

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

Tuesday, April 4, 2017
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**
2. **Introduction of Late Items**
3. **Adoption of Agenda**
4. **Recess to Committee of the Whole**
5. **Reconvene the Regular Council Meeting**
6. **Adoption of Minutes:**
 - 6.1 Minutes of the March 21, 2017 Regular Council Meeting 1-12 Adopt
7. **Committee and Board Reports:**
 - 7.1 Heritage & Museum Committee Minutes of March 9, 2017 13-14
Recommendation: THAT Council receive the draft minutes of the Heritage & Museum Committee meeting of March 9, 2017.
 - 7.2 Transportation Advisory Committee Minutes of March 14, 2017 15-17
Recommendation: THAT Council receive the draft minutes of the Transportation Advisory Committee meeting of March 14, 2017.
Committee Recommendation: THAT Council support the proposed development by Schoenne Homes on Front Street and the OGO Car Share program.
8. **Correspondence**
 - 8.1 Ogopogo Valley Tours Inc. 18-21
Re: Letter of Support
9. **Staff Reports:**
 - LA 9.1 Loan and grant to SS Sicamous Marine Heritage Society 22-30
Re: Construction of a pier like deck
Staff Recommendation: THAT Council approve the attached loan agreement with the S.S. Sicamous Marine Heritage Society for an interest free loan to a maximum amount of \$50,000 with 75% of the amount borrowed to be repaid by March 30, 2019, and the remaining 25% be provided to the Society as a cash grant toward the construction of a pier like deck along the south side of the S.S. Sicamous; AND THAT the Mayor and Corporate Officer be authorized to sign the Document.

ME	9.2	Energy Retrofit Loan Program Update <i>Staff Recommendation: THAT Council receive the Energy Retrofit Loan Program Update report dated April 4, 2017 as a status update on the Energy Retrofit Loan Program; AND THAT Council direct staff to extend the Energy Retrofit Loan Program to the end of 2019.</i>	31-35																		
CFO	9.3	2017 Property Tax Multipliers <i>Staff Recommendation: THAT Council approve the following tax ratios for 2017:</i> <table border="0" style="margin-left: 40px;"> <tr><td><i>Class 1 Residential</i></td><td><i>1.00</i></td></tr> <tr><td><i>Class 2 Utilities</i></td><td><i>5.93</i></td></tr> <tr><td><i>Class 3 Supportive Housing</i></td><td><i>1.00</i></td></tr> <tr><td><i>Class 4 Major Industry</i></td><td><i>1.58</i></td></tr> <tr><td><i>Class 5 Light Industry</i></td><td><i>1.58</i></td></tr> <tr><td><i>Class 6 Business & Other</i></td><td><i>1.58</i></td></tr> <tr><td><i>Class 7 Managed Forest Land</i></td><td><i>1.58</i></td></tr> <tr><td><i>Class 8 Recreation/Non Profit</i></td><td><i>1.39</i></td></tr> <tr><td><i>Class 9 Farm</i></td><td><i>2.06</i></td></tr> </table> <i>AND THAT Council direct staff to commission a review on the business competitiveness of the City of Penticton.</i>	<i>Class 1 Residential</i>	<i>1.00</i>	<i>Class 2 Utilities</i>	<i>5.93</i>	<i>Class 3 Supportive Housing</i>	<i>1.00</i>	<i>Class 4 Major Industry</i>	<i>1.58</i>	<i>Class 5 Light Industry</i>	<i>1.58</i>	<i>Class 6 Business & Other</i>	<i>1.58</i>	<i>Class 7 Managed Forest Land</i>	<i>1.58</i>	<i>Class 8 Recreation/Non Profit</i>	<i>1.39</i>	<i>Class 9 Farm</i>	<i>2.06</i>	36-51
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FM	9.4	Arena Task Force Update <i>Staff Recommendation: THAT Council endorses the following in order for the Arena Task Force to continue to work on a recommendation for the future arena needs of Penticton;</i> <ul style="list-style-type: none"> • <i>The Arena Task Force findings that Penticton needs four arenas in order to provide the current services and programs to the community;</i> • <i>The Arena Task Force vision for future arenas that are fully functional, multi-purpose facilities which allow for flexible, efficient and optimized year-round use;</i> • <i>The Arena Task Force description of a multi-purpose facility including:</i> <ul style="list-style-type: none"> • <i>Regulation size playing surface and ceiling heights to accommodate all user groups;</i> • <i>Adequate spectator seating capacity (200-400);</i> • <i>Adequate dressing room numbers, sizes and configuration;</i> • <i>Dryland/warm up areas (could be multi-functional space, does not need to be a dedicated area);</i> • <i>Desired location to be consolidated at SOEC site for sports tourism opportunities including tournaments, championships, etc.; and</i> • <i>Multi-purpose facility with capability of offering ice and dry floor surfaces and ability to accommodate all user groups.</i> • <i>Fully functional facilities should allow for flexible, efficient and optimized year-round use.</i> <i>AND THAT Council authorizes the Arena Task Force and staff to proceed to complete the Memorial and McLaren Arena Assessment and the Arena Feasibility Study as described in the report.</i>	52-57																		
SPM	9.5	Official Community Plan Task Force Appointment and Program Update <i>Staff Recommendation: THAT Council amend the 2017 – 2018 Terms of Reference for the Official Community Plan Task Force to increase the number of voting members appointed by Council from seventeen (17) to nineteen (19); AND THAT Council appoint two members of City Council to the OCP Task Force; AND THAT Council receive, for information, an update on the OCP engagement process to date and an indication of next steps.</i>	58-64																		
BPM	9.6	Winery Lounge and Special Event Area (SEA) Endorsement Application Re: Township 7 Vineyards and Winery, 1450 McMillan Avenue <i>Staff Recommendation: THAT Council direct staff to commence public notification of the proposed Winery Lounge and Special Event Area (SEA) endorsement for Township 7 Vineyards & Winery (Penticton), located at 1450 McMillan Ave. Penticton; AND THAT staff report back to Council at their meeting on May 2, 2017 with the results of the public consultation for Council's consideration.</i>	65-75																		

Re: 175 Cossar Avenue

Staff Recommendation: THAT Council pursuant to Section 74 of the Community Charter, declare that general unkempt condition of the property located at 175 Cossar Avenue, (legally described as LT 5 PL KAP3223 DL 1 SDYD) is offensive to the community and, as a result, is a "declared nuisance" that requires remedial action to clear the debris/garbage at the exterior of the property and the rat infestation inside and around the exterior of the property; AND THAT typically the owner has 14 days to appeal per s. 78(2) and at least 30 days to comply per s. 76(2). Under S. 79 Council may set a shorter time limit if "there is a significant risk to health or safety if action is not taken earlier" which applies in this case and as such Council set shorter time limit of three days to appeal and seven days to comply;

AND THAT after the period of appeal has passed, on March 31, 2017, the Bylaw Services Department pursuant to Section 74 of the Community Charter be authorized to enter the property for cleaning the exterior and remedy the rat infestation inside and around the exterior of the property;

AND THAT Council authorize staff to take all appropriate actions in accordance with Section 17 [Municipal Action at Defaulter's Expense] of the Community Charter to ensure the property is brought into compliance with the Remedial Action specified above subject to the following:

- a) that all costs incurred by the City to bring the property into compliance shall be at the expense of the property owner and, as per Section 17 of the Community Charter, these costs shall be treated as a debt owed to the City of Penticton.*

10. **Public Question Period**

11. **Recess to In-Camera Meeting**

Resolution: THAT Council recess to a closed meeting of Council pursuant to the provisions of the Community Charter section 90 (1) as follows:

- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;*
- (2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

12. **Public Hearing at 6:00 p.m.**

13. **Reconvene the Regular Council Meeting following the Public Hearing**

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

14.1	Business Licence Amendment Bylaw No. 2017-15 Re: Vacation Rentals	84-85	Del/Sub/Adopt
14.2	Zoning Amendment Bylaw No. 2017-14 Re: Vacation Rentals	86-87	2 nd /3 rd
14.3	Fees and Charges Amendment Bylaw No. 2017-16 Re: Vacation Rentals	88	Adopt
14.4	Bylaw Enforcement Amendment Bylaw No. 2017-17 Re: Vacation Rentals	89	Adopt
14.5	Municipal Ticketing Information Amendment Bylaw No. 2017-18 Re: Vacation Rentals	90	Adopt

	14.6	Zoning Amendment Bylaw No. 2017-19 Re: 769/777 Ontario Street	91-92	2 nd /3 rd /Adopt
	14.7	Zoning Amendment Bylaw No. 2017-20 Re: 708 Revelstoke Avenue/865 Railway Street	93-94	2 nd /3 rd
	14.8	Zoning Amendment Bylaw No. 2017-21 Re: 634 Westminster Avenue W & 201 Maple Street	95-96	2 nd /3 rd
	14.9	Zoning Amendment Bylaw No. 2017-22 Re: 230 Brunswick Street	97-98	2 nd /3 rd
	14.10	Zoning Amendment Bylaw No. 2017-23 Re: 453 Winnipeg Street and 232 Wade Avenue	99	2 nd /3 rd
	14.11	Official Community Plan Amendment Bylaw No. 2017-24 Re: 135 Front Street	100	2 nd /3 rd /Adopt
		DVP PL2016-7813	101-102	Approve
15.		Land Matters:		
BPM	15.1	Brewery Lounge and Special Event Area Endorsement Re: Highway 97 Brewing Company Ltd., 954 Eckhardt Avenue W <i>Staff Recommendation: THAT Council recommend to the Liquor Control and Licencing Branch (LCLB) that it support the applications for Brewery Lounge & Special Event Area (SEA) Endorsement for Highway 97 Brewing Company Ltd.</i>	103-108	Del/Sub
16.		Notice of Motion		
17.		Business Arising from In-Camera		
18.		Council Round Table		
19.		Public Question Period		
20.		Adjournment		

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

Tuesday, March 21, 2017
at 1:00 p.m.

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

Absent: Councillor Picton

Staff: Peter Weeber, Chief Administrative Officer
Mitch Moroziuk, General Manager of Infrastructure
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

179/2017

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on March 21, 2017 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes:

4.1 Minutes of the March 7, 2017 Public Hearing

180/2017

It was MOVED and SECONDED

THAT Council receive the minutes of the March 7, 2017 Public Hearing as presented.

CARRIED UNANIMOUSLY

4.2 Minutes of the March 7, 2017 Regular Council Meeting

181/2017

It was MOVED and SECONDED

THAT Council adopt the minutes of the March 7, 2017 Regular Council Meeting as presented.
CARRIED UNANIMOUSLY

5. **Committee and Board Reports**

5.1 Penticton Arena Task Force Minutes of February 6, 2017

182/2017

It was MOVED and SECONDED

THAT Council receive the minutes of the Penticton Arena Task Force meeting of February 6, 2017.

CARRIED UNANIMOUSLY

5.2 Community Sustainability Committee Minutes of March 1, 2017

183/2017

It was MOVED and SECONDED

THAT Council receive the draft minutes of the Community Sustainability Committee meeting of March 1, 2017.

CARRIED UNANIMOUSLY

5.3 Downtown Revitalization Sub-Committee Minutes of March 10, 2017

184/2017

It was MOVED and SECONDED

THAT Council receive the draft minutes of the Downtown Revitalization Sub-Committee meeting of March 10, 2017.

CARRIED UNANIMOUSLY

The meeting recessed at 1:06 p.m. due to technical difficulties and resumed at 1:12 p.m.

185/2017

It was MOVED and SECONDED

THAT Council approve the installation of a Timberwolf two unit precast concrete washroom with stainless steel fixtures and heat tracing.

CARRIED UNANIMOUSLY

186/2017

It was MOVED and SECONDED

THAT Council direct staff to look at options for lighting and security during the construction of the 300 block.

CARRIED UNANIMOUSLY

6. **Correspondence**

6.1 BC Healthy Living Alliance
Re: Communities on the Move

187/2017

It was MOVED and SECONDED

THAT Council support BC Healthy Living Alliance 'Communities on the Move' initiative, a way to join forces with other municipalities and organizations calling for more provincial funding for active transportation and public transit.

CARRIED UNANIMOUSLY

- 6.2 University of British Columbia Okanagan
Re: Requesting written support for a new degree program

188/2017

It was MOVED and SECONDED

THAT Council send a letter to the University of British Columbia Okanagan supporting the new Master of Data Science degree program at UBC's Okanagan campus.

CARRIED UNANIMOUSLY

7. Staff Reports:

- 7.1 Upper Carmi Fire Protection

189/2017

It was MOVED and SECONDED

THAT Council support adding Upper Carmi area, up to the 8 km mark from Fire Station 202, into the RDOS Fire Protection Agreement.

CARRIED UNANIMOUSLY

- 7.2 Kindness Meter Initiative
Re: Partnership between 100 Homes Penticton, DPA and Bylaw Services

190/2017

It was MOVED and SECONDED

THAT Council support the "Kindness Meter" initiative in one pilot location (April 2017- April 2018) at the Main Street 200 block breezeway;

AND that Council direct staff to allocate funds from the existing Bylaw services budget towards the installation of the meter in the 200 Block of Main Street;

AND that Council support the donations from the Kindness Meter to "100 Homes Penticton" as a part of their "suite of strategies" for reducing homelessness in the community.

CARRIED UNANIMOUSLY

- 7.3 Mobile Retail Vending

191/2017

It was MOVED and SECONDED

THAT Council support the creation of a one-year pilot program for Mobile Retail Vending as part of the Mobile Food Vending License Program for 2017 that allows for:

- A maximum of two mobile retail vendors to be in operation at any one time in any of the locations approved for Mobile Food Vending, except the 'Gyro hub' or 'Winnipeg St & Lakeshore' locations.
- All applicable fees associated with Mobile Food Vending Licences and business Licences be paid for 2017;

AND THAT Council direct staff deny approval for any mobile retail vending operations within vacant commercial sites in the Downtown 'Core' for 2017, as identified in Attachment C;

AND FURTHER THAT staff report back to Council in fall 2017 with a summary of issues and recommendations.

CARRIED UNANIMOUSLY

It was MOVED NO SECONDER

THAT Council extend the operating hours for mobile vendors.

CARRIED UNANIMOUSLY

192/2017

It was MOVED and SECONDED

THAT Council direct staff to work with stakeholders to explore extended operating hours for mobile retail including the downtown core.

CARRIED UNANIMOUSLY

- 7.4 Winery Lounge and Special Event Area (SEA) Endorsement Application
Re: Time Winery, 361 Martin Street

193/2017

It was MOVED and SECONDED

THAT Council direct staff to commence public notification of the proposed Winery Lounge and Special Event Area Endorsement for Time Winery (Encore Vineyards Ltd);
AND THAT staff report back to Council at their meeting on April 18, 2017 with the results of the public consultation for Council's consideration.

CARRIED UNANIMOUSLY

- 7.5 Brewery Lounge & Special Event Area Endorsement Application
Re: Highway 97 Brewing Company Ltd., 954 Eckhardt Avenue W

194/2017

It was MOVED and SECONDED

THAT Council direct staff to commence public notification of the proposed Brewery Lounge & Special Event Area (SEA) Endorsement for Highway 97 Brewing Company Ltd;
AND THAT staff report back to Council at their meeting on April 4, 2017 with the results of the public consultation for Council's consideration.

CARRIED UNANIMOUSLY

- 7.6 Winery Lounge Endorsement Application
Re: Little Engine Wines, 851 Naramata Road

195/2017

It was MOVED and SECONDED

THAT Council direct staff to commence public notification of the proposed Winery Lounge Endorsement for Little Engine Wines (Little Engine Wines Ltd.);
AND THAT staff report back to Council at their meeting on April 18, 2017 with the results of the public consultation for Council's consideration.

CARRIED UNANIMOUSLY

- 7.7 Parking Update

196/2017

It was MOVED and SECONDED

THAT Council support a review of the 2012 parking strategy through further consultation with the community and the Transportation Advisory Committee;
AND THAT Council suspend plans to implement Commercial Paid Parking along Lakeshore, at Lakawanna Park, along Riverside Drive, and at Loco Landing while the review is completed and further consultation is undertaken;
AND THAT Council endorse the expansion of the Hospital Resident Only parking program to areas requested and suspend plans to charge a fee for the program until further consultation is undertaken;
AND THAT Council endorse the expansion of the Downtown Resident Only parking program to the areas requested and suspend plans to charge a fee for the program until further consultation is undertaken.

CARRIED
Councillor Martin, Opposed

7.8 Short Term Rental Program

197/2017

It was MOVED and SECONDED

That Council change the definition of Home Stay Rental to less than 30 days.

DEFEATED

Mayor Jakubeit, Councillors Sayeed, Watt, Sentes, Martin, Opposed

198/2017

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2017-14" and forward to the April 4, 2017 Public Hearing;

THAT Council give first, second as amended and third reading to "Business Licence Amendment Bylaw No. 2017-15" and provide an opportunity for persons who consider they are affected by the bylaw to make representation to Council at the April 4, 2017 meeting;

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2017-16";

THAT Council give first, second and third reading to "Bylaw Enforcement Amendment Bylaw No. 2017-17";

AND THAT Council give first, second and third reading to "Municipal Ticketing Information Amendment Bylaw No. 2017-18".

CARRIED UNANIMOUSLY

7.9 Eventful Penticton Sponsorships

Mayor Jakubeit declared a conflict of interest and left the meeting at 3:03 p.m. Deputy Mayor Sayeed chaired the meeting.

199/2017

It was MOVED and SECONDED

THAT Council approve a \$10,000 sponsorship for the 2017 Canadian Sport School Hockey League (CSSHL) Championships;

CARRIED UNANIMOUSLY

Mayor Jakubeit returned to the meeting at 3:06 p.m.

200/2017

It was MOVED and SECONDED

THAT Council approve a \$10,000 sponsorship for the 2017 Western Canada Cup.

CARRIED UNANIMOUSLY

8. Public Question Period

9. Recess to In-Camera Meeting

201/2017

It was MOVED and SECONDED

THAT Council recess at 3:18 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 holds or 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;

(g) litigation or potential litigation affecting the municipality;

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;

(k) negotiations and related discussions respecting the proposed provision of a municipal service 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

10. Reconvene the Regular Council Meeting at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:02 p.m.
Councillor Konanz was absent.

11. Reconsideration of Bylaws and Permits

11.1 2017-2021 Five Year Financial Plan Bylaw No. 2017-13

202/2017

It was MOVED and SECONDED

THAT Council adopt "2017-2021 Five Year Financial Plan Bylaw No. 2017-13".

**CARRIED
Councillor Martin, Opposed**

11.2 Zoning Amendment Bylaw No. 2017-08

203/2017

It was MOVED and SECONDED

THAT Council adopt "Zoning Bylaw No. 2017-08".

CARRIED UNANIMOUSLY

11.3 Zoning Amendment Bylaw No. 2017-04

DVP PL2016-7786 & DP PL2016-7787

Re: 251 Rigsby Street

204/2017

It was MOVED and SECONDED

THAT Council rescind third reading of "Zoning Amendment Bylaw No. 2017-04";

AND THAT Council give third reading as amended to "Zoning Amendment Bylaw No. 2017-04";

AND THAT Council adopt "Zoning Amendment Bylaw No. 2017-04".

THAT Council approve DVP PL2016-7786 and DP PL2016-7787 for 251 Rigsby Street.

CARRIED UNANIMOUSLY

11.4 Zoning Amendment Bylaw No. 2017-09

Re: 4000 Valleyview Road

205/2017

It was MOVED and SECONDED

THAT Council rescind third reading of "Zoning Amendment Bylaw No. 2017-09";

AND THAT Council give third reading as amended to "Zoning Amendment Bylaw No. 2017-09";
AND THAT Council adopt "Zoning Amendment Bylaw No. 2017-09".

CARRIED UNANIMOUSLY

11.5 Zoning Amendment Bylaw No. 2017-11
Re: 850 Wiltse Blvd

206/2017

It was MOVED and SECONDED

THAT Council rescind third reading of "Zoning Amendment Bylaw No. 2017-11";
AND THAT Council give third reading as amended to "Zoning Amendment Bylaw No. 2017-11";
AND THAT Council adopt "Zoning Amendment Bylaw No. 2017-11".

CARRIED UNANIMOUSLY

Councillor Konanz arrived at 6:07 p.m.

12. Land Matters:

12.1 Suspension of Business Licence and Injunctive Action
Re: Herbal Green, 256 Westminster Avenue W

Owner: Jukka Laurio, Owner, announced 256 Westminster Avenue W will be closing at 6 p.m. tomorrow. Dispensary will close, still have a café at 248 Westminster Avenue W.

207/2017

It was MOVED and SECONDED

THAT Council receive this report for the purpose of considering whether:

- a) the suspension of the City of Penticton Business Licence for Herbal Green (City of Penticton Business Licence No. 00015528), as set out in the March 13, 2017 letter from the Bylaw Services Supervisor, should be upheld; and
- b) whether the Business License for Herbal Greens, 256 Westminster Ave W, Penticton, BC, should be cancelled;

AND THAT Council provide Mr. Jukka Laurio, owner and operator, or other representative of Herbal Green, with an opportunity to be heard in relation to this report and the recommendations contained in it.

THAT after providing Mr. Jukka Laurio, or other representative of Herbal Green, with an opportunity to be heard by Council, Council consider:

- a) upholding the suspension of the City of Penticton business licence for Herbal Green (City of Penticton Business Licence No. 00015528), as set out in the March 13, 2017 letter from the Bylaw Services Supervisor; and
- b) cancelling the Business License for Herbal Green, 256 Westminster Ave W, Penticton, BC:

AND THAT after consideration of the above, Council authorizes and directs the Bylaw Services Supervisor to retain and instruct legal counsel to bring a proceeding in the City's name in Supreme Court under s. 274 of the Community Charter, S.B.C. 2003, c. 26 to enforce and to prevent and restrain the violation of the city's bylaws in relation to the marijuana dispensary located at 256 Westminister Ave W., Penticton, B.C. and for ancillary relief.

CARRIED UNANIMOUSLY

12.2 Liquor Primary Endorsements
Re: Cascades Casino Penticton, 553 Veas Drive

Delegations/Submissions:

- Lynn Kelsey, Oakville Street, live in townhouses to south of complex, expressed concerns with noise. Until 2 -2:30 am is too late, not sure if public consultation is enough, those who live in that area have not been consulted.
- Michael Magnuson, General Manager, Cascades Casino, sensitive to our neighbours, will make sure we go across street and make sure that we can't hear music at those residential properties. Have barriers around four sides, music is for ambient noise. Liquor application is for late hours but will not always be open late. Noise from air handling units and highway traffic. Will implement internal policy to set volumes. Want to be good neighbours and asset to City of Penticton.

208/2017

It was MOVED and SECONDED

THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the applications for Liquor Primary Licence Endorsements for Cascades Casino Penticton (Gateway Casinos & Entertainment Ltd).

CARRIED UNANIMOUSLY

12.3 Development Variance Permit PL2017-7830 (deferred from March 7)
Re: 4047 Lakeside Road

Delegations/Submissions:

- Randy Thew, Lakeside Road, owner, trying to build retirement home, will impact the neighbourhood views, tried to get the square footage they need in this foot print, need these levels with a garage to make a functional home.
- Robert Leib, Lakeside Road, neighbour to the north, spoke in support of the application, supplies off street parking, working together with neighbours, will be building soon, see that there will be blockage of views, trying to make decent homes.
- Tiffany Saunders, Finnerty Road, feel these variances will set precedent for future lots, read submission.
- Tim Libby, Finnerty Road, do not support all variances, read submission, keep two storeys above grade, concern with setting precedent to north.
- Michealeen O'Connor, Lakeside Road, submitted submission, concerned about riparian water way, suggest widen scope of notification, concern with cyclists.
- Jim Cove, Finnerty Road, thank you for deferring, worry about precedent, concern with road safety, need enforcement of speed, built own home based on bylaws, over exceeding buildable area of lot, invite council to come to home and look at view will have when all 14 properties are developed.
- Randy Thew, egress ladder has been removed.
- Tim Libby, speaking of 8 ft. change, entire lower level will lose view of the lake.
- Tiffany Saunders, read submission from Rick Thorpe and Yasmin John-Thorpe, full comments sent to Council via email.
- Cal Mikeljohn, spoke in support of variances.
- Michael O'Connor, Lakeside Road, don't let this process take the place of careful due diligence.
- Janet Trimble, Finnerty Road, concerned about safety.
- Resident, Finnerty Road, concerned about road safety, design says room 4 and 5, how many rooms?
- Heather Thew, Lakeside Road, clarified number of rooms.

- Robert Leib, Lakeside Road, worked with Thews, made application to move mailboxes, believe neighbourhood concerns are views not safety.
- Jim Cove, Finnerty Road, these two lots have been purchased, buyers unaware of difficulty, if right away can they vary to zero clearance.

209/2017

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-7830" for Lot 26 Block 209 District Lot 190 Similkameen Division Yale District Plan 466, located at 4047 Lakeside Road, a permit to vary the following regulations of the Zoning Bylaw:

- Decrease the minimum front yard from 6.0 m to 3.0m;
- Decrease the minimum north interior yard from 1.5m to 0.9m;
- Increase the height of a retaining wall from 1.2m;
- Permit external stairs in a required yard;

AND THAT staff be directed to issue "Development Variance Permit PL2017-7830".

CARRIED

Councillors Martin and Sentes, Opposed

12.4 Development Variance Permit PL2017-7840
Re: 2203 Dartmouth Drive

Delegations/Submissions:

- Nil

210/2017

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-7840" for Lot B District Lot 3821S Similkameen Division Yale District Plan KAP79585 Except Strata Plan KAS3795 (Phase 1), located at 2203 Dartmouth Drive, a permit to decrease the required minimum interior side yards from 4.5m & 0m to 0m on both sides;

AND THAT staff be directed to issue "Development Variance Permit PL2017-7840."

CARRIED UNANIMOUSLY

12.5 Zoning Amendment Bylaw No. 2017-19
Re: 769/777 Ontario Street

211/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-19," a bylaw to Rezone Lot 23 District Lot 249 Similkameen Division Yale District Plan 3578, located at 769 Ontario Street and to Rezone Lot 2 District Lot 249 Similkameen Division Yale District Plan 4847, located at 777 Ontario Street from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), and to add Section 10.6.4.5: "In the case of Lot 23 District Lot 249 Similkameen Division Yale District Plan 3578, located at 769 Ontario Street and Lot 2 District Lot 249 Similkameen Division Yale District Plan 4847, located at 777 Ontario Street, two dwelling units are permitted with vehicular access from the street," be given first reading and forwarded to the April 4, 2017 Public Hearing.

CARRIED UNANIMOUSLY

12.6 Zoning Amendment Bylaw No. 2017-20
DVP PL2017-7845, DP PL2017-7846, DP PL2017-7847
Re: 708 Revelstoke Avenue/865 Railway Street

212/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-20," a bylaw to Rezone Lot 57 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 708 Revelstoke Avenue, and to Rezone Lot 56 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049 Except Plan 36620, located at 865 Railway Street from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), be given first reading and forwarded to the April 4, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-20," a road dedication in accordance with Attachment 'H' is registered with the Land Title Office;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-20," the developers pay the cost of frontage upgrades which includes curb, gutter and sidewalk.

THAT delegations and submissions be heard for "Development Variance Permit PL2017-7845" for Lot 56 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049 Except Plan 36620, located at 865 Railway Street, a permit to decrease the minimum west interior side yard from 1.5m to 1.2m and to decrease the minimum exterior side yard from 3.0m to 1.6m.

AND THAT "DVP PL2017-7845" be considered only after adoption of "Zoning Amendment Bylaw No. 2017-20".

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-20," approve Development Permit PL2017-7846 for Lot 56 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049 Except Plan 36620, located at 865 Railway Street, and Development Permit PL2017-7847 for Lot 57 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 708 Revelstoke Avenue, a permit that allows for the construction of two front to back duplexes.

CARRIED UNANIMOUSLY

12.7 Zoning Amendment Bylaw No. 2017-21
DVP PL2016-7826, DP PL2016-7825
Re: 634 Westminster Avenue W & 201 Maple Street

213/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-21", a bylaw to amend Zoning Bylaw 2017-08 to rezone Lot 1, Block 125, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 201 Maple Street and That Part of Lot 1, Block 125 shown on Plan B5606, District Lot 2, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan 1175 located at 634 Westminster Avenue West, from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing), be given first reading and be forwarded to the April 4, 2017 Public Hearing; AND THAT prior to zoning approval the two lots be consolidated;

THAT delegations and submissions for “Development Variance Permit PL2016-7826” on Lot 1, Block 125, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 201 Maple Street and That Part of Lot 1, Block 125 shown on Plan B5606, District Lot 2, Group 7, Similkameen (FORMERLY YALE LYTTON) Division Yale District, Plan 1175 located at 634 Westminster Avenue West, a permit to reduce the required parking from 16 stalls to 12 stalls and decrease the rear yard setback from 6m to 4.5m, be heard at the April 4, 2017 Public Hearing; AND THAT Council consider “DVP PL2016-7826” following the adoption of “Zoning Amendment Bylaw No. 2017-21”.

THAT Council receive DP PL2016-7825, a permit to develop a three (3) storey apartment building on Lot 1, Block 125, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 201 Maple Street and That part of Lot 1, Block 125 shown on Plan B5606, District Lot 2, Group 7 Similkameen (FORMERLY YALE LYTTON) Division Yale District Plan 1175 located at 634 Westminster Avenue West; AND THAT Council consider “DP PL2016-7825” following the adoption of “Zoning Amendment Bylaw No. 2017-21”.

CARRIED UNANIMOUSLY

12.8 Zoning Amendment Bylaw No. 2017-22
Re: 230 Brunswick Street

214/2017

It was MOVED and SECONDED

THAT “Zoning Amendment Bylaw No. 2017-22”, a bylaw adding section 11.6.4.2: “ In the case of Lot 14, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton), District Plan 871, located at 230 Brunswick Street, indoor millwork shall be permitted”, be introduced, read a first time and be forwarded to the April 4, 2017 Public Hearing.

CARRIED UNANIMOUSLY

12.9 Zoning Amendment Bylaw No. 2017-23
Re: 453 Winnipeg Street and 232 Wade Avenue

215/2017

It was MOVED and SECONDED

THAT “Zoning Amendment Bylaw 2017-23”, being a bylaw to amend “Zoning Bylaw No. 2017-08” by adding the use ‘office’ as a site specific use to Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan KAP77551 located at 453 Winnipeg Street and the use ‘parking’ on Lot E, District Lot 4, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan 502, Except Plan B4474, located at 232 Wade Avenue, be given first reading and be forwarded to the April 4, 2017 Public Hearing.

CARRIED UNANIMOUSLY

12.10 OCP Amendment Bylaw No. 2017-24
DVP PL2016-7813
Re: 135 Front Street

216/2017

It was MOVED and SECONDED

THAT prior to consideration of OCP Amendment Bylaw No. 2017-24 and in accordance with Section 475 of *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 the Public Hearing is sufficient consultation;

AND THAT "OCP Amendment Bylaw No. 2017-24", being a bylaw to amend "OCP Bylaw No. 2002-20" shown as Attachment 'J' of this report to allow a 5 storey building at 135 Front Street; be introduced, given first reading and be forwarded to the April 4, 2017 Public Hearing.

CARRIED UNANIMOUSLY

13. Notice of Motion

14. Business Arising

15. Council Round Table

16. Public Question Period

17. Adjournment

217/2017

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, March 21, 2017 at 8:50 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Heritage & Museum Committee Meeting

held at Museum, Archives Room
785 Main Street, Penticton, B.C.

Thursday, March 9, 2017
at 8:30 a.m.

Present: Judy Sentes, Councillor
Bill Allen, Chair
Randy Manuel, Vice-Chair
Heather Buzzell, Penticton Library Representative
Shelley Clarke, School District 67 Representative
Brad Hillis, Leir House Representative
Loraine Stephanson, Member at Large

Staff: Dennis Oomen, Museum Manager
Ben Johnson, Special Projects Manager
Chandra Wong, Museum Assistant
Lorraine Williston, Committee Secretary

1. Call to Order

The Museum & Heritage Committee was called to order by the Chair at 8:48 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Museum & Heritage Committee adopt the agenda for the meeting held on March 9, 2017.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Heritage & Museum Committee adopt the minutes of the February 9, 2017 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Museum Update

The Museum Manager stated to promote their upcoming 1916-17 WW1 exhibit they will be publishing letters written by Penticton Service Men in the Penticton Herald. Letters include

notable names 'Cleland' and Nicols'. Additional grant funding has become available for the development of museum Canada150 projects. Staff have applied for a grant for their 'Hands on Heritage Lab'. The Museum Assistant provided a background on her role at the museum and her current work on engaging students and scheduling classes at the museum that includes collaboration with the Library.

4.2 Remembrance Day Banners

Councillor Sentes reported she has contacted Councillor Booth with the Town of Summerland to enquire about the banners. Councillor Booth stated the Town of Summerland has no involvement with banners besides displaying them. Former Mayor David Gregory is the one who has initiated the project. The Chair agreed to contact Mr. Gregory for more information.

4.3 Federal Heritage Designation

The Vice-Chair noted in 2008 the City hired a consultant to prepare a report to recommend a heritage management plan for the Leir House. The information contained in the report is what would be required to apply for Federal Heritage Designation. The Committee Secretary to retrieve the report from the City's library and forward to staff.

5. **New Business**

The Special Project Manager asked the committee if there was any interest in him presenting information on character house preservation and what Vancouver is currently doing. The committee stated they are interested and asked the Special Project Manager to present the information at a future meeting.

6. **Next Meeting**

The next regularly scheduled meeting of the Museum & Heritage Committee to be determined.

7. **Adjournment**

The Museum & Heritage Committee adjourned the meeting at 9:21 a.m.

Transportation Advisory Committee Meeting

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

Tuesday, March 14, 2017
at 3:00 p.m.

- Present:** Tarik Sayeed, Councillor
Daryl Clarke, Chair
Tracy Van Raes, Vice-Chair
Wendy Kenward, handyDART Service Representative
Karina Chambers, Member at Large
- Staff:** Mitch Moroziuk, General Manager of Infrastructure
Ian Chapman, City Engineer
Anthony Haddad, Director of Development Services
JoAnne Kleb, Communication Engagement Officer
Lorraine Williston, Committee Secretary
- Guest:** Chelsea Mossey, Regional Transit Manager, Operations
Bruce Schoenne, Schoenne Homes

1. **Call to Order**

The Transportation Advisory Committee was called to order by the Chair at 3:00 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Transportation Advisory Committee adopt the agenda for the meeting held on March 14, 2017 as amended (refer to Item 4.3 and 6.2)

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED

THAT the Transportation Advisory Committee adopt the minutes of the October 11, 2016 meeting as circulated.

CARRIED UNANIMOUSLY

4. Delegation

4.1 Chelsea Mossey, Regional Transit Manager, Operations Re: Custom Transit Registration Process

The Regional Transit Manager, Operations presented information on BC Transit's revised custom transit (handyDART) registration process. As demand for custom transit continues to rise, BC Transit's goal is to match needs and abilities with service. The registration process was revised to ensure this specialized service is being used by those who truly need it and to provide:

- A more accurate and standardized eligibility process;
- Individualized process based on applicant's abilities;
- Low-floor bus education outreach;
- Increased handyDART capacity for those who have no other transit options = fewer unmet trips;
- Slow rate of increasing costs by shifting some riders to fixed-route transit.

Implementation for new applicants in Penticton started on May 30, 2016 and the process has had very positive results. Discussion and questions followed.

4.2 Bruce Schoenne Re: Front Street Development Proposal

Bruce Schoenne from Schoenne Homes presented information on a new development he is proposing for an empty lot on Front Street (formerly the Slack Alice's property). Mr. Schoenne stated he is negotiating with OGO Car Share Co-op to bring in a car at a location close to the development that will be available for the entire community to use and will be including the details in his proposal to Council as the City would need to provide a parking spot for the car. Discussion and questions followed on available parking and the car share program.

It was MOVED and SECONDED that the Transportation Advisory Committee recommends THAT Council support the proposed development by Schoenne Homes on Front Street and the OGO Car Share program.

CARRIED UNANIMOUSLY

4.3 Parking Review and Update

The Director of Development Services presented an update on the parking strategy including a review of the existing parking situations for the waterfront, downtown/residential and hospital areas, the proposed changes, long term transportation strategy and community engagement. Discussion and questions followed. It was suggested that perhaps the City could provide employers with incentives to deal with parking challenges i.e. car pooling and look at having a downtown bus hub and more bike lanes. It was agreed that better communication is needed when implementing any changes.

5. Business Arising from Prior Meetings

5.1 'Penticton Slow Down' Sign

The General Manager of Infrastructure asked the committee to confirm if they want to move forward with this project. This committee still needs to decide on whether they want the City to purchase the signs and distribute for free; or subsidize the cost of the signs; or approach

bike shops and groups to sell the signs. Discussion followed on the costs to have the signs made. Staff to email the committee the cost quotes. This item to be brought forward to the next meeting for discussion and recommendation.

6. **New Business**

6.1 BC Transit Workshop – Penticton – June 5-7, 2017

The General Manager of Infrastructure extended an invitation to the committee members to attend the Workshop Opening by the BC Transit CEO on June 5, 2017 from 8:30 – 10:00 a.m. at the Penticton Lakeside Resort. The Committee Secretary to send out a calendar invite.

6.2 Regional Transit Update

The General Manager of Infrastructure provided an update on the South Okanagan-Similkameen Regional Transit Service fare structure (Osoyoos to Kelowna) and stated a uniform fare structure has been adopted by Council. Once all communities have endorsed the fare structure, BC Transit will formally adopt it province wide. The fare increase for Penticton is \$2.25 and will be implemented in September 2017. Discussion and questions followed.

7. **Council Outcome**

Council Resolution 478/2016 from the minutes dated October 11, 2016 was received.

8. **Next Meeting**

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

9. **Adjournment**

It was MOVED and SECONDED that the Transportation Advisory Committee adjourn the meeting held on Tuesday, March 14, 2017 at 4:35 p.m.

Certified Correct:

Lorraine Williston
Committee Secretary

Good afternoon Mayor Jakubeit and Council.

We are Adonica & Darren Sweet of Ogopogo Tours based in Summerland. Thank you for allowing us to make this presentation.

Ogopogo Tours began operations in fall of 2015. We have guided hundreds of guests to South Okanagan businesses, and donated services to multiple charities. Our little company has hosted guests from 15 different countries to date.

Green Tourism Canada has recently presented us with a Silver Award for environmental management and corporate social responsibility. We operate the first hybrid tour vehicle in the Okanagan and may be the first certified carbon neutral wine tour operator in Canada.

We request your input & support for our application to the Passenger Transportation Board, or PTB. PTB licenses all vehicles in BC carrying passengers for compensation.

Ogopogo Tours holds a "General Authorization" License, allowing both our current vehicles to deliver scheduled sightseeing & wine tours. These tours run at pre-determined times picking up from licensed accommodation and central points. The venues we stop at are set in advance.

In addition, we offer services considered "Passenger Directed Tours". These include custom tours where passengers may choose the stops, or the tour is customized to their preferences. Most importantly, we pick up passengers from private homes, so that no one drives after a wine tour.

This is where our licensing gets tricky! Only our large van can perform these services. Our hybrid sedan is not available for passenger directed services, because it carries less than 12 passengers.

Sedans and 11 (or less) passenger vans require a "Special Authorization" to provide passenger directed services. This often means we must drive the "wrong" sized vehicle.

With full approval of our application, we plan to provide point to point transportation including service to Penticton and Kelowna Airports. Airport services would be available to your door, at your desired time. "Through the door" support will be provided as needed. We will add wheelchair accessible vehicles when feasible, for both wine tours and point to point transportation.

We believe there is sufficient market in the South Okanagan to support this application. Our vehicles currently perform scheduled tours throughout the region. The licensing requested simply increases the customizable services we can offer to guests.

The most challenging task of this application is demonstrating community need & support. We have received support from hotels, motels, businesses, governments, guests and local citizens throughout the South Okanagan. More support may be required for approval in the Penticton area.

We would be pleased to receive any input that council may offer, and hope to further discuss meeting transportation gaps in Penticton and area. At council's discretion, we request a letter supporting our Special Authorization application to provide these additional services, in our hybrid sedan and future vehicles of various sizes.

Thank you Mayor Jakubeit and Council!

Darren Sweet

Director | Ogopogo Valley Tours Inc.

250-490-6665

www.OgopogoTours.com

OGOPOGO VALLEY TOURS INC.

Call or Text: **250-490-6665**
 Website: www.OgopogoTours.com
 Email: special@OgopogoTours.com



We need your help! We must demonstrate Community Support to fully license our luxury hybrid sedan & other vehicles. “Camilla” is the first hybrid tour vehicle in the Okanagan Valley, part of our commitment towards sustainable tourism. We plan to add more sedans and mid-sized vans, allowing us to offer “Right-Sized” vehicles for your tour, transportation or event.

A Passenger Transportation Licence is required to operate a passenger vehicle service in BC. **We currently have a “General Authorization” licence which allows us to offer these services:**

	4 Passenger Hybrid Sedan (Existing)	11 Passenger Van (Proposed)	14 Passenger Van (Existing)
Scheduled Wine & Sightseeing Tours	Yes	Yes	Yes
Pickup from Hotels, Licensed Accommodation, Tourism Centres	Yes	Yes	Yes
Pickup from Passenger Residence	No	No	Yes
Passenger Directed Tours	No	No	Yes
Unscheduled Tours & services	No	No	Yes
Modify Tour at Passenger Request	No	No	Yes
Extend Tours or Add a Stop	No	No	Yes
Charters incl Wedding & Executive Car Service	No	No	Yes
Point to Point Transportation	No	No	Yes*
Transportation to Penticton and Kelowna Airports (pre-booked on your schedule)	No	No	Yes*

*Impractical under our current licensing

Believe it or not, the deciding factor is whether it carries 12 or more passengers!

We are applying for a “[Special Authorization](#)” licence for our luxury hybrid sedan and other proposed vehicles. This would allow “Passenger Directed Tours” including customized tours, airport transfers and charters in our 4 passenger sedan & 11 passenger vans. Once this license is approved, all of the No’s above become YES!

Upon full approval of our licensing, we plan to acquire our first vehicle with wheelchair accessibility.

We must show there is support / need in the community for us to add these services in our smaller, more efficient vehicle:

- Unscheduled wine & sightseeing tours in a vehicle suited to the group size
- More personalized services including pickup at private homes

- Customized tours, where stops are chosen by guests
- Charters for transportation, weddings and events for small groups
- Car Service as seen in major cities, car on call with experienced driver-guide
- Transport to and from Penticton or Kelowna Airports, on your schedule
- Transport for your group to dinner, events and parties
- Transport in an eco friendly vehicle for sustainable tourism and transportation

What we ask from you is to write a Support Statement: Write a letter or e-mail if you would either use our services yourself or would refer others to us. Your letter must include the following details:

- Addressed to Passenger Transportation Board for inclusion with our application
- Why, when and how often you might use or refer to our tour / transportation services
- Whether you use any tour / transportation services now, including us
- Why you might use Ogopogo instead of other companies that are available
- Your name, signature and contact information

Please note: Your letter or e-mail may be treated as a public document as part of the Passenger Transportation Board's licence application process.

Please support our "Special Authorization" licensing application, so we can offer on demand airport services "customized" sightseeing and wine tours in our hybrid sedan! Please provide specific examples of services you would like to see us offer.

Additionally, if you have information about other available transportation services and the economy, it may help us complete our application. Please email us thoughts you have about:

- Will our service fill a gap in the market?
- Will our service give the public additional tour & transportation options?
- Does the market place have the capacity to support another service?
- Are there other tour / transportation providers in our target market area?
- Will our services supplement another non-transportation business? We supplement wineries, restaurants, travel, accommodations and tourism attractions. Can you think of others where we can supplement their business if we had this licencing?
- If you or someone else would like to partner with us to meet transportation needs year round, we would love to work with you on future services.

Please submit your letter to us soon, to include with our application. Call us directly if you have any questions 250-490-6665. You can email the letter to the information below, or contact us and Darren will answer your questions and swing by to pick it up.

We truly appreciate your support! We look forward to bringing even more guests to South Okanagan Businesses in 2017.

Darren & Adonica Sweet

Ogopogo Valley Tours Inc.
11014 Ellis Ave.
Summerland, BC V0H 1Z8

special@OgopogoTours.com
www.OgopogoTours.com/special.php

Council Report

penticton.ca

Date: April 4, 2017 File No: 2380-20
To: Peter Weeber, Chief Administrative Officer
From: Peter Wallace, Land Administrator
Subject: Loan and grant to S.S. Sicamous Marine Heritage Society for construction of a pier like deck

Staff Recommendation

THAT Council approve the attached loan agreement with the S.S. Sicamous Marine Heritage Society for an interest free loan to a maximum amount of \$50,000 with 75% of the amount borrowed to be repaid by March 30, 2019, and the remaining 25% be provided to the Society as a cash grant toward the construction of a pier like deck along the south side of the S.S. Sicamous;

AND THAT the Mayor and Corporate Officer be authorized to sign the Document.

Strategic priority objective

Addition of the pier like deck will enhance the S.S. Sicamous and support a Vibrant Water Front.

Background

At the February 7, 2017 Committee of the Whole Meeting a Delegation from the S.S. Sicamous Marine Heritage Society showed the planned new entrance to the Sicamous and requested a two year loan to build entrance on the south side of the SS Sicamous, facing the Lakeshore Drive promenade. The loan would allow prompt completion of the project. The Society would pay back 75% of the loan. Council agreed to discuss the request during budget deliberations.

At the Special Council of February 23, 2017 (Day 3 of Budget) Council passed the following resolution:

131/2017 It was MOVED and SECONDED

THAT Council approve the loan request from the SS Sicamous Society for a wharf on the south side of the SS Sicamous with funds from the capital budget.

CARRIED UNANIMOUSLY

Staff have reviewed the proposed plans, provided input and set requirements, which are included in the loan agreement. As required by Section 24 of the Community Charter public notice has been provided advising of the City's intent to provide assistance.

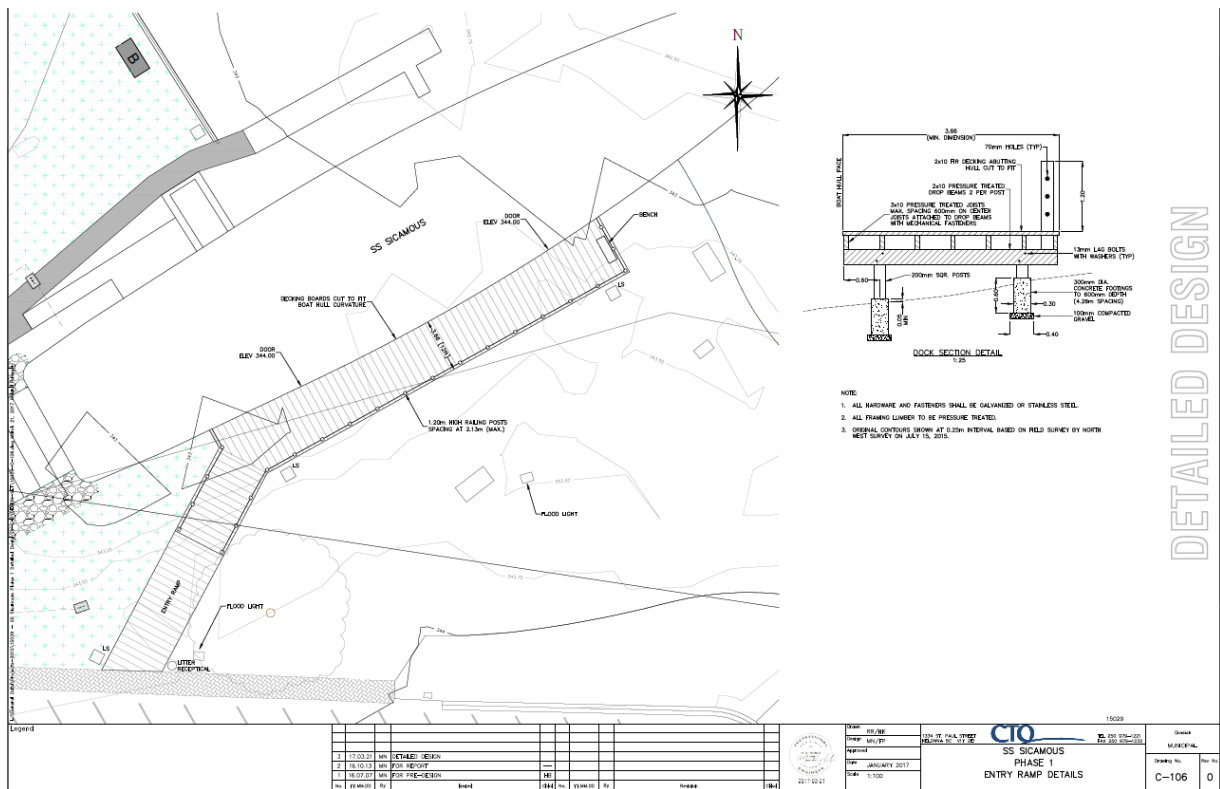


Image no. 1 - Deck Plan

Staff have obtained permission for construction of the deck from the Province.

The project needs to be started by early April or the rising water table will prevent pouring the concrete footings and delay start until fall.

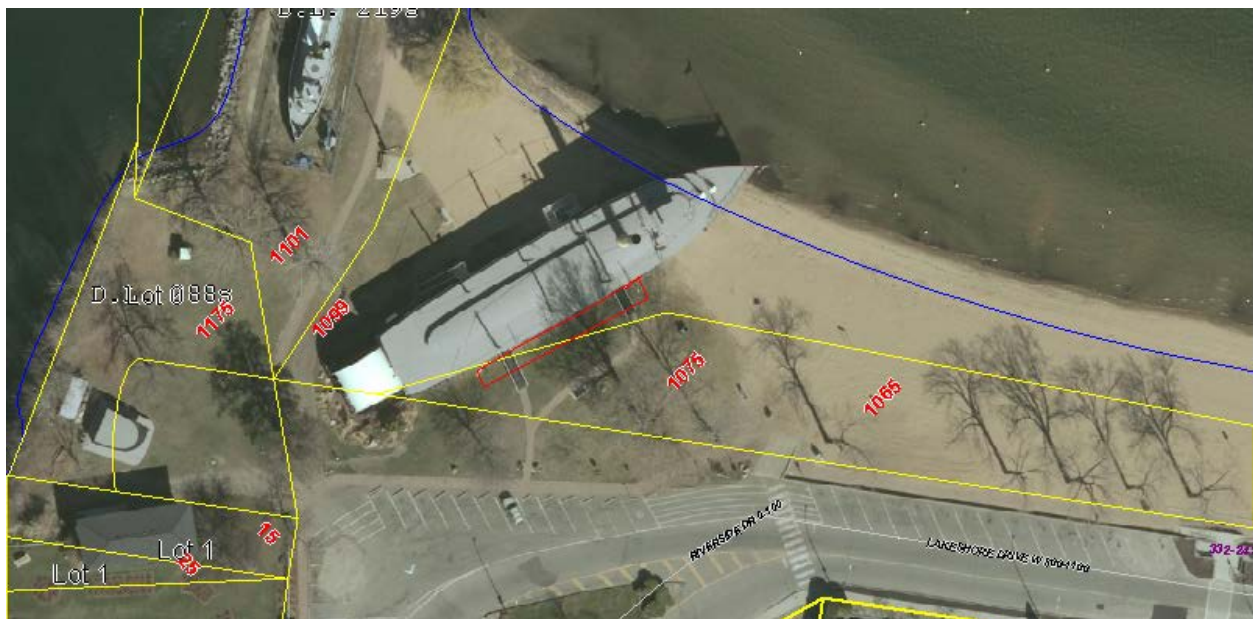


Image no. 2 – Aerial view of area deck location outlined in red.

Financial implication

The Loan of \$37,500 will be provided and repaid at the end of the two years or earlier if possible by the Society. The \$12,500 grant portion will be funded from the Capital budget.

Analysis

At the end of this process there will be a new \$50,000 public asset at the Sicamous site that only cost the City \$12,500.

The incentive for the loan was to allow completion of the project prior to the 2017 International Triathlon Union World Championship Festival.

Although some changes to design have been made the new entrance will improve the overall look of the S.S. Sicamous. (See image below).

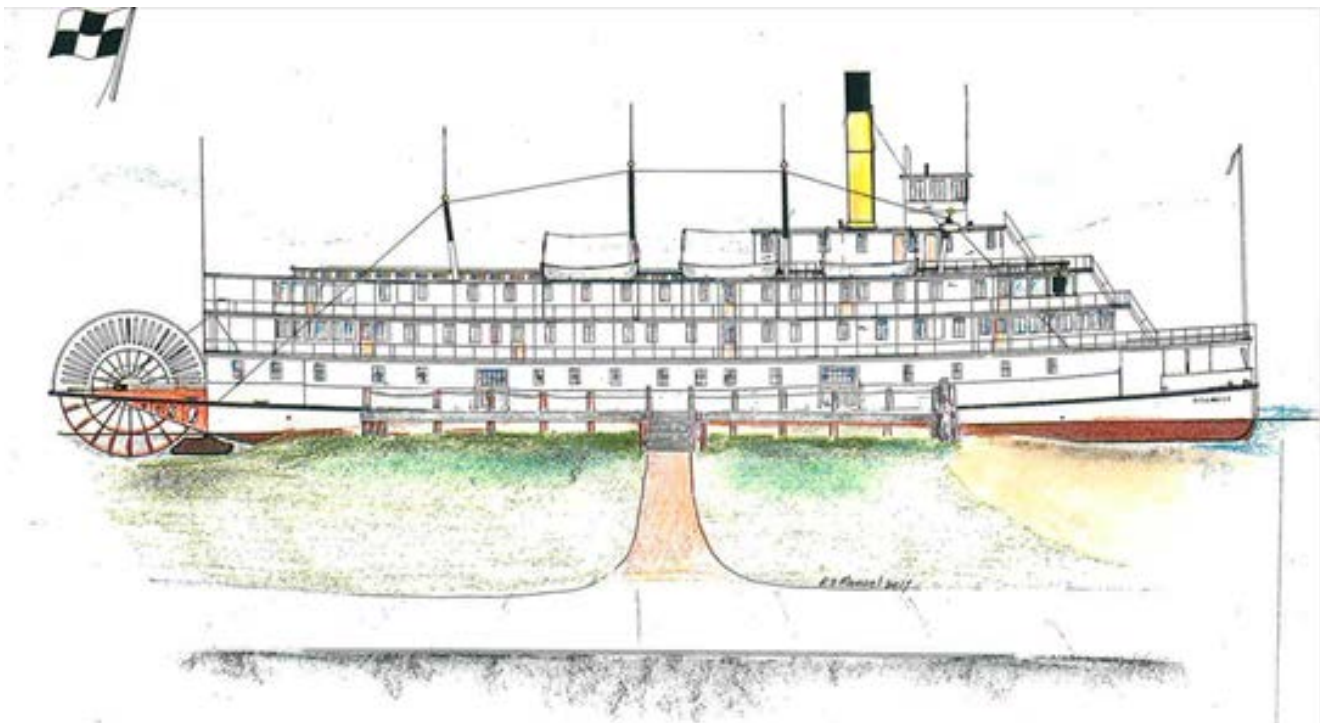


Image no. 3 - Artist conceptual drawing. The accessibility ramp leading up to the left side of the deck is not shown in artist concept.

Alternate recommendations

THAT Council direct Staff to renegotiate the loan agreement with the S.S. Sicamous Heritage Society with terms and conditions of Council's choosing.

AND THAT the Mayor and Corporate Officer be authorized to sign the Document.

Attachments

Attachment A – Loan Agreement

Respectfully submitted,



Peter Wallace
Land Administrator

Approvals

CFO <i>JWB</i>	GMI 	CAO PW
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Attachment A

N:\city\RMS\2200-2499_LEGAL MATTERS\2380_Leases\2380-20_Leases\SS Sicamous - SS Naramata - 1099 Lakeshore Drive West\Signed Loan Agreement.pdf

THE CORPORATION OF THE CITY OF PENTICTON

LOAN AGREEMENT

THIS LOAN AGREEMENT dated for reference the 24 day of March, 2017

BETWEEN:

THE CORPORATION OF THE CITY OF PENTICTON,
a City Municipality duly incorporated under the laws of
the Province of British Columbia, located at
171 Main Street
Penticton, BC V2A 5A9

(the "Lender")

OF THE FIRST PART

AND: **SS SICAMOUS MARINE HERITAGE SOCIETY,** a
society duly registered under the Society Act of British
Columbia, having an office at
1099 Lakeshore Drive West
Penticton, BC V2A 1B7

(the "Borrower")

OF THE SECOND PART

IN CONSIDERATION OF the Lender loaning certain monies (the "Loan") to the Borrower for the specific purpose of the construction of a deck resembling a pier adjacent to the SS Sicamous, and the Borrower repaying the Loan to the Lender, both parties agree to keep, perform and fulfill the promises and conditions set out in this Agreement.

Loan Amount & Interest

1. The Lender promises to loan up to FIFTY THOUSAND DOLLARS (\$50,000.00) to the Borrower and the Borrower promises to repay 75% of the amount advanced to the Lender. This loan will be interest free.

Payment

2. This Loan will be repaid in full on or before March 30, 2019.

Default

3. Notwithstanding anything to the contrary in this Agreement, if the Borrower defaults in the performance of any obligation under this Agreement, then the Lender may

declare the principal amount owing and interest due under this Agreement at that time to be immediately due and payable.

4. If the Borrower defaults in payment as required under this Agreement or after demand for ten (10) days, the Security (as defined below) will be immediately provided to the Lender and the Lender is granted all rights of repossession as a secured party.

Security

5. This Loan is secured by the following security (the "Security"): antiques, furniture, dishes, displays and chattels owned by the Borrower and contained within the SS Sicamous.
6. The Borrower grants to the Lender a security interest in the Security until this Loan is paid in full. If the Lender elects to perfect the security interest in the Security, the Borrower will do everything necessary to assist the Lender in perfecting its security interest.

Performance Covenants of the Borrower

7. Prior to commencement of work on the deck the Borrower shall:
 - (a) obtain all required federal, provincial and municipal permits, and comply with all current building code requirements;
 - (b) have an environmental assessment report completed by a Qualified Environmental Professional, which indicates that the proposed deck is acceptable within the riparian area and to follow all recommendations indicated in the report;
 - (c) obtain any necessary approvals for construction of a portion of the deck on provincial property;
 - (d) submit a copy of their design acceptable to the City's General Manager of Infrastructure, who will check for compliance with the CTQ Design drawing attached to this agreement;
 - (e) provide a resolution from the Borrower's Board confirming authorization to sign this agreement.
8. The Borrower shall complete construction of the Deck as per the finalized and approved drawings to the satisfaction of the City on or before June 30, 2017.

Any breach of these Covenants, without written authorization of the Lender, will constitute default of the loan

Governing Law

9. This Agreement will be construed in accordance with and governed by the laws of the Province of British Columbia.

Costs

10. All costs, expenses and expenditures including, without limitation, the complete legal costs incurred by enforcing this Agreement as a result of any default by the Borrower, will be added to the principal amount then outstanding and will immediately be paid by the Borrower.

Binding Effect

11. This Agreement will pass to the benefit of and be binding upon the respective heirs, executors, administrators, successors and permitted assigns of the Borrower and Lender. The Borrower waives presentment for payment, notice of non-payment, protest, and notice of protest.

Amendments

12. This Agreement may only be amended or modified by a written instrument executed by both the Borrower and the Lender.

Severability

13. The clauses and paragraphs contained in this Agreement are intended to be read and construed independently of each other.

If any term, covenant, condition or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, it is the parties' intent that such provision be reduced in scope by the court only to the extent deemed necessary by that court to render the provision reasonable and enforceable and the remainder of the provisions of this Agreement will in no way be affected, impaired or invalidated as a result.

General Provisions

14. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Agreement. Words in the singular mean and include the plural and *vice versa*.

Entire Agreement

15. This Agreement constitutes the entire agreement between the parties and there are no further items or provisions, either oral or otherwise.

IN WITNESS WHEREOF the parties hereto have hereunto executed this Agreement as of the date and year first above written.

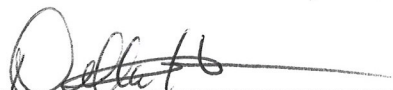
THE CORPORATION OF THE CITY OF PENTICTON

by its authorized signatories

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

SIGNED by the authorized signatory(ies))
of the Borrower in the presence of:)

)

Witness Signature)

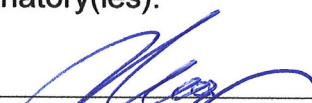
DELLA HANSON)

Print Name)

2543 GREEN MTN. RD. PENTICTON, BC)

Address)

SS SICAMOUS RESTORATION
SOCIETY by its authorized
signatory(ies):

)

Signature)

JAMES A COOPER)

Print Name)

PRESIDENT)

Title)

)

Signature)

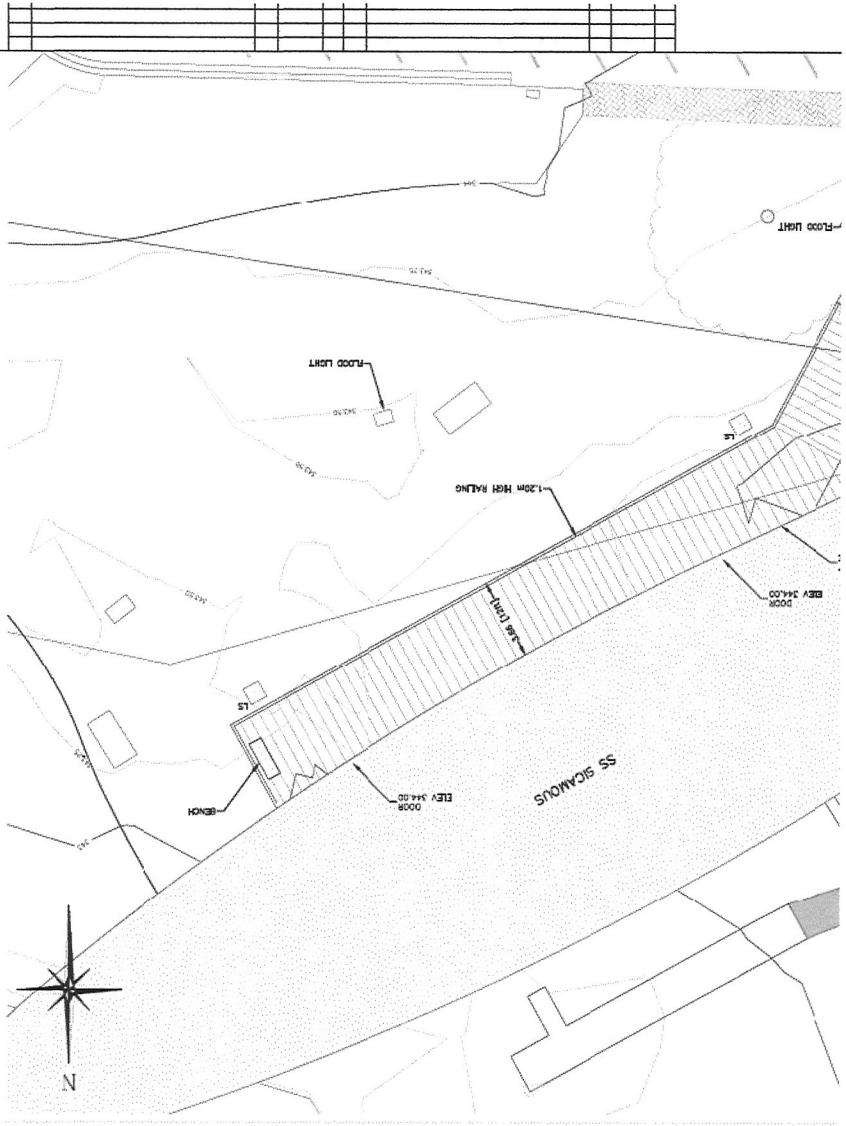
A. STEFFEN)

Print Name)

Vice Pres.)

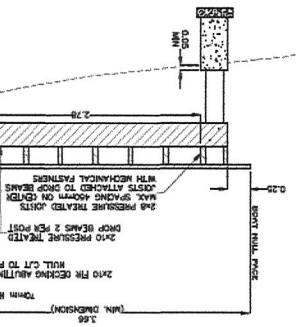
Title)

DATE	12/14/13
BY	MM
CHECKED	MM
SCALE	AS SHOWN
PROJECT	SS



NOTE:
 1. ALL HARDWARE AND FASTENERS SHALL BE GALV.
 2. ALL FRAMING LUMBER TO BE PRESSURE TREATED
 3. ORIGINAL CONTINGENCY SHOWN AT 0.25M INTERVAL.
 WEST SURVEY ON JULY 12, 2013.

DOCK SECTION DE
 1:50



Council Report



Date: April 4, 2017
To: Peter Weeber, Chief Administrative Officer
From: Shawn Filice, Electric Utility Manager
Subject: **Energy Retrofit Loan Program Update**

Staff Recommendation

THAT Council receive the Energy Retrofit Loan Program Update report dated April 4, 2017 as a status update on the Energy Retrofit Loan Program;

AND THAT Council direct staff to extend the Energy Retrofit Loan Program to the end of 2019.

Strategic priority objective

N/A

Background

Since 2013, the City of Penticton through its Home Energy Loan Program (“HELP”) has been offering loans to its residential customers to retrofit their homes to be more energy efficient. This program is scheduled to conclude on December 31, 2017. See Attachment “A” for historical Council Resolutions.

The following table not only summarizes the year to date (As At December 31, 2016) performance of the HELP program against the program goals; it also highlights the fact that with less than 50% of the budgeted dollars having been spent, less than 50% of the targets have been achieved:

Quick Facts:

	YTD Performance	Goal
# Applications Received	194	400
# Loans Issued	70	100
kwh Energy Savings	85,398	200,000
% Energy Savings/household	5%	12%
\$ Spent	\$539,141	\$1,174,000

The following additional facts provide the status of the program and summarize how other agencies are addressing loan programs:

- Low Risk: No City customers have defaulted on loan payments to date.
- Low free-ridership: 22 / 194 applicants indicated they aren't interested in proceeding (11%).
- Low rejection rate: 25 / 194 applicants were found to be ineligible for a loan (13%).
- Interest earned since the project started is approximately equal to \$38,000.
- The City of Nelson is continuing with their loan program.
- FortisBC and BC Hydro have both suspended Pre-Assessment subsidies along with their Energy Retrofit Loan Programs in favour of rebate programs.

The average loan to replace windows, doors hot water tanks and furnaces totalled \$7,300 and has resulted in a combined energy savings of 85,398kwh. This combined 85,398kwh of Energy Savings translates to the equivalent energy consumption of 8 homes [916kwh/month (or 10,992kwh/yr) is the Penticton average electrical consumption per household].

The Kilo-Watt Hours ("kwh") Energy Savings were calculated using 24 months of historical metered electrical consumption data from each participant. 12 months of electrical consumption prior to the dates of energy retrofits were compared against the 12 months following the energy retrofits.

NOTE: There was an error in the 2016 report which reported 142,643kwh of energy savings. This was due to the fact that 13 months of "prior" consumption was compared against 12 months of consumption "after" the retrofits were made.

In short, the program has proven to be very successful as it is technically cost neutral and has had no adverse effect on the budget or the Electric Utility Reserve account. Based upon YTD performance, the original targets will be achieved by the end of 2019.

Financial implication

N/A

Analysis

2017 will be the final year of the Home Energy Loan Program

Alternate recommendation(s)

THAT Council receives the Energy Retrofit Loan Program Update report dated April 4, 2017 as a status update on the Energy Retrofit Loan Program.

Attachments

Attachment "A" – Previous related council resolutions



- November 19, 2012 Council Resolution (973/2012)
- May 21, 2013 Council Resolution (332/2013)
- August 19, 2013 Council Resolution (534/2013)
- October 7, 2013 Council Resolution (613/2013)
- December 16, 2013 Council Resolution (887/2013)
- August 18, 2014 Council Resolution (370/2014)
- January 11, 2016 Council Resolution (12/2016)

Respectfully submitted,

Shawn Filice, MBA, P. Eng.

Electric Utility Manager
City of Penticton

Approvals

General Manager of Infrastructure 	Chief Financial Officer 	CAO PW
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Attachment "A"

Electrical Energy Savings Loan Program

973/2012 **It was MOVED and SECONDED**

THAT Council proceeds with the setup of an Electrical Energy Savings Loan Program for residential home owners;

AND THAT the 2013 Electrical Budget include an allowance for the program at an interest rate that is cost neutral to the City

**CARRIED,
Opposed, Councilor Vassilaki**

Energy Retrofit Loan Program

332/2013 **It was MOVED and SECONDED**

THAT Council approves establishing a City-run Energy Retrofit Loan Program as described in Attachment 'A' of the report;

AND THAT the 2013 Electric Utility Operating Budget be amended to provide funding for loans and associated costs in the amount of \$135,000 with funds coming from the electrical reserve;

AND THAT the Energy Retrofit Loan Program be included in the 2014-2016 Electrical Budget;

AND FURTHER THAT the program be evaluated and reported on annually to Council.

CARRIED, Councilor Konanz and Councilor Vassilaki Opposed

Climate Action Planning – Energy Diet

534/2013 **It was MOVED and SECONDED**

THAT Council support the South Okanagan Energy Diet (SOED);

AND THAT the City contributes a \$25 subsidy for the initial home energy assessment for a maximum of 400 residences.

**CARRIED
COUNCILLOR VASSILAKI OPPOSED**

Energy Retrofit Loan Program

613/2013 **It was MOVED and SECONDED**

THAT Council amend the 2013 Electric Operating Budget OPR 763-041 to provide an additional \$203,000 to fund loans for the Energy Retrofit Loan Program with funds coming from the electrical reserve;

AND THAT the City-run Energy Retrofit Loan Program approved on May 6, 2013 be replaced with the Revised City-run Energy Retrofit Loan Program as contained in Attachment "D" to address changes to streamline the process.

**CARRIED
Councillor Konanz and Councillor Vassilaki Opposed**

Energy Retrofit Loan Program Update

887/2013 **It was MOVED and SECONDED**

THAT Council receives the report dated December 16, 2013 as an update on the status of the Energy Retrofit Loan Program;

AND THAT Council extend the period in time that subsidized pre-assessment will be available past December 31, 2013 to a point where the \$10,000 authorized by Council for this process is expended;

AND THAT as FortisBC is no longer subsidizing the pre-assessments that the City increase the amount of their subsidy from \$25.00 to \$140.00 as of December 13, 2013;

AND FURTHER THAT if Live Smart BC no longer subsidizes the pre-assessments that the City increase the amount of their subsidy from \$140.00 to \$265.00.

CARRIED
Councillors Vassilaki and Konanz, Opposed

Energy Retrofit Loan Program Update and Modification Request

370/2014 **It was MOVED and SECONDED**

THAT Council receives this report as an update on the status of the Energy Retrofit Loan Program;

AND THAT the City-run Energy Retrofit Loan Program as amended on October 7, 2013 be replaced with the 2014 08 18: Revised City-run Energy Retrofit Loan Program as contained in Attachment "G" in recognition of both BC Hydro and FortisBC's decision to suspend assessment subsidies and to allow proponents to include the post-assessment costs into the loan;

AND THAT the unused 2013 budgeted dollars be added to the 2014 budget amounts to address the disconnect between the programs process, fiscal timing and potential 2014 budget overruns noting there is no change to the overall established budget for the program.

CARRIED
Councillors Vassilaki and Konanz, Opposed

Energy Retrofit Loan Program Update

12/2016 **It was MOVED and SECONDED**

THAT Council receive the Energy Retrofit Loan Program Update report dated January 11, 2016 as a status update on the Energy Retrofit Loan Program;

AND THAT Council direct staff to examine an extension to the Energy Retrofit Loan Program to the end of 2017.

CARRIED UNANIMOUSLY

Council Report

penticton.ca

Date: April 4, 2017
To: Peter Weeber, CAO
From: Amber Coates, Revenue Supervisor
Subject: **2017 Property Tax Multipliers**

File No: 1970-02

Staff Recommendation

THAT Council approve the following tax ratios for 2017;

Class 1 Residential	1.00
Class 2 Utilities	5.93
Class 3 Supportive Housing	1.00
Class 4 Major Industry	1.58
Class 5 Light Industry	1.58
Class 6 Business & Other	1.58
Class 7 Managed Forest Land	1.58
Class 8 Recreation/Non Profit	1.39
Class 9 Farm	2.06

AND THAT Council direct staff to commission a review on the business competitiveness of the City of Penticton.

Executive Summary

It has long been a goal for the City of Penticton to support business development in order to attract and retain commercial development, with the vision of creating and sustaining income for its residents. One of the tools Council has at its disposal to encourage this goal is providing tax incentives by way of favorable commercial class multipliers to reduce annual overhead costs for commercial entities operating within the City. CFIB actively supports a multiplier of no more than 2.0 as a desirable ratio. The City has met and exceeded this benchmark, currently ranks 6th in the province for its Class 6 Business & Other multiplier and is now considerably lower than comparison municipalities in 2016. As such, it is beneficial at this time to pause and review the current business competitiveness of the City in order to ensure further changes will have the desired impact on the City's economic climate.

Class 1 Residential and Class 6 Business & Other comprise nearly 98% of the City of Penticton's assessment base and changes to the multipliers impact the greatest number of properties between these two classes. Pausing in the reduction of the commercial class multipliers would result in a savings of \$10 for the average Class 1 Residential property and an increase of \$144 for the average Class 6 Business & Other property.

In addition the proposed multiplier scheme continues to move Class 2 Utilities, Class 8 Recreation/Non Profit, and Class 9 Farm closer to the average of the City of Penticton’s comparable municipalities.

Background

Last year, Council passed Resolution 138/2016 which upheld Resolution 71/2015 to continue to reduce the Class 6 Business/Other multiplier to 1.50 by equal increments over the next four years. Council also provided direction to Staff to adjust the remaining class multipliers in incremental steps towards the average for those classes for comparable local governments.

2017 Budget Deliberations

During 2017 Budget deliberations, Council settled on a 4.36% General Municipal levy increase with Resolution 130/2017. This increase can be broken down to:

- 2.10% Asset Management
- 1.50% Inflation
- 0.76% General Increase

2017 Total General Municipal Levy	
2017 General Municipal Estimated Funding:	\$30,008,586
Less: 2017 Budgeted Non Market Change	(\$403,531)
2017 General Municipal Funding Ask from Prior Year Properties:	<u>\$29,605,055</u>
2016 General Municipal Funding Requirement:	\$28,368,201
2017 General Municipal Tax Increase	4.36%

2017 Non Market Change Estimate

Non market change results from:

- New construction;
- Property class changes;
- Exemption changes;
- New development or “size” changes to land – including subdivisions, land assemblies and consolidation; and
- Increases or decreases for density and resulting property value.

As part of budget deliberations, this assessment data along with the prior year tax rates is used to estimate new revenue necessary to be generated for the City in the upcoming year. In mid-November of each year, BC Assessment provides a report forecasting the next year’s non market change (see Attachment A).

Estimated non market change revenue is considered, but held separate from the calculation of general municipal levy increase during the budget process. This practice assists to mitigate the risk associated to estimates on preliminary assessment data and allows the City to calculate the percentage increase relative to prior year properties. For 2017 budget deliberations, non-market change revenue was calculated as follows:

Class	2017 Est. Taxable Assessment	2016 Rate	Estimated New Municipal Tax	% Distribution
01 – Residential	\$83,585,150	4.4017	\$367,917	91.17%
02 – Utilities	\$104,000	22.0085	\$2,289	0.57%
03 – Supp. Housing	\$0	4.4017	\$0	0.00%
04 – Major Industry	\$0	6.9547	\$0	0.00%
05 – Light Industry	(\$154,800)	6.9547	(\$1,077)	(0.27%)
06 – Business/Other	\$4,568,875	6.9547	\$31,775	7.87%
07 – Mngd. Forest	\$0	6.9547	\$0	0.00%
08 – Rec./Non Profit	\$495,000	5.9423	\$2,941	0.73%
09 – Farm	(\$31,759)	9.9038	(\$315)	(0.08%)
Total:	\$88,566,466		\$403,531	100.00%

Regulatory Considerations:

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

<p>2. Municipal Taxation Rate Cap for Class 2 Property for 2000 and Subsequent Years Extract from B.C. Regulation 329/96: "2. In setting the tax or levy rate for class 2 property for general municipal purposes, a municipality must not exceed the greater of: a) \$40 for each \$1,000 of assessed value, and b) 2.5 times the rate applicable to class 6 property for general municipal purposes in the municipality for the same taxation year." Note that the term "general municipal revenue" is defined in the regulation.</p>

Although the City of Penticton does not currently have any utility class properties for railways, this regulation limits all Class 2 Utility properties including those used for telecommunications, gas distribution systems, and electrical power systems. In order to ensure this regulation is met, it is recommended the Class 2 Utilities multiplier not exceed 8.00.

Analysis

The use of class multipliers provides Council with a method of redistributing the property tax burden among the various assessment classes in order to achieve the strategic goals and priorities of the municipality. To illustrate the power of multipliers, below is a comparison of the 2016 actual to what the 2016 rates would have been without the use of class multipliers:

Class	2016 Taxable Assessment	Actual 2016 Rate	Rate with NO Multiplier	Property Tax Difference per \$100,000 in Taxable Assessment
01 – Residential	\$4,755,766,704	4.4017	4.9023	+\$50.06
02 – Utilities	\$17,379,130	22.0085	4.9023	-\$1,710.62
03 – Supp. Housing	\$8	4.4017	4.9023	+\$50.06
04 – Major Industry	\$0	6.9547	4.9023	-\$205.24
05 – Light Industry	\$85,634,300	6.9547	4.9023	-\$205.24
06 – Business/Other	\$913,569,380	6.9547	4.9023	-\$205.24
07 – Mngd. Forest	\$0	6.9547	4.9023	-\$205.24
08 – Rec./Non Profit	\$9,966,600	5.9423	4.9023	-\$104.00
09 – Farm	\$4,432,559	9.9038	4.9023	-\$500.15

It is typical of most local governments to use the class multipliers to shift the tax burden away from its Residential class in order to reduce the cost of living for its citizens. The difficulties begin when deciding how much to shift away, and how best to redistribute the tax burden without causing undue hardship on other assessment classes or suppressing growth by discouraging new and successful development.

Over a number of years, there has been a drive to attract and retain business to Penticton in order to grow its citizens' economic opportunities. Initiatives that have directly impacted property taxes are:

- Economic Investment Zone Property Tax Exemptions; and
- Purposeful reduction to the Business and Industry class property tax multipliers.

The City is approximately half way through its directive to reduce the business multiplier to 1.50. Although the City received recognition from CFIB as leading by example with small business friendly property tax systems within the Thompson-Okanagan region, the City's 2016 rate is considerably lower than the average of its comparative municipalities (see table below). While an attractive business tax regime is one factor in enticing and retaining businesses there are many other factors that create a competitive business environment.

It is proposed to hold the business and industry multipliers at the 2016 level (1.58) and conduct a business competitiveness review in 2017. This review will take a holistic look at the business climate, engage the City's business community, review other jurisdictions and provide recommendations on the necessary direction for consideration in budget 2018.

The City of Penticton also continues to have lower than average multipliers for the Utilities and Recreation/Non Profit classes and slightly higher for the Farm class. It is recommended to increment the Utilities, Recreation/Non Profit, and Farm multipliers by one half the differences to average in order to move closer to the averages for those classes.

2016 Comparison Local Government Multipliers						
RD	Municipalities	02 – Utilities	05 – Light Industry	06 – Business/Other	08 – Rec./Non Profit	09 – Farm
COK	Kelowna	5.046	2.193	2.193	1.000	0.129
COL	Salmon Arm	5.914	4.083	2.559	0.744	2.697
FVR	Abbotsford	7.981	1.999	2.317	1.655	3.762
	Chilliwack	8.153	1.914	1.954	0.891	4.599
	Harrison Hot Springs	3.500	3.400	3.500	4.750	1.000
	Hope	6.169	2.340	2.360	1.580	2.790
NOK	Enderby	10.391	2.430	1.889	0.000	0.852
	Vernon	10.242	3.661	2.719	1.568	0.216
OKS	Keremeos	3.998	1.070	1.810	1.241	3.375
	Oliver	6.419	2.450	2.450	1.000	1.000
	Osoyoos	3.500	1.600	1.600	1.000	1.000
	Princeton	10.972	6.077	2.578	1.631	1.123
2016 Comparison Average		6.857	2.768	2.327	1.422	1.879
2016 Penticton		5.000	1.580	1.580	1.350	2.250
<i>Increment One Half Difference:</i>		<i>+0.928</i>			<i>+0.036</i>	<i>-0.186</i>
<i>Resolution 71/2015:</i>			<i>1.540</i>	<i>1.540</i>		
Resulting 2017 Multipliers:		5.93	1.54	1.54	1.39	2.06

The comparable municipalities above were chosen in 2016 for similarities in assessment distributions, similarity of regional district economics, or proximity to the City of Penticton. The same local governments were chosen as comparable municipalities as the previous year in order to provide continuity.

At the time of the 2017 budget deliberations and the writing of this multiplier report, only the 2017 Completed Assessment Roll data is available (see Attachment B). The completed roll shows all changes to assessments up to December 31st of the prior year. BC Assessment delivers assessment notices to property owners based on the completed roll, and property owners have the opportunity to appeal to the Property Assessment Review Panel (PARP) for corrections to the completed roll. Actual tax rates are set by bylaw on or before May 15 of each year using the Revised Assessment Roll which is delivered to local governments typically in early April. Usually the revised roll assessment total is lower than the completed roll because of the appeal process.

Staff Recommendation – Hold Business/Industry at 2016 Ratios but Continue to Increment Remainder

Using the 2017 Completed Assessment Roll data and continuing with the direction previously provided by resolution 138/2016 to increment Utilities, Recreation and Farm classes but holding the Business and Industry multipliers at 2016 ratios would result in the following estimated 2017 rates and estimated 2017 average general municipal levies:

Class	2016 Mult.	Recommended Mult.	Change
01 – Residential	1.00	1.00	--
02 – Utilities	5.00	5.93	+0.93
03 – Supp. Housing	1.00	1.00	--
04 – Major Industry	1.58	1.58	--
05 – Light Industry	1.58	1.58	--
06 – Business/Other	1.58	1.58	--
07 – Mngd. Forest	1.58	1.58	--
08 – Rec./Non Profit	1.35	1.39	+0.04
09 - Farm	2.25	2.06	-0.19

Estimated 2017 Average Municipal Property Tax								
Class	Completed Roll Taxable Assessment	% Assess.	Mult.	Est. Rate	Est. Tax Burden	Est. Occurrences	Est. Average Assess.	Est. Average Municipal Property Tax
01 – Residential	\$5,155,625,741	82.69%	1.00	4.3267	74.33%	13,983	\$368,707	\$1,595
02 – Utilities	\$17,345,930	0.28%	5.93	25.6571	1.48%	30	\$578,198	\$14,835
03 – Supp. Housing	\$8	0.00%	1.00	4.3267	0.00%	4	\$2	\$0
04 – Major Industry	\$0	0.00%	1.58	6.8361	0.00%	0	\$0	\$0
05 – Light Industry	\$88,794,800	1.42%	1.58	6.8361	2.02%	83	\$1,069,817	\$7,313
06 – Business/Other	\$957,977,914	15.37%	1.58	6.8361	21.82%	885	\$1,082,461	\$7,400
07 – Mngd. Forest	\$0	0.00%	1.58	6.8361	0.00%	0	\$0	\$0
08 – Rec./Non Profit	\$10,576,300	0.17%	1.39	6.0141	0.21%	18	\$587,572	\$3,534
09 - Farm	\$4,202,950	0.07%	2.06	8.9129	0.12%	262	\$16,042	\$143

2016 to 2017 Average Property Comparison							
Class	2016 Occurrences	2016 Average Assess.	2016 Average Municipal Property Tax	2017 Est. Occurrences	2017 Est. Average Assess.	2017 Est. Average Municipal Property Tax	Change in Average Municipal Property Tax
01 – Residential	13,840	\$343,625	\$1,513	13,983	\$368,707	\$1,595	+\$82
02 – Utilities	30	\$579,304	\$12,750	30	\$578,198	\$14,835	+2,085
03 – Supp. Housing	4	\$2	\$0	4	\$2	\$0	--
04 – Major Industry	0	\$0	\$0	0	\$0	\$0	--
05 – Light Industry	80	\$1,070,429	\$7,444	83	\$1,069,817	\$7,313	-\$131
06 – Business/Other	882	\$1,035,793	\$7,204	885	\$1,082,461	\$7,400	+\$196
07 – Mngd. Forest	0	\$0	\$0	0	\$0	\$0	--
08 – Rec./Non Profit	17	\$586,271	\$3,484	18	\$587,572	\$3,534	+\$50
09 - Farm	270	\$16,417	\$163	262	\$16,042	\$143	-\$20

Alternative #1 – Hold All Multipliers at 2016 Ratios

Using the 2017 Completed Assessment Roll data while retaining all 2016 class multipliers would result in the following estimated 2017 rates and estimated 2017 average general municipal levies:

Estimated 2017 Average Municipal Property Tax								
Class	Completed Roll Taxable Assessment	% Assess.	Mult.	Est. Rate	Est. Tax Burden	Est. Occurrences	Est. Average Assess.	Est. Average Municipal Property Tax
01 – Residential	\$5,155,625,741	82.69%	1.00	4.3365	74.50%	13,983	\$368,707	\$1,599
02 – Utilities	\$17,345,930	0.28%	5.00	21.6825	1.25%	30	\$578,198	\$12,537
03 – Supp. Housing	\$8	0.00%	1.00	4.3365	0.00%	4	\$2	\$0
04 – Major Industry	\$0	0.00%	1.58	6.8517	0.00%	0	\$0	\$0
05 – Light Industry	\$88,794,800	1.42%	1.58	6.8517	2.03%	83	\$1,069,817	\$7,330
06 – Business/Other	\$957,977,914	15.37%	1.58	6.8517	21.87%	885	\$1,082,461	\$7,417
07 – Mngd. Forest	\$0	0.00%	1.58	6.8517	0.00%	0	\$0	\$0
08 – Rec./Non Profit	\$10,576,300	0.17%	1.35	5.8543	0.21%	18	\$587,572	\$3,440
09 - Farm	\$4,202,950	0.07%	2.25	9.7571	0.14%	262	\$16,042	\$157

2016 to 2017 Average Property Comparison							
Class	2016 Occurrences	2016 Average Assess.	2016 Average Municipal Property Tax	2017 Est. Occurrences	2017 Est. Average Assess.	2017 Est. Average Municipal Property Tax	Change in Average Municipal Property Tax
01 – Residential	13,840	\$343,625	\$1,513	13,983	\$368,707	\$1,599	+\$86
02 – Utilities	30	\$579,304	\$12,750	30	\$578,198	\$12,537	-\$213
03 – Supp. Housing	4	\$2	\$0	4	\$2	\$0	--
04 – Major Industry	0	\$0	\$0	0	\$0	\$0	--
05 – Light Industry	80	\$1,070,429	\$7,444	83	\$1,069,817	\$7,330	-\$114
06 – Business/Other	882	\$1,035,793	\$7,204	885	\$1,082,461	\$7,417	+\$213
07 – Mngd. Forest	0	\$0	\$0	0	\$0	\$0	--
08 – Rec./Non Profit	17	\$586,271	\$3,484	18	\$587,572	\$3,440	-\$44
09 - Farm	270	\$16,417	\$163	262	\$16,042	\$157	-\$6

Alternative #2 – Continue with Full Intention of Resolution 138/2016

Using the 2017 Completed Assessment Roll data and continuing with the direction previously provided by resolution 138/2016 would result in the following multiplier changes, estimated 2017 rates and estimated 2017 average general municipal levies:

Class	2016 Mult.	Alt # 2 Mult.	Change
01 – Residential	1.00	1.00	--
02 – Utilities	5.00	5.93	+0.93
03 – Supp. Housing	1.00	1.00	--
04 – Major Industry	1.58	1.54	-0.04
05 – Light Industry	1.58	1.54	-0.04
06 – Business/Other	1.58	1.54	-0.04
07 – Mngd. Forest	1.58	1.54	-0.04
08 – Rec./Non Profit	1.35	1.39	+0.04
09 - Farm	2.25	2.06	-0.19

Estimated 2017 Average Municipal Property Tax								
Class	Completed Roll Taxable Assessment	% Assess.	Mult.	Est. Rate	Est. Tax Burden	Est. Occurrences	Est. Average Assess.	Est. Average Municipal Property Tax
01 – Residential	\$5,155,625,741	82.69%	1.00	4.3529	74.79%	13,983	\$368,707	\$1,605
02 – Utilities	\$17,345,930	0.28%	5.93	25.8129	1.49%	30	\$578,198	\$14,925
03 – Supp. Housing	\$8	0.00%	1.00	4.3529	0.00%	4	\$2	\$0
04 – Major Industry	\$0	0.00%	1.54	6.7035	0.00%	0	\$0	\$0
05 – Light Industry	\$88,794,800	1.42%	1.54	6.7035	1.98%	83	\$1,069,817	\$7,172
06 – Business/Other	\$957,977,914	15.37%	1.54	6.7035	21.40%	885	\$1,082,461	\$7,256
07 – Mngd. Forest	\$0	0.00%	1.54	6.7035	0.00%	0	\$0	\$0
08 – Rec./Non Profit	\$10,576,300	0.17%	1.39	6.0506	0.21%	18	\$587,572	\$3,555
09 - Farm	\$4,202,950	0.07%	2.06	8.9670	0.13%	262	\$16,042	\$144

2016 to 2017 Average Property Comparison							
Class	2016 Occurrences	2016 Average Assess.	2016 Average Municipal Property Tax	2017 Est. Occurrences	2017 Est. Average Assess.	2017 Est. Average Municipal Property Tax	Change in Average Municipal Property Tax
01 – Residential	13,840	\$343,625	\$1,513	13,983	\$368,707	\$1,605	+\$92
02 – Utilities	30	\$579,304	\$12,750	30	\$578,198	\$14,925	+\$2,175
03 – Supp. Housing	4	\$2	\$0	4	\$2	\$0	--
04 – Major Industry	0	\$0	\$0	0	\$0	\$0	--
05 – Light Industry	80	\$1,070,429	\$7,444	83	\$1,069,817	\$7,172	-\$272
06 – Business/Other	882	\$1,035,793	\$7,204	885	\$1,082,461	\$7,256	+\$52
07 – Mngd. Forest	0	\$0	\$0	0	\$0	\$0	--
08 – Rec./Non Profit	17	\$586,271	\$3,484	18	\$587,572	\$3,555	+\$71
09 - Farm	270	\$16,417	\$163	262	\$16,042	\$144	-\$19

The table below shows a summary of the estimated changes to average municipal tax across the various classes for the staff recommendation and two alternatives:

2016 to 2017 Change in Average Municipal Tax			
Class	Staff Recommendation	Alt #1	Alt #2
01 – Residential	+\$82	+\$86	+\$92
02 – Utilities	+2,085	-\$213	+\$2,175
03 – Supp. Housing	--	--	--
04 – Major Industry	--	--	--
05 – Light Industry	-\$131	-\$114	-\$272
06 – Business/Other	+\$196	+\$213	+\$52
07 – Mngd. Forest	--	--	--
08 – Rec./Non Profit	+\$50	-\$44	+\$71
09 – Farm	-\$20	-\$6	-\$19

Alternate recommendations

1. THAT Council approve the following tax ratios for 2017;

Class 1 Residential	1.00
Class 2 Utilities	5.00
Class 3 Supportive Housing	1.00
Class 4 Major Industry	1.58
Class 5 Light Industry	1.58
Class 6 Business & Other	1.58
Class 7 Managed Forest Land	1.58
Class 8 Recreation/Non Profit	1.35
Class 9 Farm	2.25

AND THAT Council direct staff to commission a review on the business competitiveness of the City of Penticton.

2. THAT Council approve the following tax ratios for 2017;

Class 1 Residential	1.00
Class 2 Utilities	5.93
Class 3 Supportive Housing	1.00
Class 4 Major Industry	1.54
Class 5 Light Industry	1.54
Class 6 Business & Other	1.54
Class 7 Managed Forest Land	1.54
Class 8 Recreation/Non Profit	1.39
Class 9 Farm	2.06

AND THAT Council direct staff to commission a review on the business competitiveness of the City of Penticton.

3. THAT Council recommends another multiplier schema at their discretion.

Attachments

Attachment A - 2017 Non Market Change by Property Class

Attachment B - 2017 Completed Roll Net Taxable Values

Attachment C – 2016 BC Multipliers Sorted by Class 6 Business & Other

Respectfully submitted,

Amber Coates
Revenue Supervisor

Approvals

CFO <i>JWB</i>	DDS <i>AA</i>	CAO PW
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Attachment A – 2017 Non Market Change by Property Class



Non-Market Change by Property Class

***Audited Values as of 15/Nov/2016**

2017 Net General Taxable Values

Area 17 - Penticton

Jurisdiction 222 - City of Penticton

[NMC by Neigh](#)
[NMC Detail](#)

Property Class	Land	Impr	Total
Res Vacant	\$5,475,900		\$5,475,900
Res Single Family	\$8,360,200	\$53,833,100	\$62,193,300
Res ALR	\$665,600		\$665,600
Res Farm		\$15,150	\$15,150
Res Strata	\$7,138,000	\$7,935,000	\$15,073,000
Res Other	-\$2,085,500	\$2,247,700	\$162,200
01 - Residential Total	\$19,554,200	\$64,030,950	\$83,585,150
02 - Utilities	\$44,000	\$60,000	\$104,000
05 - Light Industry	-\$123,500	-\$31,300	-\$154,800
06 - Business And Other	-\$182,525	\$4,751,400	\$4,568,875
08 - Rec/Non Profit	\$495,000		\$495,000
09 - Farm	-\$31,759		-\$31,759
S.644LGA/398VC		\$311,000	\$311,000
Total All Classes	\$19,755,416	\$69,122,050	\$88,877,466

***To fulfil the service commitment of 90 percent completed NMC summary for each taxing jurisdiction by mid November, these NMC reports have been created. The reports will provide NMC totals up to November 15 and contain NMC folio details for auditing purposes.**

Non Market Change (NMC) Reasons (valueBC)

Note: If there is more than one reason for a property only one reason will be reported. The following is the hierarchy for reporting and a short description of each.

Boundary Extension: Jurisdiction change, usually the result of a municipal incorporation or annexation

Property Class Change: A change in Property class i.e. from Residential to Commercial

Exemption Status Change: A change in exemption status i.e. taxable to non taxable or vice versa


Additions or Deletions: Adding a new folio or deleting a folio. A subdivision would result in an Add for the new folios and either an Inventory Change or a Deletion of the parent property depending on how the subdivision was processed.

Inventory Change: A modification of data that is not related to market shifts that will cause a change to the value of a property i.e. new construction

Zoning Change: Change the Properties Zoning

This information is obtained from various sources and is determined as of specific dates set out in the Assessment Act. As a result, BC Assessment cannot warrant that it is current or accurate, and provides it for your convenience only. Use of this information without verification from original sources is at your own risk.

Attachment B – 2017 Completed Roll Net Taxable Values

 BC ASSESSMENT www.bcassessment.ca		2017 NET TAXABLE AND CONVERTED VALUES FOR MUNICIPALITIES - Per Sec 383(1)(a) & (b) Local Government Act Completed Roll						
Regional District: 21 - Okanagan-Similkameen Municipality: 222 - City of Penticton (AA17)		GENERAL PURPOSE NET TAXABLE VALUES						
Prop Class	Occurrences	Land	Converted Land	Improvements	Converted Impr	Total		
01 Residential	13,983	2,459,726,902	245,972,690	2,695,898,839	269,589,883	5,155,625,741		
02 Utilities	30	5,561,634	1,946,571	11,784,296	4,124,503	17,345,930		
03 Supportive Housing	4	4		4		8		
05 Light Industry	83	43,418,800	14,762,392	45,376,000	15,427,840	88,794,800		
06 Business And Other	885	450,601,168	110,397,286	507,376,746	124,307,302	957,977,914		
08 Rec/Non Profit	18	10,450,600	1,045,060	125,700	12,570	10,576,300		
09 Farm	262	4,202,950	420,295			4,202,950		
Total	15,265	2,973,962,058	374,544,294	3,260,561,585	413,462,098	6,234,523,643		

HOSPITAL PURPOSE NET TAXABLE VALUES						
Prop Class	Occurrences	Land	Converted Land	Improvements	Converted Impr	Total
01 Residential	13,984	2,437,966,052	243,796,605	2,717,913,839	271,791,383	5,155,879,891
02 Utilities	36	5,561,634	1,946,571	37,050,496	12,967,673	42,612,130
03 Supportive Housing	4	4		4		8
05 Light Industry	83	43,418,800	14,762,392	54,278,000	18,454,520	97,696,800
06 Business And Other	885	450,601,168	110,397,286	516,194,746	126,467,712	966,795,914
08 Rec/Non Profit	18	10,228,600	1,022,860	125,700	12,570	10,354,300
09 Farm	262	2,101,430	210,143			2,101,430
Total	15,272	2,949,877,688	372,135,857	3,325,562,785	429,693,858	6,275,440,473
Total (Less S.644LGA/398VC)			372,135,857		420,850,688	

Attachment C – 2016 BC Multipliers Sorted by Class 6 Business & Other

Municipalities	Utilities	Supportive Housing	Major Industry	Light Industry	Business & Other	Managed Forest	Recreation	Farm
Warfield	2.432	0.000	0.000	0.982	0.998	0.000	0.000	0.000
Anmore	1.000	0.000	0.000	0.000	1.000	0.000	1.000	0.000
Bowen Island	4.160	0.000	0.000	4.160	1.000	0.000	1.000	0.500
Slocan	9.461	0.000	0.000	2.205	1.016	0.000	1.000	0.000
Mackenzie	7.005	0.000	7.363	4.207	1.352	1.000	1.000	1.000
Penticton	5.000	1.000	1.580	1.580	1.580	1.580	1.350	2.250
Osoyoos	3.500	0.000	0.000	1.600	1.600	0.000	1.000	1.000
Port Alberni	3.960	1.000	5.517	6.164	1.659	3.000	1.000	1.000
Lumby	10.948	0.000	4.860	3.748	1.674	0.000	1.324	21.260
Taylor	10.968	0.000	14.610	7.300	1.685	0.000	1.119	1.706
Port McNeill	4.253	0.967	0.993	3.944	1.701	3.562	0.320	0.000
Stewart	1.902	0.000	4.335	4.791	1.707	0.000	1.992	0.000
Rossland	5.577	0.000	0.000	3.159	1.777	2.182	0.885	1.029
Keremeos	3.998	0.000	0.000	1.070	1.810	0.000	1.241	3.375
Port Alice	3.750	0.000	6.850	3.750	1.840	0.000	1.000	0.000
Central Saanich	4.626	0.000	0.000	1.603	1.851	0.000	2.407	1.256
Enderby	10.391	0.000	0.000	2.430	1.889	0.000	0.000	0.852
Peachland	8.483	0.000	0.000	3.500	1.900	0.000	1.500	1.000
Creston	7.228	0.000	0.000	3.100	1.907	0.000	1.000	1.100
Salmo	11.952	0.000	0.000	0.000	1.925	0.000	1.038	0.000
Chilliwack	8.153	1.000	1.914	1.914	1.954	4.922	0.891	4.599
Telkwa	4.974	0.000	0.000	2.837	1.989	0.000	1.000	0.019
New Denver	5.000	1.000	2.400	2.300	2.000	0.800	0.100	1.000
Canal Flats	5.000	0.000	6.000	3.600	2.000	3.000	1.000	1.000
Cumberland	10.347	1.000	2.000	2.000	2.000	4.100	1.000	1.000
Elkford	4.990	0.000	9.744	3.190	2.000	5.920	1.000	1.000
Montrose	5.000	0.000	0.000	0.000	2.000	0.000	0.000	0.000
Sechelt	5.000	0.000	3.400	3.000	2.000	3.400	1.650	1.420
Sayward	2.500	0.000	0.000	4.109	2.003	2.297	0.872	0.000
Nelson	6.956	1.000	0.000	1.824	2.005	1.000	0.604	1.000
Tahsis	4.969	0.000	3.400	9.865	2.009	8.779	1.441	1.000
Silverton	9.238	0.000	0.000	0.000	2.009	0.000	1.000	0.000
Nakusp	4.667	0.000	0.000	5.254	2.055	0.000	0.592	0.681
Gold River	3.685	0.000	0.000	6.719	2.074	0.000	1.188	6.719
Tumbler Ridge	6.113	0.000	12.565	5.129	2.087	0.000	0.001	1.044
Sicamous	5.075	0.000	0.000	4.317	2.092	0.000	1.252	1.245
Zeballos	3.500	0.000	0.000	4.020	2.100	0.000	1.000	0.000
Prince George	5.254	1.000	5.711	3.380	2.102	1.000	1.000	0.680
Trail	10.230	0.000	10.972	0.680	2.107	3.119	1.578	0.000
Oak Bay	0.000	0.000	0.000	0.000	2.114	0.000	1.530	912.290
100 Mile House	8.364	1.000	12.060	2.346	2.118	2.710	0.786	0.786
Burns Lake	4.973	0.000	6.277	6.277	2.149	0.000	1.000	0.000
Granisle	3.055	0.000	0.000	2.968	2.159	0.000	0.000	0.000
Valemount	3.131	0.000	0.000	8.775	2.162	0.000	0.557	0.000
Cache Creek	14.656	0.000	18.754	18.754	2.165	3.000	1.481	7.407
Radium Hot Springs	5.425	1.000	6.246	1.000	2.170	1.640	1.580	1.000

Municipalities	Utilities	Supportive Housing	Major Industry	Light Industry	Business & Other	Managed Forest	Recreation	Farm
Kelowna	5.046	1.000	3.733	2.193	2.193	0.000	1.000	0.129
Williams Lake	6.904	0.000	18.771	8.644	2.194	0.000	2.853	2.082
North Cowichan	7.872	1.000	6.598	4.073	2.199	4.032	0.808	0.972
Fruitvale	4.500	1.000	3.400	3.400	2.200	3.000	1.000	1.000
Clinton	4.490	0.000	3.300	2.200	2.200	0.000	1.000	1.000
Pemberton	6.000	0.000	0.000	3.400	2.250	0.000	1.000	1.000
Midway	4.832	0.000	6.709	6.654	2.272	0.000	0.174	1.712
White Rock	6.495	0.000	0.000	0.000	2.285	0.000	0.749	0.000
Campbell River	5.308	1.000	5.814	2.292	2.292	2.464	1.387	1.000
Abbotsford	7.981	1.000	0.000	1.999	2.317	0.000	1.655	3.762
Lake Country	13.062	0.000	0.000	5.174	2.324	0.000	2.046	0.264
West Kelowna	10.650	0.998	3.000	2.130	2.330	2.995	1.000	1.000
Kaslo	4.660	1.000	2.330	2.330	2.330	3.000	1.040	1.000
Sidney	5.852	0.000	0.000	2.341	2.341	0.000	1.412	1.312
Chetwynd	10.250	1.000	5.169	4.229	2.357	3.000	0.011	1.062
Hope	6.169	1.000	3.400	2.340	2.360	3.000	1.580	2.790
Golden	7.080	0.000	5.500	3.300	2.373	0.000	1.000	0.000
Grand Forks	8.321	0.000	9.027	2.930	2.390	0.000	0.800	1.080
Sooke	7.328	0.000	0.000	5.503	2.390	3.497	1.000	1.000
Coldstream	14.858	0.000	9.807	2.950	2.400	0.000	1.000	3.800
Qualicum Beach	10.475	1.000	2.413	2.413	2.413	0.500	2.413	0.500
McBride	7.755	0.000	0.000	5.200	2.450	3.000	1.000	1.000
Greenwood	3.500	0.000	0.000	0.000	2.450	0.000	1.000	0.000
New Hazelton	3.500	1.000	3.400	3.400	2.450	3.000	1.000	1.000
Sun Peaks	3.500	0.000	0.000	0.000	2.450	0.000	1.000	0.000
Port Clements	3.500	0.000	0.000	2.500	2.450	3.000	1.000	1.000
Sechelt Indian Government	3.500	0.000	0.000	3.400	2.450	0.000	1.000	0.000
Pouce Coupe	17.338	0.000	0.000	0.000	2.450	0.000	1.000	1.000
Masset	3.500	0.000	0.000	3.400	2.450	0.000	1.000	0.000
Hazelton	3.500	1.000	2.450	2.450	2.450	3.000	1.000	1.000
Jumbo Glacier	3.500	1.000	3.400	3.400	2.450	3.000	1.000	1.000
Belcarra	3.500	0.000	0.000	0.000	2.450	0.000	1.000	0.000
Oliver	6.419	0.000	0.000	2.450	2.450	0.000	1.000	1.000
Parksville	5.588	1.000	1.640	1.640	2.496	1.000	2.214	1.814
Barriere	6.250	0.000	3.650	3.650	2.500	3.000	1.000	1.000
Summerland	6.648	1.013	2.532	1.978	2.503	3.038	2.087	2.779
Duncan	8.399	0.000	0.000	2.593	2.524	0.000	1.000	1.000
Queen Charlotte	15.936	0.000	7.658	7.658	2.532	3.904	0.461	2.849
Nanaimo	8.343	1.000	2.543	2.543	2.543	4.042	1.703	0.088
Kamloops	7.299	1.000	13.504	3.954	2.558	3.000	2.409	2.462
Salmon Arm	5.914	0.000	14.233	4.083	2.559	3.000	0.744	2.697
Princeton	10.972	0.000	14.383	6.077	2.578	0.000	1.631	1.123
Lake Cowichan	5.662	0.000	18.038	3.400	2.600	3.750	1.000	0.000
Ucluelet	6.506	0.000	0.000	0.000	2.602	0.000	2.785	0.000
Cranbrook	6.541	0.000	0.000	2.717	2.616	0.000	2.485	2.810
Chase	9.457	0.000	1.300	0.000	2.619	0.000	2.206	3.835
Alert Bay	4.995	0.040	3.400	3.482	2.620	3.000	1.000	1.000

Municipalities	Utilities	Supportive Housing	Major Industry	Light Industry	Business & Other	Managed Forest	Recreation	Farm
Houston	5.259	1.000	10.275	8.378	2.630	3.000	0.901	0.863
Fernie	10.687	1.000	0.000	3.400	2.653	0.000	1.000	1.000
Ladysmith	6.722	1.000	19.079	3.381	2.689	7.244	0.618	6.068
Invermere	6.750	1.000	2.700	2.700	2.700	2.700	1.000	1.000
Port Moody	11.427	1.000	22.622	5.155	2.706	3.000	0.729	1.000
Kent	14.284	0.000	0.000	3.570	2.707	3.564	2.025	4.610
Maple Ridge	9.141	0.000	7.814	2.715	2.715	0.000	3.491	7.703
Vernon	10.242	1.000	3.661	3.661	2.719	0.347	1.568	0.216
Esquimalt	4.610	0.000	6.603	3.627	2.737	0.000	0.999	0.000
Armstrong	6.607	0.000	0.000	6.312	2.747	0.000	2.747	4.818
Port Edward	8.820	0.000	0.000	3.583	2.756	0.000	2.206	0.000
Hudson's Hope	6.857	0.000	4.571	4.571	2.771	0.000	0.857	0.857
Logan Lake	6.933	1.000	4.591	2.773	2.773	1.000	1.000	1.000
Lytton	7.079	0.000	15.566	0.000	2.785	0.000	0.000	0.000
Squamish	9.072	0.000	6.237	3.784	2.793	2.793	1.000	1.000
Gibsons	7.026	0.000	0.000	2.851	2.796	0.000	0.750	1.987
Courtenay	7.000	1.000	3.900	3.900	2.800	0.000	1.000	1.000
West Vancouver	6.073	0.000	10.821	10.821	2.808	0.000	3.037	0.000
Fort St. John	8.407	0.000	5.549	5.069	2.814	0.000	2.108	0.300
Tofino	11.834	1.000	1.000	1.000	2.859	1.000	4.342	1.000
Surrey	14.143	0.000	4.602	2.543	2.869	0.000	1.009	1.160
Northern Rockies	3.300	0.000	3.051	3.300	2.900	0.000	0.350	0.206
Quesnel	8.642	0.000	18.051	5.963	2.927	2.927	0.000	1.000
Pitt Meadows	9.841	0.000	10.211	4.325	2.943	0.000	2.708	8.044
Mission	8.670	1.000	2.849	2.849	2.990	2.915	2.327	4.263
Sparwood	11.762	1.000	13.215	5.482	2.995	4.373	0.750	1.000
Langford	7.400	0.000	3.210	3.210	3.000	1.000	1.205	1.000
Merritt	7.625	1.000	12.704	5.899	3.028	5.899	1.208	4.655
Vanderhoof	4.950	0.000	9.300	5.210	3.030	0.000	1.260	0.290
Victoria	8.612	1.000	3.054	3.054	3.054	0.000	1.677	0.000
Spallumcheen	9.449	0.000	7.630	3.735	3.055	5.593	1.072	2.002
Lions Bay	20.523	1.000	3.075	3.075	3.075	3.075	5.043	1.000
Fort St. James	9.218	0.000	14.232	1.989	3.120	0.000	0.837	0.000
Delta	12.354	0.000	9.497	3.017	3.150	0.000	2.387	5.821
Port Coquitlam	11.544	1.000	3.665	3.665	3.203	11.544	4.261	6.860
Port Hardy	8.070	0.000	0.000	4.900	3.228	7.360	1.000	0.000
Richmond	18.817	0.000	6.575	3.245	3.245	0.000	0.951	6.254
Dawson Creek	8.116	0.000	3.246	3.246	3.246	0.000	1.211	1.211
Powell River	6.520	0.000	4.068	3.307	3.309	7.752	4.001	0.903
Wells	9.613	0.000	4.540	4.540	3.320	1.000	1.000	1.000
View Royal	13.634	0.000	3.143	3.143	3.376	0.000	3.335	7.995
Lillooet	8.500	0.000	5.400	3.400	3.400	0.000	1.000	1.000
Castlegar	11.364	0.000	9.439	3.250	3.411	0.000	2.518	0.000
Saanich	8.270	1.000	2.445	2.445	3.453	5.805	2.054	0.130
Clearwater	9.045	1.000	3.400	3.400	3.500	3.000	1.000	1.000
Harrison Hot Springs	3.500	1.000	3.400	3.400	3.500	3.000	4.750	1.000
Comox	7.168	0.000	4.887	4.887	3.511	0.000	1.778	1.000

Municipalities	Utilities	Supportive Housing	Major Industry	Light Industry	Business & Other	Managed Forest	Recreation	Farm
Smithers	8.988	1.000	12.290	4.533	3.595	3.000	1.026	1.000
New Westminster	8.243	1.000	8.832	4.902	3.611	0.000	1.000	1.000
Fraser Lake	5.864	0.000	5.512	0.000	3.621	0.000	1.289	0.000
Metchosin	5.349	0.000	4.812	4.812	3.688	4.526	2.211	3.851
Prince Rupert	5.923	0.000	7.613	4.190	3.757	0.000	0.761	0.000
Kimberley	6.231	1.000	0.000	1.514	3.894	0.000	3.225	0.000
Colwood	10.529	0.000	0.000	10.441	3.895	0.000	3.623	31.539
Revelstoke	10.799	1.000	7.790	7.794	3.899	0.000	3.481	3.899
Highlands	8.000	0.000	0.000	3.280	3.940	3.000	6.000	3.000
Lantzville	19.747	0.000	0.000	7.000	4.000	3.750	1.750	1.300
Ashcroft	7.433	0.000	0.000	4.900	4.034	0.000	2.009	2.079
Burnaby	16.479	1.000	22.341	4.208	4.208	0.000	0.651	4.208
Vancouver	19.777	0.000	21.708	4.234	4.234	0.000	0.981	0.981
Whistler	9.355	0.000	0.000	4.944	4.297	0.000	4.052	0.000
Coquitlam	14.296	1.000	10.312	4.535	4.455	3.362	4.572	5.804
Terrace	11.216	0.000	9.439	6.847	4.486	0.000	1.396	6.434
North Saanich	9.328	0.000	0.000	5.145	5.145	0.000	2.062	3.204
Langley	19.967	1.000	2.878	5.531	5.485	0.000	4.006	4.300
North Vancouver	35.995	0.000	25.176	9.245	7.354	0.000	3.600	0.000

Council Report

penticton.ca

Date: April 4, 2017
To: Peter Weeber, Chief Administrative Officer
From: Stewart Ladyman, Chair of the Penticton Arena Task Force
Bregje Kozak, Manager of Facilities
Subject: **Arena Task Force Update**

File No:

Staff Recommendation

THAT Council endorses the following in order for the Arena Task Force to continue to work on a recommendation for the future arena needs of Penticton;

- The Arena Task Force findings that Penticton needs four arenas in order to provide the current services and programs to the community;
- The Arena Task Force vision for future arenas that are fully functional, multi-purpose facilities which allow for flexible, efficient and optimized year-round use;
- The Arena Task Force description of a multi-purpose facility including:
 - Regulation size playing surface and ceiling heights to accommodate all user groups;
 - Adequate spectator seating capacity (200-400);
 - Adequate dressing room numbers, sizes and configuration;
 - Dryland/warm up areas (could be multi-functional space, does not need to be a dedicated area);
 - Desired location to be consolidated at SOEC site for sports tourism opportunities including tournaments, championships, etc.; and
 - Multi-purpose facility with capability of offering ice and dry floor surfaces and ability to accommodate all user groups.
 - Fully functional facilities should allow for flexible, efficient and optimized year-round use.

AND THAT Council authorizes the Arena Task Force and staff to proceed to complete the Memorial and McLaren Arena Assessment and the Arena Feasibility Study as described in the report.

Background

The Arena Task Force was established in January 2017 to make the following recommendations to Council:

- The number of surfaces (dry/ice) needed in Penticton;
- The functional programming requirements for the recommended surfaces;
- The facilities (existing, rebuilt or new) required to provide the recommended surfaces;

- The plan to fund the recommended surfaces.

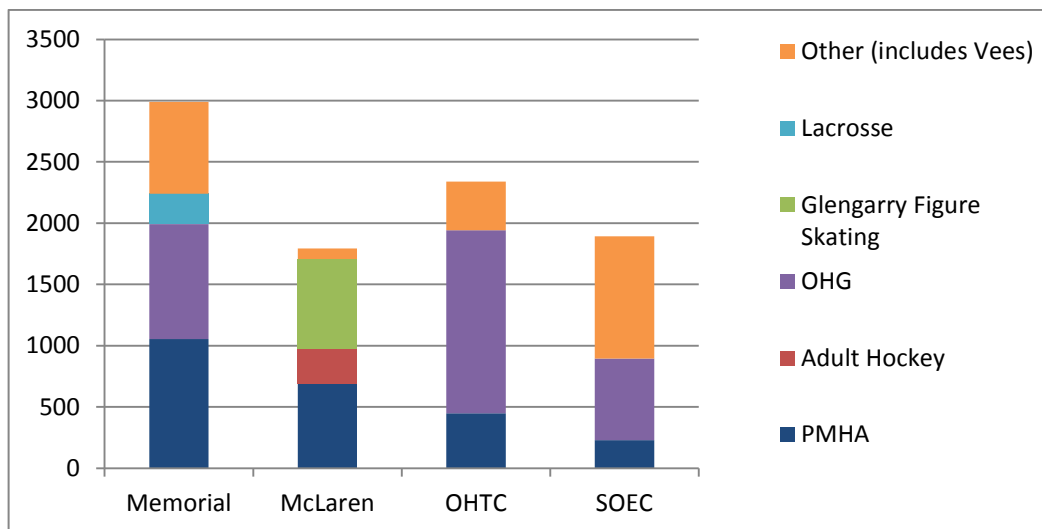
The Task Force is pleased to inform Council and the community that it has achieved its first milestones.

Number of Surfaces

The Task Force confirmed that Penticton’s arenas are highly utilized and the City needs to maintain at least as many arena facilities as there are currently, in order to provide the existing services and programs to the community.

Arena Use

The Task Force findings are based on the Arena Needs Analysis prepared by GDH Solutions in June 2016 that looked at the ice and dry floor usage in the existing four arenas including projected future demand. The Arena Needs Analysis concluded that due to the nature of the business of the South Okanagan Events Centre, the presence of the Okanagan Hockey Group, and ongoing participation rates in minor hockey and figure skating, four arenas are required to maintain the existing level of service in the community. The following chart shows usage by major user group per facility.



Through this review, the Task Force learned that the displacement of Memorial or McLaren arenas could result in a need to re-allocate up to 80 hours of ice per week into our other facilities. This is not possible considering the current level of programming and services booked into the other three facilities.

Commercial Use of Penticton Arenas

In response to questions from the user groups and the community, the Task Force engaged GDH Solutions to gather data on the use of Penticton arenas by organizations such as the Okanagan Hockey Group (OHG). This analysis showed:

- OHG books approximately 35% of total ice usage in Penticton’s four arenas (4,561.5 hours).
- Out of that 35%, approximately 87% are non-prime hours and only 13% prime-time. (Prime is defined as after 4 pm on weekdays and all day Saturday and Sunday.)

- OHG pays a commercial rate for both its prime time and non-prime time bookings which is higher ice rental rates than any other commercial, private or minor sports organization.
- In 2017, OHG anticipates over \$535,000 in ice rental fees during non-prime hours.
- Without OHG, the City would only gain an average of 8-10 hours per week of prime time ice.

Due to the high booking of non-prime surface time, the presence of the Okanagan Hockey Group is an important source of revenue for Penticton’s arenas.

Functional Programming

The Task Force also confirmed that while there are currently four arena facilities, they are not all fully functioning, multi-use facilities with the ability to accommodate all user groups which limits the optimization of programming and bookings.

The following chart identifies the current state of our arena functionality:

- Meets ideal requirements
- Somewhat meets
- Does not meet

Facility:	Regulation Size Surface	Required Seating Capacity	Dressing Room sizes and configuration	Meets required Ceiling Height	Optimal Booking Capacity	Dryland Training / Warmup Area	Consolidated location at SOEC campus	Suitability to ALL user groups
Memorial								
McLaren								
SOEC								
OHTC								

The Task Force provided clarification of what a fully functional arena means to the community:

- Regulation size playing surface and ceiling heights to accommodate all user groups
- Adequate spectator seating capacity (200-400)
- Adequate dressing room numbers, sizes and configuration
- Dryland/warm up areas (could be multi-functional space, does not need to be a dedicated area)
- Desired location to be consolidated at SOEC site for sports tourism opportunities including tournaments, championships, etc.
- Multi-purpose facility with capability of offering ice and dry floor surfaces and ability to accommodate all user groups.
- Fully functional facilities allow for flexible, efficient and optimized year-round use.

The OHTC is the only fully functional facility that is able to meet all user group requirements. Memorial and McLaren arenas both have some functional challenges that need to be considered in order to make them fully functional and the SOEC is an event centre first and foremost, followed by ability to book ice or dry floor based on availability.

As fully functional facilities allow for flexible, efficient and optimized year-round use, increase sports tourism opportunities and provide more revenue than a specialized facility, the Task Force believes that the future state of our arenas should be towards a vision of fully functional, multi-purpose facilities.

Future State

Based on the assessment of the need for arenas and the value provided by fully functioning, multi-purpose facilities, the Arena Task Force developed a vision for the future of Penticton arenas. The desired future state will maintain one event centre (SOEC) and three fully functional arena facilities. The next step in the process is to determine how the vision can be achieved over time. There are two separate studies needed to provide the Task Force with the information necessary to develop the recommendation:

1. *Memorial and McLaren Assessment*

A team of architects, engineers and cost consultants will be engaged to provide a more detailed analysis of Memorial and McLaren arenas. The analysis will build on the 2013 cost estimates, by applying detailed architectural and engineering solutions for both base building and functional upgrades. The report will offer greater accuracy in the cost estimates and provide 5, 10 and 20+ year investment options complete with conceptual drawings and life cycle costing analysis to determine how each improvement will extend the life of the asset. It will also include an analysis of operational impacts associated with the upgrade options.

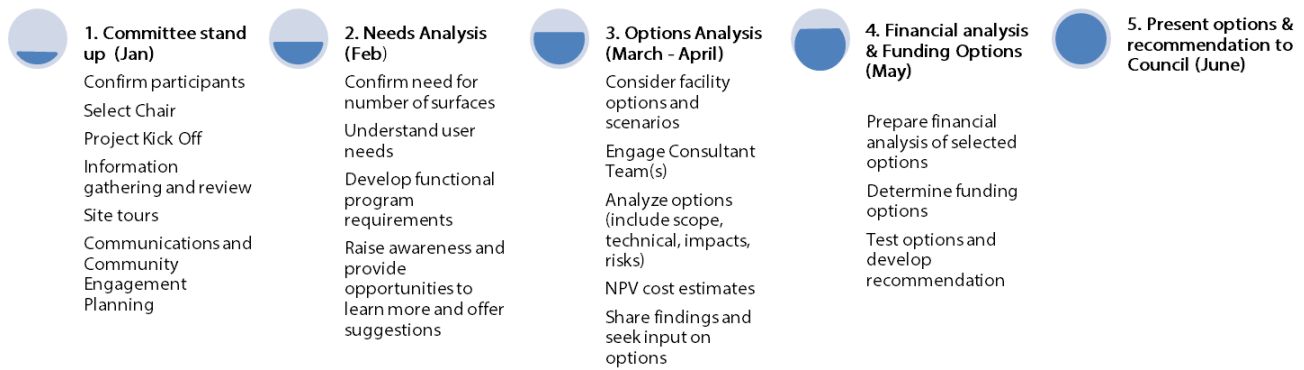
2. *Arena Feasibility Study*

A Request for Proposal will be posted on April 5 to engage a consultant team to conduct a separate study on options to build a new arena on the SOEC site. The assessment will include conceptual drawings and costing information and will be based on a standard programming for a fully functional, multi-use arena facility. Building on the LTA cost report from 2016, consultants will explore in more detail potential location options and building configuration. Each option will include analysis of site impacts such as traffic, parking, circulation, future expansion potential, and risks and opportunities to existing site amenities.

The results of these two studies will be reviewed by the Task Force and shared with the community.

Task Force Schedule

The Task Force is currently in the Options Analysis phase and are tracking on schedule. The analysis phase may take longer than what is suggested below. The Task Force schedule will be revised as required to accommodate the studies.



Finance Working Group

In preparation for the next phase of work, the Task Force has established a working group to focus on preparing the necessary financials to guide the development of the recommendation and inform citizens about the financial implications and funding options. The mandate of the working group is to:

- Ensure completeness and consistency in financial review of options (capital and life cycle costs)
- Determine affordability of options
- Ensure information is provided in accordance with City's financial policies
- Determine funding opportunities (cash donations, private partnerships, user group fees, naming rights, advertising, taxpayers, grants, fundraising etc.)

Engagement Update

The Task Force has been actively engaging with the community since its inception in January. Early activities have focused on raising awareness of the need and providing residents with opportunities to offer their feedback and suggestions. To date, citizens have had the opportunity to learn about the work online at shapeyourcitypenticton.ca and in person through seven drop-in sessions and a community tour.

Shapeyourcitypenticton.ca/arenataskforce

- 1600 visits
- 200 document downloads
- 9 ideas submitted

Drop-in Sessions

- 3 Vees games at SOEC
- 3 Memorial Arena
- 1 McLaren Arena
- Community Tour
- 350 conversations

Communication of information about the work of the Task Force through traditional media and social media has also extended the reach of the Task Force:

- 1 radio interview

- ~3 online articles
- 5 print articles
- 7 tweets and Facebook posts
 - 1150 views on Facebook
 - 5203 impressions on Twitter

Feedback gathered through the engagement activities is assisting the Task Force in understanding what is important to the community and guiding the development of criteria to evaluate the options. Through the engagement activities, citizens have said:

- They are concerned about the potential loss of ice time. This was important to all age groups, especially seniors who may only play for a few more years.
- The history of Memorial Arena is very important. Many would like to see options to keep or repurpose the building and are opposed to it being converted for parking. Others would like to see elements of it incorporated into a new facility.
- Some of the functional limitations of McLaren and Memorial reduce the ability for some groups to use the facilities. In the future, they would like to see multi-use facilities that accommodate all user groups.
- The opportunity to increase revenue potential and attract more sports events with three regulation size surfaces at the SOEC site was appealing to citizens. Many expressed pride in being home to the Okanagan Hockey Group and the Vees and the city’s hockey community and history.
- Many citizens believe amenities such as the arena help to attract and keep young families and are important for a healthy lifestyle.
- Participants want to understand the overall lifecycle cost of the arena facilities in order to develop an informed opinion about whether or not to invest in Memorial Arena. For many citizens, there is an interest in repairing Memorial Arena but not at all cost.
- Citizens also expressed concerns about the affordability of a new facility for user groups. Groups choose to rent McLaren and Memorial because of the cost.
- Many citizens would like to restore Memorial Arena and would like to understand the options and investment required and the impacts to the community.


This feedback will help the Task Force develop and evaluate the options in the next phase of work.

Engagement Next Steps

Once the studies are completed, they will be shared with the community and residents will have the opportunity to ask questions and offer their suggestions to the Task Force.

Stewart Ladyman
Penticton Arena Task Force Chair

Bregje Kozak
Manager of Facilities

GM Infrastructure 	CAO PW	Concurrence
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Council Report

pentiction.ca

Date: April 4, 2017 File No: 6480-20
To: Peter Weeber, Chief Administrative Officer
From: Ben Johnson, Special Projects Manager

Subject: **Official Community Plan Task Force Appointment and Program Update**

Staff Recommendation

THAT Council amend the 2017 – 2018 Terms of Reference for the Official Community Plan Task Force to increase the number of voting members appointed by City Council from seventeen (17) to nineteen (19);

AND THAT Council appoint two members of City Council to the OCP Task Force;

AND THAT Council receive, for information, an update on the OCP engagement process to date and an indication of next steps.

Strategic priority objective

The renewed Official Community Plan – and the engagement process which will help create it – reflect Penticton’s four Strategic Pillars: *Sustainable; Livable; Smart*, and; *Connected & Strong*. The OCP will embody and articulate priorities around environmental and social sustainability, economic development, accountability, inclusion and innovation.

Background

An Official Community Plan is a framework to guide positive change, land use management and development in a community such as the City of Penticton. The time horizon of an Official Community Plan is typically around 30 years. However throughout that timeframe, monitoring and periodic updates are required. The Official Community Plan or the Plan will outline a combination of short-term and long-range goals for the City as a whole as well as more detailed policies for specific neighbourhoods, areas, issues or initiatives.

On July 4, 2016, Council supported a review and update of the Official Community Plan Bylaw 2002-20 including the retention of suitable staff to lead the planning program, and endorsed, at a high level, a public engagement strategy for the plan preparation. The rationale for the update was that although an OCP has a time horizon of around 30 years, the intention was always to review the OCP after five to eight years.

In addition to endorsing Guiding Principles for the engagement process, an Official Community Plan Task Force and its associated Terms of Reference (Appendix A) were approved by Council on January 10, 2017.

Financial implication

None.

Analysis

OCP Task Force

The mandate of the OCP Task Force is to assist Mayor and Council in the creation of an updated OCP for Penticton, and to advise City staff on technical, process and engagement issues relating to the creation of the OCP. The term "Task Force", rather than "Committee" implies that this is a project-specific body, similar to the Arena Task Force (which was created to consider the future of Penticton's arenas). In this case, the intent is to convene the Task Force for the duration of the OCP planning process, about 18 months.

The request for applications was publicized widely in and around our community through all the major media outlets, the radio, various engagement sessions, social media, the Shape Your City website and through direct communication with community members that expressed specific interest in representing becoming involved.

The approved Terms of Reference suggests seventeen members; an increase is proposed, to nineteen, in response to requests for representation from specific organizations (Interior Health, the Downtown Penticton Association and The Chamber).

At the March 21st in-camera meeting of Council, the following resolution was passed:

THAT Council appoints the following members to the Official Community Plan (OCP) Task Force:

Seven (7) representatives of organizations, agencies or government:

- Regional District of the Okanagan Similkameen: Evelyn Riechert
- School District No. 67: Wendy Hyer
- Penticton Indian Band: TBD
- Penticton & Wine Country Chamber of Commerce: TBD
- Downtown Penticton Association: Lynn Allin
- Interior Health: Kristi Estergaard
- Penticton Industrial Development Association: Jill Bateman

Twelve (12) at-large members of the community on the basis of commitment to the OCP and their knowledge or an interest in specific subject areas:

- Garrett Cruikshank
- Lynn Kelsey
- Randy Manuel
- Suzanne Moccia
- Dennis O'Gorman
- Warren Sanders
- Bruce Schoenne
- Sharon Fletcher
- Brian Symonds
- Jillian Tamblyn
- Randy Kowalchuk
- Rhys Spencer

It is considered that the proposed membership represents Penticton's diverse interests and perspectives. The Task Force will provide a valuable contribution to the OCP process by providing direction on engagement, evaluating complex ideas with staff and Council, and serving as a communication conduit to the broader community.

In addition to the voting members, the Special Projects Manager, as the OCP project lead, will attend the committee meetings to provide support to the Committee. The Community Engagement Builder will support the Task Force with public engagement activities and other staff may attend meetings to provide comments on their individual areas of expertise. Additionally, Council will also select two Council representatives to attend the meetings as non-voting members, and act as liaisons to City Council.

A total of 50 applications were received from community members. In consideration of the number of knowledgeable and committed applicants that put their names forward for consideration, staff are recommending that although they may not have been confirmed to the Task Force, they be invited to be involved in the process, especially where their expertise will be valuable (in workshops, for example). The OCP will have a broad-reaching impact, and participation by these interested individuals will be important throughout the process.

Community Engagement Process Update

The intent of first phase of community engagement was to raise awareness of the OCP process and the Task Force recruitment, and to ask high-level questions about what people value about living in Penticton today. Engagement outreach began on February 14th using the theme, "*what do you love about Penticton?*" Staff, joined by the Mayor and members of Council, visited a series of locations throughout the day, including:

- The SOEC walking track
- Cherry Lane Mall
- The Seniors Centre
- Downtown streets and businesses
- Tumble Time (Community Centre)
- Jumping Beans Play Café
- Princess Margaret High School
- Community Centre/Pool
- Memorial Arena

Over the course of the day, contact was made with almost 350 people. In addition to promoting the OCP process, members of the public were asked about what they loved about Penticton. The value of this question is that it is the first step in creating a vision for the OCP by helping create an understanding of why people choose to live in Penticton and what is most important to them. As the process evolves, this will be explored in more detail as people are asked to consider their hopes and concerns for the future, which in turn will inform priority areas for policy development. The feedback we have received on the "what do you love?" theme is captured in the graphic below.



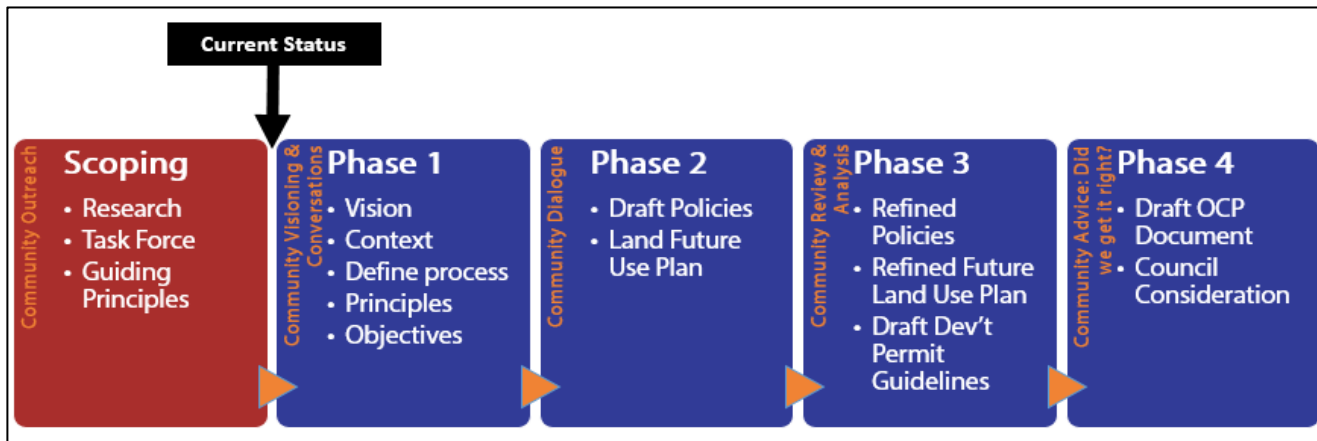
Outreach continued both in person at the Home Show on March 4th and 5th, where 380 people dropped by the City of Penticton booth and shared 33 new ideas.

Online engagement has been very active through our Shape Your City webpage. Shape Your City will be our on-line engagement platform for the OCP process. Through the webpage we have been able to share updates and background information, gather ideas and encourage people to register so that they can receive updates regarding events and initiatives. To date, 320 people have engaged with Shape Your City, where they identified 62 places they love in Penticton and started nine conversations about what they love about the city.

Staff have been actively promoting the OCP process on social media via Facebook and Twitter. Three Facebook posts generated 5,748 views, and 16 tweets created 4,664 impressions on Twitter. Traditional media have also assisted in creating awareness of the process through six print articles, ten online articles, one television spot and three radio interviews.

Next Steps

Following confirmation by Council of the OCP Task Force members, the Task Force will convene as soon as practical to nominate a chair, review procedures, provide introductions and review materials for the next substantive round of community engagement.



The objective of the next round will be to continue to raise awareness of the scope of the OCP planning process, share information about Penticton (demographics, economy, growth, etc.), encourage engagement, and solicit more feedback on hopes and concerns about the future of Penticton. This information will inform the creation of a vision for the OCP and identify key policy areas. The engagement will take the form of traditional open houses as well as outreach around the city. The intention is to start in early May to coincide with the start of the Community Market on Main Street, which will be a key point of contact with the community.

Following this, the focus will be on creating a draft Future Land Use Plan and draft policies in areas such as housing, transportation and growth. Staff will work closely with the Task Force to formulate and refine the engagement approach and methods, which for this phase will be innovative and hands-on, likely including workshops, events and strategic outreach. The intention is to provide a draft land use plan for consideration by the broader community later in 2017.

Alternate recommendation

THAT Council appoints alternate Task Force members as required.

Attachment

Attachment A – 2017 – 2018 Terms of Reference for the Official Community Plan Task Force

Respectfully submitted,

Ben Johnson
Special Projects Manager

Approvals

Director	Chief Administrative Officer
<i>AH</i>	PW

Attachment A

2017 – 2018 Terms of Reference

Official Community Plan Task Force

1. The Committee shall consist of seventeen (17) voting members appointed by City Council.
 - One (1) Regional District of the Okanagan Similkameen
 - One (1) School District No. 67
 - One (1) Penticton Indian Band
 - One (1) representative of the business community
 - One (1) representative of the development community
 - One (1) representative of the industrial community or business that contributes to the growth of Penticton's economy
 - Eleven (11) at-large members of the community on the basis of commitment to the OCP and their knowledge or an interest in the following:
 - Agriculture and food systems and their respective supports, e.g., agricultural tech and agricultural manufacturing
 - Architecture/green architecture/urban design/landscape architecture
 - Land use planning
 - Environmental issues
 - Heritage, arts and culture
 - Housing, with an emphasis on affordable working family housing
 - Parks and recreation, sports, leisure activities
 - Youth/student
 - Seniors
 - Transportation
 - Infrastructure
2. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting.
3. Role of Council Representative:
 - Two (2) Representatives
 - Non-Voting Members
 - Liaisons to City Council
4. A majority of appointed voting members shall constitute a quorum.
5. The Special Projects Manager, Director of Development Services and the Community Engagement Consultant shall attend the Committee meetings to provide operational support to the Committee. Other City staff may attend meetings by invitation to provide comments on their individual areas of expertise.
6. The Corporate Administration Department shall arrange for secretarial services to the Committee.

7. The Task Force shall meet on a regular basis but not less than four (4) times per year.
8. The Committee's mandate is to assist Mayor and Council in the creation of an updated Official Community Plan for Penticton and to advise City staff on technical, process and engagement issues relating to the creation of the Official Community Plan.
9. It is fundamental to the effectiveness of the Committee that the members recognize that they represent the citizens of the City of Penticton as a whole and not only special interests.
10. Disqualification from Office
 - If a task force member is continuously absent from meetings for a period of three (3) regularly scheduled meetings, unless the absence is because of illness or with the leave of the task force members, the office of the member is deemed to be vacant and the person who held the office is disqualified from holding office on any advisory committee of the City of Penticton for a period of one year.
11. The Mayor will sign all correspondence initiated by the task force on behalf of the City of Penticton.
12. For certainty, the rules and procedures of Council Procedure Bylaw 2016-35 and all amendments thereto shall be observed as far as may be applicable.

Council Report

penticton.ca

Date: April 4, 2017
To: Peter Weeber, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 1450 McMillan Avenue

File No: Civic

Subject: Winery Lounge and Special Event Area (SEA) Endorsement Application – Township 7 Vineyards and Winery

Staff Recommendation

THAT Council direct staff to commence public notification of the proposed Winery Lounge and Special Event Area (SEA) endorsement for Township 7 Vineyards & Winery (Penticton), located at 1450 McMillan Ave. Penticton;

AND THAT staff report back to Council at their meeting on May 2, 2017 with the results of the public consultation for Council's consideration.

Background

The City has received an application from Mike Raffin, General Manager, of Township 7 Vineyards and Winery; located at 1450 McMillan Ave (Site Location - Attachment A), proposing to add a Winery Lounge and Special Event Area endorsement to their manufacturing & retail operations.

The winery is proposing an occupant load: (see floor plan – Attachment B)

- patio lounge 30 persons, and
- exterior Special Event Area (SEA) of 150 persons

The proposed hours of operation for the winery lounge and SEA are 10:00am to 09:00pm Monday to Sunday. An impact statement provided by the applicant outlining the proposed business operations has been included as Attachment C.

The application is in concurrent review with the Liquor Control and Licencing Branch (LCLB) and will proceed to the Site and Community Assessment (SCA) stage which is the stage for local government input.

Site Context

The property is zoned A (Agricultural) with an OCP designation of Agriculture. The property is located in a mixed residential, winery and agricultural use. There are 9 wineries within 0.5 km with 3 having lounge/SEA endorsements (Poplar Grove, Three Sisters, and Misconduct).

LCLB Legislation, Policy and Bylaw Review

Agricultural Land Reserve, Subdivision and Procedure Regulation

Part 2 of the Regulations designate a food and beverage service lounges as a farm use, provided that the area does not exceed 125m² indoors and 125m² outdoors. Furthermore, the Regulation permits licensed wineries on a parcel in the ALR, provided at least 50% of the farm products (fruit) used to make the wine is produced on the farm on which the winery is located. These uses may not be prohibited by a local government. The applicant has confirmed that over 50% of the grapes for their wine products are produced on-site.

Liquor Control and Licencing Act

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

Winery Lounge Endorsement (LCLB)

A Winery Lounge is defined as an indoor lounge, an outdoor patio or both, where a winery may sell and serve B.C. wines, ciders or wine coolers by the glass or bottle (they must be manufactured and bottled in this province).

Special event area endorsement: Allows events at an indoor and/or outdoor special event area on a property.

Minors are allowed in a picnic area without a parent or guardian. However, they must be accompanied by a parent or guardian to enter sampling room(s), onsite retail store, lounge or special event area.

Local Government considerations

- The location of the Winery Lounge area,
- The proximity of the establishment to other social and recreational facilities,
- Person capacity of the proposed areas,
- The hours of liquor service of the establishment,
- Traffic, noise, parking and zoning,
- Impact on the community if the application approved

Financial implication

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

Analysis

The LLTRC is in support of the winery lounge and SEA application.

Technical Review - Expected Regulatory Criteria to be considered

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

1. The location of the Winery Lounge & SEA:
 - The subject property is located on a Major Collector (Rural) road, within the Naramata Bench area. This area is primary utilized for agricultural (orchard and winery) and low density residential uses.

No concerns

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

- Currently there are 9 wineries within 0.5km of the subject property. Three of have lounge/SEA endorsements.
- There are no schools or other social institutions within the local area.

No concerns

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

- No outstanding permit issues. Renovation work has been completed under permits. Maximum occupant load signage will be posted.
- Building permit will be required for new opening in building wall for patio lounge pass-through.

No concerns

4. The hours of liquor service of the establishment

- The proposed hours of service are limited from 10:00am to 9:00pm and should not negatively impact local residents. Most winery lounges in area operate from 11:00am to 10:00pm. (see item #5)

No concerns

5. Traffic, noise, parking and zoning

- McMillian Ave is classified as a Rural Major Collector.
- The subject property has one main access point from McMillian Ave with two intersections within 0.5km of the site (Upper Bench Rd and Reservoir Rd).
- Parking was reviewed for the increased person capacity on-site space is sufficient.
- A social gathering of numerous people has the potential to generate some degree of noise. Unacceptable noise generation can be addressed under the Good Neighbour Bylaw or setting restrictions for hours of exterior use under the Business Licence.

The increase to 150 SEA occupants may create additional noise and traffic levels, however staff and the LLTRC see no immediate concerns as on-site parking and the hours of operation are limited compared to other wineries in the areas. Further restrictions on amplified music could be proposed as part of Council's endorsement

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

- The proposal will serve to add value to the existing community asset of wine tourism with the City.
- There appears to be no significant impact to traffic in the area as there are many wineries located along Naramata Road.
- The RCMP does not have any issues with this application.
- The LLTRC member representing social health and addictions has no concerns with this application.

No concerns

Public Consultation

As per the Liquor Licensing Act, staff will be seeking comments from adjacent property and business owners. Public notices will sent out to neighbouring properties within a 500m radius as well as the placement of a public notice site signage and two notices within the local newspaper.

Any public comments as a result of the public notice process will be compiled and reviewed with the applicant prior to final recommendation to Council. Staff proposes to bring forward final recommendation with public and LLTRC comments to the May 2, 2017 Council meeting, as per the City of Penticton Liquor Licensing Policy.

In Conclusion

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

Alternate recommendations

1. THAT Council supports Township 7 Vineyards & Winery Lounge and SEA endorsement for public consultation, with limitations to amplified exterior music.
2. THAT Council denies support of the Township 7 Vineyards & Winery Lounge and SEA endorsement application.
3. THAT Council refers the Township 7 Vineyards & Winery Lounge and SEA application back to staff for further review.

Attachments

- Attachment A – Location Map
- Attachment B – Floor & Site Plan
- Attachment C – Existing property photos
- Attachment D – Applicant Community Impact Statement

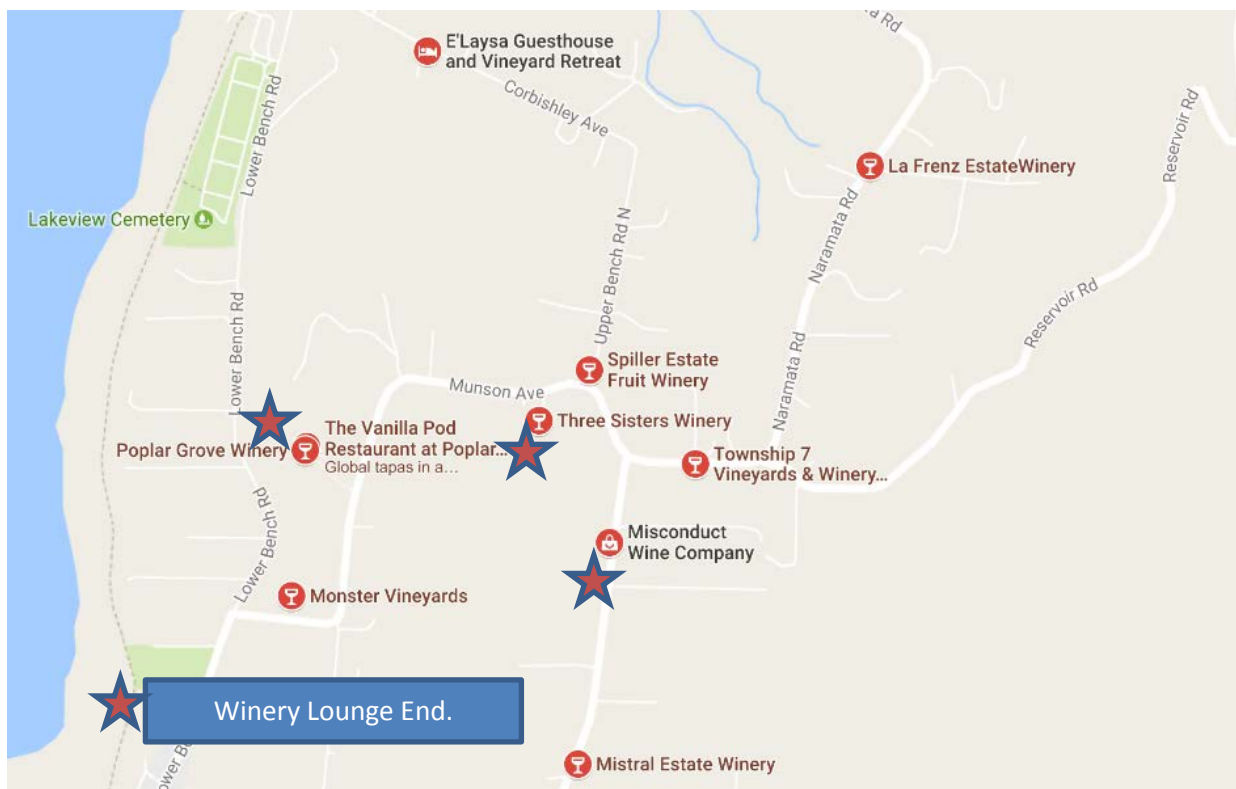
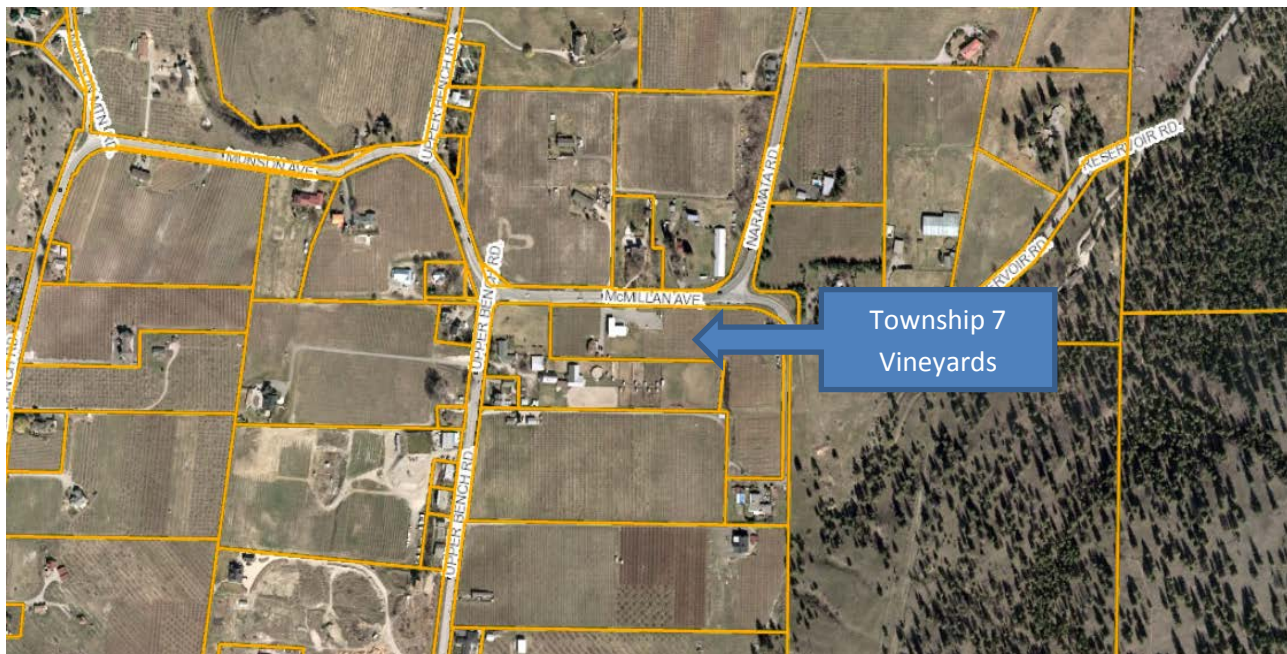
Respectfully submitted,

Ken Kunka, Building and Permitting Manager

Approvals

DS <i>AK</i>	CAO PW
---------------------	---------------

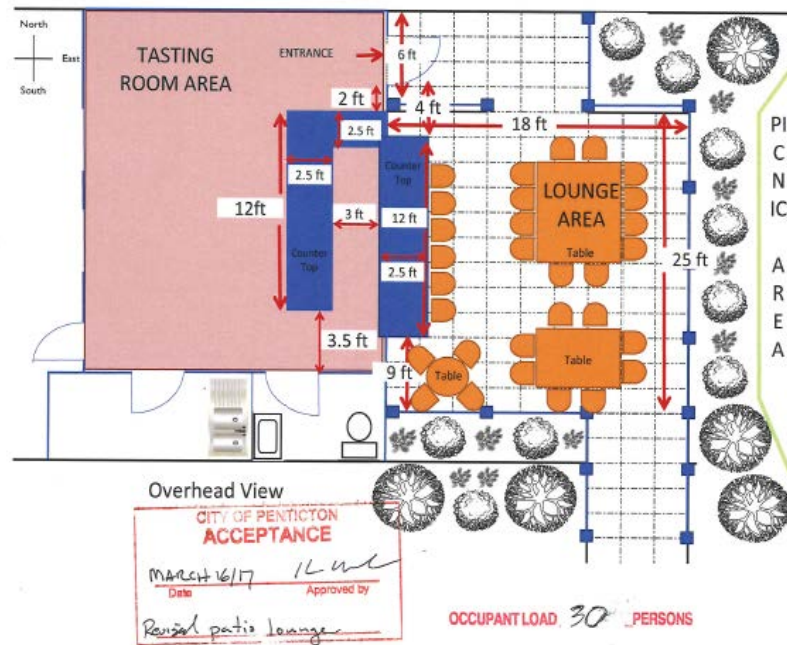
Attachment A Site Location – 1450 McMillan Ave.



Attachment B Site and Floor Plan



Site Plan



Floor Plan – Exterior Lounge - Occupant Load

**Attachment D
Existing Areas**



Existing Expanded Building – McMillian Ave



Existing Parking (East side)



Proposed Patio Lounge Area



Proposed location of SEA

Attachment D Applicant Impact Statement



February 27, 2017

Attn: Ken Kunka, Building and Permitting Manager

RE: Community Impact Statement

Application: Winery Lounge Endorsement & Special Event Area Endorsement

Applicant: Township 7 Vineyards & Winery (Penticton)

Manufacturer Licence #: 301061

Proposed Establishment location: 1450 McMillan Avenue, Penticton, BC

The following Community Impact Statement is submitted by Township 7 Vineyards & Winery (Penticton) in regards to an application for a Winery Lounge Endorsement & Special Event Area Endorsement to be located at the above noted established location.

1. Purpose

The purpose for this application of a **Winery Lounge Endorsement & Special Event Area Endorsement** is to provide Township 7 Vineyards & Winery the ability to support the growing wine tourism in the Okanagan wine industry, a professional seating alternative for the increase group tour business along with increasing customer demand to enjoy an outdoor wine tasting environment.

Tourism:

Penticton is in the heart of wine country, ideally situated in the south of the Okanagan Valley, with over 100 wineries less than an hour's drive away. Tourists come from all over North America to float the iconic 'Channel' which drifts lazily along between our two beautiful lakes. Voted one of the Top 10 Travel Destinations for 2012, visitors enjoy the relaxed atmosphere and small-town feel that Penticton offers. Penticton attracts an increasing number of visitors from around the world—about 1.2 million per year. The city now has a population of approximately 33,000 and continues to grow. With over 60 wineries within a 20 minutes' drive, local farmers markets, over 5 kilometers of golden sandy beaches and many wonderful festivals and events throughout the year, we have something for everyone.

Penticton's top 6 tourism activities taken from the 2010 Tourism Penticton survey

- Vacationing on lake and beaches - 40%
- Visiting orchards or fruit stands - 28%
- Visiting wineries - 27%
- Visiting parks and natural areas - 27%
- Attending a wine festival – 22%
- Walking or hiking trip - 22%



Wine tourism in Penticton is flourishing having over 160 licensed wineries within a one-hour drive that host thousands of unique events. Whether it's live music, picnic lunches, weddings, grape stomping or bocce, the expansion into entertainment has been very popular. More recently, craft breweries and distilleries have taken root, offering events, tours and features of their own.

South Langley
21152 – 16th Avenue
Langley, BC. V2Z 1K3

Township 7
Vineyards & Winery

Naramata Bench
1450 McMillan Avenue
Penticton, BC. V2A 8T4

The expansion of wineries has led to a corresponding boom in wine related businesses like warehousing, bottling, labeling, tanks and laboratories. The Penticton campus of Okanagan College is also home to a new \$300,000 wine information sensory lab—the first facility of its kind in the valley—and offers several wine industry specific training programs.

The group tour business has been a positive recipient of the wine tourism growth in Penticton. Visitors are predominately tourists to the area who prefer not to drive themselves on a Penticton/Naramata Bench wine tour.

Retail Sales:

This is particularly important to Township 7 business model. At present, we are unable to service and sustain the increase tourism traffic during the busy and profitable summer season (May – October). We are unable to fully accommodate the increased visit of tour operators as our current tasting room location is relatively small. Finally, we are losing business to other wineries as many of our visiting tourists are seeking an outdoor wine tasting experience in a lounge setting. This experience is readily offered by many other wineries in the Penticton and Naramata Bench area.

In addition to our application for a Winery Lounge Endorsement, we would also like to apply for a Special Event Area Endorsement. Our intention of this particular application is to be compliant as we request to host 6 to 8 outdoor winery events per year. These events would support local events, holiday celebrations and charitable donations. Presently, the winery holds a picnic license that enables us to hold small outdoor events (8000 square feet). However, it is limiting to the potential for community involvement and support. The Special Event Area Endorsement application if intended to service the winery grounds providing a larger space to grow with the demand of current events.

2. Target Market

Our focus is the wine tourism market including tour operators. Many of the tour companies service groups of 8 or more during their visit. The challenge with our current tasting room size has allowed us to miss an opportunity to service this increased segment of winery visits. Today, the size of the interior tasting room area is approximately 260 square feet and can accommodate up to 12 people comfortably. Our winery site today has ample parking with 21 parking stalls and the ability to park large tour buses on the property.

3. Composition of Neighbourhood

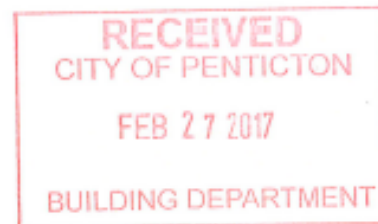
See attached map #1

4. Surrounding Area Map

See attached map #2

5. Benefits to the Community

Receiving a Winery Lounge Endorsement would provide us an alternative seating area and an outdoor wine tasting experience to provide an educational wine tasting to larger groups in a requested outdoor setting. This would accommodate and support more tourism activity in the



South Langley
21152 - 16th Avenue
Langley, BC. V2Z 1K3

Township 7
Vineyards & Winery

Naramata Bench
1450 McMillan Avenue
Penticton, BC. V2A 8T4

area. When successful, we would be in a position to hire more tasting room staff to service the increase in winery visitor traffic.

6. Impact of Noise on the Surrounding Community

As we are and Agricultural Land Reserve (ALR) designation, there should be little to no impact of noise to the surrounding community.

7. Other Impacts on the Surrounding Community

Allowing Township 7 Vineyards & Winery to support and properly service the increased wine tourism to the area would benefit the entire Penticton wine tourism industry. This allow Township 7 to be a contributor to encouraging visitors to the area as we believe other wineries and tourism based business would also benefit economically with the increased traffic.

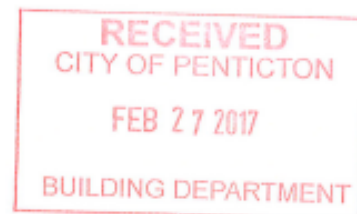
In closing, we appreciate your consideration of our application for a Winery Lounge Endorsement & Special Event Area Endorsement. If you have any further questions, please contact me at your earliest convenience.

Regards,



Trevor Allen
Assistant General Manager

Cc: Ge Song, Owner
Mike Raffan, General Manager
Mary McDermott, Winemaker



South Langley
21152 - 16th Avenue
Langley, BC. V2Z 1K3

Township 7
Vineyards & Winery

Naramata Bench
1450 McMillan Avenue
Penticton, BC. V2A 8T4

Council Report

penticton.ca

Date: April 4, 2017 File No: Civic
To: Peter Weeber, Chief Administrative Officer
From: Tina Siebert, Bylaw Services Supervisor
Subject: **175 Cossar Avenue – Remedial Action Order**

Staff Recommendation

THAT Council pursuant to Section 74 of the *Community Charter*, declare that general unkempt condition of the property located at 175 Cossar Avenue, (legally described as LT 5 PL KAP3223 DL 1 SDYD) is offensive to the community and, as a result, is a “declared nuisance” that requires remedial action to clear the debris/garbage at the exterior of the property and the rat infestation inside and around the exterior of the property;

AND THAT typically the owner has 14 days to appeal per. S. 78(2) and at least 30 days to comply per s. 76(2). Under S. 79 Council may set a shorter time limit if “there is a significant risk to health or safety if action is not taken earlier” which applies in this case and as such Council set shorter time limit of three days to appeal and seven days to comply;

AND THAT after the period of appeal has passed, on March 31, 2017, the Bylaw Services Department pursuant to Section 74 of the *Community Charter* be authorized to enter the property for cleaning the exterior and remedy the rat infestation inside and around the exterior of the property;

AND THAT Council authorize staff to take all appropriate actions in accordance with Section 17 [Municipal Action at Defaulter’s Expense] of the *Community Charter* to ensure the property is brought into compliance with the Remedial Action specified above subject to the following:

- a) that all costs incurred by the City to bring the property into compliance shall be at the expense of the property owner and, as per Section 17 of the *Community Charter*, these costs shall be treated as a debt owed to the City of Penticton.

Strategic priority objective

This work contributes to furthering of the City’s vision of building a stronger community by supporting the economic sustainability of the neighbourhood with the removal of hazardous and nuisance conditions. Derelict buildings and properties negatively impact the image of the City in regard to both tourism and in attracting businesses and new residents to the City.

Background

On February 22nd, 2017 Public Works received a call from a Penticton Regional Hospital Social Worker who was extremely concerned about a rat infestation inside the property at 175 Cossar Avenue (Attachment A- Property Location). The call was transferred to the Building and Bylaw Services Department to follow up. Bylaw Services staff spoke with the Social Worker about her concerns which included a statement that there was an elderly male who recently passed away in the home, and the owner (elderly female) that has now been placed in a care facility for dementia. The property was now vacant and there is no family to assist with cleaning the interior or exterior. The Bylaw Services Department has received regular calls from residents in the vicinity requesting that the city clean and eradicate the rat infestation before it spreads to their properties, so that a further health hazard is not risked.

On February 27th 2017, one cat had been taken to the SPCA by a neighbor and the city arranged for the other cat to be taken to the SPCA with the assistance of Dog Control officers. The city also removed the electrical meter from the property and the wires feeding to the house for safety reasons (rats had significantly chewed the wires, which posed a fire risk).

On February 28th, 2017, the city engaged legal representatives to assist with the remedial action request and correspondence with the Public Guardian and Trustee of British Columbia. Given the response from the Public Guardian's office, it was not likely that anyone other than the City will be in a position to deal with this property over the next few months. (PGT File No. 109575)

On March 6th, 2017 the city posted a No Entry- potential hazard warning on the exterior of the property. The back deck was observed to be covered in food scraps (which attract rodents), torn open garbage bags and old furniture. Given that the rat infestation had caused wires in the walls to be chewed as well as the unknown structural integrity of the property, staff acted quickly to ensure the vacant property was secure for life safety reasons. (Attachment B – Property Photos).

On March 10th, 2017, the City shut the water off at the property and made arrangements for a rat exterminator to attend the property for assessment and quote. The expert indicated that the yard was not maintained which invites rodents to live and breed, as well as the interior had lots of Roof Rat droppings of varying size, which indicates a well-established colony with adults and juveniles. Since trapping takes up to a year to resolve an infestation, the best method suggested was to start a poison program; which would leave the property with dead rodents in the walls and render the house not livable.

On March 27, 2017, Bylaw Services Department hand delivered a letter to the property owner at her care facility via the General Manager as well as posted to the exterior of the Cossar Ave property. A copy of the letter has been provided to the City's legal representative and the Public Guardian and Trustee of British Columbia. (Attachment C).

Financial implication

The City has incurred staff time to mitigate complaints about the property, liaise with Social Services, monitor/inspect the property, and general correspondence pertaining to the property. The approximate costs for removal of discarded materials at the exterior of the property is \$225.00, and the approximate cost of the rat extermination is approximately \$2,300. Further, there are legal costs with the City's representatives to be incurred to follow through with the implementation of the remedial action. The Public

Guardian Trustee has officially been made aware through City's legal representatives of the condition of the property and advised that they would pay any reasonably incurred charges for remediation efforts. Further, any unpaid costs associated with the City completing the work will be billed back to the owner as a debt owed to the City as per Section 17 of the Community Charter and if unpaid would be added to the properties taxes as arrears at the end of the year.

Analysis

The circumstances surrounding this file are unfortunate, especially when there is no known family available to assist. It is imperative that the city assists Penticton residents in these situations as quickly as possible so that nuisance conditions do not negatively impact surrounding properties. Since there is a significant risk to health and safety at this property, staff recommend that remedial action should be taken as soon as possible.

Alternate recommendations

Refer back to staff for further review as specified by Council

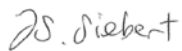
Attachments

Attachment A – Property Location

Attachment B – Property Photos (exterior/interior)


Attachment C- Letter provided to property owner and Public Guardian and Trustee of British Columbia

Respectfully submitted,



Tina Siebert
Bylaw Services Supervisor

Approvals

Director 	CAO PW
-------------------------------------------------------------------------------------------------	---------------

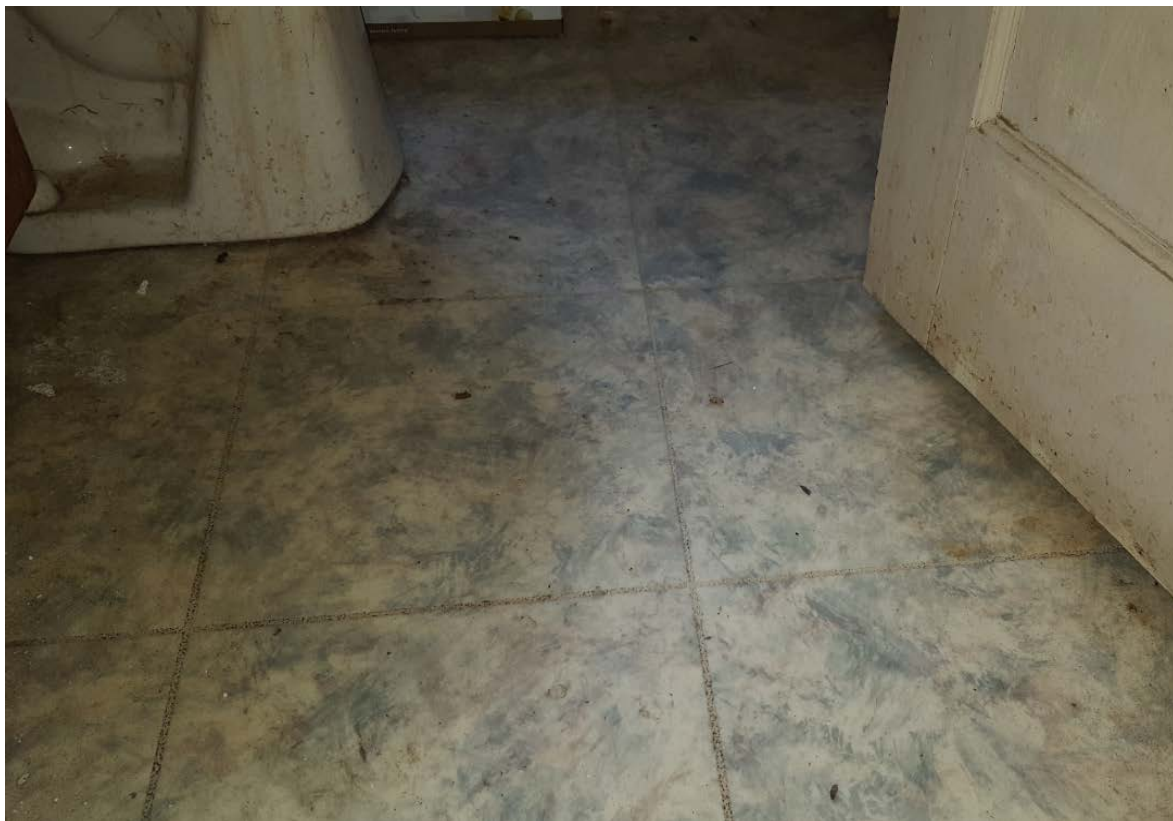
Attachment A- Property Location- 175 Cossar Avenue Penticton



Attachment B- Property Photos



Exterior of property



Interior of property- rat droppings in all rooms

Attachment C- Letter to property owner



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

COPY

March 27, 2017

ESAKIN, CARMEN M...
175 COSSAR AVE...
PENTICTON BC V2A 2V3...

REGISTERED LETTER

Dear Sir/Madam,

RE: City of Penticton Bylaw File Number 155860

The City of Penticton Bylaw Services has received information that the property located at 175 Cossar Ave (Legal description: LT 5 PL KAP3223 DL 1 SDYD) (the Property) has been temporarily abandoned due to you, the registered owner, having a serious illness requiring hospitalization. Bylaw Services received this information on February 22, 2017, which included information that the interior of the house was infested with rats which, if not dealt with immediately, could result in further infestations in the neighbourhood. With the assistance of a neighbour, who is an authorized key holder, it was confirmed visually that the residence is rat infested. Two cats had to be rescued from inside the house for their own safety. An exterior inspection of the property was also conducted on March 6, 2017. This inspection confirms that the Property is vacant and the back porch is littered with several torn open bags of garbage and food which is a rat attraction.

At the direction of the City of Penticton Chief Administrative Officer, Bylaw Services has been authorized to inform you that the City will be arranging for the eradication of the rats inside the house as well as the removal of all the garbage and food sources on the rear deck. This direction was given under the authority found in Section 74 of the BC Community Charter, to ensure the safety of not only anyone entering into the house for a lawful purpose but also for the safety of the neighbouring property owners.

Declared nuisances

74 (1) A council may declare that any of the following is a nuisance and may impose a remedial action requirement in relation to the declared nuisance:

- (a) a building or other structure, an erection of any kind, or a similar matter or thing;
- (b) a natural or artificial opening in the ground, or a similar matter or thing;
- (c) a drain, ditch, watercourse, pond, surface water, or a similar matter or thing;
- (d) a matter or thing that is in or about any matter or thing referred to in paragraphs (a) to (c).

(2) Subsection (1) also applies in relation to a thing that council considers is so dilapidated or unclean as to be offensive to the community

COPY

Under the current circumstances it is believed that there is a need to have this issue dealt with in as short a time period as possible and as such you are hereby given written notice that you are to immediately arrange for the clean-up of the rear deck and also to arrange for a pest control business to enter the house and conduct such procedures and processes with which to eradicate the rats inside the residence.

Failure to comply with this notice by **April 3, 2017**, will result in an order from City Council on April 4, 2017, as authorized by Section 17 of the BC Community Charter, to have workers or agents of the City of Penticton entering the Property to remedy the violation and remove the unsightly condition at the expense of the owner who fails to comply. If you wish to appeal this decision you have until **March 31, 2017**, to submit to the City of Penticton an appeal in writing. If no appeal has been received by March 31, 2017, work to clean up the property and eradicate the rats will commence on April 5, 2017.

A copy of this letter has been sent to the BC Public Guardian's office, to your residence at 175 Cossar Ave and to you, care of the Good Samaritan Society facility at 270 Hastings Ave, Penticton, BC, where it is believed you are currently residing.

If you wish to discuss this matter please contact Bylaw Services at (250) 490-2440.

PLEASE NOTE THIS IS YOUR ONLY WRITTEN NOTICE ON THIS MATTER.

Yours truly,

THE CORPORATION OF THE CITY OF PENTICTON

A handwritten signature in blue ink, appearing to read 'P. O'Sullivan', with a long horizontal line extending to the right.

Patrick O'Sullivan
Bylaw Enforcement Officer
Development Services

Bylaw No. 2017-15

A Bylaw to Amend City of Penticton Business Licence Bylaw No. 2012-5020

WHEREAS the Council of the City of Penticton has adopted a Business Licence Bylaw pursuant the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend City of Penticton Business Licence Bylaw No. 2012-5020;

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 "Business Licence Amendment Bylaw No. 2017-15".

2. **Amendment:**

Business Licence Bylaw No. 2012-5020 is hereby amended as follows:

2.1 Amend section 1.0 Definitions and add or replace with the following:

"Home Stay Rental" means a short term rental of less than 14 days within a year or where there is no financial transaction such as a home exchange. No licensing registration would be required; however the maximum number of rental guests would be restricted to six (6) overnight occupants.

"Vacation Rental (Minor)" means a vacation rental operation of less than 30 rental days within a year and the owner is a principal resident during guest use. Maximum rental accommodation would be two (2) persons per bedroom with a maximum of six (6) guests. This would involve the rental of room(s), legal secondary suite or carriage home.

"Vacation Rental (Major)" means a vacation rental operation of more than 30 rental days within a year or with a non-resident owner during guest use. Maximum rental accommodation would be two (2) persons per bedroom with a maximum of six (6) guests. This would involve the rental of any dwelling unit or single family dwelling.

"Vacation Rental (Major High Occupant)" means a major vacation rental use with more than six (6) guests for a minor or major vacation rental. This would require additional staff review time and public consultation with the adjacent neighbouring properties.

"Zoning Bylaw" means the City of Penticton Zoning Bylaw No. 2017-08 as amended from time to time or superseded.

2.2 Add the following to section 14.0 Regulations:

14.2 Vacation Rentals

14.2.1 Except for multi-family buildings, only one Vacation Rental operation is permissible per real property.

14.2.2 Vacation rentals require the following:

- a) posting of contact numbers and maximum overnight occupant load in a visible location from the street for a home rental or from the public areas in a multi-unit building;
- b) Contact numbers for responsible party to be listed on the City of Penticton Business Directory;
- c) Require all advertising to include the City of Penticton Business Licence number;
- d) Require notification to all adjacent residents of the vacation rental business for high occupant vacation rental; and
- e) Require a “responsible host” review to consider renewals based on repeated bylaw infractions or nuisance enforcement files.

READ A FIRST time this	21	day of	March, 2017
READ A SECOND time as AMENDED this	21	day of	March, 2017
READ A THIRD time this	21	day of	March, 2017
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 24 day of March, 2017 and the 29 day of March, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2017-14

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-14".

2. **Amendment:**

Zoning Bylaw 2017-08 is hereby amended as follows:

2.1 Amend section 3.2 Definitions and replace with the following:

VACATION RENTAL means the rental of a dwelling unit to the vacationing public for a period of one month or less. Rentals of a dwelling unit for less than 14 days in a calendar year are not considered vacation rentals.

2.2 Amend section 7.6.1 Vacation Rentals Ownership and replace with the following:

.2 A residential dwelling unit subject to this section of the Bylaw shall only be rented out by the owner of the property in question, or by a tenant with the owner's permission.

.3 Delete in its entirety.

2.3 Amend section 7.6.3 Operation of Vacation Rental and replace with the following:

.2 A maximum of two (2) persons per bedroom is permitted per vacation rental dwelling unit.

READ A FIRST time this	21	day of	March, 2017
A PUBLIC HEARING was held this	4	day of	April, 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*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2017

for Minister of Transportation & Infrastructure

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2017-16

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

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

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

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

1. **Title:**

This Bylaw may be cited as "Fees and Charges Amendment Bylaw No. 2017-16".

2. **Amendment:**

2.1 Amend "Fees and Charges Bylaw No. 2014-07" by adding the following to Appendix 5– Business Licence Fees:

	Effective 2017
Bed and Breakfast	Base Fee plus Tourism Fee
Vacation Rental Application Fee	\$75 (effective May 31, 2017)
Vacation Rental (Home Stay)	No Fees
Vacation Rental (Minor)	\$100 Annual Fee plus \$100 Tourism Fee
Vacation Rental (Major)	\$150 Annual Fee plus \$200 Tourism Fee
Vacation Rental (Major High Occupant)	\$250 Annual Fee, \$250 first year public notification fee plus \$300 Tourism Fee

READ A FIRST time this 21 day of March, 2017

READ A SECOND time this 21 day of March, 2017

READ A THIRD time this 21 day of March, 2017

ADOPTED this day of , 2017

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

The Corporation of the City of Penticton

Bylaw No. 2017-17

An amendment to regulate enforcement of bylaw notices

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

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

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

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

1. Title:

This Bylaw may be cited as the "Bylaw Notice Enforcement Amendment Bylaw No. 2017-17."

2. Amendment:

2.1 Amend Schedule 'A' by adding the following to Appendix 4 – Business Licence Bylaw No. 2012-5020:

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Advertise, solicit or promote without a licence.	5.2	\$250.00	\$225.00	\$275.00	Yes

READ A FIRST time this 21 day of March, 2017

READ A SECOND time this 21 day of March, 2017

READ A THIRD time this 21 day of March, 2017

ADOPTED this day of , 2017

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2017-18

A bylaw to amend the Municipal Ticketing Information Bylaw No. 2012-5021

WHEREAS the Council of the City of Penticton has adopted a Municipal Ticketing Information Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend the "Municipal Ticketing Information Bylaw No. 2012-5021";

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

1. Title:

This Bylaw may be cited as "Municipal Ticketing Information Amendment Bylaw No. 2017-18".

2. Amendment:

2.1 Amend "Municipal Ticketing Information Bylaw No. 2012-5021" by deleting and replacing the following title of Schedule A:

4. Business Licence Bylaw No. 2012-5020

2.2 Amend and add the following to Schedule B4 to Bylaw 5021:

Business Licence Bylaw No. 2012-5020

	Section	Fine
Advertise, solicit or promote without a licence	5.2	\$500

READ A FIRST time this 21 day of March, 2017

READ A SECOND time this 21 day of March, 2017

READ A THIRD time this 21 day of March, 2017

ADOPTED this day of , 2017

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2017-19

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-19".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 23, District Lot 249 Similkameen Division Yale District, Plan 3578, located at 769 Ontario Street; and
Rezone Lot 2, District Lot 249 Similkameen Division Yale District, Plan 4847, located at 777 Ontario Street from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)

2.2 Add Section 10.6.4.5: "In the case of Lot 23, District Lot 249 Similkameen Division Yale District, Plan 3578, located at 769 Ontario Street and Lot 2, District Lot 249, Similkameen Division Yale District Plan 4847, located at 777 Ontario Street, two dwelling units are permitted with vehicular access from the street."

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

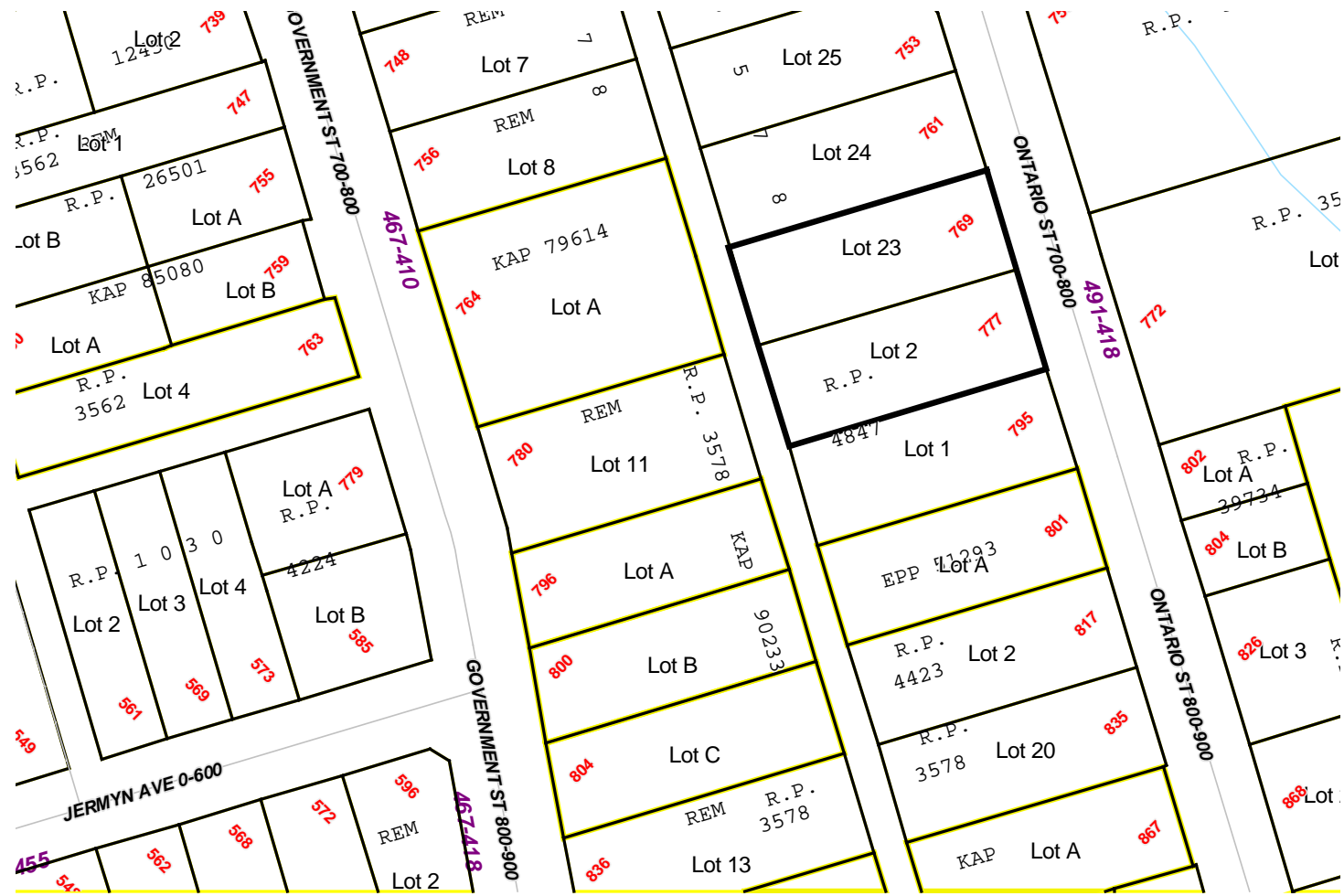
READ A FIRST time this	21	day of	March, 2017
A PUBLIC HEARING was held this	4	day of	April, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 24 day of March, 2017 and the 29 day of March, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 769 & 777 Ontario Street from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) and also permit two dwelling units with vehicular access from the street on each lot



City of Penticton – Schedule 'A'
Zoning Amendment Bylaw No. 2017-19

Date: _____

Corporate Officer: _____

Bylaw No. 2017-20

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-20".

2. Amendment:

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 57, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 708 Revelstoke Avenue, and
Rezone Lot 56, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, Except Plan 36620, located at 865 Railway 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 21 day of March, 2017
A PUBLIC HEARING was held this 4 day of April, 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

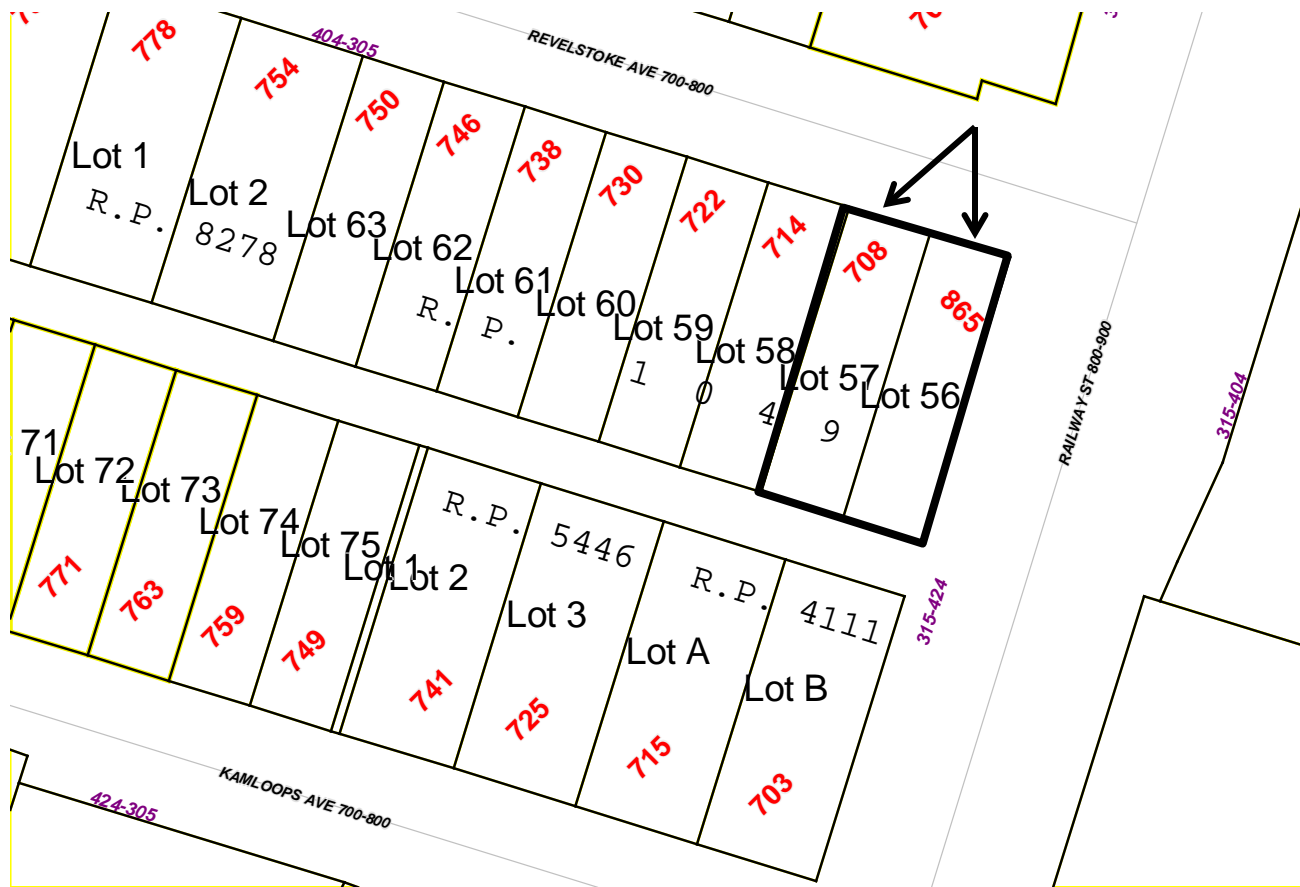
Notice of intention to proceed with this bylaw was published on the 24 day of March, 2017 and the 29 day of March, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

Approved pursuant to section 52(3)(a) of the Transportation Act
this _____ day of _____, 2017
for Minister of Transportation & Infrastructure

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 708 Revelstoke Ave & 865 Railway Street From R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-20

Date: _____

Corporate Officer: _____

Bylaw No. 2017-21

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-21".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Rezone Lot 1, Block 125, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 201 Maple Street and That Part of Lot 1, Block 125 shown on Plan B5606, District Lot 2, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan 1175 located at 634 Westminster Avenue West, from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing).

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

READ A FIRST time this	21	day of	March, 2017
A PUBLIC HEARING was held this	4	day of	April, 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

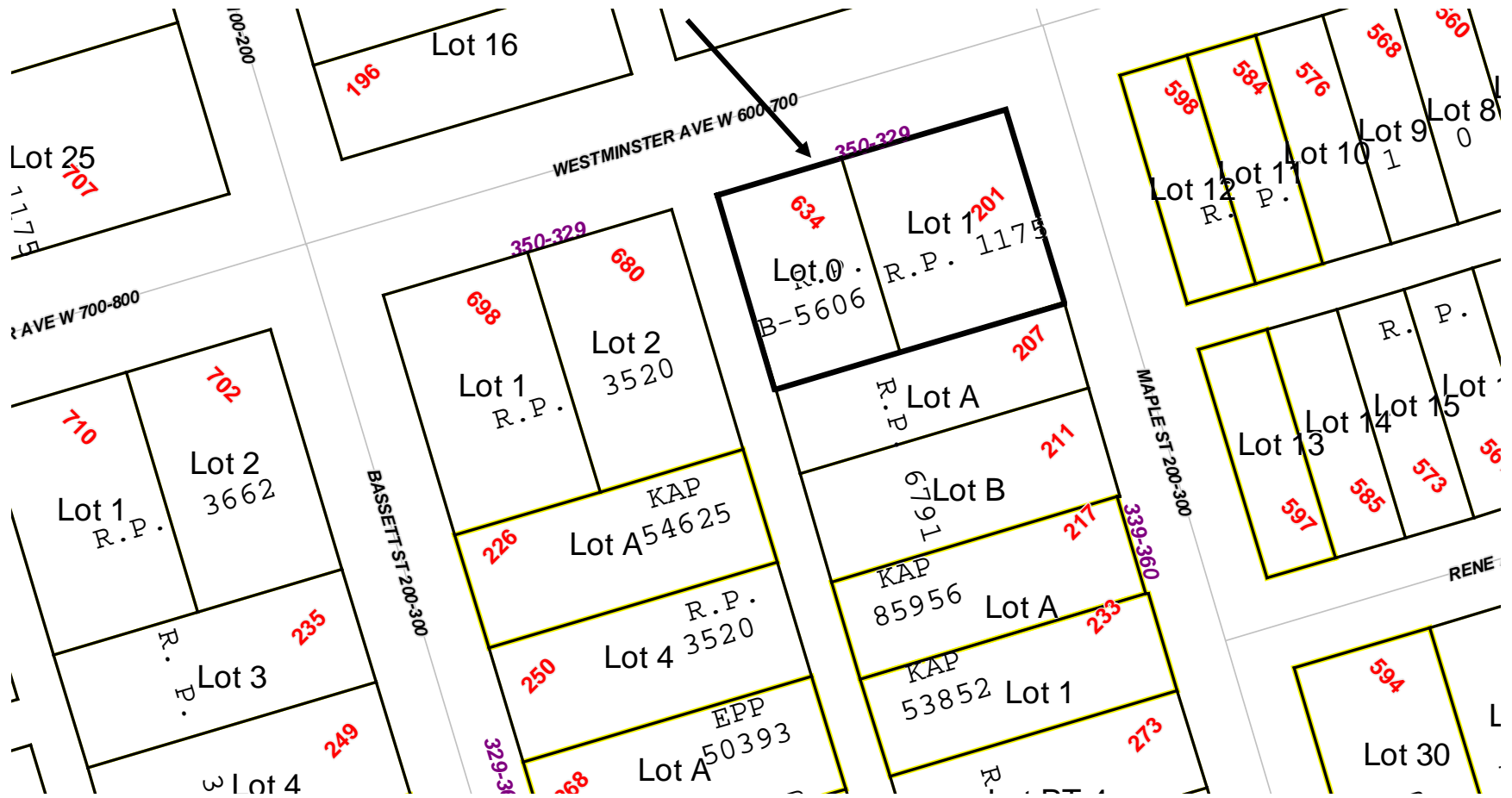
Notice of intention to proceed with this bylaw was published on the 24 day of March, 2017 and the 29 day of March, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

<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 & Infrastructure</p>

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 634 Westminster Ave W & 201 Maple Street From R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-21

Date: _____

Corporate Officer: _____

Bylaw No. 2017-22

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-22".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Add Section 11.6.4.2: "In the case of Lot 14, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 871, located at 230 Brunswick Street, indoor millwork shall be permitted."

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

READ A FIRST time this	21	day of	March, 2017
A PUBLIC HEARING was held this	4	day of	April, 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
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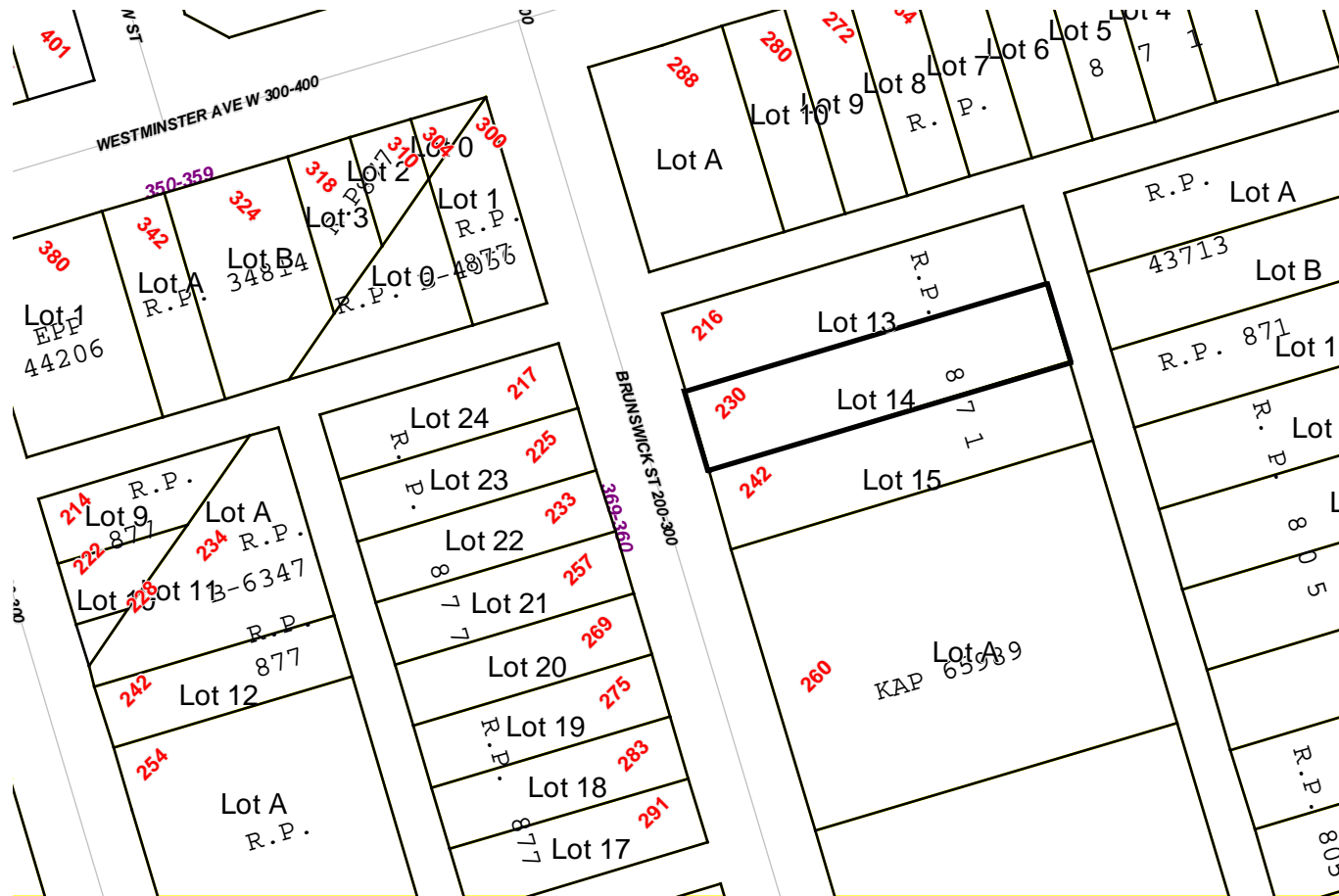
Notice of intention to proceed with this bylaw was published on the 24 day of March, 2017 and the 29 day of March, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

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

Site Specific Zoning Amendment To Permit Indoor Millwork at 230 Brunswick Street (C6-Mixed Use Commercial)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-22

Date: _____

Corporate Officer: _____

Bylaw No. 2017-23

A Bylaw to Amend Zoning Bylaw 2017-08

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 2017-08;

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. 2017-23".

2. Amendment:

2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Add 10.9.5 Site Specific Provisions

.1 In the case of Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan KAP77551, located at 453 Winnipeg Street, the use 'office' shall be permitted.

.2 In the case of Lot E, District Lot 4, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan 502, Except Plan B4474, located at 232 Wade Avenue, the use 'parking' shall be permitted.

READ A FIRST time this	21	day of	March, 2017
A PUBLIC HEARING was held this	4	day of	April, 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 24 day of March, 2017 and the 29 day of March, 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 & Infrastructure</p>

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2017-24

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. 2017-24."

2. Amendment:

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

- 2.1 Amend Section 2.1.2 The Downtown and Urban Villages to include "A five storey high density format would be an option in the Downtown Commercial (DC) designated area of 135 Front Street."

READ A FIRST time this 21 day of March, 2017
A PUBLIC HEARING was held this 4 day of April, 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 24 of March, 2017 and the 29 of March, 2017 in the Penticton newspapers, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Development Variance Permit

Permit Number: DVP PL2016-7813

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: on Lot 13, Block 1, District 202, Group 7, Similkameen Division Yale District, Plan 269

Civic: 135 Front Street

PID: 012-442-011

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning bylaw 2017-08:

Section 11.5.3.2: To increase the maximum architectural projection from 0.4m to 1.2m

Section 11.5.2.5 ii: To increase the maximum height on Front Street from 15m to 20.5m

Section 6.4.3: To waive the requirement for Class II bicycle parking stalls.

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

Issued this _____ day of _____, 2017

Dana Schmidt,
Corporate Officer

Council Report

pentiction.ca

Date: April 4, 2017
To: Peter Weeber, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 954 Eckhardt Ave W

File No: Civic

Subject: Brewery Lounge & Special Event Area Endorsement Application – Highway 97 Brewing Company Ltd.

Staff Recommendation

THAT Council recommend to the Liquor Control and Licencing Branch (LCLB) that it support the applications for Brewery Lounge & Special Event Area (SEA) Endorsement for Highway 97 Brewing Company Ltd.

Background

On March 21, 2017 Council directed staff (Resolution 194/2017) to commence public notification of the proposed Brewery Lounge & Special Event Area Endorsement Application – Highway 97 Brewing Company Ltd. and that staff report back to Council on April 4, 2017 with the public consultation results for final consideration.

The Liquor Control and Licencing Branch (LCLB) require that the local government considers and comments on specific criteria related to noise and potential impact on the community as well as public consultation. As part of March 21, 2017 report staff conducted a review and supported the proposal along with the City's Liquor Licence Technical Review Committee (LLTRC) and provided commentary on the required criteria. (See Attachment A)

Financial implication

The public consultation process costs will be offset by the Liquor Review application fee. Additional signage costs will be incurred by the applicant.

Analysis

As per the Liquor Licensing Act, staff conducted public consultation to gather comments from adjacent property and business owners. Public notification was completed by:

- sending notices to neighbouring properties within a 100m radius, (Attachment B)
- placement of a public notice sign along Eckhardt Ave (Highway 97), and
- two notices within the local newspaper.

As a result, there have been no letters or comments provided at the time of this reports completion. Staff has no further comments to provide and recommend final resolution endorsement.

Traffic and Parking

Staff forwarded the application to the Ministry of Transportation & Infrastructure (MOTI) and some concerns were raised with the existing access. The comments are outlined below from the MOTI representative:

"I did a historical file search to see if this property was ever issued a Controlled Access Permit for Highway 97 (Eckhardt Avenue W). I could not find a record of an access permit being issued, dating back to the arterialization of Eckhardt Avenue W, so the existing access to Highway 97 may not be legally permitted by the Ministry.

In the absence of any formal development referral from the City of Penticton, the Ministry's general comments regarding the proposed redevelopment of the property are as follows:

- *No direct access to Highway 97 (Eckhardt Avenue W). All access via the municipal lane. Restrictive covenants to be provided in favour of the Ministry accordingly.*
- *All existing drop curbs on Highway 97 are to be physically removed and replaced with Ministry standard non-mountable barrier curb, gutter and sidewalk.*
- *Ministry setback of 4.5m from Highway 97 property line from furthest overhang of any buildings. This can be discussed further given all access will be via the rear lane, setback may be reduced to 3 metres.*

These comments would be consistent should the Ministry receive a permit application for a Controlled Access Highway Permit to the subject property."

Considering that the City does not have the ability to require the owner of the property to meet these Provincial requirements through this liquor application, the applicants have been advised to deal directly with MOTI on this matter.

The site does have suitable access from the rear lane, so regardless of the outcome of this issue, the site will have vehicle access for the proposed liquor use.

Conclusion

Council can choose to support the application as is and provide resolution for notification to the Liquor Control and Licencing Branch or modify the request with further restrictions such as the access to Eckhardt Ave W, hours of operation or music. Should Council deny the application then the applicant will be informed of Council's decision and a Council resolution outlining the reason for denial is forwarded to the LCLB.

Alternate recommendations

1. THAT Council refers the Highway 97 Brewery lounge and Special Event Area endorsement application back to staff for further review of the access concerns with the Ministry of Transportation and Infrastructure prior to final consideration.
2. THAT Council denies support of the Highway 97 Brewery Lounge and Special Event Area endorsement application.

Attachments

Attachment A – March 21, 2017 staff report excerpt of LCLB endorsement criteria
Attachment B – Public Consultation map

Respectfully submitted,

Ken Kunka, Building and Permitting Manager

Approvals

DS Director <i>AK</i>	CAO PW
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Attachment A
March 21, 2017 Report excerpt regarding LCLB Liquor Primary Considerations

The LLTRC is in support of the winery lounge application.

Technical Review - Expected Regulatory Criteria to be considered

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

1. The location of the Brewery Lounge area

- The subject property is located on an Arterial road within an area primarily utilized for commercial, tourism accommodation and mixed residential use.

No concerns

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

- Currently there are a four liquor/food primary within 0.5 kilometers of the subject property. This will be the first brewery lounge/SEA in the local area.
- There are no schools or other social institutions within the local area.
- This operation will likely compliment other businesses including the hotel and SOEC.

No concerns

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

- No outstanding permit issues. Renovation work has been completed under permits. Maximum occupant load signage will be posted.

No concerns

4. The hours of liquor service of the establishment

- Interior proposed hours of service are from 10:00am to 11:00pm and should not negatively impact local residents or businesses
- There may be some impact to neighbouring nearby residential properties related to the exterior patio lounge but typically the business will not operate to 11:00pm.

No concerns

5. **Traffic, noise, parking and zoning**

- Eckhardt Ave W is classified as an Arterial Road and under the jurisdiction of the Ministry of Highways. The City of Penticton Engineering department has recommended that an inquiry be forwarded to the Ministry of Highways for comments on traffic and parking.
- The subject property has one main access point from Eckhardt Ave and south lane, with two intersections within 0.5km of the site (Comox St. and Alberni St.).
- A social gathering of numerous people has the potential to generate some degree of noise. Unacceptable noise generation can be addressed under the Good Neighbour Bylaw or setting restrictions for hours of exterior use under the Business Licence.
- Further restrictions on amplified music could be proposed as part of Council's endorsement,

- Final parking has been reviewed and will meet Zoning regulations.

Recommendation to obtain input from Ministry of Transportation prior to final resolution.

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

- The proposal will serve to add value to the existing community asset of wine/brewery tourism within the City,
- The RCMP does not have any issues with this application,
- The LLTRC member representing social health and addictions has no concerns with this application.

No concerns

Attachment B Public Consultation Map

