

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

Tuesday, October 17, 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 October 3, 2017 Committee of the Whole	1-2	Receive
6.2	Minutes of the October 3, 2017 Public Hearing	3-5	Receive
6.3	Minutes of the October 3, 2017 Regular Council Meeting	6-13	Adopt
7. **Committee and Board Reports**

7.1	Penticton Creek Restoration Committee Minutes of September 13, 2017 <i>Staff Recommendation: THAT Council receive the draft minutes of the Penticton Creek Restoration Committee meeting of September 13, 2017.</i>	14-17	
7.2	Official Community Plan Task Force Minutes of October 4, 2017 <i>Staff Recommendation: THAT Council receive the draft minutes of the Official Community Plan Task Force meeting of October 4, 2017.</i>	18-21	
8. **Correspondence**

8.1	Correspondence from Sharon and G. Christopher Robins Re: Inclusion of family name (ROBINS) to be added to Street Name Reserve List	22-24	
8.2	Correspondence from Scotties Tournament of Hearts Re: Free Transit for Volunteers	25-29	
8.3	Correspondence from Climate Leadership Institute Re: Training November 1-3 , 2017	30	

	8.4	Correspondence from Chase Valley Group Re: Front Street Project	31-32
9.	Staff Reports:		
RS	9.1	Permissive Tax Exemption Amendment Bylaw No. 2017-61 <i>Staff Recommendation: THAT Council give first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions to all applicants as listed in Schedule B at 100% of the applied for exemption; AND THAT Council direct Staff to review the Permissive Tax Exemption Policy in preparation for the 2019 application cycle.</i>	33-49
CE	9.2	Flood Recovery Requirements and Expenditures <i>Staff Recommendation: THAT Council authorizes staff to proceed in 2017 with design and permitting for the major works associated with the repair of the sheet pile wall and the installation of lost beach sand and that \$50,000 be allocated for this from general surplus; AND THAT Council authorizes staff to proceed in 2017 with the repair of the works for which only minor design and approvals are required and that \$110,222 be allocated for this from general surplus; AND THAT Council will consider funding for the remaining repair work in the 2018 budget process.</i>	50-54
GMI	9.3	UBCM Asset Management Program Grant Application – Parks GIS <i>Staff Recommendation: THAT Council endorses a grant application to the UBCM Asset Management Program to create a Parks GIS Database; AND THAT the Parks GIS Database project be included in the 2018 budget; AND FURTHER THAT the General Manager of Infrastructure and or the Chief Financial Officer be authorized to sign any required forms related to the grant application.</i>	55-56
CFO	9.4	Asset Management Policy Development Grant Funding <i>Staff Recommendation: THAT Council supports the Asset Management Policy Development project; AND THAT Council approves the request to reallocate \$10,000 from the current Asset Management budget towards this project.</i>	57
GMI	9.5	2017/2018 Amended Annual Operating Agreement Conventional & Custom Transit <i>Staff Recommendation: THAT Council authorize the Mayor and Corporate Officer to execute the 2017 / 2018 AMENDED 2017 09 05 Annual Operating Agreement for the Conventional and Custom Transit System as contained in Attachment "A" of the 2017/2018 Amended Annual Operating Agreement Conventional and Custom Transit report to Council dated October 17, 2017.</i>	58-73
LA	9.6	Licence to Use – Penticton Tennis Society <i>Staff Recommendation: THAT Council approve a 5-year sub-license renewal with a 3 month escape clause over the four Tennis Courts located at 675 Marina Way to the Penticton Tennis Society, a non-profit Society, at a licence rate of \$4,000/year (\$6,000 below estimated market rate) plus the estimated utilities for the court lighting; AND THAT Council direct staff to advertise the intention to provide certain kinds of assistance pursuant to Section 24 of the Community Charter; AND FURTHER THAT Council authorize the Mayor and Corporate Officer to execute the Licence to Use Agreement.</i>	74-77
PI	9.7	Zoning Amendment Bylaw No. 2017-71 Re: 223/227 Conklin Avenue <i>Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2017-71", a bylaw to Rezone Lot A and Lot B District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP70414, located at 223 and 227 Conklin Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), be given first reading and be forwarded to the November 7, 2017 Public Hearing.</i>	78-95
CO	9.8	Committee Terms of Reference <i>Staff Recommendation: THAT Council approve the amendments to the Terms of Reference for the Affordable Community Task Force, Agriculture Advisory Committee, Arts, Creative & Cultural Innovations Committee, Community Revitalization Committee, Development Services Advisory Committee, Economic Development Task Force, Penticton Creek Restoration Committee, and the Transportation Advisory Committee as attached to the Committee Terms of Reference report dated October 17, 2017.</i>	96-116

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:

- (a) *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (e) *the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality.*

12. **Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.**

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

13.1	Zoning Amendment Bylaw No. 2017-64 Re: 168 Kirkpatrick Avenue	117-118	Adopt
13.2	Zoning Amendment Bylaw No. 2017-65 Re: 461 Eckhardt Avenue West	119-120	2 nd /3 rd
13.3	OCP Amendment Bylaw No. 2017-66 Zoning Amendment Bylaw No. 2017-67 Re: 641 Winnipeg Street	121-122 123-124	2 nd /3 rd /Adopt 2 nd 3 rd
13.4	OCP Amendment Bylaw No. 2017-68 Zoning Amendment Bylaw No. 2017-69 Re: 681 Winnipeg Street	125-126 127-128	2 nd /3 rd /Adopt 2 nd 3 rd
13.5	Zoning Amendment Bylaw No. 2017-70 Re: 1273 Government Street	129-130	2 nd /3 rd

14. **Land Matters:**

PM	14.1	Development Variance Permit PL2017-8080 Development Permit PL2017-8066 Re: 270 Hastings Avenue <i>Staff Recommendation: THAT delegations and submissions for "Development Variance Permit PL2017-8080" on Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080, located at 270 Hasting Avenue, a permit to reduce the interior setback from 4.5m to 3.5m, be heard at the October 17, 2017 Regular Council meeting; AND THAT Council approve DVP PL2017-8080 after delegations and submission have been considered. THAT Council, subject to approval of DVP PL2017-8080, approve DP PL2017-8066, a permit to allow the addition of 18 units on Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080, located at 270 Hasting Avenue.</i>	131-146	Del/Sub
PM	14.2	Zoning Amendment Bylaw No. 2017-72 Re: 1760 Carmi Avenue <i>Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2017-72", a bylaw that rezones "Proposed Lot 2" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850" (1760 Carmi Avenue), as shown on Schedule 'A' of the bylaw, from RC (Country Residential Housing) to RM1 (Bareland Strata Housing) and includes a site specific provision to the RM1 zone prohibiting townhouses on the subject lands, be given first reading and be forwarded to the November 7, 2017 Public Hearing.</i>	147-158	

Re: 216 Westminster Avenue West

Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2017-73" a bylaw that rezones "Lots 1-5, District Lot 4, Similkameen Division Yale District, Plan 871, located at 216 Westminister Avenue West from C8 (Vehicle Service Station) to C5 (Urban Centre Commercial), be given first reading and be sent to the November 7, 2017 Public Hearing;

AND THAT a 1.0m portion of the property along Westminister Avenue and a 1.0m portion along Winnipeg Street as well as a 4.5m X 4.5m corner cut be dedicated to the City prior to final adoption of Zoning Amendment Bylaw No. 2017-73;

AND FURTHER THAT the City participate in the upgrading of the streetscape adjacent to the subject lots by providing street trees funded from the City's Amenity Reserve Fund for a total project contribution not exceeding \$2,000.

15. **Notice of Motion**

16. **Business Arising**

THAT Council Direct Staff to proceed with the land purchase for a corner cut and encroaching city sidewalk and rear lane, totaling ~154 m² from the owners of 2307 Skaha Lake Road, 377299 B.C. Ltd., at an agreed upon purchase price of \$85,000, with the City responsible for survey, legal costs and restoring the rock work and garden after the corner cut is completed;

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

17. **Council Round Table**

18. **Public Question Period**

19. **Adjournment**

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

Tuesday, October 3, 2017

Recessed from the Regular Council Meeting at 1:00 p.m.

- Present:** Mayor Jakubeit
Councillor Picton
Councillor Watt
Councillor Martin
Councillor Sentes
- Absent:** Councillor Konanz
Councillor Sayeed
- Staff:** Dana Schmidt, Corporate Officer
Jim Bauer, Chief Financial Officer
Anthony Haddad, Director of Development Services
Mitch Moroziuk, General Manager of Infrastructure
Angie Collison, Deputy Corporate Officer

1. Call to order

The Mayor called the Committee of the Whole meeting to order at 1:01 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on October 3, 2017 be adopted as presented.

CARRIED UNANIMOUSLY

3. Delegations and Staff Presentations:

3.1 Capital Prioritization Framework

Jim Bauer, Chief Financial Officer and Cory Sivelle, Urban Systems, presented Council with the Capital Prioritization Framework and next steps.

3.2 Economic Development – Community Update

Anthony Haddad, Director of Development Services, Jennifer Vincent and Hugh McClelland, presented Council with updates on economic development initiatives.

3.3 Penticton Creek Revitalization - Update

Mitch Moroziuk, General Manager of Infrastructure, presented Council with an update on the Penticton Creek Revitalization project.

4. Adjourn to Regular Meeting

It was MOVED and SECONDED

THAT Council adjourn the Committee of the Whole meeting held October 3, 2017 at 2:01 p.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

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

Tuesday, October 3, 2017
at 6:00 p.m.

- Present:** Mayor Jakubeit
Councillor Watt
Councillor Picton
Councillor Martin
Councillor Sentes
- Absent:** Councillor Konanz
Councillor Sayeed
- Staff:** Dana Schmidt, Corporate Officer
Jim Bauer, Chief Financial Officer
Anthony Haddad, Director of Development Services
Mitch Moroziuk, General Manager of Infrastructure
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw No. 2017-63 and Zoning Amendment Bylaw No. 2017-64. He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

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

2. "Zoning Amendment Bylaw No. 2017-63" (295 Abbott Street)

The purpose of "Zoning Amendment Bylaw No. 2017-63" is to amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot A, District Lot 202 Similkameen Division Yale District Plan KAP47803, located at 295 Abbott Street from RD2 (Duplex Housing: Lane) to RM3 (Medium Density Multiple Housing).

The applicant is proposing to construct a four-unit townhouse.

The Corporate Officer advised that 2 letters have been received after the printing of the agenda and distributed to Council.

DELEGATIONS

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

- Brendan Burgart, Burgart Projects Inc., owner/applicant, private entrances, two storey wood frame building, same setback as next door, slightly taller.
- Bridjit Kemp, Warren Ave West, bus stop at that building, east of current house, assume consult with BC transit and the stop is not removed but put in appropriate spot.

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

- No one spoke.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2017-63" was terminated at 6:12 p.m. and no new information can be received on this matter.

3. "Zoning Amendment Bylaw No. 2017-64" (168 Kirkpatrick Avenue)

The purpose of "Zoning Amendment Bylaw No. 2017-64" is to amend Zoning Bylaw No. 2017-08 as follows:

Add Section 10.1.3.7: "In the case of Lot 1, District Lot 116 SDYD Plan 19512 Except Plan 29643, located at 168 Kirkpatrick Avenue, a Bed and Breakfast Home shall be permitted."

The applicant is proposing to convert the assisted living facility to a bed and breakfast home with four sleeping units.

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

DELEGATIONS

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

- No one spoke.

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

- No one spoke.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2017-64" was terminated at 6:13 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

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

Tuesday, October 3, 2017
at 1:00 p.m.

- Present:** Mayor Jakubeit
Councillor Martin
Councillor Watt
Councillor Picton
Councillor Sentes
- Absent:** Councillor Sayeed
Councillor Konanz
- Staff:** Dana Schmidt, Corporate Officer
Mitch Moroziuk, General Manager of Infrastructure
Anthony Haddad, Director of Development Services
Jim Bauer, Chief Financial Officer
Angie Collison, Deputy Corporate Officer

1. Call to Order

The Mayor called the Regular Council meeting to order at 1:00 p.m.

2. Introduction of Late Items

Add item 9.5 – Skaha Bluff Area Boundary Expansion

3. Adoption of Agenda

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on October 3, 2017 as amended to include item 9.5 – Skaha Bluff Area Boundary Expansion.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:01 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 2:01 p.m.

6. Adoption of Minutes:

6.1 Minutes of the September 19, 2017 Committee of the Whole

525/2017

It was MOVED and SECONDED

THAT Council receive the minutes of the September 19, 2017 Committee of the Whole as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the September 19, 2017 Public Hearing

526/2017

It was MOVED and SECONDED

THAT Council receive the minutes of the September 19, 2017 Public Hearing as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the September 19, 2017 Regular Council Meeting

527/2017

It was MOVED and SECONDED

THAT Council adopt the minutes of the September 19, 2017 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

7. Committee and Board Reports

7.1 Arts, Creative & Cultural Innovations Committee Minutes of September 12, 2017

528/2017

It was MOVED and SECONDED

THAT Council receive the minutes of the Arts, Creative & Cultural Innovations Committee meeting of September 12, 2017.

CARRIED UNANIMOUSLY

529/2017

It was MOVED and SECONDED

THAT Council support the Public Sculpture Program for 2018 and allocate the remaining funds in the Arts Reserve of \$24,000 towards this project.

CARRIED UNANIMOUSLY

7.2 Economic Development Task Force Minutes of September 21, 2017

530/2017

It was MOVED and SECONDED

THAT Council receive the minutes of the Economic Development Task Force Committee meeting of September 21, 2017.

CARRIED UNANIMOUSLY

7.3 Transportation Advisory Committee Minutes of September 26, 2017

531/2017

It was MOVED and SECONDED

THAT Council receive the draft minutes of the Transportation Advisory Committee meeting of September 26, 2017.

CARRIED UNANIMOUSLY

532/2017

It was MOVED and SECONDED

THAT Council support and direct staff to issue a Request for Proposal for Transit Bench Management – Media Space & Maintenance for the City of Penticton’s transit stops and benches.

CARRIED UNANIMOUSLY

8. Correspondence

8.1 Greyhound Service in the Region

533/2017

It was MOVED and SECONDED

THAT Council send the letter regarding the reduction of Greyhound service in the region to the Passenger Transportation Board with the comments from the Economic Development Task Force and Transportation Advisory Committee.

CARRIED UNANIMOUSLY

9. Staff Reports:

9.1 Permissive Tax Exemption Amendment Bylaw No. 2017-61

534/2017

It was MOVED and SECONDED

THAT Council defer reading "Permissive Tax Exemption Amendment Bylaw No. 2017-61".

DEFEATED

Mayor Jakubeit, Councillors Martin and Picton, Opposed

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting \$229,811 in permissive tax exemptions to all applicants qualifying for permissive tax exemption under the *Community Charter* and City of Penticton policy as listed in Schedule B at 100% of the applied for exemption;

AND THAT BMX and the Penticton Golf Club be given another opportunity to submit financial statements prior to adoption of Bylaw No. 2017-61.

535/2017

It was MOVED and SECONDED

THAT Council defer giving first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting \$229,811 in permissive tax exemptions to all applicants qualifying for permissive tax exemption under the *Community Charter* and City of Penticton policy as listed in Schedule B at 100% of the applied for exemption;

AND THAT BMX and the Penticton Golf Club be given another opportunity to submit financial statements prior to adoption of Bylaw No. 2017-61.

CARRIED

Councillors Martin and Picton, Opposed

9.2 Electric Utility Services Bylaw No. 2017-44

536/2017

It was MOVED and SECONDED

THAT Council give first reading to "Electric Utility Services Bylaw No. 2017-44";

AND THAT Council direct staff to consult with the community on the proposed electrical changes prior to second and third reading of the bylaw.

CARRIED UNANIMOUSLY

9.3 Injunctive Relief – failure to obtain permit and geotechnical covenant
Re: 890 Three Mile Road

537/2017

It was MOVED and SECONDED

THAT Council authorize staff to seek an injunction in Supreme Court via section 274 of the *Community Charter* to enforce the continued violation of the City of Penticton Building Bylaw No. 94-45 (1994) located at 890 Three Mile Road, Penticton, British Columbia, Legally Described As Lot 4 Plan KAP7508 District Lot 199 Similkameen Division Yale District (Parcel Identifier 001-844-571).

CARRIED
Councillor Martin, Opposed

9.4 Sports and Events Project Manager Position

538/2017

It was MOVED and SECONDED

THAT Council approves the Sport and Events Project Manager role as a permanent, full time position.

CARRIED UNANIMOUSLY

9.5 Skaha Bluffs Area Boundary Extension

539/2017

It was MOVED and SECONDED

THAT Council direct staff to proceed with the alternate approval process for the Skaha Bluffs Area Boundary Extension;

AND THAT Council, in accordance with Section 86 (3) of the *Community Charter*, establish a deadline of November 15, 2017 for receipt of elector responses;

AND THAT Council direct the elector response forms to be as displayed in Attachment B to the October 3, 2017 Skaha Bluffs Area Boundary Extension report;

AND THAT Council determine the number of electors to be 26,806 for the number of electors of the area to which the approval process applies.

CARRIED UNANIMOUSLY

10. Public Question Period

11. Recess to In-Camera Meeting

540/2017

It was MOVED and SECONDED

THAT Council recess at 4:09 p.m. 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.*

CARRIED UNANIMOUSLY

12. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.

Council reconvened the Regular Council Meeting at 6:13 p.m.

13. Reconsideration of Bylaws and Permits

- 13.1 Zoning Amendment Bylaw No. 2017-58
Development Variance Permit PL2017-8013
Re: 68 & 76 Roy Avenue

541/2017

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2017-58";
AND THAT Council approve "Development Variance Permit PL2017-8013" for 68 & 76 Roy Avenue.

CARRIED UNANIMOUSLY

- 13.2 Zoning Amendment Bylaw No. 2017-63
Development Variance Permit PL2017-8026
Re: 295 Abbott Street

542/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-63";
AND THAT Council adopt "Zoning Amendment Bylaw No. 2017-63".

CARRIED UNANIMOUSLY

543/2017

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-8026" for 295 Abbott Street.

CARRIED UNANIMOUSLY

- 13.3 Zoning Amendment Bylaw No. 2017-64
Re: 168 Kirkpatrick Avenue

544/2017

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2017-64".

CARRIED UNANIMOUSLY

14. Land Matters

- 14.1 Zoning Amendment Bylaw No. 2017-65
DVP PL2017-8037 & DP PL2017-8038
Re: 461 Eckhardt Avenue West

545/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-65", a bylaw to rezone Lot 12 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 937, located at 461 Eckhardt Avenue West from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the October 17, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-65", a 3.0m road dedication along the south property line (Eckhardt Avenue West) is registered with the Land Title Office.

THAT delegations and submissions for "Development Variance Permit PL2017-8037" for Lot 12 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 937, located at 461 Eckhardt Avenue West, a permit to waive the requirement to provide trees and

shrubs in the landscape buffer area and to reduce the minimum interior yard of a principal building from 3.0m to 1.5m, be heard at the October 17, 2017 Public Hearing.

AND THAT Council consider "DVP PL2017-8037" following the adoption of "Zoning Amendment Bylaw No. 2017-65".

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-65", approve "Development Permit PL2017-8038" for Lot 12 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 937, located at 461 Eckhardt Avenue West, a permit that allows for the construction of two duplexes.

CARRIED UNANIMOUSLY

- 14.2 OCP Amendment Bylaw No. 2017-66
- Zoning Amendment Bylaw No. 2017-67
- DVP PL2017-8041 & DP PL2017-8042
- Re: 641 Winnipeg Street

546/2017

It was MOVED and SECONDED

THAT prior to consideration of "OCP Amendment Bylaw No. 2017-66" 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 consultation conducted to date is sufficient;

AND THAT "OCP Amendment Bylaw No. 2017-66", being a bylaw to amend "OCP Bylaw No. 2002-20" changing the OCP designation on Lot 7 District Lot 4 Similkameen Division Yale District Plan 804, located at 641 Winnipeg Street, shown as Attachment 'B' of this report, from LR (Low Density Residential) to MR (Medium Density Residential); be introduced, given first reading and forwarded to the October 17, 2017 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2017-67", being a bylaw to Rezone Lot 7 District Lot 4 Similkameen Division Yale District Plan 804, located at 641 Winnipeg Street, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the October 17, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-67", a 1.0m road dedication along the east property line (Winnipeg Street) is registered with the Land Title Office.

THAT delegations and submissions for "Development Variance Permit PL2017-8041" for Lot 7 District Lot 4 Similkameen Division Yale District Plan 804, located at 641 Winnipeg Street, a permit to waive the requirements to provide trees and shrubs in the landscape buffer area and to reduce the minimum interior yard for a principal building from 3.0m to 1.5m, be heard at the October 17, 2017 Public Hearing;

AND THAT Council consider "DVP PL2017-8041" following the adoption of "Zoning Amendment Bylaw No. 2017-67";

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-67", approve Development Permit PL2017-8042 for Lot 7 District Lot 4 Similkameen Division Yale District Plan 804, located at 641 Winnipeg Street, a permit that allows for the construction of two duplexes.

CARRIED UNANIMOUSLY

- 14.3 OCP Amendment Bylaw No. 2017-68
Zoning Amendment Bylaw No. 2017-69
DVP PL2017-8045 & DP PL2017-8046
Re: 681 Winnipeg Street

547/2017

It was MOVED and SECONDED

THAT prior to consideration of "OCP Amendment Bylaw No. 2017-68" 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 consultation conducted to date is sufficient; AND THAT "OCP Amendment Bylaw No. 2017-68", being a bylaw to amend "OCP Bylaw No. 2002-20" changing the OCP designation on Lot 11 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804, located at 681 Winnipeg Street, shown as Attachment 'B' of this report, from LR (Low Density Residential) to MR (Medium Density Residential); be introduced, given first reading and forwarded to the October 17, 2017 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2017-69" being a bylaw to Rezone Lot 11 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804, located at 681 Winnipeg Street, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the October 17, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-69", a 1.0m road dedication along the east property line (Winnipeg Street) is registered with the Land Title Office.

THAT delegations and submissions for "Development Variance Permit PL2017-8045" for Lot 11 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804, located at 681 Winnipeg Street, a permit to waive the requirements to provide trees and shrubs in the landscape buffer area and to reduce the minimum interior yard for a principal building from 3.0m to 1.5m, be heard at the October 17, 2017 Public Hearing;

AND THAT council consider "DVP PL2017-8045" following the adoption of "Zoning Amendment Bylaw No. 2017-69".

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-69", approve Development Permit PL2017-8046 for Lot 11 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804, located at 681 Winnipeg Street, a permit that allows for the construction of two duplexes.

CARRIED UNANIMOUSLY

- 14.4 Zoning Amendment Bylaw No. 2017-70
DVP PL2017-8048 & DP PL2017-8049
Re: 1273 Government Street

548/2017

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2017-70", a bylaw to Rezone Lot 63 District Lot 250 Similkameen Division Yale District Plan 881, located at 1273 Government Street from R2 (Small

Lot Residential) to RM2 (Low Density Multiple Housing), be given first reading and forwarded to the October 17, 2017 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2017-70," a 2.3m road dedication along the east property line (Government Street) is registered with the Land Title Office.

THAT delegations and submissions for "Development Variance Permit PL2017-8048" for Lot 63 District Lot 250 Similkameen Division Yale District Plan 881, located at 1273 Government Street, a permit to waive the requirement to provide trees and shrubs in the landscape buffer area and to reduce the minimum rear yard from 6.0m to 3.0m, be heard at the October 17, 2017 Public Hearing.

AND THAT Council consider "DVP PL2017-8048" following the adoption of "Zoning Amendment Bylaw No. 2017-70."

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2017-70", approve "Development Permit PL2017-8049" for Lot 63 District Lot 250 Similkameen Division Yale District Plan 881, located at 1273 Government Street, a permit that allows for the construction of a four-unit townhouse.

CARRIED UNANIMOUSLY

549/2017

It was MOVED and SECONDED

THAT Council add late item Triathlon - date change.

CARRIED UNANIMOUSLY

14.5 Triathlon - date change

550/2017

It was MOVED and SECONDED

THAT Council approve an amendment to the Challenge Penticton Triathlon Agreement to hold the 2018 event the weekend of August 17-19.

CARRIED UNANIMOUSLY

15. Notice of Motion

16. Business Arising

17. Council Round Table

18. Public Question Period

19. Adjournment

551/2017

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, October 3, 2017 at 6:56 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Minutes

A decorative horizontal bar consisting of a series of colored squares in blue, red, and orange, followed by a solid blue bar containing the text "penticton.ca".

penticton.ca

Penticton Creek Restoration Committee Meeting

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

Wednesday, September 13, 2017
at 9:00 a.m.

- Present:** Bryn White, Chair & South Okanagan Conservation Representative
Paul Askey, Freshwater Fisheries Society of BC Representative
Camille Rivard-Sirois, Okanagan Nation Alliance Representative
Bruce McFarlane, Regional Water Engineer (via Conference Call)
Tara White, Province of BC Fisheries Representative
Bruce Turnbull, Penticton Fly Fishers Association Representative
Doug Maxwell, Member at Large
Paul Truelove, Member at Large
- Staff:** Mitch Moroziuk, General Manager of Infrastructure
Krystie Dorrell, Recording Secretary
- Guest:** Jody Goode, Mould Engineering

1. Call to Order

The Penticton Creek Restoration Committee was called to order by the Chair at 9:06 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adopt the agenda for the meeting held on September 13, 2017 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adopt the minutes of the August 16, 2017 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.6 Update Penticton Creek Master Plan Public Consultation and Public Event

The Chair confirmed the public event will take place on Saturday, September 16. Ten panels have been created summarizing the master plan. The City's Community Engagement Officer will be in attendance at the downtown market and will be displaying the panels. The public will have an opportunity to provide feedback. Staff noted the master plan will also be posted on the shapeyourcitypenticton.ca website. The Freshwater Fisheries Society of BC representative will be on hand to host a tour down to the creek to show the public how a fish count is done. Penticton Fly Fishers Association representatives will also be present. A review of the panels and discussion followed. A request was made regarding the cost to develop the panels. Staff commented that once the total costs have been calculated, the amount will be reported back at the next meeting. It was suggested the Penticton Indian Band be provided with the information from the panels. Staff stated they will advise the Penticton Indian Band of the location to view the panels.

4.1 Low Flows

The Province of BC Fisheries representative reported flows have been increased to 380 litres per second in Penticton Creek and 84 litres per second in Ellis Creek for the Kokanee noting these are within flow requirements. City staff are providing weekly current flow information. The operating strategy with the City is working well for flow management. It was suggested a flow management plan be introduced. Staff will look at budgeting for a flow management plan in 2019 to coincide with the final drought management plan which will be completed in 2018.

The General Manager of Infrastructure commented that 100% of water intake for the Water Treatment Plant is being drawn from the lake and will not reduce creek flow this year. It was noted that Penticton Creek is currently showing some of the best fish counts. Discussion and questions followed.

4.2 Update – 2017 Tasks, Permitting, Design and Tender Documents

The Mould Engineering representative reported the engineering is almost complete for the Lower 3a Project and will be responding to the Ministry of Forests, Lands and Natural Resources regarding the few remaining items. The permit should be issued soon. Discussion followed on when to start the tender process. The consultant and staff agreed December would be best the best time to issue the tender as pricing will be more competitive. Final design and drawings will be distributed to the committee for review.

4.3 2018 Project Schedule Development

The Chair commented that as the Lower 3A Project will be a 2018 project, the project to address fish passage at Structure 1 will be considered as a 2017 project if the design and permitting can be obtained. Further details noted in item 4.5.

4.4 Funding and Grant Requirements for 2018

The Chair reported she has begun drafting a request to the Habitat Conservation Trust Foundation for an extension to the Lower 3A project funding that has been approved for 2017-2018 to be extended by one year. This draft will be provided to City staff for their review and finalization prior to submitting. The Freshwater Fisheries Society of BC representative is

participating in discussions with the federal funding source to also address the timing and allocation of those funds. Staff commented that the issuance of the tender will hinge on the approval of those funds being carried over. Discussion and questions followed.

4.5 Opportunity for 2B Fish Passage Project

The Chair stated that with the Lower 3a project now scheduled for 2018, there may be an opportunity to address the fish obstacle issue at Structure 1. The Mould Engineering representative presented options to improve Structure 1 as follows:

Concept #1 – Stepped channel

- Strips of concrete removed and rows of rock and grouted rock into concreted installed
- Temporary solution
- Lifespan of 10+ years

Concept #2 – Two stage river rock embedded in concrete

- All concrete comes out and two riffles installed
- Each riffle will backwater channel above
- Temporary measure
- Better visual than Concept #1
- Enhanced passage for fish

Concept #3 – Remove concrete and embedded river rock riffle

- Install river rock clusters embedded in concrete, creating a back eddy
- Remove the concrete bed and replace with grouted in river rock which would create additional back eddy locations for fish
- Would improve migration for 60 meters

Concept #4 – Permanent option - toe to toe only, not banks

- Reduce grade and install large river rocks at toe of slope to be embedded in concrete
- Install three riffles of river rock and clusters of rock between

Discussion and questions ensued on concepts. The General Manager of Infrastructure commented that there is no further funding available for Concept #4. The Chair suggested that perhaps an application to the South Okanagan Conservation Fund could be an option. Discussion followed on project costs and timelines. It was noted that the Ministry's turnaround time for approval is 140 days and consultation with the Penticton Indian Band will be required. By consensus, it was agreed that Concept #2 is the more acceptable option due to fish passage and costs. The Mound Engineering representative to revise the final design to support the application and include a cost estimate.

5. **New Business**

6. **Next Meeting**

The next scheduled meeting of the Penticton Creek Restoration Committee is Wednesday, October 18, 2017 at 9:00 a.m.

7. **Adjournment**

It was MOVED and SECONDED

THAT the Penticton Creek Restoration Committee adjourn the meeting held on Wednesday, September 13, 2017 at 11:31 a.m.

CARRIED UNANIMOUSLY

Certified Correct:

Krystie Dorrell
Recording Secretary

Official Community Plan Task Force Meeting

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

Wednesday, October 4, 2017
at 5:30 p.m.

- Present:** Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Andre Martin, Councillor
Suzanne Moccia, Chair
Lynn Kelsey, Vice-Chair
Lynn Allin, Downtown Penticton Association Representative
Kristi Estergaard, Interior Health Representative
Dawn Russell, Penticton Indian Band Representative
Jill Bateman, Penticton Industrial Development Association Representative
Evelyn Riechert, Regional District of the Okanagan Similkameen Representative
Sharon Fletcher, Member at Large
Randy Kowalchuk, Member at Large
Randy Manuel, Member at Large
Brian Symonds, Member at Large
Denis O’Gorman, Member at Large
Warren Sanders, Member at Large
Rhys Spencer, Member at Large
Bruce Schoenne, Member at Large
Jillian Tamblyn, Member at Large
- Staff:** Ben Johnson, Special Projects Manager
Anthony Haddad, Director of Development Services
Blake Laven, Planning Manager
JoAnne Kleb, Communication Engagement Officer
Lorraine Williston, Corporate Committee Secretary
- Guest:** Jason Cox

1. Call to Order

The Official Community Plan Task Force was called to order by the Chair at 5:36 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Official Community Plan Task Force adopt the agenda for the meeting held on October 4, 2017 as amended (refer to Item 5.2)

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED

THAT the Official Community Plan Task Force adopt the minutes of the June 5, 2017 meeting as amended.

CARRIED UNANIMOUSLY

4. **Business Arising from Prior Meetings**

4.1 OCP Process Update

The Special Projects Manager provided an overview of the process to date including an outline of the steps needed to reach the end goal. The next steps will be to continue with community engagement, reviewing existing studies and procuring additional relevant studies in various areas to help understand our economic drivers and demographics. Committee members were encouraged to get involved in their area of expertise during this process. The goal is to have a draft Official Community Plan done by early summer or fall. Discussions and questions followed.

2.1 Bus Tour Debrief

The Chair asked the committee for any feedback regarding the tour. Ben summarized the survey comments noting the majority agreed it was a very positive and informative experience. Notes and a map of the tour will be provided to those who were not able to participate.

2.2 ExpOCP

The Special Projects Manager provided information on the format for the City's Official Community Plan expo that will be held in the third week of November at the PTCC. The format will be based on a model that was used for an event held in Vancouver and will include subject matter experts at various stations. Staff noted stations will be set up with information that pertains to our current OCP and how it relates to the citizens of Penticton and future growth. Discussion and questions followed on the format, how committee members can be involved, information to present and ways to engage the community. Additional potential lectures sessions were discussed. The Special Projects Manager asked members to email further suggestions to him directly regarding engagement.

Anthony Haddad left the meeting at 6:44 p.m.

Dawn Russell left the meeting at 6:49 p.m.

Andrew Jakubeit left the meeting at 6:53 p.m.

2.3 Vision Statement

The Special Projects Manager presented the draft vision statement for review and discussion. Staff commented the draft statement is a compilation of all the feedback received from the committee through the survey. Definitions were also added for better clarification and understanding of the content. Roundtable discussion followed. Suggestions for the statement included adding a reference about the environment, desert climate and ecological setting. It was agreed that the inclusion of the definitions is beneficial.

Judy Sentes left the meeting at 7:04 p.m.

The Special Projects Manager encouraged members to email further ideas or inclusions for the statement to him directly.

Andre Martin left the meeting at 7:05 p.m.

Further discussion ensued. The Chair suggested members take time to contemplate and perhaps share ideas via an email conversation regarding the vision statement. Further comments were made on whether the word 'small' in reference to the city is the right word and suggested a word be used that would better describe the uniqueness of our community. Staff cautioned members not to spend too much time on revising the vision statement as the document will be presented at the expo and will most likely be amended through public engagement process.

5. New Business

5.1 Skaha Bluffs Boundary Extension

The Special Projects Manager provided an overview of the boundary extension and alternative approval process and encouraged members to stay informed on the progress. Staff noted this area was part of the future land use contained in the current OCP. Discussion and questions followed. Dates for the upcoming open house events were noted and additional information can be found at www.shapeyourcitypenticton.ca website.

5.2 Consultant Studies

The Planning Manager presented a summary of the recent Housing Needs Assessment. Staff commented the assessment was based on 2011 census numbers and once the 2016 census numbers have been released, the assessment will be updated by the consultant to reflect those numbers. Statistics were reviewed on housing stock, residential type, pace of housing construction (compared over 5 year data), current active permits and breakdown, demographics and population trend, housing composition, income, current affordability on home ownership and rental markets, age of housing stock, non-market housing, population projection and housing needs for the future. Staff noted the report is available on www.shapeyourcitypenticton.ca.

The Interior Health representative advised the committee of an Okanagan bioregion food system study being proposed for the region by Kwantlen Polytechnic University's (KPU) Institute for Sustainable Food Systems. The study will involve the three regional districts (RDOS, CORD and NORD). This research will inform what directions are needed to establish a sustainable local food system in our area that best supports economic growth, while also enhancing our food self-sufficiency. The study proposed will be 2 years in length and begin in 2018. A KPU Delegation to the RDOS Board is scheduled to take place on Nov. 2nd. Time TBD. Any task force members wishing to attend to show support for the study would be most welcome. A fact sheet will be sent out to the group.

6. **Next Steps**

Discussed in item 2.2 and 4.1.

7. **Next Meeting**

The next regularly scheduled meeting of the Official Community Plan Task Force to be determined. Staff to send out proposed dates via a Doodle Poll.

8. **Adjournment**

It was MOVED and SECONDED

THAT the Official Community Plan Task Force adjourn the meeting held on Wednesday, October 4, 2017 at 8:12 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Lorraine Williston
Corporate Committee Secretary

October 8, 2017

Dear Mayor Andrew Jakubeit and Council Members,

For your consideration, this letter is requesting inclusion of our family name (ROBINS) to be added to the "Street Name Reserve List".

Our father, Al Robins and mother, Lois Robins have been long-time dedicated residents of Penticton for 61 years. Sadly, Mom passed away in April 2015. She was 84. Dad now lives at the Regency Retirement Resort in Penticton. He is doing well.

During their 61 years in Penticton, they have contributed immensely to the city's growth. Our parent's were enthusiastic about Penticton and anxious to promote, support and improve all it had to offer. They fell in love with this city. We remember them working on various committees, organizations, and worthwhile projects throughout the city.

See attached as part of this letter, a list of some of their contributions.

If approved, we would like this to be a surprise for my father. If there is a choice, our preference would be "Robins Road".

Thank you for your consideration in this matter,

Sharon A. Robins
G. Christopher Robins

Our Parent's Contributions: Attachment 1

Al Robins

- * Started off in the accounting department at Long's Building Supplies. Worked his way up to Manager of the store, was instrumental in expanding the business to Westbank, Trail and Fruitvale, BC.
- * Owned and was General Manager of the United Carpet store, Benjamin Moore Paint and Decorating store, then later opened a store in Summerland, BC.
- * Had an interest in public speaking and taught the "Dale Carnegie" course.
- * Director of the first ever BC Summer Games in 1978.
- * Volunteered for many years in the early days of Peach Festival.
- * For the annual Square Dance Jamboree, donated plywood, materials and installed the square dance floor in King's Park every year.
- * Was highly involved in Jaycees. Became President, then received a life time membership as a JCI Senator.
- * Chamber of Commerce. Is a Past President.
- * Was a Mason, now a Shriner for many years.
- * Belonged to the Airport Committee, and the 5 Year City Planning Committee.
- * Yacht Club and Golf Club member.

Over the years, Pentictonites have told us that our father has worked hard behind the scenes helping individuals and making a difference in their lives when needing it the most.

Attachment 2

Lois Robins

- * PTA member for Queen's Park and Carmi School
- * Volunteer at Penticton Hospital
- * Jaycettes - Life Member
- * Peach Festival Honorary Life Member
- * CNIB Director and Roll of Honour
- * Canadian Council of the Blind Member
- * Co-Founder of the White Cane Club and Past President
- * City's Committee for the Disabled
She worked tirelessly to better the quality of life for the blind and disabled.
- * United Way Director
- * Organizer and Canvasser for the "March of Dimes"
- * Shrine Ladies
- * Daughters of the Nile
- * Penticton Writers and Publishers Writers' Group
- * For many years, she wrote freelance articles for the Penticton Herald as well as worked on the social page and had a column called "Shopping with Sharon".
- * Published 2 Poetry Books



September 28, 2017

Mr. Mitch Moroziuk,
General Manager of Infrastructure,
City of Penticton

Dear Mr. Moroziuk,

On behalf of Curling Canada and the host committee for the 2018 Scotties Tournament of Hearts, I would like to request that volunteers for the event be able to access public transportation beginning on Friday, January 26 and concluding on Sunday, February 4 by wearing and producing their Accreditation as required.

The schedule proceeds in earnest on Friday, January 26 at 8:00am when the teams access the ice for their practice sessions, followed by the Ford Hot Shots competition in the afternoon and then the first competition game at 5:30pm. The remaining part of the Competition Schedule is attached. The only details to be confirmed are the times for the Bronze and Gold Medal Games on Sunday, February 4.

The majority of the volunteers will be from Penticton and the surrounding area but there will be a number of volunteers who are from out of town, province and country. Given the number of volunteers needed on a daily basis, my assumption is that no more than 100 people would use this service on a daily basis.

As always, thanks to the City of Penticton for your continued support of the Scotties. If you require any further information, please do not hesitate to contact me.

Regards,
Neil Houston
Event Manager
778-822-7198

cc: Daniel Pizarro,
Senior Regional Transit Manager
BC Transit

7. 2018 Scotties Tournament of Hearts (Penticton, BC)

<u>Date</u>	<u>Time (ET)</u>	<u>Matchup</u>	<u>Network</u>
January-27-18	17:00 - 20:00	Pool Play - Draw #1	TSN
January-27-18	22:00 - 01:00	Pool Play - Draw #2	TSN
January-28-18	12:00 - 15:00	Pool Play - Draw #3	TSN
January-28-18	17:00 - 20:00	Pool Play - Draw #4	TSN
January-28-18	22:00 - 01:00	Pool Play - Draw #5	TSN
January-29-18	12:00 - 15:00	Pool Play - Draw #6	TSN
January-29-18	17:00 - 20:00	Pool Play - Draw #7	TSN
January-29-18	22:00 - 01:00	Pool Play - Draw #8	TSN
January-30-18	12:00 - 15:00	Pool Play - Draw #9	TSN
January-30-18	17:00 - 20:00	Pool Play - Draw #10	TSN
January-30-18	22:00 - 01:00	Pool Play - Draw #11	TSN
January-31-18	12:00 - 15:00	Pool Play - Draw #12	TSN
January-31-18	17:00 - 20:00	Pool Play - Draw #13	TSN
January-31-18	22:00 - 01:00	Pool Play - Draw #14	TSN
February-01-18	12:00 - 15:00	Pool Play Tiebreakers (if necessary)	TSN
February-01-18	17:00 - 20:00	Championship Round - Draw #1	TSN
February-01-18	22:00 - 01:00	Championship Round - Draw #2	TSN
February-02-18	12:00 - 15:00	Placement Draw	TBD
February-02-18	17:00 - 20:00	Championship Round - Draw #3	TSN
February-02-18	22:00 - 01:00	Championship Round - Draw #4	TSN
February-03-18	12:00 - 15:00	Championship Round Tiebreakers (if necessary)	TSN
February-03-18	17:00 - 20:00	Page Playoff	TSN
February-03-18	22:00 - 01:00	Page Playoff	TSN
February-04-18	12:00 - 15:00	Semi Final	TSN
February-04-18	19:00 - 22:00	Final	TSN

8. 2018 Tim Hortons Brier (Regina, SK)

<u>Date</u>	<u>Time (ET)</u>	<u>Matchup</u>	<u>Network</u>
March-03-18	15:00 - 18:00	Pool Play - Draw #1	TSN
March-03-18	20:00 - 23:00	Pool Play - Draw #2	TSN
March-04-18	10:00 - 13:00	Pool Play - Draw #3	TSN
March-04-18	15:00 - 18:00	Pool Play - Draw #4	TSN
March-04-18	20:00 - 23:00	Pool Play - Draw #5	TSN
March-05-18	10:00 - 13:00	Pool Play - Draw #6	TSN
March-05-18	15:00 - 18:00	Pool Play - Draw #7	TSN
March-05-18	20:00 - 23:00	Pool Play - Draw #8	TSN
March-06-18	10:00 - 13:00	Pool Play - Draw #9	TSN
March-06-18	15:00 - 18:00	Pool Play - Draw #10	TSN
March-06-18	20:00 - 23:00	Pool Play - Draw #11	TSN
March-07-18	10:00 - 13:00	Pool Play - Draw #12	TSN
March-07-18	15:00 - 18:00	Pool Play - Draw #13	TSN
March-07-18	20:00 - 23:00	Pool Play - Draw #14	TSN
March-08-18	10:00 - 13:00	Pool Play Tiebreakers (if necessary)	TSN
March-08-18	15:00 - 18:00	Championship Round - Draw #1	TSN
March-08-18	20:00 - 23:00	Championship Round - Draw #2	TSN
March-09-18	10:00 - 13:00	Placement Draw	TBD
March-09-18	15:00 - 18:00	Championship Round - Draw #3	TSN
March-09-18	20:00 - 23:00	Championship Round - Draw #4	TSN
March-10-18	10:00 - 13:00	Championship Round Tiebreakers (if necessary)	TSN
March-10-18	15:00 - 18:00	Page Playoff	TSN
March-10-18	20:00 - 23:00	Page Playoff	TSN
March-11-18	13:00 - 16:00	Semi Final	TSN
March-11-18	20:00 - 23:00	Final	TSN

From: Pizarro, Daniel <Daniel_Pizarro@BCTransit.Com>
Sent: September-28-17 1:32 PM
To: Mitch Moroziuk
Subject: RE: 2018 Scotties Tournament of Hearts

Hi Mitch

As it makes no change to the schedule nor any impact from an operational perspective BCT has no objection. As the request relates to potential of fare revenue the decision is at the discretion of the City.

I assume the promotion of free service to the volunteers is conducted by the tournament organizers meaning there is no financial implications to the marketing budget either.

Thanks

Daniel Pizarro
Senior Regional Transit Manager
BC Transit
Direct Phone: (250) 995-5735
Cell: (250) 415-7032
Email: daniel_pizarro@bctransit.com

520 Gorge Rd. East | Victoria, BC | V8T 2P3

From: Mitch Moroziuk [<mailto:mitch.moroziuk@penticton.ca>]
Sent: Thursday, September 28, 2017 1:26 PM
To: Pizarro, Daniel <Daniel_Pizarro@BCTransit.Com>
Subject: FW: 2018 Scotties Tournament of Hearts

Hi Daniel:

Could you please let me know if BC Transit is supportive of this request and what if any you see for implications.

If I could hear back from you early next week I will have it put on the October 17, 2017 Council Agenda.

Thanks

Mitch Moroziuk, P.Eng., MBA - General Manager of Infrastructure
City of Penticton | 171 Main Street | Penticton, BC | V2A 5A9
p: 250.490.2515 | f: 250.490.0270 | e: mitch.moroziuk@penticton.ca



Visit us at our location at City Yards: 616 Okanagan Ave. East in Penticton.

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From: Neil Houston [<mailto:nhouston@curling.ca>]
Sent: September-28-17 11:12 AM

To: Mitch Moroziuk; [Daniel Pizarro@bctransit.com](mailto:Daniel.Pizarro@bctransit.com)
Subject: 2018 Scotties Tournament of Hearts

- 29 -

Dear Mr. Moroziuk and Mr. Pizarro,

Please find attached a letter and a document pertaining to the 2018 Scotties Tournament of Hearts to be held in Penticton from January 26 to February 4, 2018.

The letter is requesting support for volunteers to access public transportation during those dates.

Feel free to contact me if you require any further information.

Neil Houston
Event Manager
Gestionnaire d'événement
C. (778) 822-7198
nhouston@curling.ca

CURLING CANADA

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Subject: Request to Add Information to Upcoming Council Meeting Agenda

From: Susan Chalmers <schalmers@communityenergy.bc.ca>

Date: October 5, 2017 at 11:30:50 AM PDT

To: "dana.schmidt@penticton.ca" <dana.schmidt@penticton.ca>

Subject: Request to Add Information to Upcoming Council Meeting Agenda

Good morning Ms. Schmidt,

In follow up to our recent direct mail letter to Mayor Jakubeit and Council, the Community Energy Association (CEA) requests the following information be included in Council's upcoming agenda package under "For Information".

The BC Municipal Climate Leadership Council invites Mayors, Councillors, Area Directors and senior staff to join them at the **Climate Leadership Institute (CLI)** from November 1-3, 2017 in Richmond, BC. This intensive climate action training will offer locally elected officials the practical skills and knowledge needed to lead their communities into the green future they desire.



Keynote speakers include:

- Mike Harcourt, Former Mayor of the City of Vancouver and Premier of BC
- Travis Streb, Communications coach and group facilitator for business leaders with the Humphrey Group
- Mayor Richard Walton, District of North Vancouver and Chair of BCMCLC
- Mayor Lawrence Chernoff, City of Castlegar and BCMCLC member

CLI offers 3 credit hours toward any level of Local Government Leadership Academy (LGLA) Certification. Further information about this event and registration is available at www.BCMCLC.ca/CLI or contact Janice Keyes at 604-561-0646 or jkeyes@communityenergy.bc.ca.

Kind Regards,
Susan

Susan Chalmers, Administrator



Facilitators of the BC Municipal Climate Leadership Council



101 - 365 VAN HORNE STREET
PENTICTON
BRITISH COLUMBIA
CANADA
V2A 8S4

1 250 486 4224
INFO@CHASEVALLEY.CA
WWW.CHASEVALLEY.CA

Mayor and Council
City of Penticton
171 Main Street Penticton BC
VA 5A9

CVC.P.101017.2316

10th October 2017

Dear Sirs

Re – Front Street Project

With regard to the above project planning and organising aspects of the development are progressing well and we are looking to hopefully break ground mid to end of November.

With the development being some 15 months in the planning it is clear now that to complete construction prior to the end of December 2018 is unachievable which raises serious concerns for us in respect of the EIZ tax breaks.

We are therefore writing to request an extension of the current bylaw for an additional year.

The introduction of the scheme has positively encouraged investment in the downtown area and has played a significant part in our calculations and viability of the project. To such a degree we now have 75% of the offices prelet prior to construction, a major factor to our prospective tenants and the success of this development being the EIZ tax breaks.

Heads of Terms have been agreed with the tenants but we need assurances now before we can sign and secure the leases. We believe it is the current plan is to create a new program but such delays will prevent us from completing the agreements as the EIZ scheme formed a material part of our negotiations.

Chase Valley are a long term investment group as opposed to speculative, and we believe the tax breaks are playing an important part in directing investment in the downtown area as opposed to other city areas. Our own investment strategy highlights this as both of our current 2017 new build projects are in the downtown area, the other being 597 Ellis Street.



Both our projects are dependent upon the EIZ scheme and to avoid delays in the commencement of the projects, anything that could be done to expedite a decision would be appreciated.

Thanking you

Yours sincerely

A handwritten signature in blue ink that reads "R T Caine". The signature is written in a cursive, flowing style.

R T Caine
President

Council Report

pentiction.ca

Date: October 17, 2017 File No: 1970-04
To: Peter Weeber, Chief Administrative Officer
From: Amber Coates, Revenue Supervisor
Subject: **Permissive Tax Exemption Amendment Bylaw No. 2017-61**

Staff Recommendation

THAT Council give first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions to all applicants as listed in Schedule B at 100% of the applied for exemption;

AND THAT Council direct Staff to review the Permissive Tax Exemption Policy in preparation for the 2019 application cycle.

Background

Pursuant to the *Community Charter*, on or before October 31st in any year, Council may, by bylaw, exempt land or improvement from taxation.

The Permissive Tax Exemption Policy, endorsed by Council, requires applicants to provide financial information, proof that the organization is in good standing with the Society Act and limits the exemption to the principal use of the property and not the non-profit status of the organization, to be pro-rated if necessary (if a portion of the property is commercial use).

The policy also states that exemptions will only be provided to those organizations that will experience financial hardship. Financial hardship is defined such that not receiving a Permissive Tax Exemption could seriously impair services to the community at large or impose significant hardship on the organization itself and the users of the facility. Staff's criteria for assessing hardship is based on an organization having less than \$100,000 in working capital.

The Permissive Tax Exemption Policy allows for Places of Worship, Private Schools, and Hospitals that meet certain criteria to complete multiple year applications. Exemptions already awarded for the 2018 tax year for these applicants are equivalent to \$112,889 in taxation revenue.

Financial implication

Awarding all requested exemptions eligible under the *Community Charter* and that comply with City of Penticton Permissive Tax Exemption Policy using the previously applied criteria, at 100% has a taxation revenue opportunity cost equivalent of \$257,768.

Awarding all requested exemptions eligible under the *Community Charter* and taking a revised approach to determined financial hardship, at 100% has a taxation revenue opportunity cost equivalent of \$372,374.

Analysis

Following the October 3, 2017 Council meeting, Staff has been able to secure the required information from the Penticton Golf & Country Club and the Penticton BMX Society for review. Review of the full application has allowed Staff to designate the applied for properties as meeting both the *Community Charter* and Policy requirements and so has been added to the recommended schedule.

Confirmation has been received that the Penticton Hospice Society applied in error for a 2018 exemption as they no longer have an interest in the applied for property and are not responsible for the payment of property taxes in their new property. They had believed the application to apply to the 2017 tax year. Please note exemptions are granted to the combination of the applicant as well as the property, if the application had not been withdrawn prior to adoption of the bylaw, the exemption would be deemed null and void due to ownership change and the lack of a lease.

The remaining applicants that did not meet Policy due to excess working capital were contacted and provided with an opportunity to explain their working capital balance on their last financial statements. The overall conclusion is that many of these organizations have higher working capital owing to saving for large future capital acquisitions.

Using this more in-depth analysis of working capital would lead to a conclusion that these organizations may be consistent with the intent of the City policy and so are included in the alternate recommendation.

Please find below a summarized version of the comments received, and more detailed information is available in Attachment 3 for those responses too lengthy to capture in full in the below table.

During discussions of the excess working capital, it came to light that the Penticton Recovery Resource Society purchased a second location and did not realize their original application would not apply to both locations. The additional property has been advertised as required to be considered and has been included in the Alternate Schedule B (Attachment 2).

Name of Applicant	Civic Address	Estimated 2018 Municipal (General) Tax	Comment
Army, Navy & Air Force Veterans in Canada, Unit 97	257 Brunswick St.	\$1,634	<i>Organization is saving to purchase a new building.</i>
BC Wine Information Society	101 - 553 Veas Dr.	\$3,813	<i>Organization had been saving to build a new store. Construction invoicing not complete at time of financials yearend.</i>
Good Samaritan Canada (A Lutheran Social Service Organization)	270 Hastings Ave.	\$59,617	<i>Organization does not have site-specific balance sheets. Funds are based on 9 sites across B.C.</i>
Penticton & District Emergency Program Society	251 Dawson Ave.	\$1,315	<i>Organization received a significant one-time grant from the province to be used on specific categories such as training, PPE, building improvements, etc.</i>
Penticton & District Minor Hockey Association	325 Power St.	\$1,332	<i>Society operates with a contingency fund in the event donations and grants fall short of operating costs.</i>
Penticton & Wine Country Chamber of Commerce	102 Ellis St.	\$2,416	<i>Holding significant funds in trust for Literacy Now. Remaining balance would be under the \$100,000 working capital.</i>
Penticton Seniors' Drop-In Society	2905 South Main St.	\$24,937	<i>Organization has a "Planning for the future Committee" and has been managing resources with the intent for future building and equipment maintenance.</i>
Penticton Recovery Resource Society	397 Wade Ave. W.	\$1,347	<i>Organization had been saving to purchase a secondary location.</i>
Penticton Recovery Resource Society	633 Winnipeg St.	\$2,786	<i>The new secondary location.</i>
South Okanagan Immigrant and Community Services	340 Ellis St.	\$4,039	<i>Organization has significantly drawn down cash balance for their new building and has assumed a mortgage.</i>
South Okanagan Similkameen Brain Injury Society	332 Eckhardt Ave. W.	\$1,937	<i>Working capital is being used to fund a significant renovation in order to move offices to a more suitable location.</i>
South Okanagan Similkameen Brain Injury Society	742 Argyle St.	\$1,794	<i>Working capital is being used to fund a significant renovation in order to move offices to a more suitable location.</i>
South Okanagan Similkameen Medical Foundation	1748 Camrose St.	\$4,497	<i>Organization has been saving to pay for new equipment, including an MRI and Spec CT for the new Patient Care Tower.</i>
South Okanagan Similkameen Medical Foundation	1802 Camrose St.	\$3,142	<i>Organization has been saving to pay for new equipment, including an MRI and Spec CT for the new Patient Care Tower.</i>
Total		\$114,606	

Alternate Recommendation 1:

THAT Council replace Schedule B of the "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions with 'Attachment 2' to the report at 100% of the applied for exemption;

AND THAT Council give first, second and third reading to "Permissive Tax Exemption Amendment Bylaw No. 2017-61", a bylaw granting permissive tax exemptions to all applicants as listed in Schedule B at 100% of the applied for exemption;

AND THAT Council direct Staff to review the Permissive Tax Exemption Policy in preparation for the 2019 application cycle.

Attachments

Attachment 1 – Permissive Tax Exemption Amendment Bylaw No. 2017-61

Attachment 2 – Alternate Schedule B

Attachment 3 – Correspondence from Not-for-Profits and Societies regarding Working Capital
(some information removed from public document for privacy considerations)

Respectfully submitted,

Amber Coates
Revenue Supervisor

Approvals

CFO <i>LWB</i>

The Corporation of the City of Penticton

Bylaw No. 2017-61

A Bylaw to amend Permissive Exemption Bylaw

WHEREAS the *Community Charter* provides specific exemptions for certain type or uses of property;

AND WHEREAS the Council of the City of Penticton has adopted a Permissive Tax Exemption Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend “2017 Permissive Tax Exemption Bylaw 2016-57”;

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 the “Permissive Tax Exemption Amendment Bylaw 2017-61”.

2. AMENDMENT:

2.1 Remove Schedule “B” and replace it with Schedule “B” as attached hereto and forming part of the bylaw.

2.2 The properties described on the attached Schedule “B” shall be permissively exempt from taxation with respect to land and improvements for the year 2018.

READ A FIRST time this	day of	October , 2017
READ A SECOND time this	day of	October, 2017
READ A THIRD time this	day of	October, 2017
ADOPTED this	day of	October, 2017

Notice of intention to proceed with this bylaw was published on the 20 day of September, 2017 and the 27 day of September, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2017-61 Schedule B : Not for Profits and Societies Exempt for One (1) Year (2018)

Not for Profits and Societies			
Name of Applicant	Civic Address	Estimated 2018 Municipal (General) Tax Foregone	Comment
Affordable Living for Today Society	245 Warren Ave. W.	\$3,600	
Care Closet	574 Main St.	\$1,922	
Fraternal Order of Eagles Aerie 4281	1197 Main St.	\$2,918	Class 8 Improvements used for charitable purposes
Governing Council of the Salvation Army Corps 344	2399 South Main St.	\$8,818	
Governing Council of the Salvation Army Corps 344	318 Ellis St.	\$3,635	
LUSO Canadian Multicultural Society of Penticton	135 Winnipeg St.	\$2,163	
Okanagan Boys & Girls Club	1295 Manitoba St.	\$4,928	
Ooknakane Friendship Centre	146 Ellis St.	\$4,593	
Penticton & District Community Arts Council	220 Manor Park Ave.	\$10,090	
Penticton & District Community Resources Society	1160 Commercial Way	\$2,731	
Penticton & District Community Resources Society	285 Nanaimo Ave. W.	\$1,300	
Penticton & District Community Resources Society	150 McPherson Cres.	\$2,573	
Penticton & District Community Resources Society	154 McPherson Cres.	\$2,573	
Penticton & District Community Resources Society	2434 Baskin St.	\$986	
Penticton & District Community Resources Society	2450 Baskin St.	\$990	
Penticton & District Community Resources Society	330 Ellis St.	\$10,952	
Penticton & District Community Resources Society	470 Edmonton Ave.	\$2,780	
Penticton & District Community Resources Society	500 Edmonton Ave.	\$1,011	
Penticton & District Society for Community Living	180 Industrial Ave.	\$12,677	
Penticton & District Society for Community Living	234 Van Horne St.	\$2,426	
Penticton & District Society for Community Living	252 Conklin Ave.	\$1,919	
Penticton & District Society for Community Living	453 Winnipeg St.	\$12,863	
Penticton Art Gallery	199 Marina Way	\$17,715	
Penticton BMX Society	630 Munson Mountain Rd.	\$2,674	
Penticton Community Garden Society	480 Vancouver Ave.	\$1,833	
Penticton Curling Club	505 Veas Dr.	\$12,411	
Penticton Disc Golf Club	500 Marina Way	\$1,505	
Penticton Early Childhood Education Society	104 - 550 Carmi Ave.	\$1,463	
Penticton Elks Lodge 51	343 Ellis St.	\$4,679	Apportioned based on area used for liquor sales - 66.12% of land/improvements used for charitable purposes

Not for Profits and Societies cont.			
Name of Applicant	Civic Address	Estimated 2018 Municipal (General) Tax Foregone	Comment
Penticton Golf & Country Club	600 Comox St.	\$9,537	Approx. 172,000 square feet exempt for land and approx. 10,000 square feet exempt for buildings
Penticton Golf & Country Club	852 Eckhardt Ave. W.	\$14,452	
Penticton Horseshoe Pitchers Club	2905 South Main St.	\$2,234	
Penticton Kinsmen Disability Resource Centre Society	216 Hastings Ave.	\$8,337	
Penticton Kiwanis Housing Society	101 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	102 - 150 Van Horne St.	\$769	
Penticton Kiwanis Housing Society	103 - 150 Van Horne St.	\$652	
Penticton Kiwanis Housing Society	104 - 150 Van Horne St.	\$648	
Penticton Kiwanis Housing Society	105 - 150 Van Horne St.	\$652	
Penticton Kiwanis Housing Society	112 - 150 Van Horne St.	\$769	
Penticton Kiwanis Housing Society	113 - 150 Van Horne St.	\$652	
Penticton Kiwanis Housing Society	115 - 150 Van Horne St.	\$778	
Penticton Kiwanis Housing Society	201 - 150 Van Horne St.	\$777	
Penticton Kiwanis Housing Society	202 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	204 - 150 Van Horne St.	\$652	
Penticton Kiwanis Housing Society	209 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	210 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	211 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	212 - 150 Van Horne St.	\$657	
Penticton Kiwanis Housing Society	213 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	214 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	215 - 150 Van Horne St.	\$782	
Penticton Kiwanis Housing Society	301 - 150 Van Horne St.	\$777	
Penticton Kiwanis Housing Society	302 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	304 - 150 Van Horne St.	\$652	
Penticton Kiwanis Housing Society	308 - 150 Van Horne St.	\$755	
Penticton Kiwanis Housing Society	310 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	312 - 150 Van Horne St.	\$657	
Penticton Kiwanis Housing Society	314 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	315 - 150 Van Horne St.	\$782	
Penticton Kiwanis Housing Society	401 - 150 Van Horne St.	\$777	
Penticton Kiwanis Housing Society	402 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	404 - 150 Van Horne St.	\$652	
Penticton Kiwanis Housing Society	406 - 150 Van Horne St.	\$652	

Not for Profits and Societies cont.			
Name of Applicant	Civic Address	Estimated 2018 Municipal (General) Tax Foregone	Comment
Penticton Kiwanis Housing Society	408 - 150 Van Horne St.	\$755	
Penticton Kiwanis Housing Society	410 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	412 - 150 Van Horne St.	\$657	
Penticton Kiwanis Housing Society	413 - 150 Van Horne St.	\$655	
Penticton Kiwanis Housing Society	414 - 150 Van Horne St.	\$773	
Penticton Kiwanis Housing Society	415 - 150 Van Horne St.	\$782	
Penticton Lawn Bowling Club	260 Brunswick St.	\$5,161	
Penticton Masonic Building Association	416 Westminster Ave. W.	\$2,711	
Penticton Safety Village	490 Edmonton Ave.	\$3,960	
Penticton Tennis Club	675 Marina Way	\$2,924	
Roman Catholic Bishop of Nelson for PDCRS Pregnancy Support Program	200 Bennett Ave.	\$1,425	
Royal Canadian Legion #40	502 Martin St.	\$4,996	Apportioned based on area used for liquor sales - 60.63% of land/improvements used for charitable purposes
S.S. Sicamous Restoration Society	1099 Lakeshore Dr. W.	\$9,673	
S.S. Sicamous Restoration Society	1101 Lakeshore Dr. W.	\$2,097	
S.S. Sicamous Restoration Society	1175 Lakeshore Dr. W.	\$4,282	
South Okanagan Women in Need Society	102 - 1027 Westminster Ave. W.	\$2,320	
South Okanagan Women in Need Society	Not disclosed	\$3,210	
South Okanagan Women in Need Society	Not disclosed	\$1,095	
The B.C. Society for the Prevention of Cruelty to Animals	2200 Dartmouth Dr.	\$12,944	
Total		\$257,768	

Alternate Schedule B : Not for Profits and Societies Exempt for One (1) Year (2018)

Not for Profits and Societies			
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Army, Navy & Air Force Veterans in Canada, Unit 97	257 Brunswick St.	\$1,634	Apportioned based on area used for liquor sales - 58.84% of land/improvements used for charitable purposes
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Care Closet	574 Main St.	\$1,922	
Fraternal Order of Eagles Aerie 4281	1197 Main St.	\$2,918	Class 8 Improvements used for charitable purposes
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South Okanagan Women in Need Society	Not disclosed	\$1,095	
The B.C. Society for the Prevention of Cruelty to Animals	2200 Dartmouth Dr.	\$12,944	
Total		\$372,374	

Attachment 3 – Correspondence from Not-for-Profits and Societies regarding Working Capital



The Foundation has made a commitment to Interior Health and the Province of BC to provide \$20 million to purchase equipment for the new Patient Care Tower by spring 2019. I'm sure you understand it takes time to raise this amount of money.

We have started paying for infrastructure for the new equipment. The majority of the funds will be paid out as the tower nears completion in 2018 & 2019.

In addition we are holding funds for the purchase of the new MRI and Spec CT which will be going in the new Patient Care Tower.



Re: Penticton Recovery Resource Society

1.

Our Society has been diligently working for the past 10 years with our fund raising in order that we may be able to open a larger home to service the never-ending wait list for men who are in desperate need of drug and alcohol recovery in Penticton.

Yes, at our year end March 31-2017 we did have assets in excess of \$100k, of which \$92k was designated for our newest building at 633 Winnipeg St. (Opening in October 2017). These funds have now been dispersed for outstanding payables on this project.

As of this date the majority of those funds have been spent at 633 Winnipeg St. (building upgrades) and 397 Wade Ave. West. (window upgrades)

Thank you to Marc Vere and the other staff at City Hall for issuing our Occupancy permit this week at 633 Winnipeg St.

We anticipate having significantly less money in our operating accounts this coming year with the addition of a second residence for these men.

Thank you for your consideration.

2.

Over the past year, we have attained a new property located at 633 Winnipeg St. which has been under construction renovation. Much of the "asset" money showing in March was moved from our capital reserves (building account) to service the building renovation costs which to date have totaled more than \$165,000. Some of this capital has been returned to us through BC Housing grants and now sits in

our "Operating Account". However, some of these funds will be moved back into our "Building Maintenance" account to insure a prudent reserve to service any future building repair or maintenance costs. The BC Non Profit Housing Association has suggested having a 5 year capital reserve and we intend to follow their direction. Additional monies will be used to cover operating costs required to subsidize up to 75% of client care costs while they are in our long term recovery program.

By providing a permissive tax exemption The City of Penticton is showing their commitment to expanding social housing and life-saving recovery services in Penticton. With the horrific rise in overdose deaths the past few years there has been a massive strain on city resources such as: emergency Medical services, social welfare, criminal justice and municipal clean up. Our organization provides significant returns on this type of investment as we are not only providing social housing and recovery programs for some of the most vulnerable and marginalized persons in our community, we are providing an independence that encourages our alumni to give back to the community in significant ways. We have had a former client recognized as the United Way volunteer of the year, others who have participated in local and provincial Overdose Crisis Management mapping session both here and in Penticton and in Vancouver, and many of our past clients do the important work of providing service to our clients on a daily basis as clients and volunteers.

Our only aim is to provide these services on a larger scale to service the acute need for long term recovery beds in Penticton. This expansion adds an additional 13 beds to the community pool of beds which means we will be operating 18 of the 26 recovery beds available in Penticton in 2018. We have done this by leveraging community support and solid financial stewardship. We expect to have a shortfall in the coming year of over \$120,000 and feel the need to have operating reserves to cover these costs as only 1/3 of our funding is guaranteed. Without this "cushion" of cash on hand we feel that client care and possibly lives could be in jeopardy if we were not able to sustain our financial support for the program and had to reduce or withdraw our services. It is for these reasons we ask the City of Penticton and Council to approve a permissive tax exemption at our new location at; 633 Winnipeg St.

Thank-you for the past and future support as the City of Penticton is an important partner in fighting addiction, mental health and homelessness in our community.



In fact, we are currently saving to purchase a new building and any financial assistance is more than welcome.



The funds were required to build the new store since the casino complex caused the City of Penticton to break our lease.

We had the funds slated for donation within the community, however we had to put a hold on all donations. As we are a non-for-profit Society we were unable to secure any loans to build the new building and had to use all of our reserves for the relocation.

We were in the construction phase at March 31, 2017 (our yearend), and therefore had not been invoiced from all the suppliers.



The Province of BC granted money to Search and Rescue teams throughout the province to enhance their safety and delivery of volunteer services. This was a one-time grant. Unfortunately, we are on a different fiscal year (December 31, 2016) than the Province (March 31, 2017), so we had not spent all the money we were given by our year end.

We also have a trust account with refundable deposits for clothing and equipment lent to our volunteer members, which is returned when they depart if they turn in all the gear in reasonable condition.

We do not hoard any funds as a non-profit... every penny goes back into the organization to serve the public and make our rescues safe and successful, many of which occur within the city of Penticton.

I trust this will allay any concerns Council has regarding our application for a tax exemption on the hall the City graciously donates for our use.



The Pro Forma we submitted is deceptive, as since March 31, 2017, we have significantly drawn down our cash to pay for the new building and have assumed a \$350,000 mortgage.

In addition, the Federal Government, our major funder, retains a 10% holdback of the total contract at the end of 3 years. We therefore have to retain enough cash liquidity and make use of a line of credit to ensure we meet monthly expenses for up to eight months before this money is refunded.



The Penticton Senior's Drop-In Centre Society has a strong working capital balance because they have managed their resources well.

Currently \$51,549 has been internally restricted by the board for future building and equipment maintenance.

The Board would not be prudent without having a contingency fund to handle any non-budgeted expenses that may arise at any time.

We have a "Planning for the future Committee" that has discussed many items including the possible expansion of this building. We would need funds available to do this. Even a not-for-profit Society needs back-up to cover items not budgeted for.



The reason PMHA has just over \$100,000.00 in our account is that as a not for profit organization we operate largely on donations and grants received on an annual basis. As these funds are not guaranteed and fluctuate from year to year we need to ensure we have funds available to us so we can continue to offer a reasonably priced program to the youth in Penticton in years that the donations /grants we receive are less. With the ever increased cost of ice and increased user groups needing ice time we are spending more money on operating costs. We also need to have funds available to replace equipment and jerseys. The association supplies equipment and jerseys to help keep costs down for families.



Brain Injury Society

Education • Support • Housing

The working capital fund we currently have is being held for the renovation of one of our buildings to be able to relocate our existing offices. This move will allow us to better serve the community and will reduce our overall cost of providing services.

The commercial rental space we currently occupy has become unsuited to us as the roof has been leaking for years. The building owner has not been cooperative in taking care of required repairs. The building has been leaking so significantly that we are not able to conduct business in approximately 50% of our commercial rental space. We have been using other spaces outside our main commercial rental space to conduct our group activities, as a result.

In July 2017, we engaged Cal Meiklejohn Designs and People Plus Space to assist us in the first phase of preparing construction / renovation documents. It is our plan to be moving ahead with the renovation project next year.

The two properties that we have requested a property tax exemption for are not supported by any other part of our business. All of our housing must remain self-supporting cost neutral for us to be able to continue to offer housing. The very nature of the not-for-profit's changing landscape of funding sources, means that we must ensure that rent collected covers all costs incurred. This property has been property-tax exempt for all of the years that the Brain Injury Society has operated it. We had no reason to believe this would change and note that all other Penticton social housing providers names have been added to the current list of agencies who are being recommended for property tax exemption.

These two properties are an important part of our housing continuum in the community, serving the vulnerable adults who are experiencing homelessness.

The Province's Residential Tenancy Branch will not allow us to increase the rent on these properties quickly enough to be able to pay the property taxes without the exemption.

This is the first year that we are operating without BC Housing supporting these two properties, as a result of the end of our 30 year subsidized housing agreement. In all previous years, BC Housing would have supported us to ensure that any unforeseen costs would be covered. We do not have that assurance to rely upon now.

We ask you to reconsider supporting the property tax exemption for 742 Argyle Street and 332 Eckhardt Avenue West to allow us to continue to serve people who are in critical housing needs in Penticton.

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Ian Chapman, City Engineer
Subject: **Flood Damage Repair Update**

File No:

Staff Recommendation

THAT Council authorizes staff to proceed in 2017 with design and permitting for the major works associated with the repair of the sheet pile wall and the installation of lost beach sand and that \$50,000 be allocated for this from general surplus;

AND THAT Council authorizes staff to proceed in 2017 with the repair of the works for which only minor design and approvals are required and that \$110,222 be allocated for this from general surplus;

AND THAT Council will consider funding for the remaining repair work in the 2018 budget process.

Background

The combination of high lake levels and storm activity in May 2017 caused significant damage to many City assets on the Okanagan Lake waterfront. There were two phases of work involved in dealing with the flood; Stage 1 was the Emergency response and included items like the sandbag and tiger dam installation. Stage 2, which is the subject of this report, is the Recovery phase and covers works that are directly related to the high lake levels and storm events.

Some of the damage was immediately apparent but the high water concealed the full extent of other issues which have only recently been accessible as a result of the lower lake levels.

The damage and estimated repair costs can be summarized as follows:

1. Repair of unit paver walkways adjacent to the waterfront.
Several areas of the unit paver walkway were undermined by the wave action and these need to be repaired by removing the pavers, replacing and compacting the underlying gravels and re-installing the pavers. In some areas the pavers were lost to wave action and additional pavers will be required.
Estimated Cost: \$25,000 (\$20,000 by BC, \$5,000 by CoP)
2. Repair of asphalt in Yacht Club Parking lot
The high lake water level caused the ground water to push up under the parking lot causing disruption of the asphalt that now needs to be removed and replaced.
Estimated Cost: \$40,000 (\$32,000 by BC, \$8,000 by CoP)

3. Damage to masonry retaining wall at dog beach

The combination of high lake water and storm action which added water over the top of the wall caused undermining of a section of it. This needs to be removed and reconstructed.

Estimated Cost: \$15,000 (\$12,000 by BC, \$3,000 by CoP)

4. Issues associated with the change in elevation of the SS Sicamous.

The high lake levels caused the SS Sicamous to rise approximately 0.6m (24") above its normal elevation at rest on the beach. The strong wave action scoured under the hull of the boat and created an uneven sand bed upon which the boat would settle with the likelihood of uneven support which would stress the hull. We received advice from a marine expert that we should wash sand in under the boat while it was still afloat to fill the gap and provide even hull support. This work was undertaken in the early summer and the boat is now sitting approximately 0.45m (18") higher than before. This had several consequences including:

- i. The landings of the electric elevator to the west side of the boat no longer aligned with the boat decks and required modification.

Cost \$5,222 (\$4,178 by BC, \$1,044 by CoP)

- ii. The wheelchair ramp to the elevator no longer met with the ground. The ground needs to be raised and will incorporate a rock berm to support the raised ground adjacent to the void around the rear paddle wheel.

Estimated Cost \$7,500 (\$6,000 by BC, \$1,500 by CoP)

- iii. The walkway providing access to the east side of the boat needed to be raised to match the higher main deck level.

Estimated Cost \$10,000 (\$8,000 by BC, \$2,000 by CoP)

- iv. The lower lake levels have revealed that more sand was needed to support the bow (west side only) and stern of the boat indicated by gauges that monitor stress in the hull structure.

Estimated Cost \$2,500 (\$2,000 by BC, \$500 by CoP)

- v. Further work is needed to protect the freshly installed sand at the bow of the boat from wave action. Our consultant is proposing the installation of protection in the form of either rip rap or anchored logs to deflect the wave energy.

Estimated Cost: \$5,000 (\$4,000 by BC, \$1,000 by CoP)

5. Repair of the steel sheet piled wall west of the suspended boardwalk.

Sections of the interlocking steel sheet pile wall which retains the elevated section of the beach just west of the suspended concrete boardwalk have moved forward due to loss of support at the point where they are embedded in the beach. The principal cause for this loss of sand was from where the waves encountered the vertical sheet pile wall face which re-directed the horizontal wave energy down into the sand which was then washed back into the deeper lake water. This was exacerbated by the high water and wave action over the top of the wall which caused the saturated sand behind it to wash out from underneath the wall.

A consultant was engaged to determine the extent and options for repairs and his findings are summarized as follows. Note that cost estimates are preliminary and are being refined further:

- i. The existing sheet pile structure has been seriously compromised to the extent that the entire 75m length west of the boardwalk has either failed or failure is probable and needs to be replaced and the elevated sand beach replaced behind.

Estimated Cost \$156,000 (\$124,800 by BC, \$31,200 by CoP)

- ii. Provincial funding assistance is intended to return the damaged area to its previous condition however restricting the corrective work to repair or replacement of the sheet pile wall is not recommended since it is clear that this will be subject to the same erosive forces that caused the current structure to fail. It is recommended that the solution should incorporate a method of reducing the wave energy and/or deflecting the wave energy to prevent further sand removal. The simplest approach is to install rip rap to absorb and deflect the wave energy. Exact details are yet to be confirmed but are likely to include leaving the failed wall in place and installing the rip rap in front. Further options could include installing a new concrete wall or steps rather than rip rap to achieve the same purpose. These would be viewed as improvements to the original works and would not be eligible for Provincial funding assistance.

Estimated Additional Cost \$60,000 - \$137,000 (by CoP)

- iii. The 80m section of sheet pile wall under the boardwalk appears to be in fair condition and shows no immediate signs of distress however the deepest area of sand removal is at this location and this needs to be protected with large rip rap rock possibly in conjunction with a log boom. This approach would reduce the wave energy and deflect the remaining energy up and away from the sheet pile wall which must remain for the integrity of the new concrete boardwalk. These would be viewed as improvements to the original works and would not be eligible for Provincial funding assistance.

Estimated Additional Cost \$94,000 (by CoP)

- iv. Grouting is also required to seal a gap between the underside of the walkway and top of the sheet pile wall that allowed the high water and wave action to remove material under the walkway and create two sinkholes in the boulevard beyond.

Estimated Cost \$32,000 (\$25,600 by BC, \$6,400 by CoP)

- 6. Replacement of up to 400mm depth of sand at various locations on the beach adjacent to Lakeshore Drive.

The storm wave action has removed a significant amount of beach sand and this was a key factor in the failure of the sheet pile wall referenced above and our consultant is recommending that sand be added at this location to replace that lost during the storm. Further evidence of sand removal is apparent in The Pines area where the new concrete walkway is closer to the lake and the supporting concrete wall has promoted the same erosion effect. The concrete wall incorporates an indicator strip at the original beach level and the current sand level is now between 300 and 400mm below it through this area. Further evidence is visible in the form of erosion around the trees on the beach.

Replacement sand is needed on the beach and additional measures in the form of rip rap or additional vegetation is needed to address further wave action.

Note that cost estimates are preliminary and are being refined further:

Estimated Cost: \$ 81,042 (\$64,833 by BC, \$16,209 by CoP)

7. Kiwanis Pier

The Kiwanis Pier suffered severe structural damage and the detailed investigation to determine the extent and repair/replacement options has been completed. A report is expected shortly however we can state that the structure is covered by insurance and we plan to submit a claim for recovery of any amount not covered by insurance from the Province. Further details will be provided when more information is available.

Note that investigations have only just been completed and evaluation of repair/replacement costs and the extent of coverage have not been made. The minimum amount of the claim to the Province will be the amount of the insurance deductible.

Cost: \$10,000 (\$8,000 by BC, \$2,000 by CoP)

Schedule:

The scope of the repair work for items 1, 2, 3 and 4 is clear and requires relatively minor design and approval. Staff proposes to proceed with this work within the next few weeks in order that it is complete prior to the winter weather and well in advance of the 2018 tourist season.

The scope of the repair work for items 5 and 6 is much more complex and will likely require more extensive design effort and time to secure the permits necessary for the work to proceed in 2018.

Item 7, the Kiwanis Pier, will involve major structural repairs which we anticipate will be designed through the winter with construction occurring in 2018/2019.

Financial implication

The following is a tabulation that summarizes the above estimated costs and the potential cost sharing between the Province under the Disaster Financial Assistance fund through Emergency Management BC and the City of Penticton. Note that estimated costs for the major work items 5, 6 and 7 for which design and permitting has yet to take place are preliminary in nature. These will be refined prior to the budget process.

Item	Description	Total estimated costs	Portion of the costs eligible for Provincial funding assistance	Portion of the costs for which the City is responsible	Schedule
1.	Repair of unit paver walkways	\$25,000	\$20,000	\$5,000	2017
2.	Repair of asphalt in Yacht Club Parking lot	\$40,000	\$32,000	\$8,000	2017
3.	Damage to masonry retaining wall	\$15,000	\$12,000	\$3,000	2017
4.	Issues associated with the change in elevation of the SS Sicamous	\$30,222	\$24,178	\$6,044	2017

	2017 Sub totals	\$110,222		\$88,178		\$22,044	
5.	Repair of the steel sheet piled wall	\$342,000 to \$419,000		\$150,400		\$191,600 to \$268,600	2018
6.	Replacement of up to 400mm depth of sand	\$81,042		\$64,833		\$16,209	2018
7.	Kiwanis Pier	\$10,000		\$8,000		\$2,000	2018/9
	2018 Sub totals	\$433,042 to \$500,042		\$223,233		\$209,809 to \$286,809	
	Totals.	\$543,264 to \$620,264		\$311,411		\$231,853 to \$308,853	

The total estimated cost of the repair works is up to \$620,264.

The total estimated portion of the cost of repair works that are expected to be funded from the Provincial Emergency funds is \$311,411.

The total estimated portion of the cost of repair work that would be funded by the City of Penticton is the range of \$231,853 to \$308,853 depending on the approach selected for wave energy dissipation.

Given that we anticipate being able to complete some of the works in the remainder of this year then staff is seeking Council approval to proceed accordingly. The estimated cost of these works is **\$110,222** which would be funded using available general surplus.


Also, given that it would be desirable to commence the lengthy design and permit process for the more complex projects as early as possible, staff is seeking Council approval to proceed with design work immediately. The estimated cost of these design works, based on 10% of the estimated construction costs, is **\$50,000** which would be funded using available general surplus.

The balance of the project costs will need to be addressed in 2018 and staff will be seeking Council approval of them in the 2018 budget process. These are complex projects for which the above includes preliminary cost estimates for an understanding of the magnitude of the issue. These costs will be refined and presented in the budget process.

Respectfully submitted,

Ian Chapman, P.Eng
City Engineer

Approvals

Chief Financial Officer <i>LWB</i>	General Manager of Infrastructure 	Chief Administrative Officer <i>PU</i>
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Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Mitch Moroziuk, General Manager of Infrastructure
Subject: **UBCM Asset Management Program Grant Application Parks GIS**

File No: 1855-03

Staff Recommendation

THAT Council endorses a grant application to the UBCM Asset Management Program to create a Parks GIS Database;

AND THAT the Parks GIS Database project be included in the 2018 budget;

AND FURTHER THAT the General Manager of Infrastructure and or the Chief Financial Officer be authorized to sign any required forms related to the grant application.

Strategic priority objective

This project supports the City's Strategic Pillar of Sustainable by planning for future infrastructure renewal and the City's Strategic Pillar of Smart by providing access to information that will yield a fact, risk, and consequence based plan for decisions related to park assets.

Background

UBCM has announced a November 2017 intake for grant applications to the Asset Management Program. The intent of the Program is to assist local governments in delivering sustainable services by extending and deepening asset management practices within their organizations. The Program makes matching grants up to \$15,000 available.

Staff have completed the input of Water, Sanitary Sewer, Storm Sewer and Electrical in to the GIS database. The Road information is currently being worked on and the City is waiting to hear on a Strategic Priorities Fund Capacity Building grant for inputting Facility information into GIS. The next significant asset that needs to be input into GIS is asset information on our Parks. An application to the UBCM Asset Management Program will assist with funding this project and would see the City Park assets incorporated into our GIS system.

Financial implication

The cost to incorporate the City Parks into our GIS system is estimated at \$75,000. Submitting a grant application will make the City eligible to receive up to \$15,000 in grant funding.

Analysis

Passing of the resolution will make the grant eligible for consideration under the grant submission process and open the possibility for grant funding.

Should Council choose they could provide alternate direction to staff.

Alternate recommendations

THAT Council provide alternate direction to staff.

Respectfully submitted,

Mitch Moroziuk P.Eng. MBA
General Manager of Infrastructure

Approvals

CAO <i>PW</i>	CFO <i>LWB</i>
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Council Report



Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Angela Campbell, Controller
Subject: **Asset Management Policy Development Grant Funding**

File No:

Staff Recommendation

THAT Council supports the Asset Management Policy Development project;

AND THAT Council approves the request to reallocate \$10,000 from the current Asset Management budget towards this project.

Strategic Priority Objective

Sustainable: Implementing a plan for sustainable growth that allows for a vibrant City.

Background

The City undertook an asset management organizational assessment in 2015 to determine a process in moving forward with asset management. As part of the assessment a core recommendation is to develop an asset management policy to support decisions relating to sustainable delivery of service.

The City subsequently applied for a grant through the UBCM for funding for this project and were successful in obtaining funding for \$10,000, half the estimated cost of developing the policy. In order to move forward with the project, the UBCM requires a resolution from Council.

Financial Implication

A budget reallocation will be required to move the required funds from current Asset Management budgets towards this project.

Respectfully submitted,



Angela Campbell
 Controller

Chief Financial Officer <i>JWB</i>	Chief Administrative Officer PW
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Council Report

Date: October 17, 2017 **File No:** 8500-05
To: Peter Weeber, Chief Administrative Officer
From: Mitch Morozziuk, General Manager of Infrastructure
Subject: **2017 / 2018 AMENDED Annual Operating Agreement Conventional and Custom Transit**

Staff Recommendation

THAT Council authorize the Mayor and Corporate Officer to execute the 2017 / 2018 AMENDED 2017 09 05 Annual Operating Agreement for the Conventional and Custom Transit System as contained in Attachment "A" of the 2017/2018 Amended Annual Operating Agreement Conventional and Custom Transit report to Council dated October 17, 2017.

Background

On April 18, 2017 Council passed Resolution 260/2017 approving the execution of the 2017 / 2018 Annual Operating Agreement for Conventional and Custom Transit, see Attachment "B". On June 6, 2017 Council passed Resolution 346/2017 to adopt an amendment to the Fees and Charges Bylaw for new Local and Regional Transit Fares. In September of 2017 BC Transit launched the extended Sunday Service.

As a result of the June and September actions it is necessary for Council to consider a 2017 / 2018 AMENDED 2017 09 05 Annual Operating Agreement for the Conventional and Custom Transit System. This document is contained in Attachment "A" and contains the following changes:

1. Agreement title has been changed to state Amendment 1, September 5, 2017
2. Schedule "A", Tariff and Fares has been updated to reflect the Local and Regional Fares adopted by Council on June 6, 2017.
3. Schedule "B", Service Specifications has been updated to reflect the change to Sunday Service.
4. Schedule "C", Budget has been updated to reflect the slight increase for the change to Sunday Service.

A comparison of the Annual Operating Agreement financials and the 2017 Budget are as illustrated below.

Item		2017 Budget	2017 / 2018 AOA	2017 / 2018 AMENDED AOA
Conventional	Net	\$976,171	\$911,199	\$926,197
Municipal Share				
Custom Transit	Net	\$125,217	\$120,674	\$ 120,674
Municipal Share				

Financial implication

See above

Analysis

Entering into the Amended Agreement with BC Transit will ensure that the public is provided with the enhanced Sunday Service and pays the Local and Regional Fees as adopted.

Should Council wish they could provide alternative direction to staff.

Alternate recommendations

THAT Council provide alternative direction to staff.

Attachments

Attachment "A" 2017 2018 AMENDED 2017 09 05 Annual Operating Agreement Conventional and Custom Transit

Attachment "B" Council Resolution 260/2017

Attachment "C" Council Resolution 346/2017

Respectfully submitted,

Mitch Moroziuk P.Eng. MBA
General Manager of Infrastructure
City of Penticton

Approvals

CFO <i>JWB</i>	CAO <i>PDW</i>
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Attachment "A" 2017 2018 AMENDED 2017 09 05 Annual Operating Agreement Conventional and Custom Transit

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Attachment "B" Council Resolution 260/2017

8.4 2017/2018 Annual Operating Agreement Conventional and Custom Transit

260/2017 It was MOVED and SECONDED

THAT Council authorize the Mayor and Corporate Officer to execute the 2017 / 2018 Annual Operating Agreement for the Conventional and Custom Transit System as contained in Attachment "A".

CARRIED UNANIMOUSLY

Attachment "C" Council Resolution 346/2017

14.3 Fees and Charges Amendment Bylaw No. 2017-36 Re: Transit Fares

346/2017 It was MOVED and SECONDED

THAT Council adopt "Fees and Charges Amendment Bylaw No. 2017-36".

CARRIED UNANIMOUSLY

PENTICTON

ANNUAL OPERATING AGREEMENT

between

CITY OF PENTICTON

and

BRITISH COLUMBIA TRANSIT

Effective

April 1, 2017

Amendment #1 Effective September 5, 2017

INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

ANNUAL OPERATING AGREEMENT

BETWEEN:

CITY OF PENTICTON

(the "Municipality")

AND:

BRITISH COLUMBIA TRANSIT

(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

Contents

SECTION 1: DEFINITIONS.....	4
SECTION 2: INCORPORATION OF SCHEDULES.....	4
SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT	4
SECTION 4: TERM AND RENEWAL.....	4
SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT	4
SECTION 6: SETTLEMENT OF DISPUTES	5
SECTION 7: MISCELLANEOUS PROVISIONS.....	5
SECTION 8: GOVERNING LAW.....	6
SECTION 9: COUNTERPARTS.....	6
SECTION 10: NOTICES AND COMMUNICATIONS	7
SCHEDULE "A": TARIFF AND FARES	9
SCHEDULE "B": SERVICE SPECIFICATIONS.....	10
SCHEDULE "C": BUDGET.....	12

SECTION 1: DEFINITIONS

Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) "Transit Service Agreement" shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;

SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be September 5, 2017, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2018 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
 - a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least ninety (90) days prior written notice. Such notice to be provided in accordance with Section 10.
 - b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to

the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) Operating Reserve Fund: In accordance with OIC 594, in fiscal year 2015/16, BC Transit established a Reserve Fund to record, for each local government, the contributions that BC Transit has received but has not yet earned.
 - a. BC Transit will invoice and collect on monthly Municipal invoices based on budgeted Eligible Expenses.
 - b. Any expenditure of monies from the Reserve Fund will only be credited towards Eligible Expenses for the location for which it was collected.
 - c. Eligible Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:
 - i. *For Conventional Transit Service:*
 1. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;
 2. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
 3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
 4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
 - ii. *For Custom Transit Service:*
 1. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by BC Transit to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
 2. the amount of any operating lease costs incurred by BC Transit for Custom Transit Service;

3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and,
 4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
- d. Eligible Expenses exclude the costs of providing third-party 100%-funded services; and,
 - e. BC Transit will provide an annual statement of account of the reserves received and utilized, including any interest earned for each local government.
- e) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: GOVERNING LAW

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

SECTION 9: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 10: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

BRITISH COLUMBIA TRANSIT
c/o President & CEO
P.O. Box 610
520 Gorge Road East
Victoria, British Columbia V8W 2P3

and to the Municipality at:

CITY OF PENTICTON
c/o Director of Operations
171 Main Street
Penticton, BC V2A 5A9

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

AMENDMENT #1
Penticton
2017/18 Annual Operating Agreement

This will confirm our agreement to amend the Schedule B – Service Specifications and Schedule “C” – Budget.

IN WITNESS WHEREOF, the parties have hereunto set their hand this ____ day of _____, 20__.

CITY OF PENTICTON

BRITISH COLUMBIA TRANSIT

CHIEF OPERATING OFFICER

CHIEF FINANCIAL OFFICER

SCHEDULE "A": TARIFF AND FARES*Effective as of July 1, 2017***Fare Zones:**

The boundaries of fare zones for this Tariff are described as the corporate boundaries of the City of Penticton.

a) Cash:	Local*	Regional*
All Fares	\$2.25	\$4.00
b) Tickets (sheet of 10):		
i) All Fares	\$20.25	\$36.00
c) Monthly Bus Pass:		
i) Adult	\$45.00	\$60.00
ii) Senior/Students**	\$35.00	\$40.00
d) DayPASS	\$4.50	\$8.00
e) Child, 6 or under	Free	Free

f) **BC Bus Pass** valid for the current calendar year and available through the Government of British Columbia BC Bus Pass Program.

g) **CNIB** Identification Card available from the local office of the CNIB.

H) **BC Transit Employee** Bus Pass

* Local refers to trips within the community

* Regional refers to trips between larger communities. Route numbers end in "0"

** Discounted Fares apply to: Seniors over 65 years of age with valid ID, Students 20 or under in full-time attendance to Grade 12 with valid ID, Post-Secondary with proof of attendance. Post-Secondary institution refers to universities, vocational universities, community colleges, liberal arts colleges, institutes of technology and other collegiate level institution, such as vocational schools and career colleges that award academic degrees or professional certifications.

SCHEDULE "B": SERVICE SPECIFICATIONS

Penticton Base Budget Official AOA Amendment #1 2017/2018

Schedule 'B'

Effective Apr 01, 2017

Scheduled Revenue Service

April to June (Apr 01, 2017 to Jun 25, 2017)												
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 14, 2017	Apr 17, 2017	May 22, 2017		
Hrs/Day	75.54	75.54	75.54	75.54	75.54	64.67	9.00	9.00	75.54	9.00		
Krms/Day	1,604.70	1,604.70	1,604.70	1,604.70	1,604.70	1,361.39	180.87	180.87	1,604.70	180.87		

June to Sep (Jun 26, 2017 to Sep 04, 2017)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jul 01, 2017	Aug 07, 2017	Sep 04, 2017
Hrs/Day	74.84	74.84	74.84	74.84	74.84	64.67	10.00	10.00	10.00	10.00
Krms/Day	1,589.83	1,589.83	1,589.83	1,589.83	1,589.83	1,361.39	200.13	200.13	200.13	200.13

Sep to March (Sep 05, 2017 to Mar 31, 2018)													
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Oct 09, 2017	Nov 11, 2017	Dec 26, 2017	Jan 01, 2018	Feb 12, 2018	Mar 30, 2018
Hrs/Day	75.54	75.54	75.54	75.54	75.54	64.32	13.00	13.00	13.00	13.00	13.00	13.00	13.00
Krms/Day	1,604.70	1,604.70	1,604.70	1,604.70	1,604.70	1,366.35	261.26	261.26	261.26	261.26	261.26	261.26	261.26

Extra Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018
Extra Special Events Hours		30.00	10.00	10.00	15.00	15.00	30.00	30.00	60.00		30.00	
Extra Special Events Kilometres		600.00	200.00	200.00	300.00	300.00	600.00	600.00	1,200.00		600.00	

Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 30, 2017	3	4	4	4	3	5	5	2	30	Apr 14, 2017 Good Friday 2017 (Fri)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	Apr 17, 2017 Easter Monday 2017 (Mon)
Jun 01, 2017 to Jun 25, 2017	3	3	3	4	4	4	4	0	25	May 22, 2017 Victoria Day 2017 (Mon)
Jun 26, 2017 to Jun 30, 2017	1	1	1	1	1	0	0	0	5	Jul 01, 2017 Canada Day 2017 (Sat)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Aug 07, 2017 BC Day 2017 (Mon)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Sep 04, 2017 Labour Day 2017 (Mon)
Sep 01, 2017 to Sep 04, 2017	0	0	0	0	1	1	1	1	4	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Sep 05, 2017 to Sep 30, 2017	3	4	4	4	4	4	3	0	26	Nov 11, 2017 Remembrance Day 2017 (Sat)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Dec 25, 2017 Christmas Day 2017 (Mon)
Nov 01, 2017 to Nov 30, 2017	4	4	5	5	4	3	4	1	30	Dec 26, 2017 Boxing Day 2017 (Tue)
Dec 01, 2017 to Dec 31, 2017	3	3	4	4	5	5	5	2	31	Jan 01, 2018 New Years Day 2018 (Mon)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	Feb 12, 2018 Family Day 2018 (Mon)
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	Mar 30, 2018 Good Friday (2018) (Fri)
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	
Total	44	51	52	52	50	51	52	13	365	13 Exceptions

Monthly Summary

Month	Conventional Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2017	1,812.61	0.00		1,812.61	38,381.47	0.00		38,381.47
May, 2017	1,965.56	30.00		1,995.56	41,653.31	600.00		42,253.31
June, 2017	1,953.06	10.00		1,963.06	41,398.09	200.00		41,598.09
July, 2017	1,890.32	10.00		1,900.32	40,032.77	200.00		40,232.77
August, 2017	1,955.16	15.00		1,970.16	41,422.47	300.00		41,722.47
September, 2017	1,891.05	15.00		1,906.05	40,089.96	300.00		40,389.96
October, 2017	1,921.62	30.00		1,951.62	40,731.66	600.00		41,331.66
November, 2017	1,919.84	30.00		1,949.84	40,708.75	600.00		41,308.75
December, 2017	1,834.86	60.00		1,894.86	38,888.61	1,200.00		40,088.61
January, 2018	1,984.16	0.00		1,984.16	42,075.10	0.00		42,075.10
February, 2018	1,757.54	30.00		1,787.54	37,261.00	600.00		37,861.00
March, 2018	1,972.94	0.00		1,972.94	41,836.75	0.00		41,836.75
Total	22,858.72	230.00	0.00	23,088.72	484,479.94	4,600.00	0.00	489,079.94

Penticton Custom Base Budget Official AOA

2017/2018

Penticton Custom Base Budget Official AOA 2017/2018

Schedule 'B'

Effective Apr 01, 2017

Scheduled Revenue Service

17/18 Full Year (Apr 01, 2017 to Mar 31, 2018)								
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Hrs/Day	16.00	16.00	16.00	16.00	16.00	16.00		
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Extra Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 30, 2017	3	4	4	4	3	5	5	2	30	Apr 14, 2017 Good Friday 2017 (Fri)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	Apr 17, 2017 Easter Monday 2017 (Mon)
Jun 01, 2017 to Jun 30, 2017	4	4	4	5	5	4	4	0	30	May 22, 2017 Victoria Day 2017 (Mon)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Jul 01, 2017 Canada Day 2017 (Sat)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Aug 07, 2017 BC Day 2017 (Mon)
Sep 01, 2017 to Sep 30, 2017	3	4	4	4	5	5	4	1	30	Sep 04, 2017 Labour Day 2017 (Mon)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Nov 01, 2017 to Nov 30, 2017	4	4	5	5	4	3	4	1	30	Nov 11, 2017 Remembrance Day 2017 (Sat)
Dec 01, 2017 to Dec 31, 2017	3	3	4	4	5	5	5	2	31	Dec 25, 2017 Christmas Day 2017 (Mon)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	Dec 26, 2017 Boxing Day 2017 (Tue)
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	Jan 01, 2018 New Years Day 2018 (Mon)
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	Feb 12, 2018 Family Day 2018 (Mon)
Total	44	51	52	52	50	51	52	13	365	13 Exceptions

Monthly Summary

Month	Custom Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2017	288.00			288.00	0.00			0.00
May, 2017	352.00			352.00	0.00			0.00
June, 2017	352.00			352.00	0.00			0.00
July, 2017	336.00			336.00	0.00			0.00
August, 2017	352.00			352.00	0.00			0.00
September, 2017	320.00			320.00	0.00			0.00
October, 2017	336.00			336.00	0.00			0.00
November, 2017	352.00			352.00	0.00			0.00
December, 2017	304.00			304.00	0.00			0.00
January, 2018	352.00			352.00	0.00			0.00
February, 2018	304.00			304.00	0.00			0.00
March, 2018	336.00			336.00	0.00			0.00
Total	3,984.00	0.00	0.00	3,984.00	0.00	0.00	0.00	0.00

SCHEDULE "C": BUDGET**Penticton Conventional Transit**

	Base Budget 2017/2018
Total Revenue	\$550,250
Total Direct Operating Costs	\$2,113,155
Total Operating Costs	\$2,336,218
Total Costs (including Local Government Share of Lease Fees)	\$2,636,708
Net Local Government Share of Costs	\$926,197

Penticton Custom Transit

	Base Budget 2017/2018
Total Revenue	\$19,449
Total Direct Operating Costs	\$311,159
Total Operating Costs	\$330,830
Total Costs (including Local Government Share of Lease Fees)	\$365,226
Net Local Government Share of Costs	\$120,674

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Peter Wallace, Land Administrator
Address: 675 Marina Way

File No: 4320-80

Subject: Licence to Use - Penticton Tennis Society

Staff Recommendation

THAT Council approve a 5-year sub-license renewal with a 3 month escape clause over the four Tennis Courts located at 675 Marina Way to the Penticton Tennis Society, a non-profit Society, at a licence rate of \$4,000/year (\$6,000 below estimated market rate) plus the estimated utilities for the court lighting;

AND THAT Council direct staff to advertise the intention to provide certain kinds of assistance pursuant to Section 24 of the *Community Charter*;

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

Background

The Tennis Club used to be part of the Penticton Yacht and Tennis Club and they leased the old clubhouse and tennis court property directly from the Province. They constructed the tennis courts in 1976 at their expense and have been responsible for the repair and maintenance ever since.

In 2011 the Tennis Society split from the Penticton Yacht and Tennis Club and the Yacht Club gave up their lease interest in the old club house and tennis courts. The new Tennis Society has seen tremendous growth over the period with current membership in excess of 250 members, up from 150 members in 2015. The Club has indicated that only having four courts available for tournament play restricts the size of the club.

For the past 40 years, the Tennis Club has used the old Penticton Yacht and Tennis Club building for washrooms and storage. The building has deteriorated to the point where without major renovation (\$30K - \$40K minimum) future public access will not be permitted. Alternative facilities are now required. There are public washrooms at the Yacht Club site a little over 200 m. away and Public Works has offered to provide a

porta-potty for the site. Neither option will work well for the Club as some storage space is required and it would be inconvenient.

Staff and the Club have discussed the purchase or lease of a temporary modular style unit with washrooms as one option to provide convenient washrooms and a storage/office. This temporary structure could likely be connected to the existing marginal water/sewer system. The City agrees to work with the Tennis Society to find a solution that will allow the club to continue to utilize the site.

The courts are currently in need of major crack repair, and the club has the financial capacity to complete the repairs at their expense with their club members volunteering labour. They completed similar repairs about four years ago, although newer technology is available which is expected to last longer.

The market licence rate is based on current land value is about \$10,000 (\$4.50/sq.m.), however in consideration that the courts were built and have been maintained by the Tennis Club and the licence rate of \$4,000 is considered reasonable although it represents assistance to a non-profit and as such is subject to public notification.

Although the courts are locked when a club member is not present to prevent vandalism, theft and damage to the courts; when a member is on site, the public is usually allowed to play on unutilized courts. The Club also hosts scheduled events, provides lessons to the public and day camps for kids, which are promoted in conjunction with the City Recreation Department.

Financial implication

The Licence continues to generate \$4,000 revenue, while providing a Tennis facility for the 250 members at limited cost to the City.

A grant application for assistance with a washroom storage facility should be expected.

Analysis

The club provides a healthy activity for citizens and the organized tournament play that attracts residents from surrounding communities. The club has been very successful since they split from the Yacht Club.

The renewal for five years is necessary to justify the required cost and effort for court repairs and continuation of the club until such time as an alternate use of the lands is determined. If required, the escape clause could be evoked, however it would be incumbent on the City to assist in the relocation of the club. No suitable alternate locations for the Tennis Society have been identified at this time.

Alternate recommendations

Option 1: That Council direct staff to renew the Licence at terms of their choosing.

Option 2: That Council direct staff not to renew the Licence to Use over the courts.

Attachments

Attachment A – Proposed Lease area

Respectfully submitted,



Peter Wallace
Land Administrator

Approvals

CFO <i>LWB</i>	Chief Administrative Officer <i>PW</i>
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Attachment A
New Licence Area



Licence outlined in Red. Excludes previously licenced use of the Building

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 223, 227 Conklin Avenue
Subject: **Zoning Amendment Bylaw No. 2017-71**

File No: RZ PL2017-8056

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2017-71", a bylaw to Rezone Lot A and Lot B District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP70414, located at 223 and 227 Conklin Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane), be given first reading and be forwarded to the November 7, 2017 Public Hearing.

Background

The subject properties (Attachment A) are both zoned R2 (Small Lot Residential) and designated by the City's Official Community Plan (OCP) as LR (Low Density Residential). Photos of the site are included as Attachment D. The two empty lots are 524.5m² (5,646ft²) each in area. Surrounding properties are primarily zoned R1 (Large Lot Residential). On the same block there are a few parcels zoned RD2 (Duplex Housing: Lane) and C1 (Commercial Transition). Surrounding properties are designated by the OCP as LR (Low Density Residential).

The two lots used to be one lot. In 2016, the property was rezoned from R1 (Large Lot Residential) to R2 (Small Lot Residential) to facilitate a two-lot subdivision. The proposal at that time was to construct a single family dwelling and carriage house on each lot, for a total of four dwelling units. The existing house was demolished and the property was subdivided in half.

No development has happened to the lots since the subdivision occurred. A new property owner has recently purchased both lots and rather than construct the house and carriage house is proposing a duplex on each lot. To do so a zoning amendment is required.

Proposal

The applicants is proposing an amendment to Zoning Bylaw 2017-08 to rezone both subject properties from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) to facilitate the construction of a front to back duplex on each lot.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works departments. Through the previous subdivision and rezoning application, the lane was upgraded and water/sewer services were installed on the new parcel. The developer is to provide fixture counts to determine if upgrades to the new water and sewer connections will be required for the proposed duplex use. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. If the requests for the zoning amendment is supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

Development Statistics

The total number of units over the two lots is four units. Each unit will have a living area on the main level, with 3 bedrooms upstairs and an optional bedroom in the basement. All of the required parking is being provided from the lane. The application is not proposing and variances to any City bylaws.

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

Item	Requirement RD2 zone	Proposed (each lot)
Maximum Lot Coverage:	40%	31.5%
Maximum Density:	0.95 FAR	0.85 FAR
Minimum Lot Width:	9.1m	9.14m
Minimum Lot Area:	275m ²	524m ²
Vehicle Parking:	1 space per dwelling unit (2 total)	3 spaces
Required Setbacks		
Front yard (south, Conklin Avenue):	6.0m	8.23m
Rear yard (north, lane)	6.0m	17.37m
Interior yard (west):	1.5m	1.52m
Interior yard (east):	1.5m	1.52m
Maximum Building Height:	10.5m	7.91m
Other Information:	Subject property is not located within a Development Permit Area. As such, a development permit is not required.	

Analysis

Zoning Amendment

Support "Zoning Amendment Bylaw No. 2017-71"

The subject lands are designated as low density (LR) residential. 'Duplex housing' is a use that is supported in the LR land use designation. The City's Official Community Plan (OCP) states that "When reviewing

applications to allow duplexes within the LR designation” that Council and staff should “consider overall neighbourhood character and locating duplexes in areas that meet the following guidelines:

- a) areas with existing duplexes;
- b) areas in close proximity to multiple family, commercial or institutional uses
- c) predominately in single family areas undergoing redevelopment
- d) duplexes shall have a high aesthetic value and be consistent with the character of the recipient neighbourhood.

With those guidelines in mind, staff can provide the following points:

- Although duplex development does not exist in close proximity to the property, two other properties in the same block are zoned for duplex development. Additionally, there are multiple duplex zoned properties along Douglas Avenue and adjacent blocks.
- The proposed development is in close proximity to commercial transition zoned properties as well as a small corner store.
- This area is undergoing redevelopment through carriage houses being constructed in the rear lane.
- The proposed duplexes feature fiber cement lap siding and shingling, picture windows, peaked roofs, grass and trees in the front yard and a walkway to the sidewalk allowing for a pleasant connection to the street. Although the proposal is a slight change to the character of the street, the proposed units have been designed with the form of a single family home from the street with vehicle access coming from the rear lane.

The applicant has submitted plans that meet all of the regulations of the proposed zone and has designed the buildings in keeping with the character of the area (sloped roof, rear lane access, front porch). Even though the development of duplex buildings is often seen as more density or more intrusive than single family development, in this case the proposed development has a lot coverage of 31.5%, which is less than the 37% approved in the previous application.

Overall, the Planning department feels that this proposal achieves the same number of units as the previous approved proposal with less lot coverage and more amenity space. Having the parking from the rear lane will add additional on-street parking to the neighbourhood and improve the aesthetic appeal of the project. Furthermore, the proposal will add to the diverse range of dwelling types and housing options in this desirable neighbourhood.

Given the above, staff recommends that Council support “Zoning Amendment Bylaw No. 2017-71” and forward the application to the November 7, 2017 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment

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

Alternate Recommendations

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2017-71”.
2. THAT Council refer the bylaw back to staff.

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: Zoning Map
- Attachment C: OCP Map
- Attachment D: Photos of Subject Property
- Attachment E: Site Plan
- Attachment F: Proposed Elevations
- Attachment G: Proposed Renderings
- Attachment H: Previous Application
- Attachment I: Letter of Intent
- Attachment J: Zoning Amendment Bylaw No. 2017-71

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS <i>RH</i>	CAO PW
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Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map

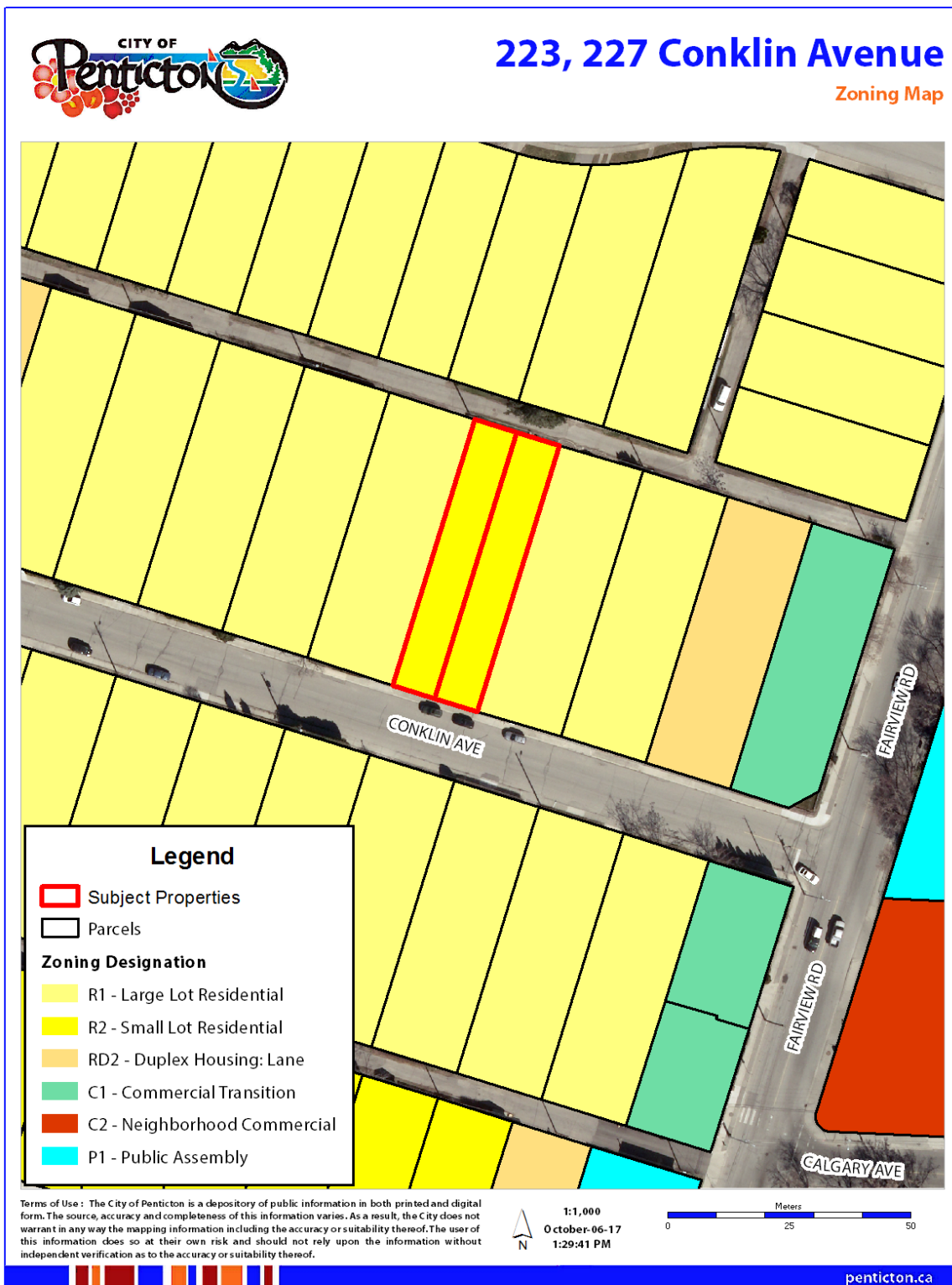


Figure 2: Zoning Map

Attachment C- OCP Map

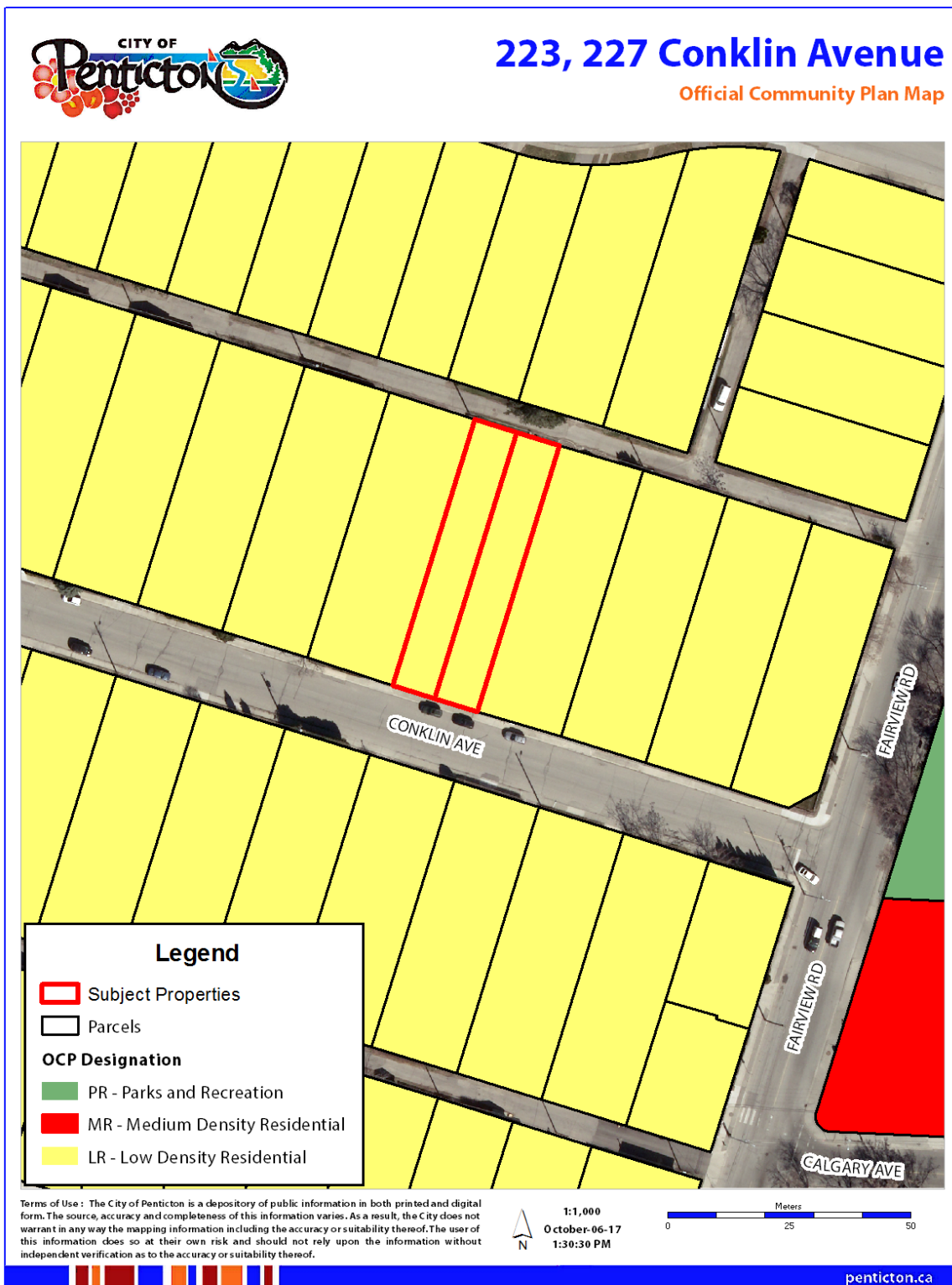


Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: South View (from Conklin Avenue)



Figure 5: North View (from lane)



Figure 6: North View looking towards the west neighbour



Figure 7: North View looking towards the east neighbour

Attachment E – Site Plan

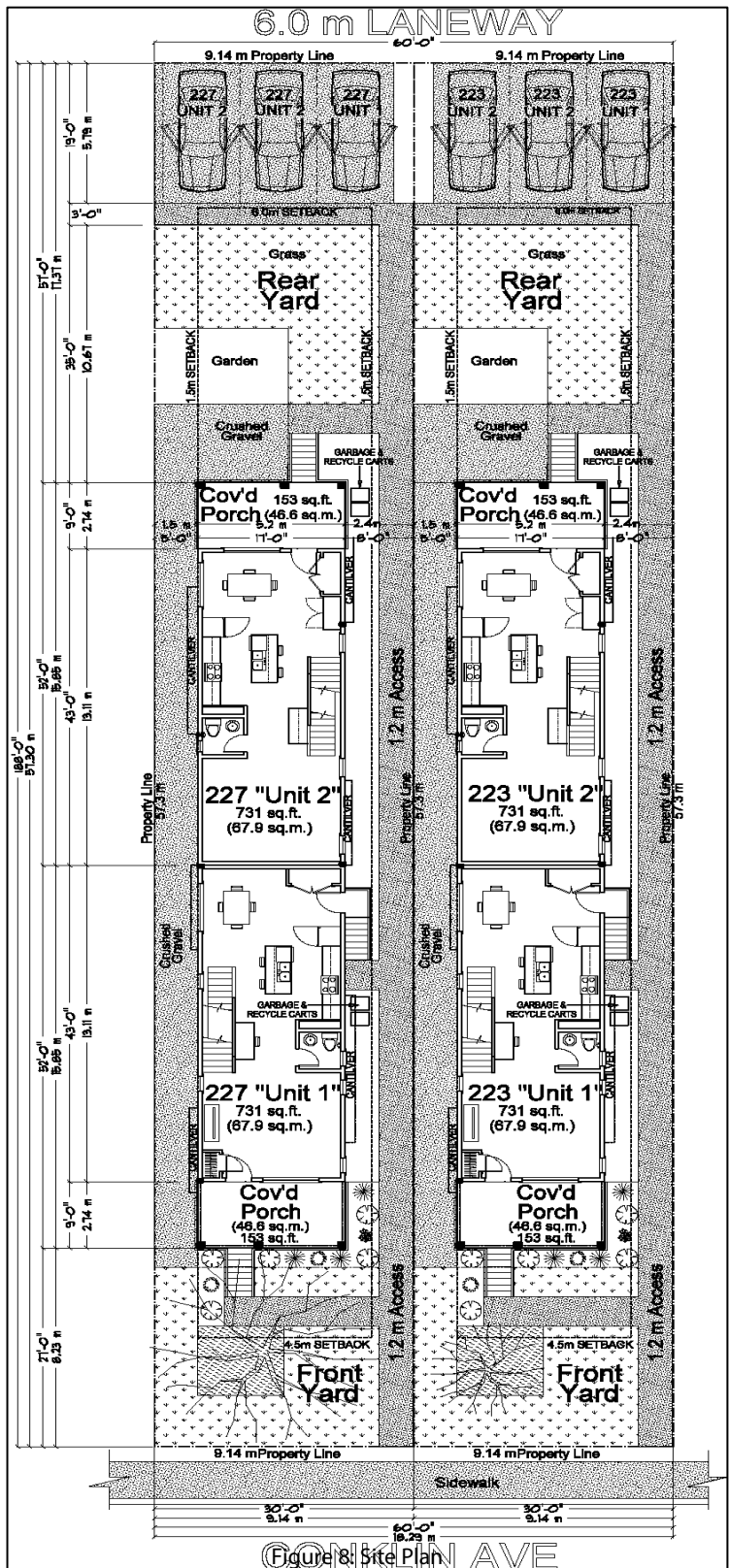


Figure 8: Site Plan

Attachment F – Proposed Elevations

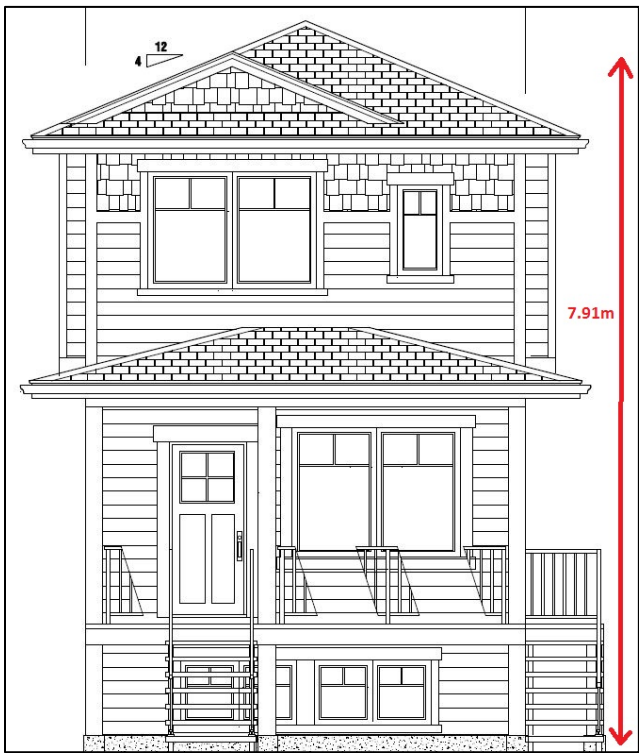


Figure 9: South Elevation (from Conklin Avenue)



Figure 10: North Elevation (from lane)

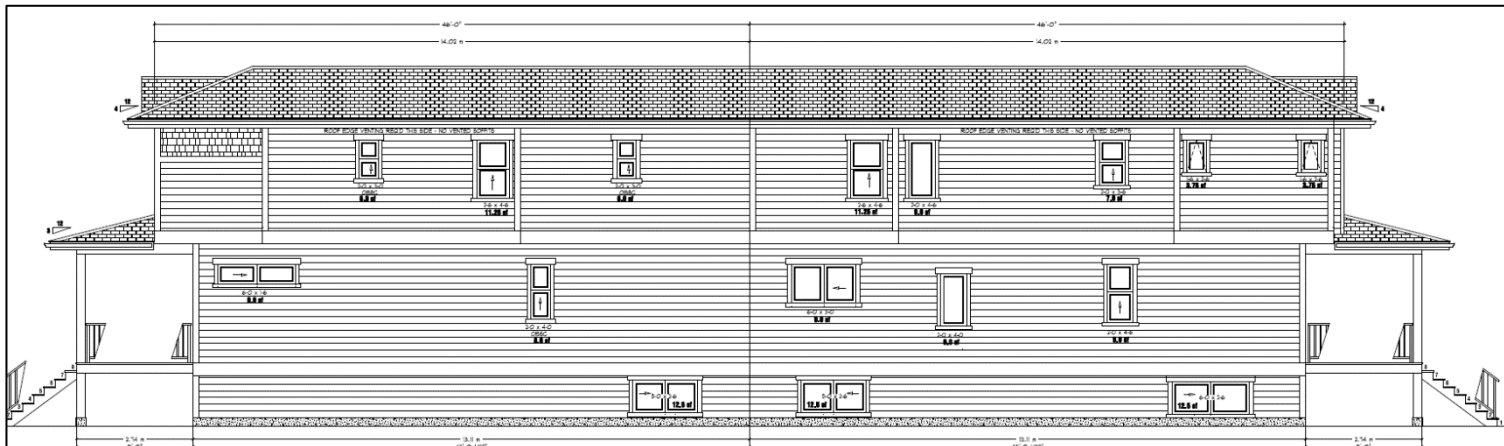


Figure 11: East and West Elevation



Figure 12: Side Elevation Between Units

Attachment G – Proposed Renderings



Figure 13: Front Rendering

Attachment H – Previous Application



Figure 14: Previous Application Site Plan



Figure 15: Previous Application Front Elevation



Figure 16: Previous Application Rear Elevation

Attachment I – Letter of Intent

LETTER OF INTENT-223 & 227 CONKLIN AVENUE, PENTICTON

Trainor Marketing Ltd. (DBA Trainor Construction) proposes to build for sale two front/back duplex buildings containing four units of approximately 1550 square feet, plus unfinished basements of a further 730 square feet.

These Craftsman-styled homes will appeal to young families and will have three bedrooms, 2.5 baths, covered front verandas and large front yards. They will be fully landscaped with underground irrigation, mature trees and three parking spaces per building.

The applicant recognises that this would be the first duplex project on this street but there are 9 duplexes on neighbouring Douglas, along with a number of four-plexes in the area---including one built by Trainor Construction---at the corner of Argyle and Hastings.

Pride of ownership, particularly on Conklin and Windsor, is apparent. We believe Trainor Construction's previous projects speak to our commitment to enhancing the neighbourhoods we build in. We strive always to be a good neighbour.

Figure 17: Letter of Intent

Bylaw No. 2017-71

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. 2017-71".

2. **Amendment:**

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

Rezone Lot A and Lot B District Lot 1, Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP70414, located at 223 and 227 Conklin Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

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

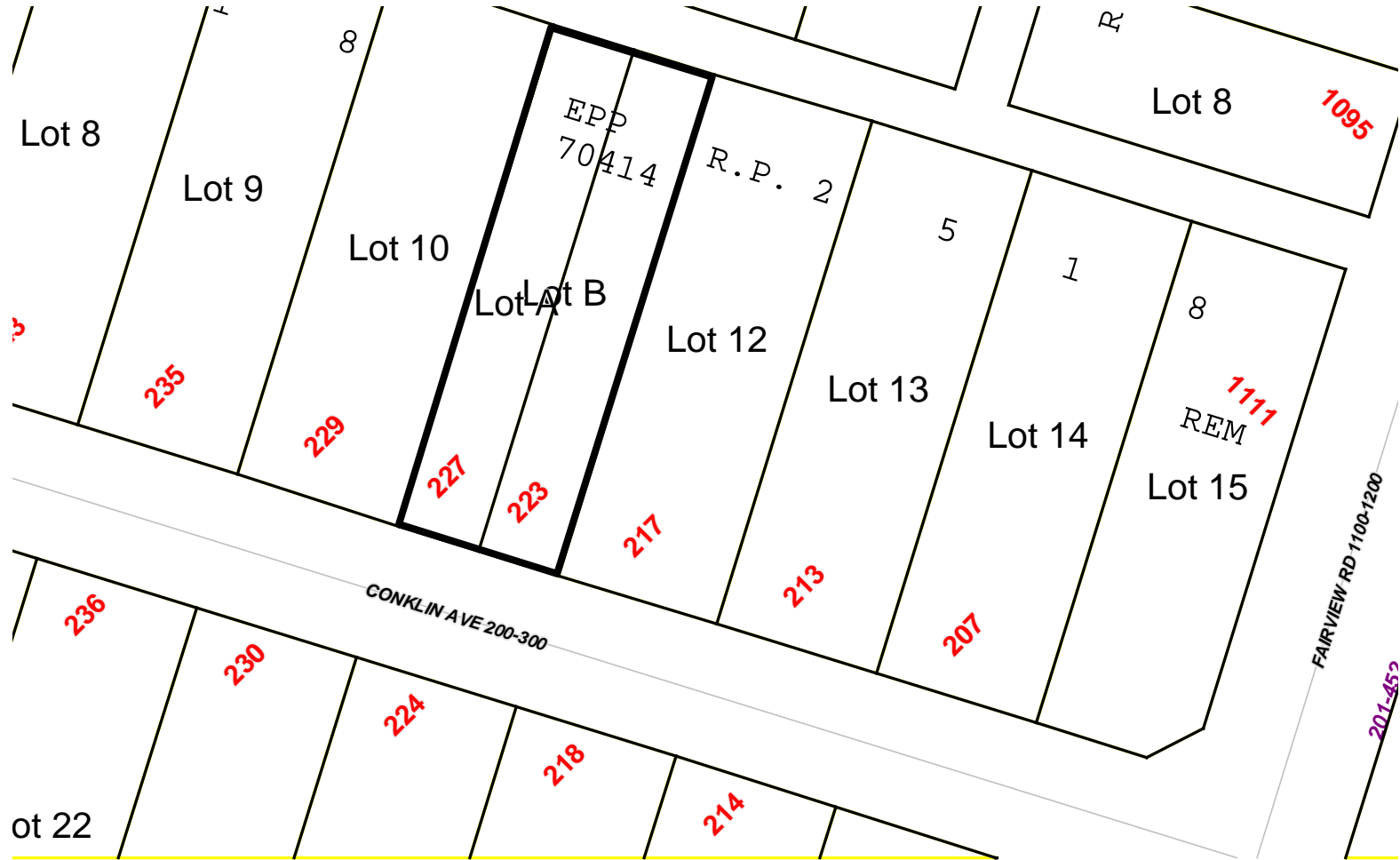
READ A FIRST time this	day of	, 2017
A PUBLIC HEARING was held this	day of	, 2017
READ A SECOND time this	day of	, 2017
READ A THIRD time this	day of	, 2017
ADOPTED this	day of	, 2017

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

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 223 & 227 Conklin Avenue From R2 (Small Lot Residential) To RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-71

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Dana Schmidt, Corporate Officer
Subject: **Committee Terms of Reference**

File No:

Staff Recommendation

THAT Council approve the amendments to the Terms of Reference for the Affordable Community Task Force, Agriculture Advisory Committee, Arts, Creative & Cultural Innovations Committee, Community Revitalization Committee, Development Services Advisory Committee, Economic Development Task Force, Penticton Creek Restoration Committee, and the Transportation Advisory Committee as attached to the Committee Terms of Reference report dated October 17, 2017.

Analysis

Council previously received the Committee Review Report prior to advertising for membership. Now that appointments have been made and the committees are moving forward, the terms of reference (ToR) require updating.

The updates adjust the number of committee members and include slight changes to the make-up of the membership. Also, the new language drafted includes that preference will be given for certain representatives, rather than the old language that states that their 'shall be' certain members. This change allows for Council to fill the committee even if one of the representative groups does not have a representative willing or available to join the committee.

The final change to the draft ToR is a re-write to the disqualification section to eliminate the uncertainty of the office 'deemed to be vacant'. This language has been replaced with 'Council may choose to replace the member' following unexcused absences.

Alternate recommendations

THAT Council receive the October 17, 2017 Committee Terms of Reference report for information.

Attachments

Attachment A – Affordable Community Task Force

Attachment B – Agriculture Advisory Committee

Attachment C – Arts, Creative & Cultural Innovations Committee

Attachment D – Community Revitalization Committee

Attachment E – Development Services Advisory Committee

Attachment F - Economic Development Task Force

Attachment G - Penticton Creek Restoration Committee

Attachment H - Transportation Advisory Committee

Respectfully submitted,

Dana Schmidt
Corporate Officer

Approvals

Chief Administrative Officer PW

2017 – 2018 Terms of Reference Affordable Community Task Force

1. The Task Force shall consist of **Nine (9)** voting members appointed by City Council for a term ending December 31, 2018. **Preference will be given for:**
 - One (1) BC Housing representative
 - One (1) South Okanagan Real Estate Board representative
 - One (1) Canadian Home Builders Association South Okanagan representative
 - One (1) Habitat for Humanity representative
 - One (1) Representative of a non-profit/service organization with a housing mandate
 - Four (4) members of the community on the basis of their knowledge or an interest or experience in affordable living including:
 - Young families
 - Residential development
 - Construction and manufacturing industry
 - Real estate
 - Service organizations
2. The Task Force Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Role of Council Representatives:
 - One (1) Representative
 - Non-Voting Member
 - Liaison to City Council
4. A majority of appointed voting members shall constitute a quorum.
5. The Director of Development Services or designate, shall attend Task Force meetings to provide advice and operational support to the Task Force.
6. The Corporate Administration Department shall arrange for secretarial services to the Task Force.
7. The Task Force shall meet on a regular basis but not less than four (4) times per year.
8. The Task Force's mandate is to provide recommendation on all matters referred by Council, including:

- A phased approach to affordable housing strategies in the City of Penticton, in that:
 - The first phase will focus on assessment, market demand and possible affordable housing solutions that considers the needs of young families first, followed by those employed who spend in excess of the recommended 33% on housing (aka “the working poor”); and
 - Upon execution of the first phase, a second phase focused on social housing may commence. Assessment, planning, engagement and execution of the second phase should mirror that of the first phase.
 - The Task Force will advise staff on a research report that compiles:
 - Situational analysis, including an inventory of existing housing, local demand future growth projections
 - Best practices research, including primary research as needed using internal and external methods
 - Review existing reports on young families and affordable housing
 - Review existing land use and the Official Community Plan
 - The Task Force will oversee public engagement to inform its work in developing strategies and recommendations.
 - The Task Force will engage with subject matter experts to inform its work in developing strategies and recommendations.
 - The Task Force will vet ideas and initiatives with a broader audience, including the target demographic (young families, working poor) to ensure recommendations are workable solutions-oriented.
 - The Task Force, for each initiative it proposes to execute, will research, develop and propose funding source options for consideration, including, but not limited to, senior government levels of funding, corporate sponsorship, community partnerships, grants, awards and/or municipal funding. Any public sector investment should outline what, if any, multi-year financial impact there will be for key recommendations.
 - The Task Force should project the economic impact of affordable housing investment, as part of its business case for such investment.
 - The Task Force should incubate and nurture regional opportunities for affordable housing.
 - Facilitate increased collaboration and communication between organizations with the mandate to provide affordable housing, and/or make recommendations on how to better collaborate on opportunities;
 - Recommend actions, education, activities and initiatives which promote increased public awareness and engagement of solutions around affordable housing;
 - Review City policies and bylaws regarding incentives to increase affordable housing elements within private development.
 - The Task Force will not participate in operational matters respecting the City of Penticton.
9. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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 Task Force of the City of Penticton for a period of one year.

10. Should a Closed meeting be held by the Task Force, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

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 Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 – 2018 Terms of Reference Agriculture Advisory Committee

1. The Committee shall consist of **NINE (9)** voting members appointed by City Council for a term ending December 31, 2018. Preference will be given for:
 - Four (4) members of the following commodity groups, associations or interests:
 - Greenhouse and nursery products
 - Tree fruits
 - Wine/grapes
 - One (1) Penticton Community Gardens Society representative
 - Four (4) members of the community on the basis of their direct knowledge or interest or experience in agriculture including:
 - Agricultural finance
 - Academia
 - Horticulture
 - Viticulture
 - Livestock/animal husbandry
 - Agricultural processing
 - Value-added processor (cheese, cider, preserves, oil, etc.)
 - Distribution, including farm retail sales/markets
 - Sustainable development
 - Agri-tourism

Where insufficient members can be identified to represent the specific commodity groups, associations or interests identified above, additional members may be appointed from the community at large.

2. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Role of Council Representatives:
 - One (1) Representative
 - Non-Voting Member
 - Liaison to City Council
4. A majority of appointed voting members shall constitute a quorum.
5. City staff shall attend committee meetings to provide operational support to the Committee.

6. The Corporate Administration Department shall arrange for secretarial services to the Committee.
7. The Committee shall meet on a regular basis but not less than four (4) times per year.
8. The Committee's mandate is to make recommendations to the Council on all matters referred to the Committee, including:
 - Making recommendations on all aspects of the agricultural industry, including land use, economic development and cultural matters;
 - Acts as a liaison between Council and the agricultural community;
 - Review and make recommendations on applications initiated under the Agricultural Land Commission Act, which are to be considered by Council;
 - Applications to amend the Official Community Plan and Zoning Bylaw where the subject property is zoned agricultural or has a direct impact on agriculturally zoned parcels;
 - Reviewing initiatives to enhance the agricultural economy and promote Agri-business and Agri-tourism opportunities;
 - Providing input on submissions to other levels of government;
 - Advising staff on issues related to the irrigation systems, draining, roads or other municipal services affecting agricultural lands;
 - The Committee undertakes to research, develop or propose cultural tourism initiatives or potential partnerships in line with the City's vision and for consideration by the City's Tourism Committee. These initiatives may include (but are not limited to):
 - Agricultural heritage exhibit
 - Farm tours and farm demonstrations
 - Horse riding including cattle drive activities
 - Horse or other livestock shows
 - Hay, tractor and sleigh rides
 - Pumpkin patch tours and related activities
 - Picnicking
 - Farm related educational activities including cooking classes using farm products from the farm
 - Seasonal promotional events (e.g. harvest and Christmas fairs and activities)
 - Special promotional events (e.g. private or public special occasion events for the promotion of farm products)
 - Charitable fundraisers
 - Catered food and beverage service special events where farm products from the farm are promoted, but not a service requiring the use of a permanent commercial kitchen
 - Corn mazes
 - Bird and wildlife refuges and rescue services
 - The Committee, for any initiative it puts forward, will research, develop and propose funding source options for consideration, including, but not limited to, corporate sponsorship, community partnerships, grants, awards, senior levels of government, and/or municipal funding.

- The Committee undertakes to review and make recommendations on applications proposing community urban agriculture projects in passive areas of the City, including brownfields, pocket gardens, parks, green spaces, etc.
- Advise Council with respect to impacts of climate change and/or invasive species.
- Working with Council, at Council's request, on submissions related to agricultural issues with other levels of government;
- Recommend actions, education and marketing initiatives which promote increased public awareness and participation in residential and communal agriculture in the community.
- The committee will not participate in operational matters respecting the City of Penticton.

9. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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.

10. Should a Closed meeting be held by the Committee, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

11. The Mayor will sign all correspondence initiated by the Committee on behalf of the City of Penticton.

12. For certainty, the rules and procedures of Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 – 2018 Terms of Reference Arts, Creative & Cultural Innovation Committee

1. The Committee shall consist of **Nine (9)** voting members appointed by City Council for a term ending December 31, 2018. **Preference will be given for:**
 - One (1) Shatford Centre and Okanagan School of the Arts
 - One (1) Penticton Art Gallery
 - One (1) Penticton & District Community Arts Council
 - ~~One (1) Penmar Community Arts Society~~
 - One (1) South Okanagan Performing Arts Centre Society
 - One (1) Penticton Indian Band representatives
 - ~~One (1) Downtown Penticton Association~~
 - Four (4) members of the community on the basis of their knowledge or an interest in arts and culture that could include, but is not limited to:
 - Art professionals
 - Art collectives
 - Architects
 - Landscape designers
 - Urban designers
 - Wineries
 - Conservation society
2. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Role of Council Representatives:
 - One (1) Representative
 - Non-Voting Member
 - Liaison to City Council
4. A majority of appointed voting members shall constitute a quorum.
5. ~~The General Manager of Recreation & Facilities~~ **Recreation & Culture Manager** and Director of Development Services or designates, shall attend committee meetings to provide operational support to the Committee.
6. The Corporate Administration Department shall arrange for secretarial services to the Committee.

7. The Committee shall meet on a regular basis but not less than four (4) times per year.

8. The Committee's mandate is to make recommendations to the Council on all matters referred to the Committee, including:

- The Committee uses the City's Public Art Policy as its basis for advising City Council and its boards, agencies, commissions, committees or staff, developers and citizens when reasonable and objective advice and guidance on public art is needed.
- The Committee is responsible to ensure that the monies set aside for public art are spent to fulfill the directives of the Public Art Policy. Any expenditure must be pre-approved by City Council.
- The Committee undertakes to research, develop and propose an outdoor sculpture program to complement community revitalization efforts.
- The Committee undertakes to research, develop and propose a Downtown mural partnership alongside private and non-profit sector partners.
- The Committee undertakes to research, develop and propose other creative and cultural programs in line with the City's vision.
- The Committee undertakes to research, develop and propose a cultural tourism initiative or event in line with the City's vision and for consideration by the City's Tourism Committee.
- The Committee, for each initiative it proposes to execute, will research, develop and propose funding source options for consideration, including, but not limited to, corporate sponsorship, community partnerships, grants, awards and municipal funding.
- The Committee to analyze current capacity, existing utilization, market demand and projected needs of City-owned arts amenities in accordance with asset management plans for the City of Penticton, and make recommendations on achieving net neutrality on City operating budgets.
- Review all requests for assistance from the community arts and cultural groups and organizations and recommend appropriate actions to Council;
- Recommend actions which promote increased collaboration and communication between arts and cultural groups;
- Recommend actions, education and marketing initiatives which promote increased public awareness and participation in arts and culture in the community;
- The committee will not participate in operational matters respecting the City of Penticton.

9. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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 Task Force of the City of Penticton for a period of one year.

10. Should a Closed meeting be held by the Committee, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to

contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

11. The Mayor will sign all correspondence initiated by the Committee on behalf of the City of Penticton.

12. For certainty, the rules and procedures of Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 – 2018 Terms of Reference Community Revitalization Select Committee

1. The Committee shall consist of **Eleven (11)** ~~(9)~~-voting members appointed by City Council for a term ending December 31, 2017. **Preference will be given for:**
 - One (1) Chamber of Commerce Representative
 - One (1) Downtown Penticton Association Representative
 - One (1) Marina representatives (Yacht Club or Marina, Skaha or Okanagan)
 - Eight (8) members of the community, based upon their interests in the Downtown and Waterfront and other areas of the city identified for revitalization
2. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Role of Council Representatives:
 - Two (2) Representatives
 - Non-Voting Member
 - Liaison to City Council
4. A majority of appointed voting members shall constitute a quorum.
5. The Directors of Operations and Development Services or designates shall attend committee meetings to provide information to the Committee based upon their area of expertise.
6. The Corporate Administration Department shall arrange for secretarial services to the Committee.
7. The Committee shall meet on a regular basis but not less than four (4) times per year.
8. The Committee's mandate is to make recommendations to Council on all matters pertaining to the ongoing "Downtown Revitalization" project, "Waterfront Enhancement" project, and other revitalization initiatives referred to the Committee, including:
 - Reviewing and making recommendations on proposed changes to City infrastructure in areas identified for revitalization and enhancement, including sidewalks, walkways, parks, landscaping, traffic circulation, banners, parking, street accoutrements, etc.;
 - Reviewing and advising on land-use bylaw and policy changes that affect the downtown and waterfront areas and other areas referred to the Committee for review and comment;

- Providing recommendations on direction for phasing and timing of revitalization and enhancement projects;
- Advising and providing recommendations on when and how public consultation and stakeholder engagement for the various revitalization projects is to be conducted;
- Promoting initiatives to raise the public and special interest awareness and support for the ongoing Downtown Revitalization and Waterfront Enhancement projects;
- The Committee, for any initiative it puts forward, will research, develop and propose funding source options for consideration, including, but not limited to, corporate sponsorship, community partnerships, grants, awards, and funding sources from senior levels of government, and/or municipal funding and may provide letters of support for applications to those funding sources.
- The committee will not participate in operational matters respecting the City of Penticton.

9. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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.

10. Should a Closed meeting be held by the Committee, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

11. The Mayor will sign all correspondence initiated by the Committee on behalf of the City of Penticton.

12. For certainty, the rules and procedures of Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 – 2018 Terms of Reference Development Services Advisory Committee

1. The Committee shall consist of **Eleven (11)** ~~(9)~~ voting members appointed by City Council for a term ending December 31, 2018. **Preference will be given for:**
 - One (1) Canadian Home Builders Association Representative
 - Two (2) Development Community Representatives
 - One (1) Consulting Engineer
 - One (1) Industrial Business Representative
 - Six (6) Members of the Community on the basis of their knowledge or interest in the development process
2. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Role of Council Representatives:
 - One (1) Representatives
 - Non-Voting Member
 - Liaison to City Council
4. A majority of appointed voting members shall constitute a quorum.
5. The Director of Development Services or designate, shall attend committee meetings to provide operational support to the Committee
6. The Corporate Administration Department shall arrange for secretarial services to the Committee.
7. The Committee shall meet on a regular basis but not less than four (4) times per year.
8. The Committee mandate is to make recommendations to Council regarding all aspects of land development, land use and on all matters referred to the Committee, including:
 - Making recommendations on City policies, procedures and bylaws that affect development, such as: application fees, development cost charges, zoning bylaw amendments, servicing standards and other land use and building regulations;
 - Matters affecting the operation of the Development Services Division, including making recommendations regarding development application reviews and processes;

- Reviewing development statistics and other indicators pertinent to the development industry, which will be provided by staff at each meeting, and should be disseminated back to member organizations;
- Reviewing and recommending economic development initiatives intended to encourage real estate development within the City and region;
- Providing development industry perspective on existing or proposed provincial or federal policies that affect real estate development and providing advice to Council on the City's position in relation to such policies;
- Receiving delegations pertaining to real estate development upon request from City Council, City staff or developers; and
- Providing input, feedback and private sector perspective on research conducted and initiatives considered by the "Mayor's Task Force for an Affordable Community".

9. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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.

10. Should a Closed meeting be held by the Committee, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

11. The Mayor will sign all correspondence initiated by the Committee on behalf of the City of Penticton.

12. For certainty, the rules and procedures of Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 – 2018 Terms of Reference Economic Development & Prosperity Task Force

1. The Task Force shall consist of **Nine (9) (6)** voting members appointed by City Council for a term ending December 31, 2018. **Preference will be given for:**
 - One (1) Mid-Size Business with regional, national or international reach
 - One (1) Small Business with regional, national or international reach
 - One (1) Investor, Venture Capital or Financial Sector senior management or owners
 - One (1) Post-Secondary Education representative (university or college)
 - One (1) Developer
 - One (1) Penticton Indian Band
 - **One (1) Chamber of Commerce**
 - Two (2) members of the community on the basis of their knowledge or an interest and C Suite, experience in business, innovation or economic development
2. The Task Force Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Role of Council Representative:
 - Mayor
 - Voting Member
 - Liaison to Council
4. A majority of appointed voting members shall constitute a quorum.
5. The Mayor and upon request, the CAO and/or Economic Development Officer shall attend Task Force meetings to provide advice and operational support to the Task Force.
6. The Corporate Administration Department shall arrange for secretarial services to the Task Force.
7. The Task Force shall meet on a regular basis but not less than four (4) times per year.
8. The Task Force's mandate is to assist the Mayor and Council and the Penticton business community to create, a healthy, sustainable and dynamic economy.

The Task Force will provide recommendations on matters referred by Council.

The Task Force will identify no more than 5 key strategic priorities for driving economic growth and vitality within the City of Penticton as part of the South Okanagan Similkameen.

The Task Force will:

- Provide advice to the Mayor and Council as requested
- Review projects from Council for economic growth
- Identify revenue opportunities for the City
- Provide connections and advice to help develop, attract and retain business and economic activity
- Establish and guide Sub-Task Forces with Council liaise(s) to identify opportunities in four strategic portfolios:
 - Training Centres Portfolio - to develop Penticton as a centre (s) for training. The Task Force shall validate and provide direction on areas of focus such as culinary, medical/biotech, technology, visual Arts, athletic, labour & skills and other sectors for training innovation.
 - Economic Partnership Portfolio – to leverage relationships to establish economic partnerships with other communities or entrepreneurs that are mutually beneficial.
 - Manufacturing Portfolio – to provide advice on how to support and bolster the custom manufacturing sector.
 - Technology Portfolio – to provide advice and recommendations on how to grow and attract technology.

The Task Force will not participate in operational matters respecting the City of Penticton

9. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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 Task Force of the City of Penticton for a period of one year.

10. Should a Closed meeting be held by the Task Force, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

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 Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 – 2018 Terms of Reference Penticton Creek Restoration Select Committee

1. The Committee shall consist of **NINE** (9) voting members appointed by City Council for a term ending December 31, 2018 or at another date approved by Council. Preference will be given for:
 - One (1) representative of the Okanagan Nation Alliance
 - One (1) representative of the Penticton Indian Band
 - One (1) representative of the Downtown Penticton Association
 - One (1) representative of the Department of Fisheries and Oceans
 - One (1) representative of the Penticton Fly Fishers' Association
 - One (1) representative of the South Okanagan Conservation Program
 - One (1) downtown residential owner
 - One (1) downtown business owner
 - One (1) Chamber of Commerce representative
 - One (1) member of the community based upon their interest in the Penticton Creek restoration
2. The Committee shall consist of **TWO** (2) non-voting members:
 - One(1) representative of the Ministry of Forests, Lands and Natural Resource Operations: Fish and Wildlife Division
 - One (1) Representative of the Ministry of Forests, Lands and Natural Resource Operations: Water Stewardship Division
3. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
4. Council shall appoint one (1) non-voting Council Representatives to the Committee annually.
5. Role of Council Representative:
 - Non-Voting Member
 - Liaison to City Council
6. A majority of appointed voting members shall constitute a quorum.

7. The Directors of Operations and Development Services or designates, shall attend committee meetings to provide operational and professional engineering support to the Committee.
8. The Project Manager as appointed by the Director of Operations, shall attend committee meetings to provide operational and professional support to the Committee.
9. The Corporate Administration Department shall arrange for secretarial services to the Committee.
10. The Committee shall meet on a regular basis but not less than four (4) times per year.
11. The Committee's mandate is to make recommendations to the Council on all matters referred to the Committee, including:
 - The technical matters related to the restoration and redesign of the Penticton Creek channel;
 - The principles and design parameters of redesign and restoration, including the recognition of what impacts may occur on adjacent commercial and residential properties;
 - Land use issues within the Penticton Creek riparian area;
 - Public engagement strategies related to the restoration of Penticton Creek; and
 - The selection of contractors and consultants for works related to Penticton Creek restoration.
12. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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.

13. Closed Meeting

Should a Closed meeting be held by the Committee, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.

- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.

14. The Mayor will sign all correspondence initiated by the Committee on behalf of the City of Penticton.
15. For certainty, the rules and procedures of Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

2017 - 2018 Terms of Reference Transportation Advisory Committee

1. The Committee shall consist of **Eleven (11)** ~~(9)~~-voting members appointed by City Council for a term ending December 31, 2018. **Preference will be given for:**
 - One (1) Cycling Representative
 - One (1) Penticton Transit Representative
 - One (1) HandyDART Representative
 - One (1) PIDA Representative
 - One (1) BC Transit Representative
 - Six (6) members or less as required to make up a total of eleven (11) voting members of the community on the basis of their knowledge or an interest in transit/bicycle mode of transportation
2. The Committee Members shall appoint a Chair and Vice-Chair at the first meeting of each year.
3. Council shall appoint one (1) non-voting Council Representatives to the Committee annually.
4. Role of Council Representatives:
 - Non-Voting Member
 - Liaison to City Council
5. A majority of appointed voting members shall constitute a quorum.
6. The Director of Operations or designate, shall attend committee meetings to provide operational and professional engineering support to the Committee
7. The Corporate Administration Department shall arrange for secretarial services to the Committee.
8. The Committee shall meet on a regular basis but not less than four (4) times per year.
9. The Committee's mandate is to make recommendations to the Council on all matters referred to the Committee, including:
 - Conventional Transit issues and initiatives;

- Custom Transit issues and initiatives;
- Regional Transit issues and initiatives;
- Traffic calming;
- Cycling networks and initiatives;
- School and Playground Zone improvements;
- Parking location, quantity, type, policies, regulations and fees;
- Pedestrian networks;
- Trail networks;
- Road and lane networks;
- Pedestrian crossing locations;
- School Zones;
- Playground Zones;
- Traffic Signals;
- The committee will not participate in operational matters respecting the City of Penticton.

10. Disqualification from Office

If an advisory Task Force member is continuously absent from Task Force meetings for a period of three (3) consecutive regularly scheduled meetings, unless the absence is because of illness or with the leave of the Task Force members, Council may choose to replace the member. ~~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. Should a Closed meeting be held by the Committee, members must keep in confidence, any information considered in any part of said meeting until such time as the information is released to the public as lawfully authorized or required. Should the municipality suffer loss or damage due to contravention of confidentiality, the municipality may recover damages from the person(s) for the loss or damage.
- Closed Meeting – no meeting or part thereof shall be closed to the public except in accordance with Section 90 of the Community Charter.
12. The Mayor will sign all correspondence initiated by the Committee on behalf of the City of Penticton.
13. For certainty, the rules and procedures of Procedure Bylaw 2004-23 and all amendments thereto shall be observed as far as may be applicable.

Bylaw No. 2017-64

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. 2017-64".

2. **Amendment:**

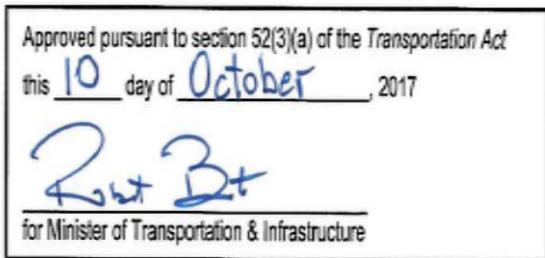
2.1 Zoning Bylaw 2017-08 is hereby amended as follows:

Add Section 10.1.3.7: "In the case of Lot 1, District Lot 116 SDYD Plan 19512 Except Plan 29643, located at 168 Kirkpatrick Avenue, a Bed and Breakfast Home shall be permitted."

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

READ A FIRST time this	19	day of	September, 2017
A PUBLIC HEARING was held this	3	day of	October, 2017
READ A SECOND time this	3	day of	October, 2017
READ A THIRD time this	3	day of	October, 2017
RECEIVED the approval of the	10	day of	October, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 22 day of September, 2017 and the 27 day of September, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.



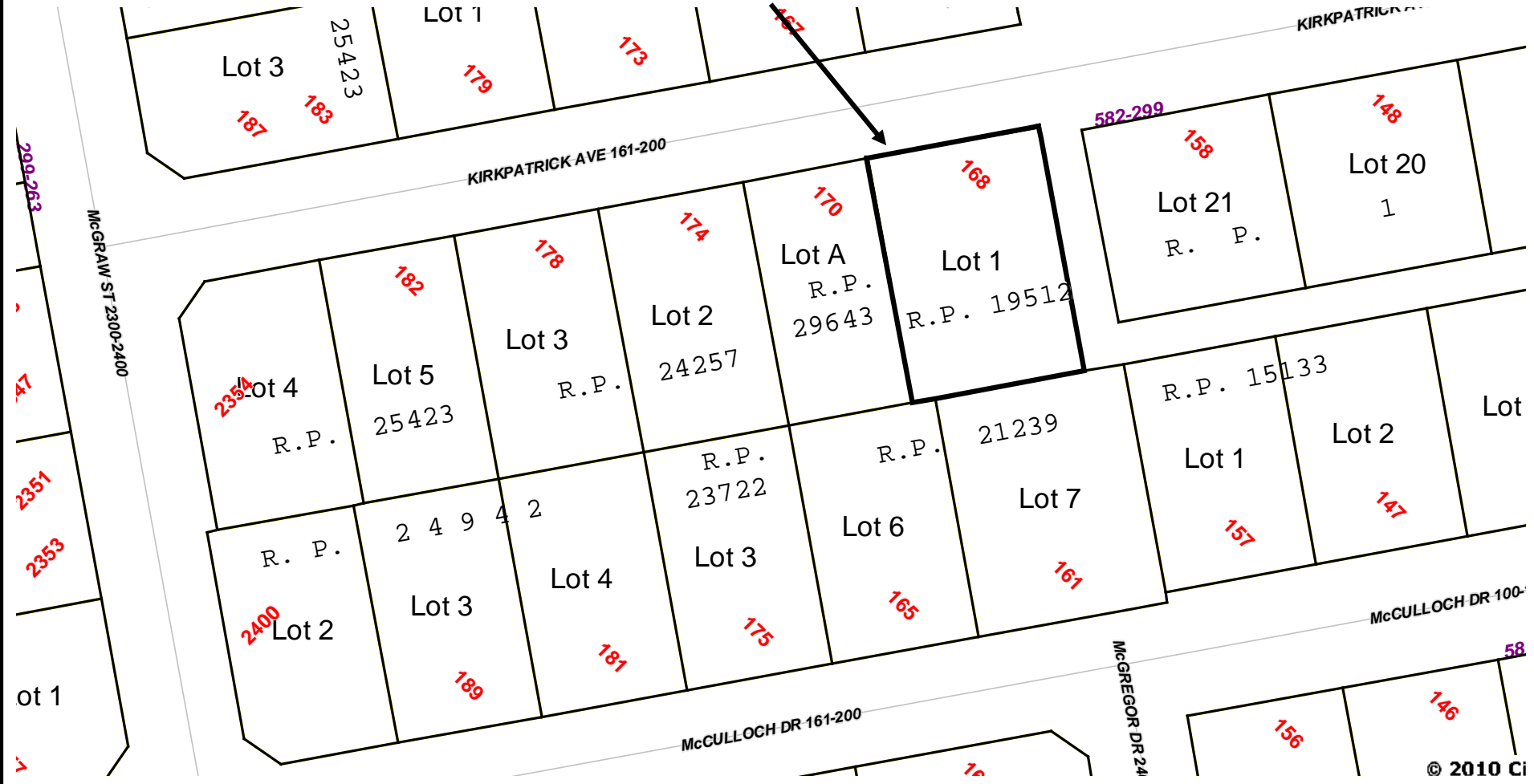
Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

168 Kirkpatrick Ave

Site specific zoning amendment to allow "Bed and Breakfast Home" as a permitted use

-118-



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-64

Date: _____

Corporate Officer: _____

Bylaw No. 2017-65

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. 2017-65".

2. **Amendment:**

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

Rezone Lot 12, District Lot 4, Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 937, located at 461 Eckhardt Avenue West from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	3	day of	October, 2017
A PUBLIC HEARING was held this	17	day of	October, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 6 day of October, 2017 and the 11 day of October, 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>
--

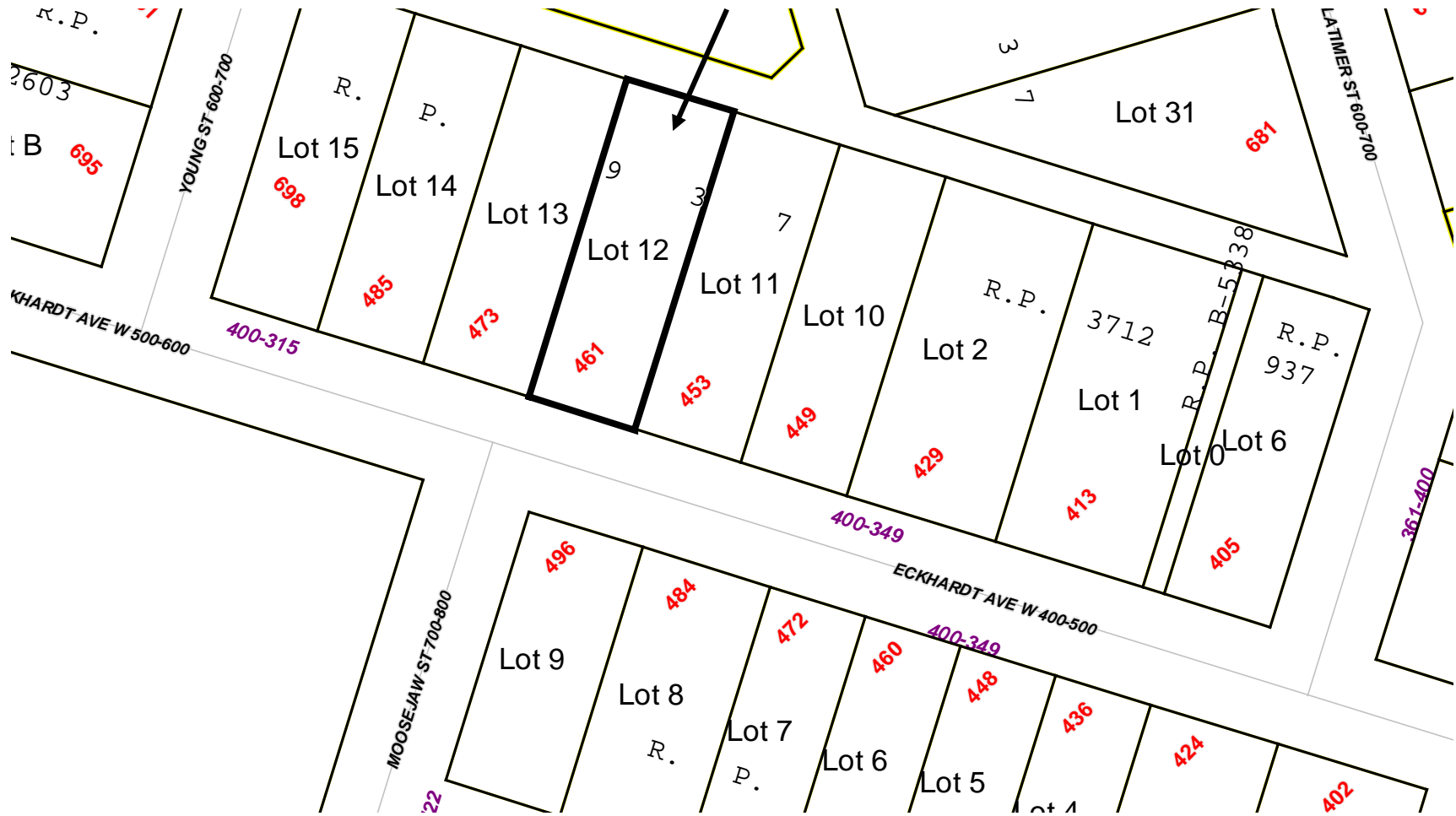
Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 461 Eckhardt Ave W

- 120 -

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



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-65

Date: _____

Corporate Officer: _____

Bylaw No. 2017-66

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. 2017-66."

2. **Amendment:**

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

2.1 Amend Schedule 'B' Future Land Use designation for Lot 7, District Lot 4 Similkameen Division Yale District Plan 804, located at 641 Winnipeg Street from LR (Low Density Residential) to MR (Medium Density Residential).

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

READ A FIRST time this 3 day of October, 2017

A PUBLIC HEARING was held this 17 day of October, 2017

READ A SECOND time this day of , 2017

READ A THIRD time this day of , 2017

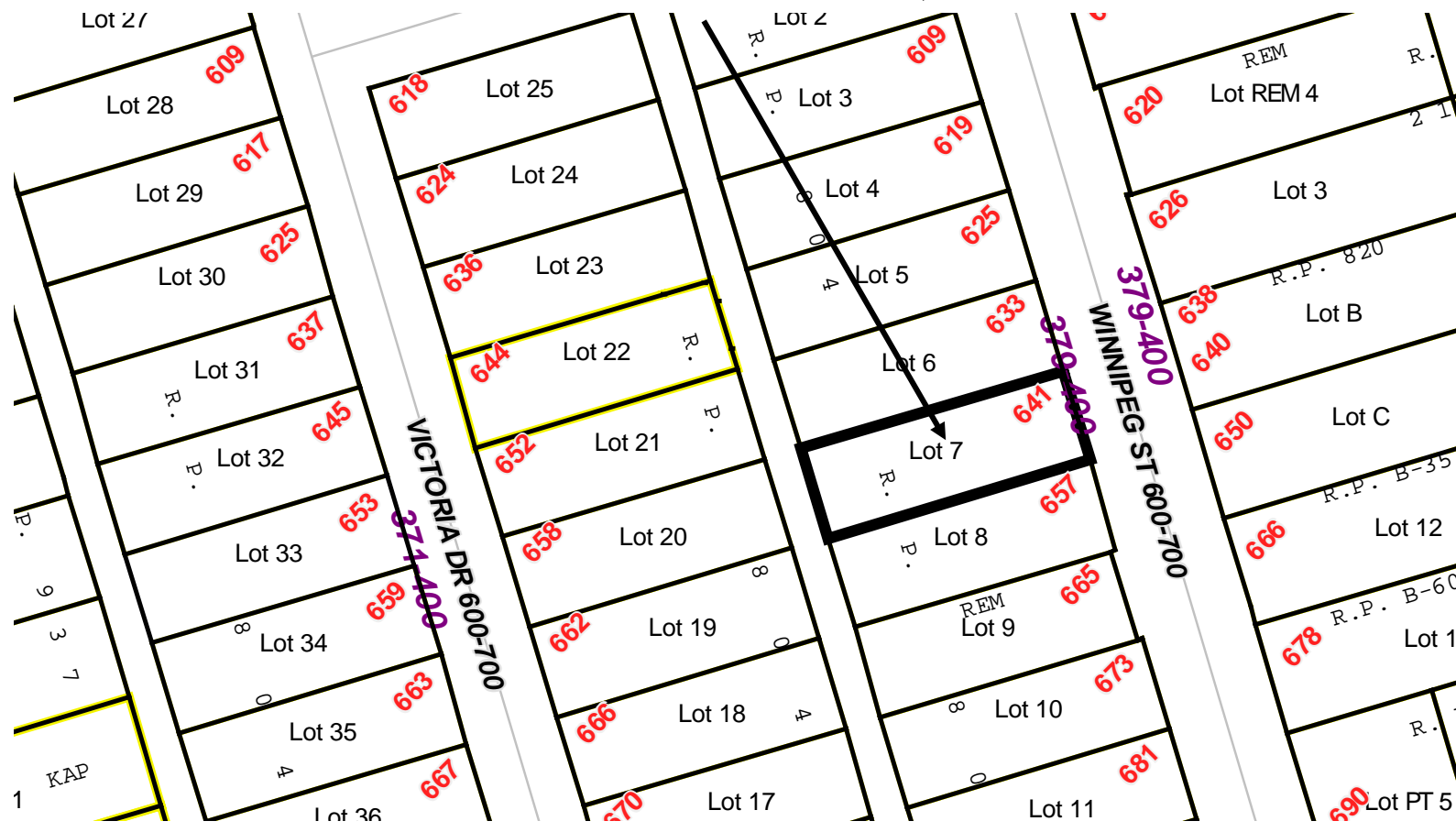
ADOPTED this day of , 2017

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

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Amend 'Schedule B: Future Land Use Map' of OCP Bylaw 2002-20 To change the OCP designation of 641 Winnipeg Street From LR (Low Density Residential) to MR (Medium Density Residential)



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2017-66

Date: _____

Corporate Officer: _____

Bylaw No. 2017-67

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. 2017-67".

2. Amendment:

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

Rezone Lot 7, District Lot 4 Similkameen Division Yale District Plan 804, located at 641 Winnipeg Street, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	3	day of	October, 2017
A PUBLIC HEARING was held this	17	day of	October, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

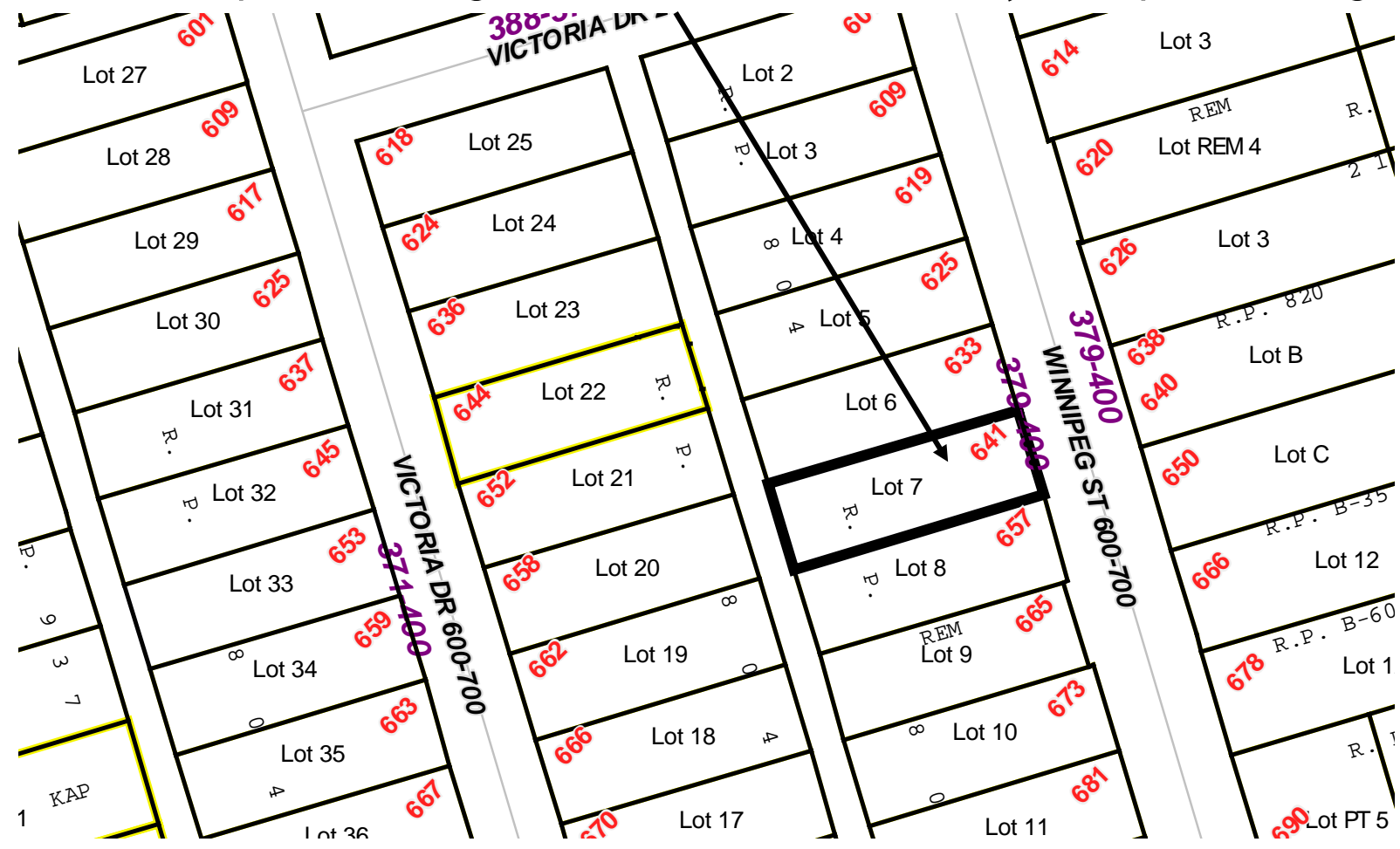
Notice of intention to proceed with this bylaw was published on the 6 day of October, 2017 and the 11 day of October, 2017 in the Penticton Western newspaper, pursuant to Section 94 of the Community Charter.

<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 641 Winnipeg Street From RD2 (Duplex Housing: Lane) To RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-67

Date: _____

Corporate Officer: _____

Bylaw No. 2017-68

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. 2017-68."

2. **Amendment:**

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

2.1 Amend Schedule 'B' Future Land Use designation for Lot 11, District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804, located at 681 Winnipeg Street, from LR (Low Density Residential) to MR (Medium Density Residential).

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

READ A FIRST time this	3	day of	October, 2017
A PUBLIC HEARING was held this	17	day of	October, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

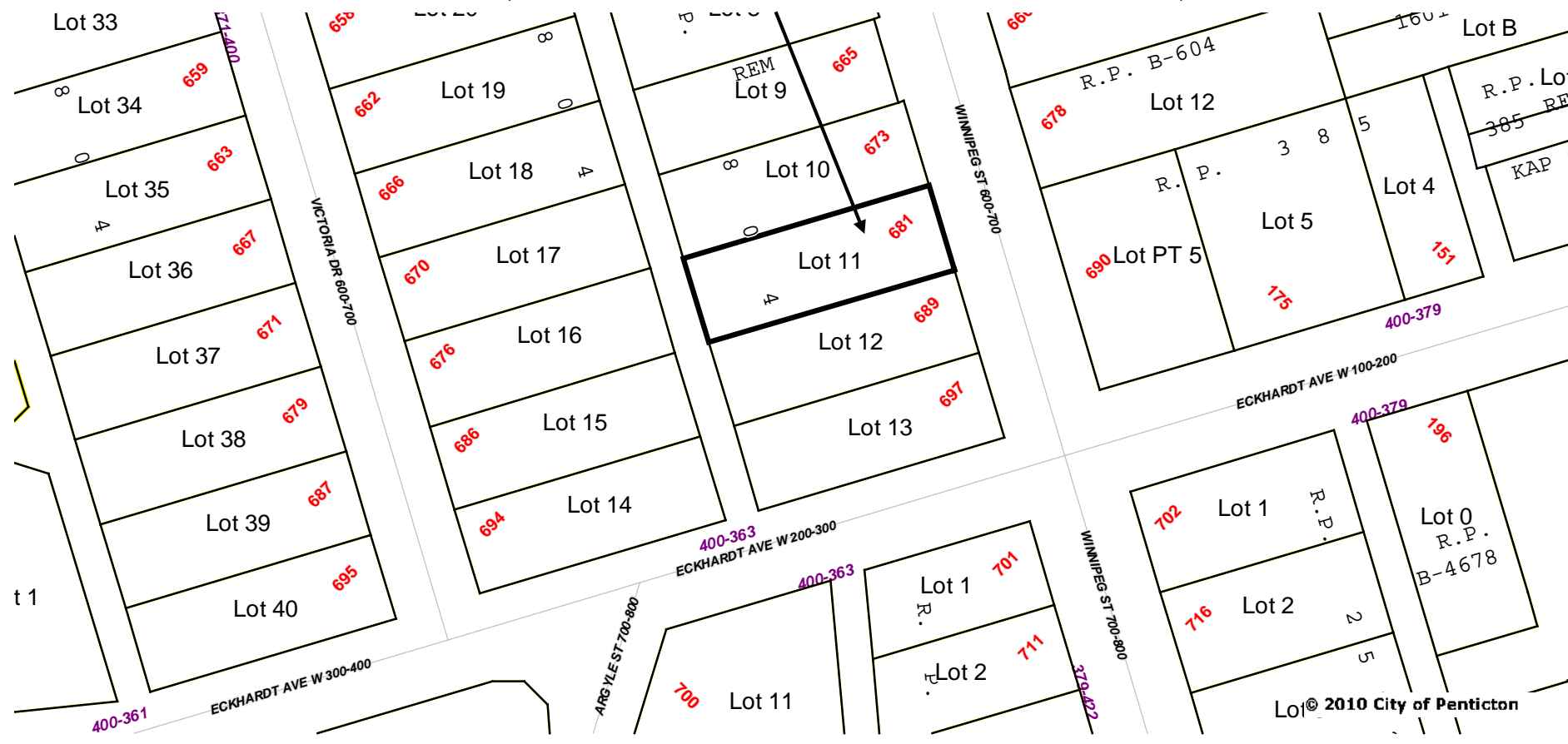
Notice of intention to proceed with this bylaw was published on the 6 of October, 2017 and the 11 of October, 2017 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Amend 'Schedule B: Future Land Use Map' of OCP Bylaw 2002-20

To change the OCP designation of 681 Winnipeg Street From LR (Low Density Residential) To MR (Medium Density Residential)



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2017-68

Date: _____

Corporate Officer: _____

Bylaw No. 2017-69

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. 2017-69".

2. Amendment:

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

Rezone Lot 11, District Lot 4 Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804, located at 681 Winnipeg Street, from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	3	day of	October, 2017
A PUBLIC HEARING was held this	17	day of	October, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
RECEIVED the approval of the		day of	, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

Notice of intention to proceed with this bylaw was published on the 6 day of October, 2017 and the 11 day of October, 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 681 Winnipeg Street From RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-69

Date: _____

Corporate Officer: _____

Bylaw No. 2017-70

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. 2017-70".

2. **Amendment:**

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

Rezone Lot 63, District Lot 250 Similkameen Division Yale District, Plan 881, located at 1273 Government Street from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

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

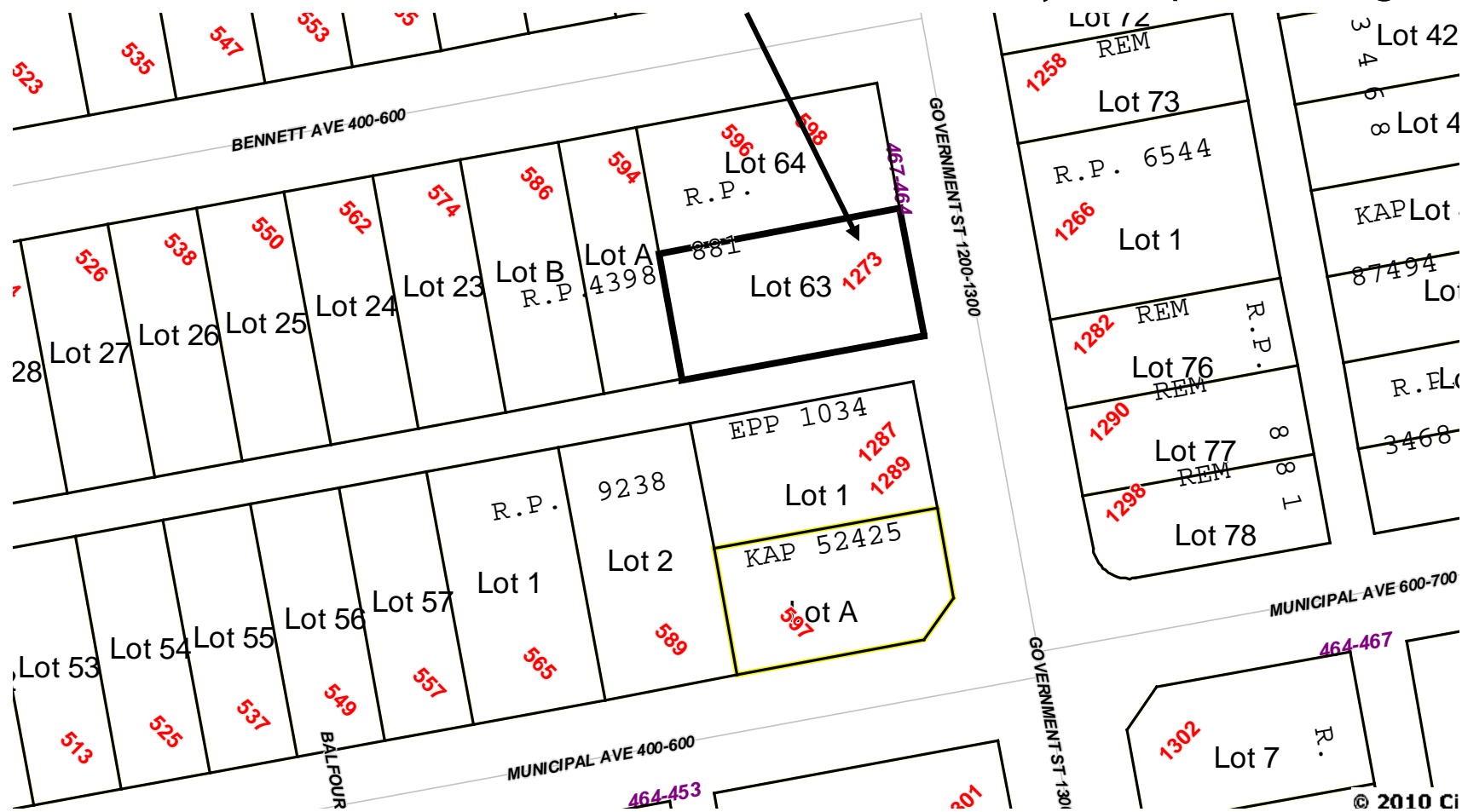
READ A FIRST time this	3	day of	October, 2017
A PUBLIC HEARING was held this	17	day of	October, 2017
READ A SECOND time this		day of	, 2017
READ A THIRD time this		day of	, 2017
ADOPTED this		day of	, 2017

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

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 1273 Government Street From R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A' Zoning Amendment Bylaw No. 2017-70

Date: _____ Corporate Officer: _____

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 270 Hasting Avenue

File No: DVP PL2017-8080 & DP PL2017-8066

**Subject: Development Permit PL2017-8066, and
Development Variance Permit PL2017-8080**

Staff Recommendation

THAT delegations and submissions for "Development Variance Permit PL2017-8080" on Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080, located at 270 Hasting Avenue, a permit to reduce the interior setback from 4.5m to 3.5m, be heard at the October 17, 2017 Regular Council meeting;

AND THAT Council approve DVP PL2017-8080 after delegations and submission have been considered.

THAT Council, subject to approval of DVP PL2017-8080, approve DP PL2017-8066, a permit to allow the addition of 18 units on Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080, located at 270 Hasting Avenue.

Strategic priority objective

Approval of the subject application is in support of creating a more affordable community, in line with the strategic pillar of creating a livable community.

Background

The subject property (Attachment 'A') is located between Hastings Ave and Duncan Ave W neighboring to the former CPR Railway Station. In 2002, a development permit application was issued to authorize the construction of a 136 beds assisted living and senior care development on this site. The project was comprised of a large two-storey building and 4 single-storey cottages. The large building located on the east half of the property is an L-shape with two wings projecting east at 45°. It is the applicant intention to expand the two storey building to add 18 additional units to the existing facility. The westerly portion of the site houses 4, 10-bedroom cottages. Parking for the site is situated along the central drive aisle of the site and in an underground parkade under the building fronting Hastings Ave. There are currently 100 seniors living in the facilities. The additional 18 units are emphasized on serving the First Nation community and include a round sweet grass ceremonial area.

Proposal

The applicant is requesting a variance to decrease the minimum interior setback of the addition to allow 18 units. This variance is required to align with the existing building. The applicant is seeking a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

- Section 10.9.2.7: To reduce the interior side yard setback from 4.5m to 3.5m

Furthermore, the applicant is also seeking a development permit to construct the addition.

Project Specifications

The proposed addition contains two levels of 622m² (6,103ft²). No additional parking is required as the existing 48 stalls are satisfactory.

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

Development Statistics

Item	Requirement RM3 Zone	Provided on Plans
Maximum Lot Coverage:	50%	41%
Maximum Density:	1.6 FAR	0.79FAR
Vehicle Parking:	38 stalls	48 Stalls
Required Setbacks: Minimum Front Yard Minimum interior side yard	3 m 4.5	3 m 3.5m (Variances required)
Maximum Building Height:	24m	9.7m
Other Information:	<ul style="list-style-type: none"> • The DP area that the property is situated in is the "CPR Development Permit" area. 	

Development Engineering review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Servicing requirements have been identified and will be included in the Building Permit application. These items have been communicated to the developer.

Financial implication

N/A

Analysis

Support Variance

When considering a variance to a City bylaw, staff encourages Council to consider whether approval of the variance would cause an undesirable impact on neighbouring properties and if the variance request is reasonable. The proposed variance and analysis is as follows:

- Section 10.9.2.7: To reduce the interior side yard setback from 4.5m to 3.5m

The developer’s intention is to add 18 additional units to the existing building. The original building (2002) was placed in conformance with the former zoning bylaw. The setbacks under the RM3 zoning were changed in 2011 as part of the introduction of a new zoning bylaw (2011-28). Staff do not consider that the variance will have any unreasonable negative impact on any neighbouring properties as the existing building is already at 3.5m. For these reasons, staff are recommending support for the variance.

Support Development Permit

The subject property is situated in the CPR Heritage Multiple Family Development Permit Area (“DPA”). When evaluating an application, the plans are reviewed alongside the guidelines contained in the Official Community Plan. The proposed addition fulfills the intent of the Development Permit guidelines. The shape of the building is already unique and varied with exterior trim that incorporates the Tudor style of the old railway station. The addition follows the exiting style. The building is mostly finished with cement composite board siding. The Tudor styling is accomplished with wood trim and cement composite shingle siding and multi-paned vinyl windows as per the existing building. The proposed addition has an attractive façade when viewed on Hastings Ave. Staff considers that the plans conform to the DPA guidelines and the RM3 zoning regulations and recommends approval and issuance of the permit.

Deny/Refer DVP and DP

Council may feel that the proposed development does not meet the design guidelines contained with the OCP and should not be permitted to advance as a result. If this is the case, Council should deny the development variance and development permit application.

Alternatively, Council may wish to refer the proposed development back to planning staff with conditions that better reflect the OCP design guidelines, Council can forward back for staff review.

Attachments

- Attachment A: Subject Property Location Map
- Attachment B: OCP Map
- Attachment C: Zoning Map
- Attachment D: Location Map
- Attachment E: Images of Subject Property
- Attachment F: Letter of Intent
- Attachment G: Building Rendering
- Attachment H: Site Plan
- Attachment I: Development Variance Permit PL2017-8080

Respectfully submitted,

Audrey Tanguay
Senior Planner

Director <i>AH</i>	CAO PW
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Attachment A - Subject Property



Figure 1: Location Map

Attachment C - Zoning Map

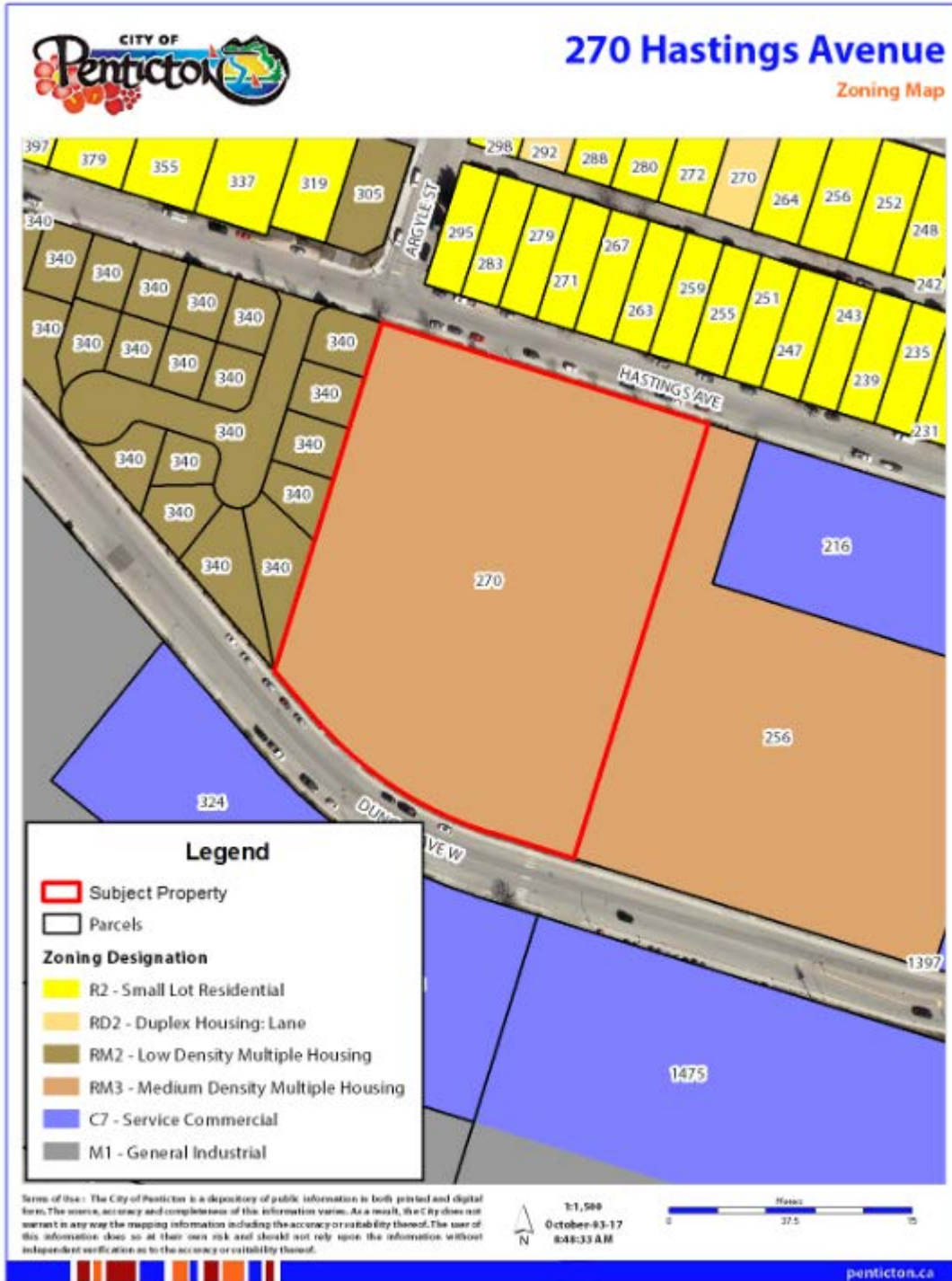
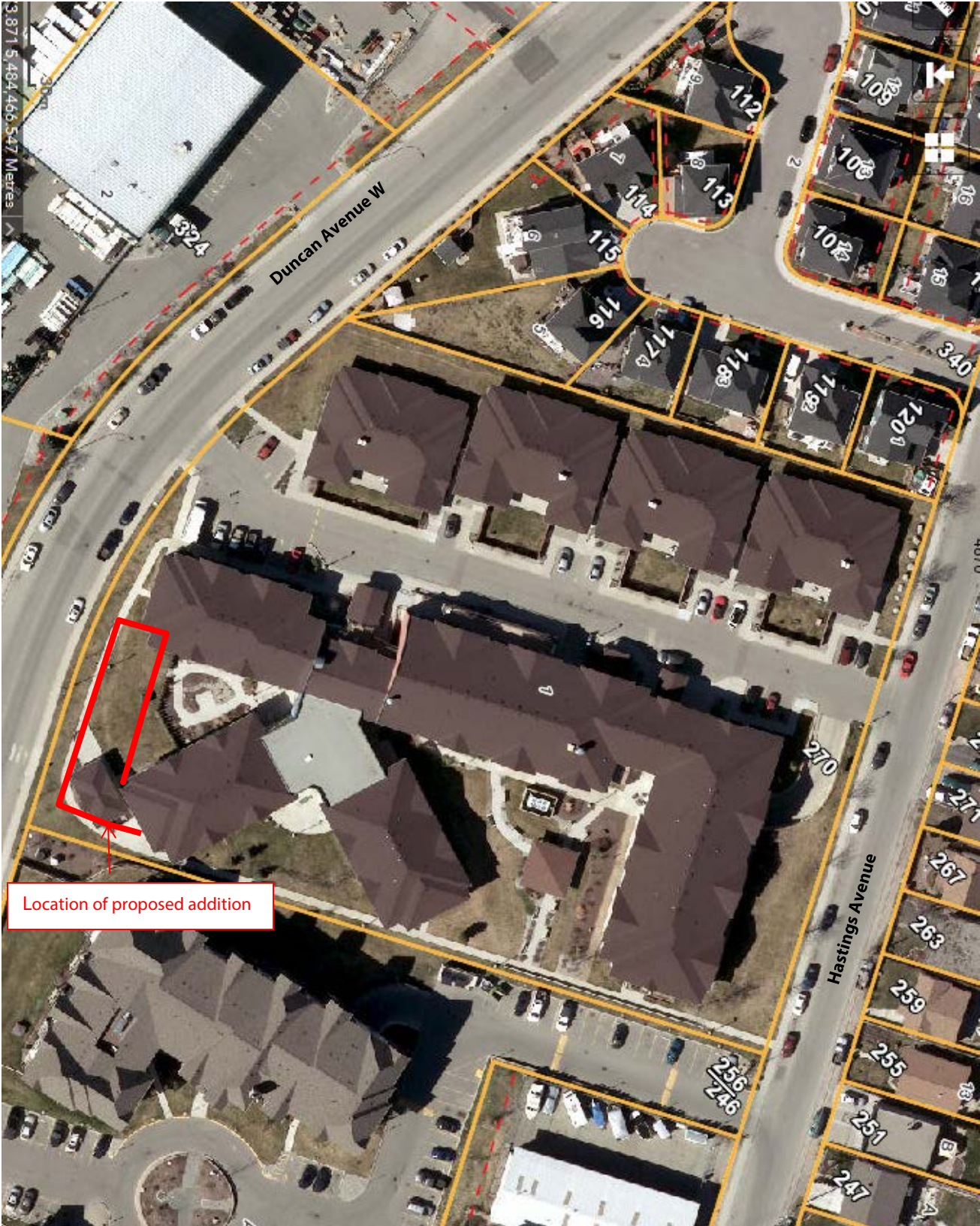


Figure 3: Zoning Map

Attachment D - Location of the proposed addition



Attachment E - Images of the Subject Property



Figure 4: View from Hastings Avenue



Figure 5: View Looking West



Figure 5: View from Hastings Avenue

Attachment F –Letter of Rationale



MPM Project Management (1995) Ltd.
202, 11633 – 105 Avenue NW
Edmonton, Alberta T5H 0L9

August 29, 2017

City of Penticton
171 Main Street
Penticton, BC V2A 5A9
email: development@penticton.ca
Attention: Planning Department

**Re: Development Permit for The Village by the Station
270 Hastings Avenue, Penticton, BC**

The purpose of this letter is to supply information in support of the recent Development Permit application. The Village by the Station is owned and operated by the Good Samaritan Society of Edmonton (GSS). GSS is a Christian faith-based organization currently operating 28 seniors homes in Western Canada.

The current building houses 100 seniors and there are contracts in place with Interior Health to provide care for those individuals. A recent RFP was issued by Interior Health for organizations to propose additional housing units for seniors in care. This RFP emphasized serving the First Nations community of Penticton and care was given to include interior architecture to support this desire. The interior includes a round sweet grass ceremonial area.

The interior design of the addition will allow with its features the housing of individuals with dementia and will be designed and built within Group B2 of the building code.

There is considerable need in Penticton for additional housing for seniors in care in Penticton and I urge you to consider the Development Permit application favorable and allow us to deliver additional housing and care for the seniors of Penticton.

Sincerely,

Sheldon Fall
B.Sc., Eng (Civil)
780-983-7269

Attachment G – Building Rendering



Figure 8: South Elevation (Hasting Avenue)



Figure 9: East Elevation



Figure 10: West Elevation



Figure 11: South Westview

Attachment H: Site and Floor Plans

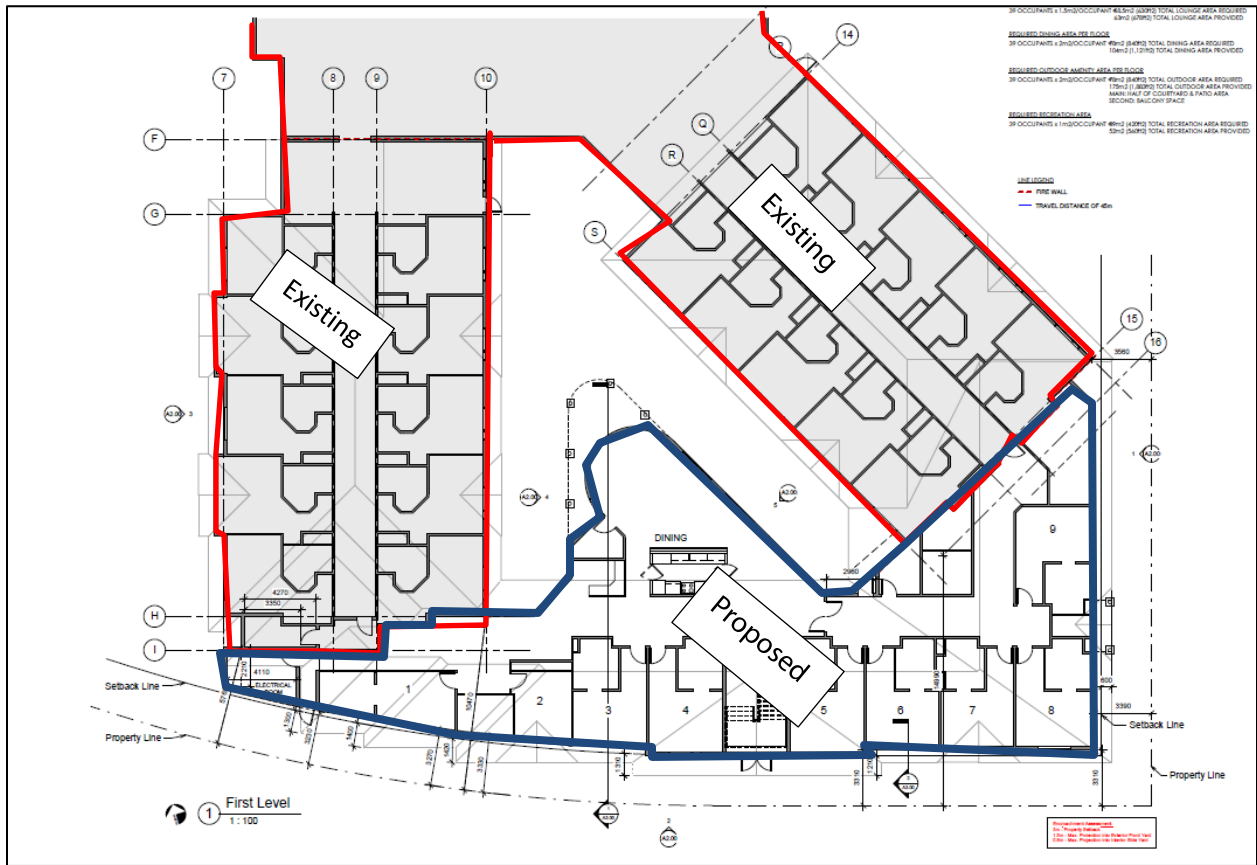


Figure 12: First Floor

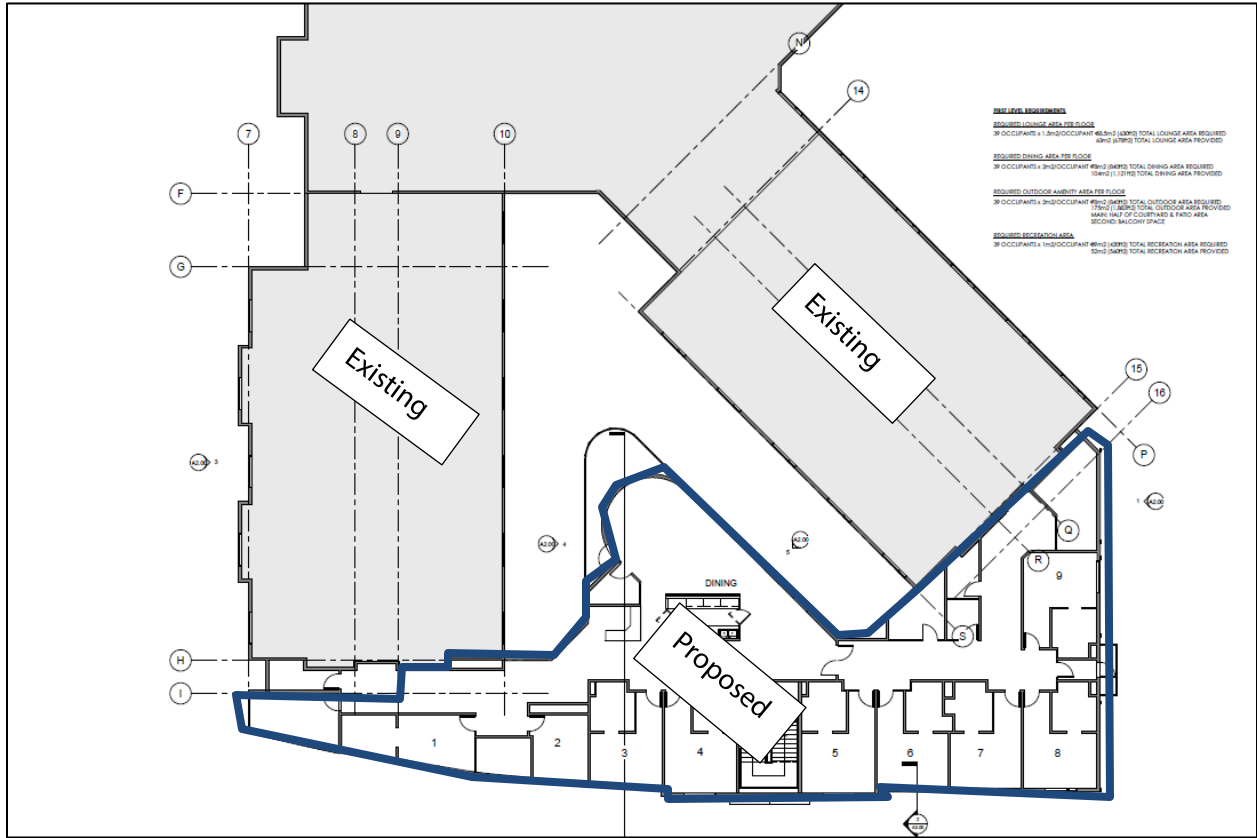


Figure 12: Second Floor

Attachment I: DVP



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

Development Variance Permit

Permit Number: DVP PL2017-8080

Conditions of Permit

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

Legal: Lot 1, District Lots 1 AND 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP67080

Civic: 270 Hasting Avenue

PID: 024-812-625

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

- Section 10.9.2.7: To reduce the interior side yard setback from 4.5m to 3.5m

General Conditions

3. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.
4. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
5. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.
6. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
7. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-

2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the

Issued this ____ day of _____, 2017

Dana Schmidt,
Corporate Officer

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 1760 Carmi Avenue
Subject: **Zoning Amendment Bylaw No. 2017-72**

File No: RZ PL2017-7920

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2017-72", a bylaw that rezones "Proposed Lot 2" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850" (1760 Carmi Avenue), as shown on Schedule 'A' of the bylaw, from RC (Country Residential Housing) to RM1 (Bareland Strata Housing) and includes a site specific provision to the RM1 zone prohibiting townhouses on the subject lands, be given first reading and be forwarded to the November 7, 2017 Public Hearing.

Strategic priority objective

The proposed development provides the opportunity for three new single family housing sites, increasing the City's tax base.

Background

The subject property is located on the east side of Carmi Road at the city's boundary with Area D of the Regional District Okanagan Similkameen (RDOS). The property is 4.06 acres in area and is characterized by rocky outcrops and relatively steep topography. One single detached dwelling is located on the property.

A subdivision request to sever off a 9,000 m² vacant parcel from the single family house lot has been given preliminary layout approval by the City's Approving Officer. The subdivision application also involves a land exchange with a city lot that is surrounded by the subject lot and accommodates a City reservoir. The land exchange cleans up an awkward lot boundary and resolves a situation where accesses to the City's reservoir is through a trespass.

The intent of the property owner is to develop the newly created parcel into a three lot 'bare-land strata' development, where a shared private road will provide access to three new single family lots. The property is currently zoned by Zoning Bylaw 2017-08 as CR (Country Residential). The proposed development would not be possible under the CR zone, so an amendment to the zoning bylaw is required.

Proposal

The applicants are requesting that Zoning Bylaw 2017-08 be amended to change the zoning of the newly created lot, "Proposed Lot 2" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850", from RC (Country Residential Housing) to RM1 (Bareland Strata Housing). The remainder parcel will retain its country residential zoning.

The bylaw will also include a site specific provisions as follows:

Add Section 10.7.3 Site Specific Provisions:

.1 In the case of "Proposed Lot 2" of the subdivision of "Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850", townhouses are not permitted.

Technical Review

The subject application was referred to the City's Technical Planning Committee (TPC) for their review and comment. This is a complicated development given that the subject lands are currently under-serviced by water and sewer service and the fact that the development lands are steeply sloped and include challenging terrain. Much of the servicing issues have been identified through the subdivision process and have been communicated to the applicants. Staff are satisfied with the engineering solutions proposed by the developer.

Road widening on Carmi Avenue has been identified. This will happen as part of the subdivision process.

Development statistics

The following table provides statistics on the proposed three-lot bareland strata development:

	Required by bylaw	Proposed
Remainder CR lot	4,000 m ²	9,632 m ²
Proposed Strata Lot 1	n/a (total lot 6,000m ²)	2,043 m ²
Proposed Strata Lot 2	n/a (total lot 6,000m ²)	3,871 m ²
Proposed Strata Lot 3	n/a (total lot 6,000m ²)	2,536 m ²
Proposed Strata Road (shared)	n/a (total lot 6,000m ²)	1,182 m ²
General	<ul style="list-style-type: none"> All bareland strata lots will be accessed via a private road The lands are not located within a development permit area 	

Financial implications

If approved, the development contemplated by this zoning amendment application will create three new development sites for single family housing, contributing to an increase in the City's tax base. Approval of the land exchange as part of the subdivision will also provide the city with land to access its water reservoir at little cost.

Analysis

When considering a zoning amendment application, staff and Council look toward the Official Community Plan’s future land use map for guidance. According to the map, the subject lands are currently designated for low density residential (LR) development. The LR designation is intended to support single family and duplex development as well as minor neighbourhood commercial uses and institutional uses (schools, churches etc). The current zoning of the property, which is CR (Country Residential), represents less development density than is contemplated by the OCP. The CR zone has a minimum lot size of 0.4 ha and the proposed three lot development would not be possible under the current zoning. The proposed RM1 zone, which is the zone that is specifically designed for bareland strata development, would allow for the proposed three-lot bareland strata subdivision.

The RM1 zone, though, allows townhouses, which are not a use contemplated in the low density residential OCP land use designation. As such, staff are recommending that if Council supports the zoning change that a site specific amendment be included in the zoning bylaw prohibiting townhouse development on the subject lands. All the other uses of the RM1 zone (single detached housing, duplex housing, home based business etc) are uses that are envisioned in the low density residential land use designation.

Supporting the zoning change will create three new development areas in a desirable area of the city and is in keeping with the intent of the OCP. As such staff are recommending that Council give first reading to the bylaw and forward it to the November 7th Public Hearing for comment from the public.

Alternate recommendations


1. THAT Council deny first reading to “Zoning Amendment Bylaw No. 2017-72”.
2. THAT Council refer the application back to staff for further discussions with the applicants.

Attachments

- Attachment A – Location map
- Attachment B – Images of subject property
- Attachment C – Site and subdivision plan
- Attachment D – Letter of intent from applicant
- Attachment E – Proposed road widening
- Attachment F – “Zoning Amendment Bylaw No. 2017-72”

Respectfully submitted

Blake Laven, MCIP, RPP
Planning Manger

Director Development Services 	Chief Administrative Officer PW
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Attachment A
Subject Property Location Map



Attachment B
Images of Subject Property



Figure 1: Image of subject lands from Carmi Avenue looking east, with current driveway shown



Figure 2: Image of subject lands from Carmi Avenue looking east

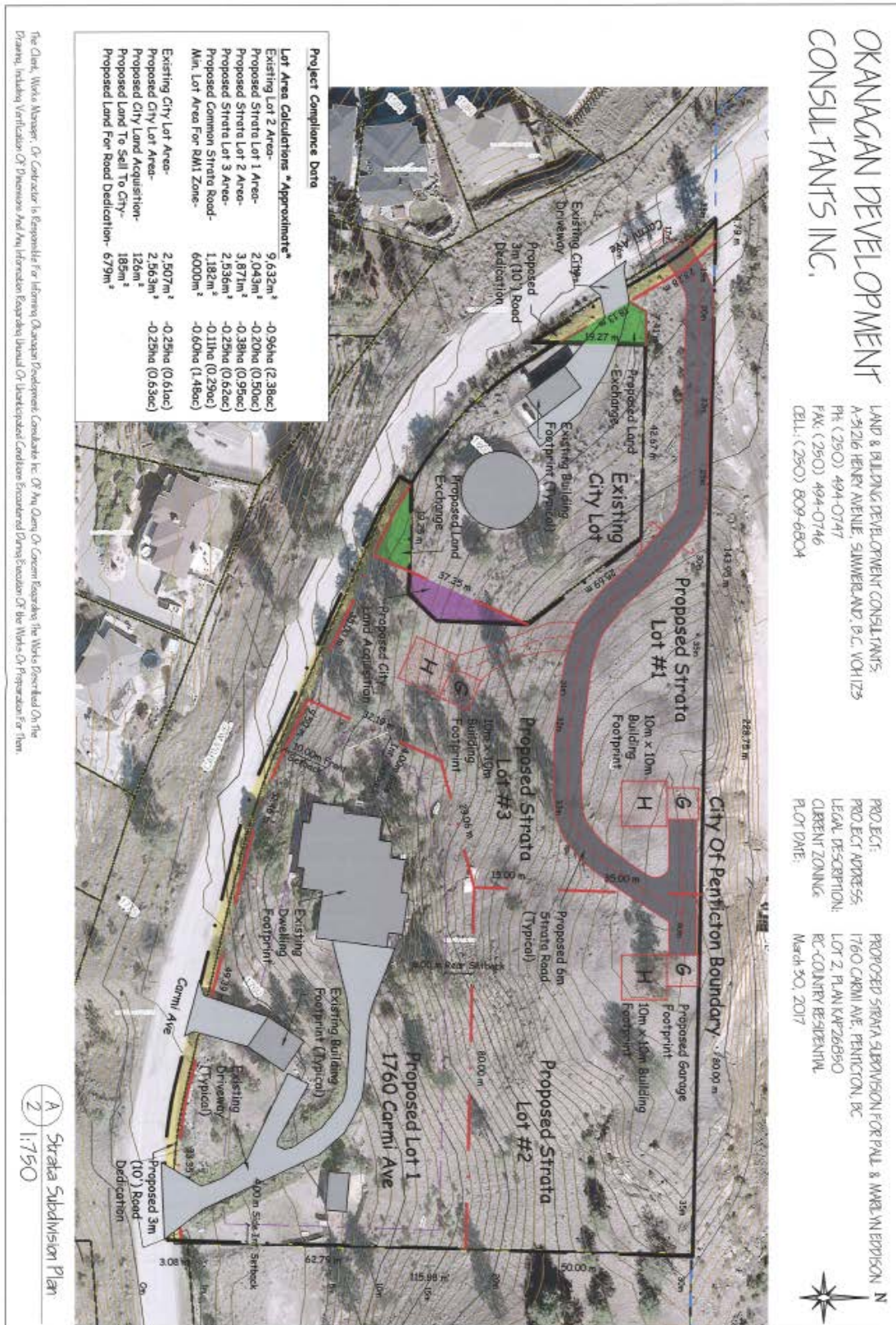


Figure 3: Image of subject lands looking west with water pump house in mid-ground



Figure 4: Image from subject lands looking towards downtown Penticton over pump house and reservoir

Attachment C Site and Subdivision Plans



Attachment D
Letter of intent



OKANAGAN DEVELOPMENT CONSULTANTS INC
17007 Garnet Valley Road, Summerland, B.C. V0H 1Z3
Office 13222 Kelly Ave., Summerland
Ph. 250-494-0747 Email: odcinc@telus.net

City of Penticton
Development Services
171 Main Street, Penticton, V2A 5A9

March 31, 2017

Attn: Blake Laven, Planning Manager

Dear Mr. Laven:

RE: 1760 CARMi ROAD, LOT 2, PL. KAP 26850, DL 2710, ODYD – PROPOSED REZONING AND SUBDIVISION OF THE PROPERTY.

Further to our recent discussions with yourself and City staff regarding the possible development of the above-noted property, please find attached the following applications:

- Fee Simple subdivision Application (2 lots)
- OCP Amendment and Rezoning Application, and a Bareland Strata Subdivision Application.

We are proposing to submit the applications together in one package, since the intent is to complete the 2 lot fee simple subdivision first, followed immediately by completion of the 3 lot strata subdivision. As noted in the applications and on the accompanying drawings the proposed lot 1 from the 2 lot subdivision will remain a fee simple lot and the remaining lot 2 will be subdivided into 3 strata lots.

Discussions regarding the proposed development have identified a critical time frame for completion of any rock blasting for utility and road construction, considering the City's plans for the installation of a new reservoir on the adjacent property. We are hopeful that the submission of the applications in this order may help expedite the approval process. We are anxious to work with the City to ensure that any necessary work on the subdivision does not impact the City's plans for the reservoir and to allow our clients to proceed with their development plans for their property if the applications receive approval.

We will be engaging the services of a Consulting Engineer to provide the design of utility services and strata road design in the near future. We will forward under separate cover our preliminary strata road layout for your consideration.

Thank you for considering our applications and please feel free to contact the writer if you require any further information or clarification at this time.

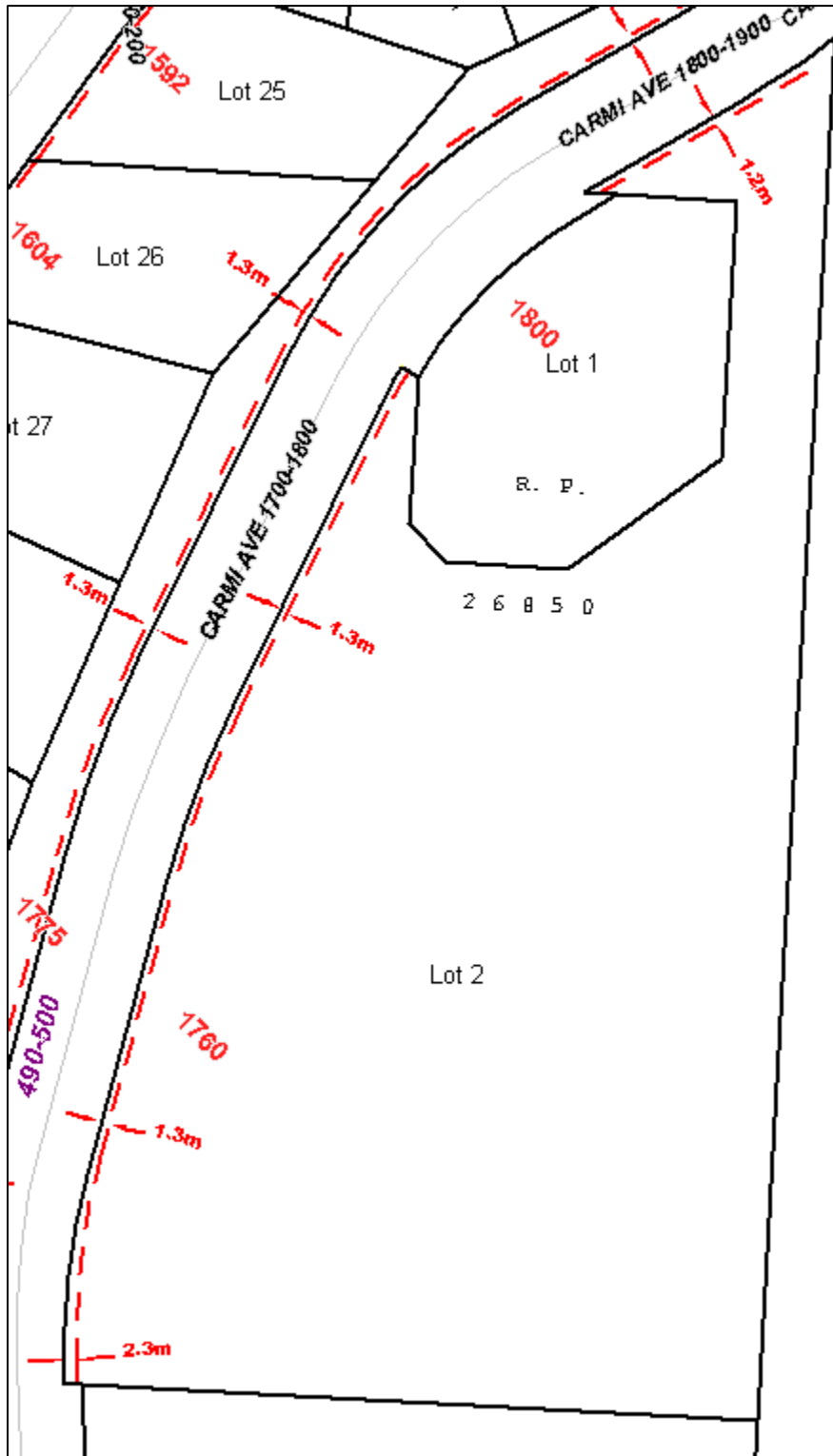
Yours truly,



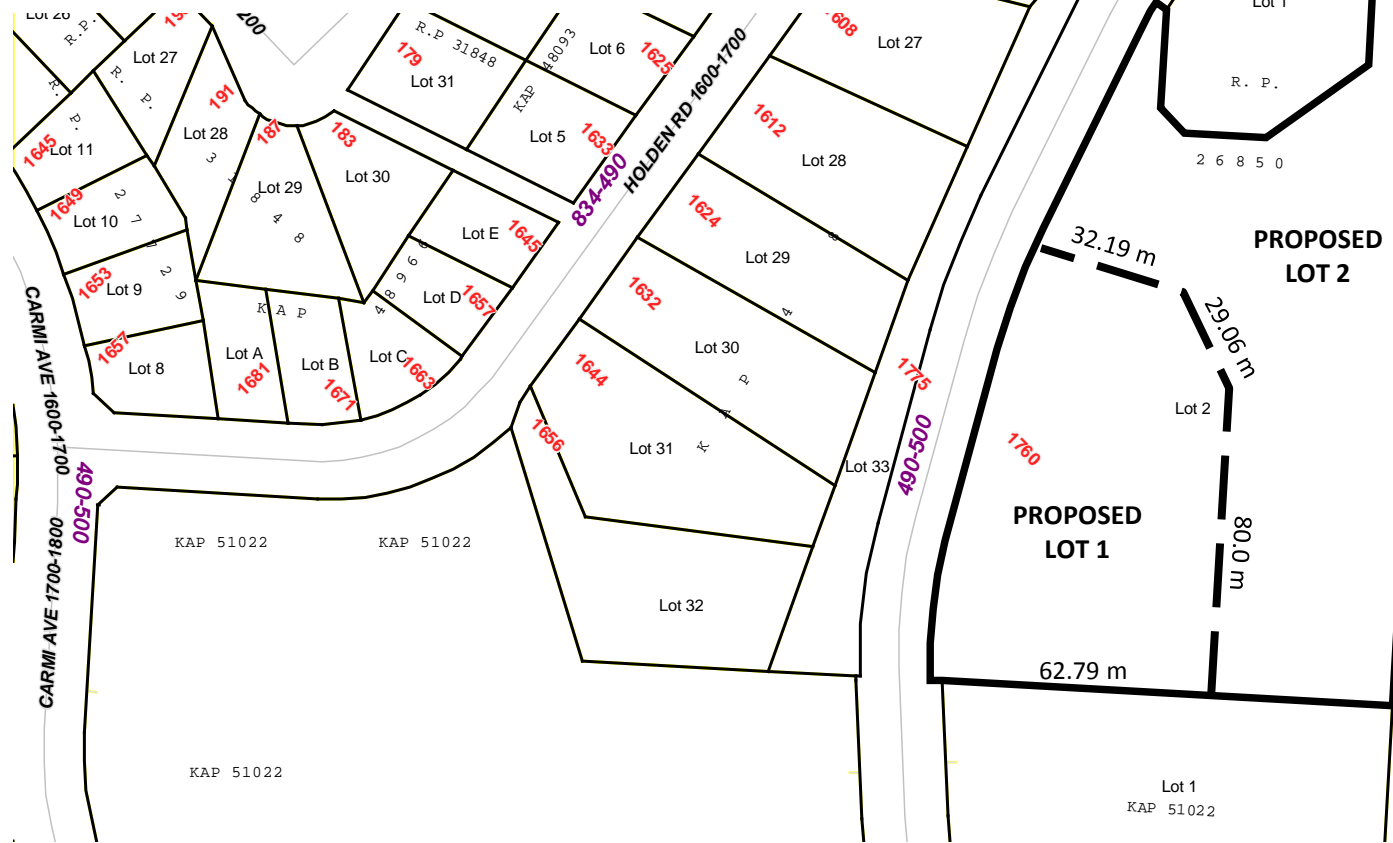
G.A. (George) Giannotti, CTech, RHI
Okanagan Development Consultants Inc.

cc. Mr. Rob Eddison

Attachment E
Road Dedication Map



Rezone Proposed Lot 2 of the subdivision of 1760 Carmi Avenue From RC (Country Residential Housing) To RM1 (Bareland Strata Housing)



City of Penticton – Schedule 'A' Zoning Amendment Bylaw No. 2017-72

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: October 17, 2017
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 216 Westminster Avenue West
Subject: **Zoning Amendment Bylaw No. 2017-73**

File No: RZ PL2017-8083

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2017-73" a bylaw that rezones "Lots 1-5, District Lot 4, Similkameen Division Yale District, Plan 871, located at 216 Westminster Avenue West from C8 (Vehicle Service Station) to C5 (Urban Centre Commercial), be given first reading and be sent to the November 7, 2017 Public Hearing;

AND THAT a 1.0m portion of the property along Westminster Avenue and a 1.0m portion along Winnipeg Street as well as a 4.5m X 4.5m corner cut be dedicated to the City prior to final adoption of Zoning Amendment Bylaw No. 2017-73;

AND FURTHER THAT the City participate in the upgrading of the streetscape adjacent to the subject lots by providing street trees funded from the City's Amenity Reserve Fund for a total project contribution not exceeding \$2,000.

Strategic priority objective

Cleaning up of brownfield sites and the creation of 'park lots", which are parking lots with landscaping and high aesthetic appeal, are policy objectives of the Downtown Plan.

Background

The subject lands comprise of five (5) downtown lots located on the corner of Westminster Avenue and Winnipeg Street. The site was developed in 1982, as a gas station and convenience store and operated as such until 2002. In 2003 remediation of the gas station site began with the demolition of the commercial building, removal of underground fuel storage tanks and installation of monitoring wells. A certificate of compliance (CoC) was issued to the site in 2016. A CoC is an instrument issued by the province's Ministry of Environment – Land Remediation Division that allows redevelopment of a previously contaminated site. The CoC outlines conditions in which the site may be redeveloped – often limiting excavation and soil disturbance and certain types of uses. In this case, there are limitations to the type of development that can happen on the site. Specifically, no residential development is permitted on the ground floor and disturbance of the soil beyond a certain depth is prohibited.

The site has recently been purchased with the intent of developing a downtown parking lot for employees of the Valley First Credit Union, which is located a few blocks away on the corner of Main Street and Westminster Avenue. The lands, although being located in the downtown, retain the historic gas station zoning (C8). To develop a parking lot, the property owners are required to amend the zoning bylaw to change the zoning of the subject lands from the gas station zone to a zone that permits public parking.

Proposal

The applicants are proposing to amend Zoning Bylaw 2017-08 to rezone the subject lands from C8 (Vehicle Service Station) to C5 (Urban Centre Commercial).

Technical Review

During the planning stage for the parking lot, the property owner's engineering consultants worked closely with City staff on maximizing the number of parking stalls that are included on the plan and meeting the vision for the creation of a 'park lot' as outlined in the City's Downtown Plan. The final design has 39 parking stalls and involves all access to the lot coming from the rear lane.

This approach leads to the closure of three driveways – two on Westminster Avenue and one on Winnipeg Street. To remove a driveway, the curb return needs to be removed and the curb and sidewalk reestablished. There is a significant cost to this. Other options would have been cheaper for the developer. Because most of the frontage has to be rebuilt, it was opportune to look at a higher standard for this corner, including the installation of street trees to complement the works completed along Westminster and Martin Street in 2013. The developer has agreed to go *above and beyond* what is required by the Subdivision and Development Bylaw, including the installation of large street tree pits. As a contribution to the project, staff are recommending that the installation of the street trees themselves come from the City's street tree reserve.

Also through the technical review, it was determined that some minor road dedications are required to meet the ultimate road widths of Westminster Avenue and Winnipeg Street. 1.0m road dedications along the frontages of both streets are shown on the City's road dedication plan. There is also a corner but identified. The applicants have agreed to dedicate these areas to the City for no cost. The City would be responsible for the survey and legal costs of the dedication.

Financial implication

Staff are recommending that the City include funds to install street trees into the improvement of the streetscape fronting this property. Under the City's Subdivision and Development Bylaw, there is no ability to require the developer to build at the enhanced standard envisioned for the downtown. That said the developer has agreed to install all of the concrete and other works for the enhanced standard, if the City would participate in the cost for the trees. The installation of a street tree is \$475.00 per tree. The City would then be responsible for the installation of four trees (three along Westminster Avenue and one along Winnipeg Street) for a total project contribution of \$2,000. Those funds could come from the City's amenity reserve fund. A fund set up to add urban amenities to the streetscape.

Staff are also recommending accepting the identified road dedications. The cost for the survey and registration of the road is estimated at under \$1,500.

Analysis

Support "Zoning Amendment Bylaw No. 2017-73".

Under the city's Official Community Plan, the subject properties are designated as downtown commercial. The current zoning for the property is C8 (Vehicle Service Station). The C8 zone is intended specifically for gas stations and does not have any other uses permitted. The use of a property for a gas station is not consistent with the downtown commercial designation.

Rezoning the property to C5 (Downtown Commercial) allows for the development of a parking lot, but also puts zoning in place for future redevelopment of the site. The C5 zone is consistent with other zones in the immediate area, which feature a mix of C5 and C6 (Urban Peripheral Commercial). The parking lot is intended for use of an existing downtown office during the day, but will be open for public use in the evenings and on weekends.

The redevelopment of the streetscape fronting the property, including the installation of street trees, will greatly increase the aesthetic appeal of the parking lot and street corner. Additional landscaping is included in the parking lot itself to deal with storm water and to add to the character of the parking lot. Underground irrigation will service the onsite landscaping as well as the street trees in the City boulevard. Decorative fencing is also included in the plans.

In reviewing the Downtown Plan (2013), Policy 19 of the Plan encourages the conversion of existing parking lots and new parking lots into 'park lots', "by enhancing landscaping, site permeability and improving storm water management on existing and proposed parking lots." Staff feel that plans provided meet the objectives of the policy.

The property is also located in a development permit area (DPA), which controls the form and character of development in the downtown commercial area. Staff are confident that the plans proposed meet the general intent of the DPA guidelines. If the zoning is successful, the applicant will be required to submit an application for development permit prior to the creation of the parking lot.

Given the above points, staff are recommending that Council give first reading to the bylaw and that the bylaw be sent to the November 7, 2017 Public Hearing for comment from the public. Staff are also recommending that if they do support the zoning amendment that Council give support to the City paying for the installation of the trees and accepting the road dedications identified.

Deny/Refer Zoning Amendment

Staff consider that the plans submitted meet the intent of the DPA guidelines and generally conform to the zoning bylaw. That said, Council may feel that this is not an appropriate place for a parking lot. If that is the case, Council could deny first reading of the bylaw.

Alternatively, Council may feel that the zoning amendment is acceptable, but not wish to commit the City to contribute in the installation of street trees in this location. If that were the case, the developers would have to decide to install the trees at their cost or revert to a more standard street cross section, without the upgrading of the frontage area.

Alternate Recommendations

1. THAT Council deny first reading of “Zoning Amendment Bylaw No. 2017-73” and refer the application back to staff for further work.
2. THAT Council give first reading to “Zoning Amendment Bylaw No. 2017-73” but deny the contribution to the street trees and / or the road dedication.


Attachments

- Attachment A: Subject property location map
- Attachment B: Images of subject property
- Attachment C: Official Community Plan (OCP) – Future Land Use Map, and Zoning Map
- Attachment D: Site and landscape plan
- Attachment E: Letter of intent from applicant
- Attachment F: Road dedication map
- Attachment G: Zoning Amendment Bylaw No. 2017-73

Respectfully submitted,

Blake Laven, RPP, MCIP
Planning Manager

Approvals

DDS 	CAO PW
--	---------------

Attachment B
Images of Subject Property



Figure 1: Subject properties from the corner of Westminster Avenue and Winnipeg Street looking west



Figure 2: Frontage of subject property along Westminster Avenue showing the existing curb returns



Figure 3: Image showing the condition of the sidewalk and frontage at the corner of Westminster Avenue and Winnipeg Street, looking down Winnipeg Street

Attachment C
OCP – Future Land Use Map and Zoning Bylaw Map



Figure 4: Official Community Plan Future Land Use Map showing the subject and surrounding lands as DC downtown commercial



Figure 5: Zoning Map of subject property showing the C8 zoning and surrounding zoning

Attachment E
Letter of intent from applicant



October 5, 2017

Ecora File No.: CP-17-200[

Development Services
City of Penticton
171 Main Street
Penticton, B.C V2A 5A9

Attention: Planning Department

Reference: Rezoning and Development Permit Applications – 216 Westminster Avenue West

Applications are being submitted for a parking lot at 216 Westminster Avenue West (at Winnipeg Street). The property is currently vacant and has been so for some time after the removal of the Esso service station and 7/11 convenience store. The site has been remediated and is available for use.

First West Credit Union has now acquired the property and are proposing to construct a new parking lot for employees. The Credit Union is centralizing employees who work in Penticton into the Downtown office building on Main Street and is providing parking for their use. The parking lot will also be available for public use during non-business hours.

Thirty-nine (39) parking stalls will be developed and will be accessed from the lane. Three existing sidewalk cross-overs on Westminster and Winnipeg will be removed. Site landscaping and boulevard trees will enhance the appearance of the property.

Adjacent land uses include Landmark Cinemas, offices, restaurants and automotive uses. Nearby zones include C8, Service Station; C6, Mixed Use; and C5, Urban Centre Commercial.

Rezoning

The site is currently zoned C8, Vehicle Service Station. The only permitted use in this zone is a service station and rezoning is required. It is proposed to rezone to C5, Urban Centre Commercial Zone being the main zone for the Downtown and a zone that permits a "public parking lot". This zone also permits future redevelopment to a wide range of commercial uses.

subject

File No. CP-17-200 | October 2017

This rezoning is consistent with the Community Plan directions for the Downtown area of Penticton. The Plan supports continued intensification and growth in the core area and provision of additional off-street parking. A major theme of the Community Plan is the beautification of the Downtown and enhancement of entrance areas. The current appearance of site, with gravel surface and chain link fence will be much improved with the new parking lot. The location at the western edge of the Downtown will also create a more attractive entrance use.

Development Permit

In terms of the Downtown Commercial Development Permit Guidelines, the following is noted:

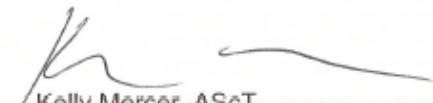
- The parking lot is accessed from the lane
- The access and egress point does not cross a sidewalk
- Landscaping is provided along Winnipeg Street frontage and within the parking lot
- Boulevard trees will be planted along Westminster and Winnipeg road edges
- A decorative chain and post fence is provided around the parking lot

In addition, the Winnipeg Street landscape strip will function as a drainage swale – keeping storm water on the site. Two light standards will enhance security.

The new parking lot will significantly enhance the north entrance to the Downtown in conformance with the Official Community Plan and City design guidelines.

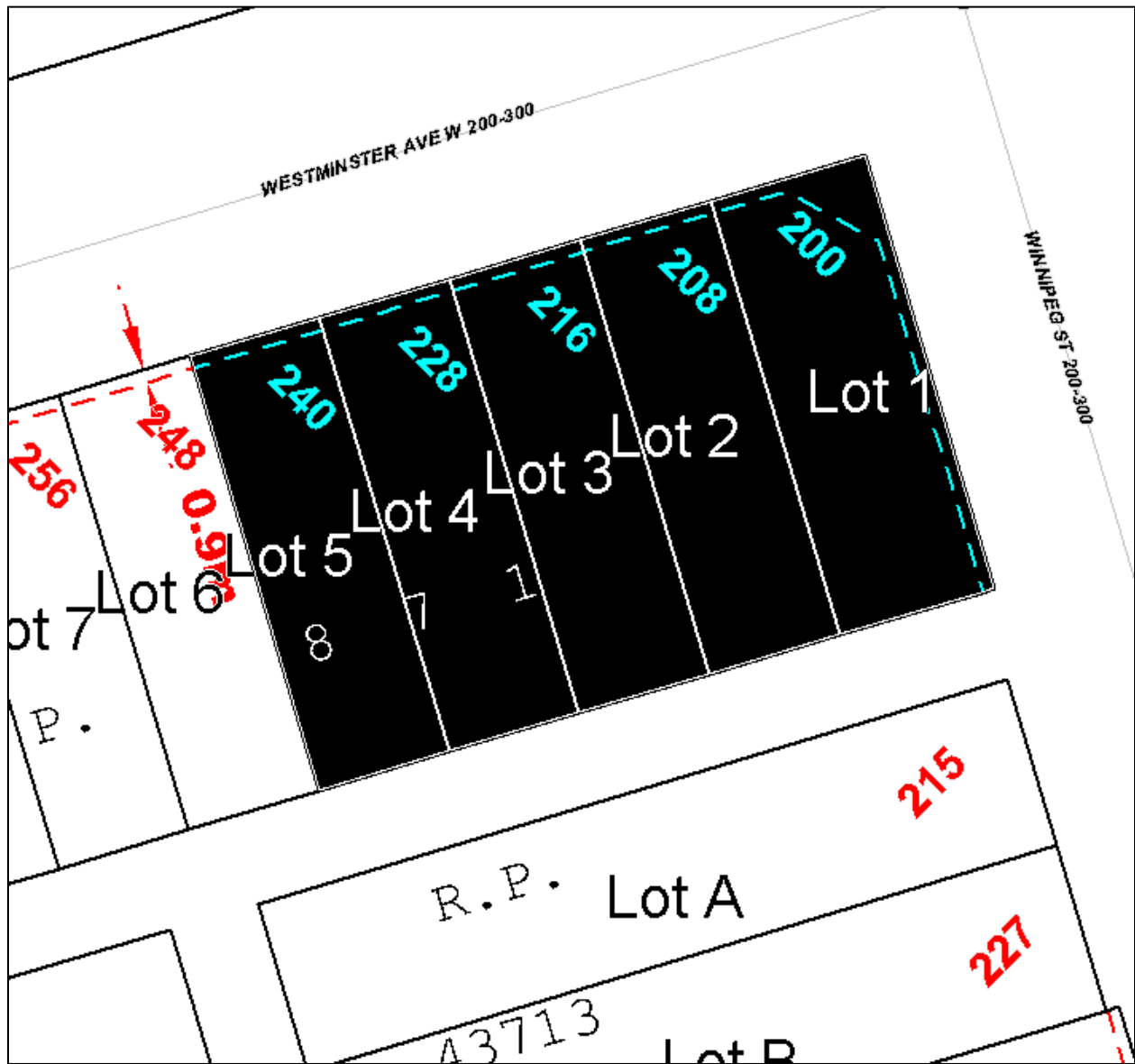
Sincerely

Ecora Engineering & Resource Group



Kelly Mercer, ASCT
Branch Manager

Attachment F
Road dedication map



Bylaw No. 2017-73

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. 2017-73".

2. **Amendment:**

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

Rezone Lots 1 – 5, District Lot 4, Similkameen Division Yale District, Plan 871, located at 200, 208, 216, 228, 240 Westminster Avenue West from C8 (Vehicle Service Station) to C5 (Urban Centre Commercial).

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

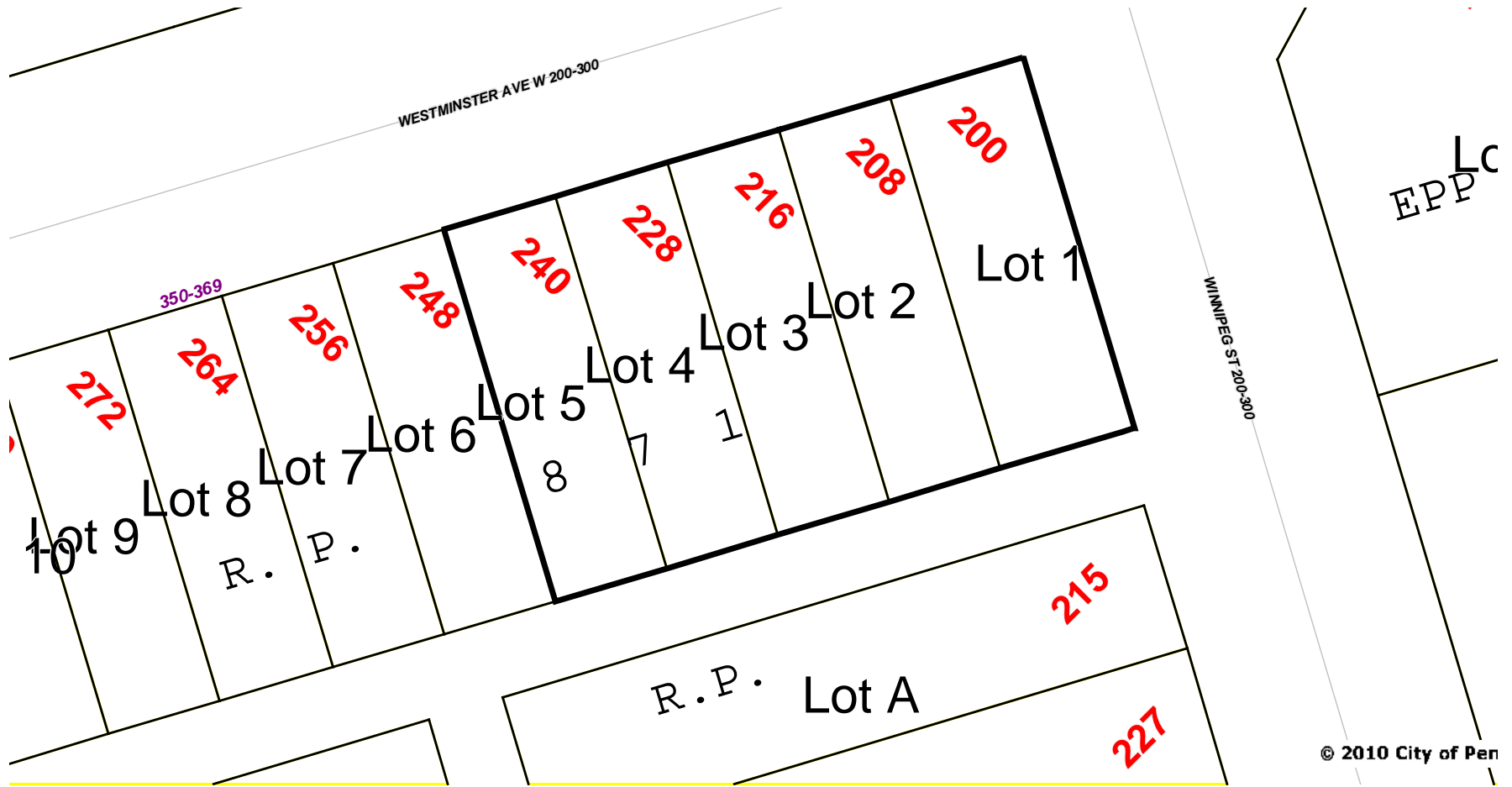
READ A FIRST time this	day of	, 2017
A PUBLIC HEARING was held this	day of	, 2017
READ A SECOND time this	day of	, 2017
READ A THIRD time this	day of	, 2017
ADOPTED this	day of	, 2017

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*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 200, 208, 216, 228 & 240 Westminster Ave W -173 -
From C8 (Vehicle Service Station) To C5 (Urban Centre Commercial)



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City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-73

Date: _____

Corporate Officer: _____