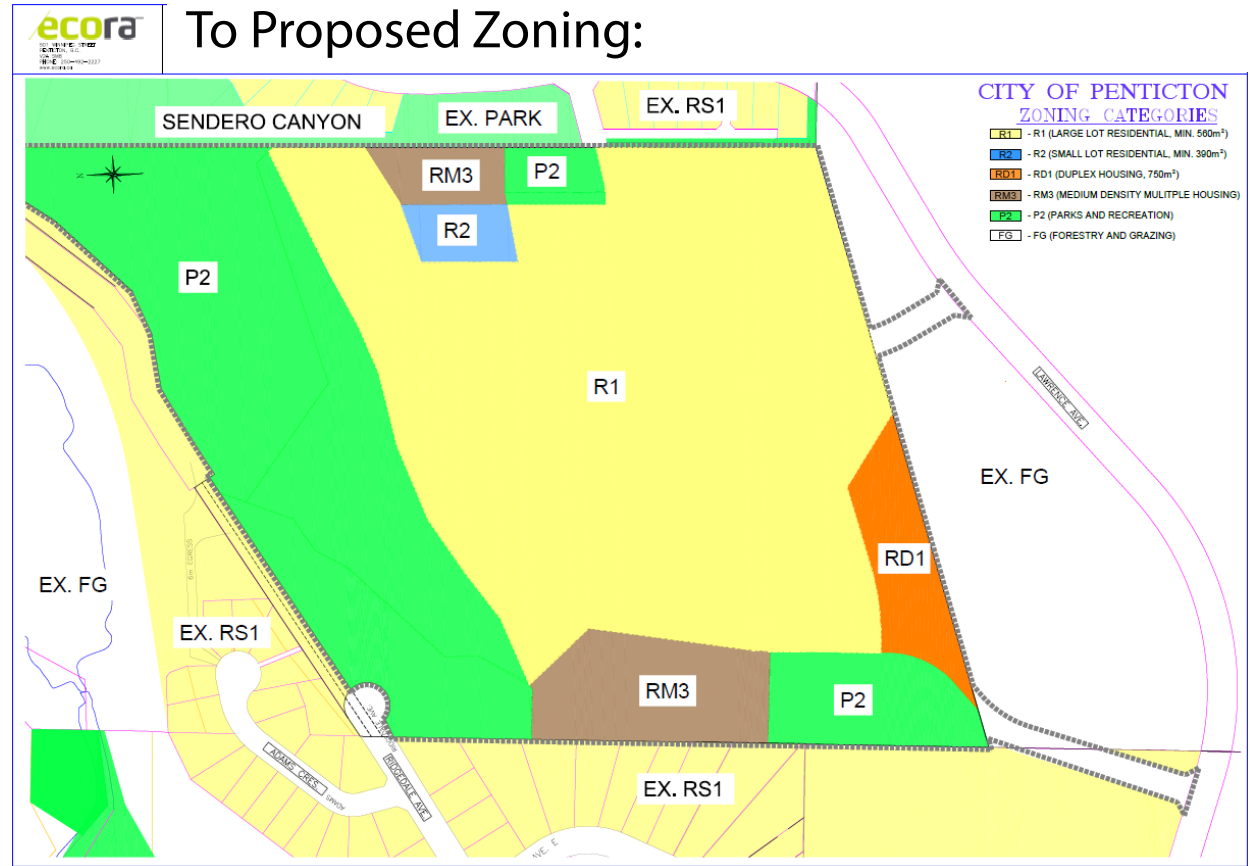
Dana Schmidt, Corporate Officer

# 1830 Ridgedale Avenue - Rezone

From  
(Current Zoning)



To Proposed Zoning:



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-07

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_