

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

Tuesday, January 23, 2018
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**
2. **Introduction of Late Items**
3. **Adoption of Agenda**
4. **Adoption of Minutes:**
 - 4.1 Minutes of the January 9, 2018 Regular Council Meeting 1-5 Adopt
5. **Committee and Board Reports**
 - 5.1 Parks and Recreation Master Plan Steering Committee Minutes of October 26, 2017 6-8
Staff Recommendation: THAT Council receive the minutes of the Parks and Recreation Master Plan Steering Committee meeting of October 26, 2017.
 - 5.2 Development Services Advisory Committee Minutes of December 1, 2017 9-11
Staff Recommendation: THAT Council receive the draft minutes of the Development Services Advisory Committee meeting of December 1, 2017.
Committee Recommendation: THAT Council support the proposed Electric Utility Bylaw No. 2017-44 subject to the following considerations:
THAT Council take into consideration prior Council Resolutions passed regarding net metering procedures and the City's Climate Action Plan;
AND THAT the City look into implementing an annual billing cycle for net metering;
AND THAT net metering connection costs be funded by the Climate Action fund.
 - 5.3 Official Community Plan Task Force Minutes of January 3, 2018 12-15
Staff Recommendation: THAT Council receive the draft minutes of the Official Community Plan Task Force meeting of January 3, 2018.
Committee Recommendation: THAT Council support the January and February 2018 Official Community Plan Task Force Committee meetings be held at 249 Westminster Avenue West;
AND THAT the date, time and location of the meetings be posted at the City's Public Notice Posting places.
 - 5.4 Community Revitalization Select Committee Minutes of January 9, 2018 16-18
Staff Recommendation: THAT Council receive the draft minutes of the Community Revitalization Select Committee meeting of January 9, 2018.
6. **Correspondence**

7. Staff Reports:				
MEU	7.1	Feedback: Electric Utility Services Bylaw <i>Staff Recommendation: THAT Council direct staff to consolidate the "Residential/Special Service" and the "Residential" definitions in the Electric Utility Services Bylaw No. 2017-44; AND THAT Rate Code 15 be removed from the Fees and Charges Bylaw No. 2014-07; AND THAT net metering connection costs remain as proposed in the Electric Utility Services Bylaw No. 2017-44; AND THAT the rate the Electric Utility purchases excess energy from Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44; AND THAT Billing Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44; AND THAT Council direct staff to proceed with the proposed changes prior to further consideration of Electric Utility Services Bylaw No. 2017-44.</i>	19-36	
BA	7.2	300 Block Main Street - Borrowing Resolution <i>Staff Recommendation: THAT the Council of the City of Penticton authorizes up to \$1,635,040 be borrowed, under Section 175 of the Community Charter, from the Municipal Finance Authority, for the purpose of revitalizing the 300 block of Main Street in Penticton; AND THAT the loan be repaid within five years, with no rights of renewal, with the annual principal and interest payments to be funded from the City of Penticton's Asset Sustainability Reserve.</i>	37	
FC	7.3	Firefighting Service Level <i>Staff Recommendation: THAT Council recognizes that the City of Penticton Fire Department is a Full Service Operations Fire Department (career) with a component of Interior Operations Fire Department (auxiliary) in accordance with the British Columbia Fire Service Minimum Training Standards and the "Fire and Life Safety Bylaw No. 2014-57".</i>	38-60	
LA	7.4	City Land Disposition Policy <i>Staff Recommendation: THAT Council approve the Land Disposition Policy as attached to the report dated January 23, 2018 titled "City Land Disposition Policy"; AND THAT Council repeal the Land Sale Policy dated December 8, 1998.</i>	61-68	
CO	7.5	Heritage Committee Re-Appointments <i>Staff Recommendation: THAT Council appoint Heather Buzzell, Randy Manual, William Allen, Loraine Stephanson, Brad Hills, Shelley Clarke, Gerald Buzzell and Bob Parliament to the Heritage and Museum Committee for the 2018 term.</i>	69	
8. Public Question Period				
9. Recess Meeting				
10. Reconvene the Regular Council Meeting following the Public Hearing at 6:00 p.m.				
11. Reconsideration of Bylaws and Permits:				
	11.1	Zoning Amendment Bylaw No. 2018-02 Re: 237 Phoenix Avenue	70-71	2 nd /3 rd
	11.2	300 Block – Main Street Local Area Service Bylaw No. 2017-62	72-75	Adopt
12. Land Matters:				
DDS	12.1	Development Variance Permit PL2017-8118 Re: 1198 Government Street <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2017-8118" for Lot 1 District Lot 250 Similkameen Division Yale District Plan 39066, located at 1198 Government Street, a permit to reduce</i>	76-90	Del/Sub

the minimum interior yard from 4.5m to 0m and to reduce the minimum rear yard when abutting a lane that abuts a residential zone from 6.0m to 3.0m; AND THAT staff be directed to issue "Development Variance Permit PL2017-8118."

DDS 12.2 Zoning Amendment Bylaw No. 2018-03 91-94

Re: 450 Martin Street (P2 Developments)

Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2018-03", being a bylaw to rezone Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District and District Lot 202, Similkameen Division Yale District, Plan KAP90148, from CD1 Comprehensive Development Zone 1 (400 Martin Street) to C5 (Urban Centre Commercial) and to remove the CD1 from Zoning Bylaw 2017-08, be given first reading and be forwarded to the February 6, 2018 Public Hearing.

13. **Notice of Motion**

14. **Business Arising**

THAT Council reappoint Linda King, Connie Redknapp, Ernie Ingles and Wesley Nickel to the Penticton Library Board for two years, ending December 31, 2019.

THAT Council appoint Tim Tweed to the Arts, Creative & Cultural Innovations Committee as the Penticton & District Community Arts Council representative for 2018.

15. **Council Round Table**

16. **Public Question Period**

17. **Adjournment**

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

Tuesday, January 9, 2018
at 1:00 p.m.

- Present:** Mayor Jakubeit
Councillor Picton
Councillor Sentes
Councillor Konanz
Councillor Martin
Councillor Sayeed
Councillor Watt (arrived at 1:04 p.m.)
- Staff:** Peter Weeber, Chief Administrative Officer
Jim Bauer, Chief Financial Officer
Mitch Moroziuk, General Manager of Infrastructure
Dana Schmidt, Corporate Officer
Anthony Haddad, Director of Development Services
Angie Collison, Deputy Corporate Officer

1. Call to Order

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

2. Introduction of Late Items

3. Adoption of Agenda

01/2018

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on January 9, 2018 as presented.

CARRIED UNANIMOUSLY

4. Adoption of Minutes:

4.1 Minutes of the December 19, 2017 Committee of the Whole

02/2018

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

4.2 Minutes of the December 19, 2017 Public Hearing

03/2018

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

4.3 Minutes of the December 19, 2017 Regular Council Meeting

04/2018

It was MOVED and SECONDED

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

CARRIED UNANIMOUSLY

5. Committee and Board Reports

6. Correspondence

6.1 SILGA – Call for Nominations 2018

6.2 SILGA – Call for Resolutions for 2018 Convention

Staff will bring back resolution topics for Council's consideration before the end of February.

7. Staff Reports:

7.1 Heritage & Museum Committee 2018 Terms of Reference

05/2018

It was MOVED and SECONDED

THAT Council approve the 2018 Terms of Reference for the Heritage and Museum Committee as amended.

CARRIED UNANIMOUSLY

Mayor Jakubeit and Councillor Martin declared a conflict and left the meeting at 1:08 p.m.

7.2 ITU Multisport World Festival – Wrap Up

06/2018

It was MOVED and SECONDED

THAT Council approve the re-allocation of unused in-kind expenditures for Challenge Penticton of \$15,104 to the ITU Festival;

AND THAT Council direct staff to net the remaining overage of in-kind expenditures of \$7,379 against the \$10,000 cash instalment payable to ITU and disburse the remaining \$2,621 upon receipt of financial statements; AND THAT Council direct staff to incorporate learnings from the ITU Festival into future major events including the 2018 Super League Triathlon.

CARRIED UNANIMOUSLY

Mayor Jakubeit and Councillor Martin returned to the meeting at 1:29 p.m.

7.3 BC Wine Authority Surrender of Lease

Re: Travel Penticton – 5 year lease proposal

07/2018

It was MOVED and SECONDED

THAT Council direct Mayor and Corporate Officer to execute a Surrender of Lease for the BC Wine Authority that would terminate their existing Lease with the City and authorize payment from the Land Administration budget to the BC Wine Authority the sum of \$19,528 for moving expenses;

AND THAT Council approve a new Lease Agreement for Travel Penticton Society for a portion of the building located at 888 Westminster Avenue (Approximately 1,727 sq. ft.) for a five year term with an option to renew at a market rate of \$20,566 plus additional rent and applicable taxes inclusive of consumer price index (CPI) increases per annum;

AND THAT Council direct Mayor and Corporate Officer to execute the Lease Agreement with Travel Penticton.

CARRIED UNANIMOUSLY

7.4 Smart Cities Challenge – City of Penticton

08/2018

It was MOVED and SECONDED

THAT Council support the development of a submission for the Smart Cities Challenge for the \$10M prize for communities with a population under 500,000;

AND THAT Council authorize up to a maximum of \$10,000 to be spent on the application submission from the City's 2018 Economic Development Budget.

CARRIED UNANIMOUSLY

7.5 Mobile Retail Vending

09/2018

It was MOVED and SECONDED

THAT Council support amendments to the Mobile Food Vending License Program to allow for a maximum of three (3) Mobile Retail Trucks to be located in accordance with the requirements of the Zoning Bylaw and Business Licence Bylaw in the following locations:

- Power Street – 1 retail truck at a time;
- Gyro Park – 1 retail truck at a time;
- Skaha Lake – 1 retail truck at a time in each location.

CARRIED UNANIMOUSLY

7.6 Zoning Amendment Bylaw No. 2018-02

Re: 237 Phoenix Avenue

10/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-02", a bylaw to Rezone Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 10974, located at 237 Phoenix Avenue from R1 (Large Lot Residential) to RD1 (Duplex Housing), be given first reading and be forwarded to the January 23, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-02", a 5.0m by 5.0m southwest corner cut on the subject property is registered with the Land Title Office.

CARRIED UNANIMOUSLY

8. Reconsideration of Bylaws and Permits

- 8.1 Zoning Amendment Bylaw No. 2017-48
Development Variance Permit PL2017-7944
Re:190 Bassett Street

11/2018

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2017-48";
AND THAT Council approve Development Variance Permit PL2017-7944 for 190 Bassett Street.

CARRIED UNANIMOUSLY

- 8.2 Development Variance Permit PL2017-8037
Re: 461 Eckhardt Avenue West

12/2018

It was MOVED and SECONDED

THAT Council approve Development Variance Permit PL2017-8037 for 461 Eckhardt Avenue West.

CARRIED UNANIMOUSLY

- 8.3 Development Variance Permit PL2017-7989
Re: 703 Forestbrook Drive

13/2018

It was MOVED and SECONDED

THAT Council approve Development Variance Permit PL2017-7989 for 703 Forestbrook Drive.

CARRIED UNANIMOUSLY

- 8.4 2018 – 2022 Five Year Financial Plan Bylaw No. 2017-79

14/2018

It was MOVED and SECONDED

THAT Council adopt "2018-2022 Five Year Financial Plan Bylaw No. 2017-79".

CARRIED
Councillor Konanz, Opposed

9. Notice of Motion

10. Business Arising

11. Council Round Table

12. Public Question Period

13. Adjournment

15/2018

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, January 9, 2018 at 2:32 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (d) the security of the property of the municipality.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

Parks & Recreation Master Plan Steering Committee Meeting

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

Thursday, October 26, 2017
at 2:00 p.m.

Present: Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Ron Ramsay, Chair
Roland Curnow, Organized Field Sport Representative
Barb Hoolaeff, Special Event Group Representative
Adolf Steffen, Development Community Representative
Sharon Devlin, Member at Large
Peter Dooling, Member at Large
Gary Denton, Member at Large

Staff: Jeff Lynka, Parks Supervisor
Lori Mullin, Recreation & Culture Manager
Len Robson, Public Works Manager
Lorraine Williston, Corporate Committee Secretary

1. Call to Order

The Parks & Recreation Master Plan Steering Committee was called to order by the Chair at 1:59 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Parks & Recreation Master Plan Steering Committee adopt the agenda for the meeting held on October 26, 2017 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

3.1 Minutes of the August 30, 2017 Parks & Recreation Master Plan Steering Committee Meeting

It was MOVED and SECONDED

THAT the Parks & Recreation Master Plan Steering Committee adopt the minutes of the August 30, 2017 meeting as amended.

CARRIED UNANIMOUSLY

3.2 Minutes of the September 12, 2017 Parks & Recreation Master Plan Steering Committee Meeting

It was MOVED and SECONDED

THAT the Parks & Recreation Master Plan Steering Committee adopt the minutes of the September 12, 2017 meeting as circulated.

CARRIED UNANIMOUSLY

4. **Business Arising from Prior Meetings**

4.1 Sub-Committee Presentations

The Parks Supervisor reviewed the summary of the recommended changes made to sections 4, 5, 6 and 7 of the draft master plan by the sub-committees. Discussion and comments were noted as follows:

Section 4 - Parks

- 4.1 - More discussion needed on changing the word amenities to facilities or defining the differences.
- It was generally agreed to include definitions in the master plan and place them in a format that is easily referenced.

Peter Dooling left the meeting at 2:34 p.m.

- 4.1.7 – Change potential park sites – wording needs to be changed or reworded or add additional data to better define what a potential park site would be. Include examples.
- Staff noted Section 4.2 Analysis – recommendation to change the title “Analysis” to “Observations” for this section only.
- Consider moving King’s Park from the City-Wide Park to Community Park classification.
- 4.2.3 – The Chair stated the statement regarding a permanent stage in Okanagan Lake Park should not be referenced as this item has not been discussed. Suggested that the recommendation should be around “event hosting upgrades” for the park not a stage.
- After further discussion, it was agreed that the wording needs to be changed and the concept of a stage needs to be vetted through a separate process. Suggested wording be changed to staging options/event upgrades.
- Penticton Marina – suggestion to remove the word ‘mixed use’ or better defined. Suggestion to change to ‘mixed recreational use’.
- 4.4 Natural Areas – Need to connect with the Planning Department to get more details about location and ownership of Oxbows.

Section 6 - Beaches

- Suggestion to change ‘in need of’ (for the section goal). This change will require additional input from Peter Dooling.
- Discussion on what the designations are for the Art Gallery and Japanese Garden. Staff to confirm designation.

The Chair suggested any reference made to population growth should be removed as he feels the population growth statistic is not accurate in master plan. Staff to ensure that references to population statistics clearly indicate the source and that the source is valid.

Section 7 – Outdoor Recreation Amenities

- Disc golf – take out the word ‘locally’ in the description.

4.2 Park Protection & Use Work

The committee agreed that due to the success of other sub-committee work that this section is also assigned to a sub-committee to work directly with the Director of Development Services. Ron Ramsay, Sharon Devlin, Roland Curnow and Peter Osborne volunteered to participate on this sub-committee. The Recreation & Culture Manager stated that she would contact those not in attendance to see anyone else would like to participate. Staff to confirm a meeting date with this sub-committee.

5. **Next Meeting**

6.1 Agenda Review

It was suggested the next date be set for November 14 @ 10:00 a.m. The Committee Secretary to confirm quorum for that date.

6. **Adjournment**

It was MOVED and SECONDED

That the Parks & Recreation Master Plan Steering Committee adjourn the meeting held on Thursday, October 26, 2017 at 4:00 p.m.

CARRIED UNANIMOUSLY

Certified Correct:



Lorraine Williston
Corporate Committee Secretary

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

Development Services Advisory Committee Meeting

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

Friday, December 1, 2017
at 8:00 a.m.

Present: Campbell Watt, Councillor
Frank Conci, Chair
Darshan Jassar, Member at Large
Drew Barnes, Member at Large
Chris Allen, Member at Large
Chris Marte, Member at Large
Jamie Seddon, Member at Large
Fred Trainor, Member at Large
Sharon Fletcher, Member at Large
Joseph Walters, Member at Large

Staff: Ken Kunka, Building & Permitting Manager
Shawn Filice, Electric Utility Manager
Jennifer Vincent, Economic Development
Michael Hodges, Development Infrastructure Manager
Lorraine Witowski, Committee Secretary

1. Call to Order

The Development Services Advisory Committee was called to order by the Chair at 8:04 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Development Services Advisory Committee adopt the agenda for the meeting held on December 1, 2017 as amended (refer to item 5.1).

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Development Services Advisory Committee adopt the minutes of November 3, 2017 meeting as amended.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Electrical Bylaw Review

The Electric Utility Manager reviewed the comments received to date. Discussion moved to item 4.2. Following the discussion on item 4.2 questions were asked on City procedures pertaining to the key changes in the bylaw and staff provided rationale for the changes.

4.2 Memorandum – Net Metering Procedures

Chris Allen brought forth his concerns and comments regarding net metering procedures noting changes in the new bylaw are contrary to existing council resolutions stemming from recommendations made through the Climate Action Advisory Committee and the City's Climate Action Plan and highlighted the resolutions that have not been implemented yet. Currently the bylaw does not support these resolutions. Discussion followed on the costs associated with net metering hook ups and whether it should remain cost free as per the council resolution or subsidized through a greenhouse tax fund. The Electric Utility Manager stated he will look into council procedures regarding the existing resolutions and if they are required to be incorporated into the revised bylaw. Discussion and questions followed on the billing process for net metering.

It was MOVED and SECONDED that the Development Services Advisory Committee recommends that Council support the proposed Electric Utility Bylaw No. 2017-44 subject to the following considerations:

THAT Council take into consideration prior Council Resolutions passed regarding net metering procedures and the City's Climate Action Plan;

AND THAT the City look into implementing an annual billing cycle for net metering;

AND THAT net metering connection costs be funded by the Climate Action fund.

CARRIED UNANIMOUSLY

4.3 Appointment of Vice Chair

It was MOVED and SECONDED

THAT Sharon Fletcher be appointed as Vice-Chair for the Development Services Advisory Committee for the 2017-2018 term.

CARRIED UNANIMOUSLY

5. New Business

5.1 Subdivision and Development Bylaw

The Development Infrastructure Manager advised he has been working on updating the current Subdivision and Development Bylaw. A brief overview of the bylaw was provided. The revised bylaw will be sent to the committee via email and members are encouraged to contact the Development Infrastructure directly with any comments or questions at michael.hodges@penticton.ca or 250-490-2478. The proposed bylaw will be discussed at the next committee meeting.

6. **Next Meeting**

The next meeting of the Development Services Advisory Committee is scheduled for Friday, January 12, 2018 at 8:00 a.m.

7. **Adjournment**

It was MOVED and SECONDED that the Development Services Advisory Committee adjourn the meeting held on Friday, December 1, 2017 at 9:29 a.m.

Certified Correct:

Lorraine Witowski
Committee Secretary

Official Community Plan Task Force Meeting

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

Wednesday, January 3, 2018
at 5:30 p.m.

- Present:**
- Mayor Andrew Jakubeit
 - Councillor Judy Sentes
 - Brian Symonds, Member at Large
 - Bruce Schoenne, Member at Large
 - Denis O’Gorman, Member at Large
 - Evelyn Riechert, Regional District of the Okanagan Similkameen Representative
 - Garrett Cruickshank, Member at Large (partial)
 - Jill Bateman, Penticton Industrial Development Association Representative
 - Jillian Tamblyn, Member at Large
 - Kristi Estergaard, Interior Health Representative
 - Lynn Allin, Downtown Penticton Association Representative
 - Lynn Kelsey, Vice-Chair
 - Randy Manuel, Member at Large
 - Sharon Fletcher, Member at Large
 - Suzanne Moccia, Chair
 - Warren Sanders, Member at Large
 - Wendy Hyer, School District No. 67 Representative
- Staff:**
- Ben Johnson, Special Projects Manager
 - Blake Laven, Planning Manager
 - JoAnne Kleb, Communication Engagement Officer
 - Philip Cooper, Communications Manager
 - Sharon Thompson, Corporate Administration Secretary

1. **Call to Order**

The Official Community Plan Task Force was called to order by the Vice-Chair at 5:30 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 January 3, 2018 as amended to include items 4.2, 4.3 & 4.4.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED

THAT the Official Community Plan Task Force adopt the minutes of the November 16, 2017 meeting as presented.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Timeline Update

The Community Engagement Officer reviewed the OCP Expo (ExpOCP) schedule beginning January 17 with a Task Force orientation and breakfast as well as workshop “dry runs” with employees and committee members. Student activities, targeted workshops and Community drop-in sessions are also planned for January 18-20. Rental space at 249 Westminster Ave. W. has been secured for January and February to be used for workshops and meetings.

It was MOVED and SECONDED that the January and February 2018 Official Community Plan Task Force committee meetings be held at 249 Westminster Avenue West.

AND THAT the date, time and location of the meetings be posted at the City’s Public Notice Posting places.

CARRIED UNANIMOUSLY

4.2 Engagement Update

The Community Engagement Officer presented an overview of ExpOCP, a multi-day exposition where residents can share their views on the future of the city. She noted the goals are to build a public understanding of policy areas as well as to identify shared values and gather ideas and direction. The draft workshop components, targeted and drop in formats and activities including Speed Dating (walk about and view display materials), Kahoot! (an interactive quiz aimed at youth), World Café (policy tables/stations) and a Visioning session (sketch artist illustrating table outcomes), were explained and feedback will be gathered on each policy area via a workshop passport. Discussion and questions ensued.

The Manager Special Projects advised that a Doodle poll will be circulated to Task Force members to determine what activities they would be available to participate in.

ACTION: The Community Engagement Officer will distribute the ExpOCP schedule to Task Force members.

Garrett Cruikshank joined the meeting at 6:18p.m.

4.3 Promotions and Advertising

The Community Engagement Officer reported that ExpOCP activities will be promoted via newspapers, radio and social media in addition to targeting Committees and Community groups via email. The shapeyourcitypenticton.ca web site will be used as a hub for information/collaboration and document sharing. Task Force members were invited to share ideas for greater optimization of the site.

The Community Engagement Officer revealed special promotions and giveaways are planned including a Cirque du Soleil giveaway and a special Scotties Day in honour of the Scotties Tournament of Hearts women's curling event being hosted by the City at that time.

4.4 Task Force Member Spotlight

The Chair, in recognition of the special talents and knowledge base of Task Force members, introduced a "member spotlight" concept where one or two members would be invited to share their background, interests and motivations behind volunteering to sit on the task force.

Sharon Fletcher, former long range planner in Nanaimo and Mission and Jill Bateman, with a background in environment and biology made presentations to the committee.

ACTION: The Community Engagement Officer will post slides and notes to the shapeyourcitypenticton.ca site.

5. New Business

5.1 PenTALKton Debrief

The Special Projects Manager extended thanks to all Task Force members who presented and otherwise participated in the PenTALKton event in November. He noted that by all accounts the sold out event of 200 people, the caliber of speakers and social atmosphere all contributed to the success of the event. There was representation from a cross section of the population and all indications are that it was an enjoyable evening. Further feedback was shared by task force members.

The Community Engagement Officer indicated presentations and comments will be posted to the shapeyourcitypenticton.ca site.

5.2 OCP Expo Boards

The Engagement Officer explained the policy areas that will be detailed for consideration and discussion on the information boards to be featured at ExpOCP events. She explained the creative activities planned at each policy station to encourage participants to engage and to provide feedback.

5.3 OCP Expo Task Force Roles

The Manager Special Projects circulated a draft of key questions in each of the subject areas intended to be used in the creation of the ExpOCP boards. Discussion and feedback followed.

ACTION: Task Force members will submit ideas and feedback on all sections of the material through the shapeyourcitypenticton.ca site by Monday, January 8.

ACTION: The Community Engagement Officer will create a thread for each subject area on the shapeyourcitypenticton.ca site that will allow members to see what others have submitted.

5.4 Housing Needs Update and Demographic Projection

The Manager Special Projects explained that Penticton's housing needs assessment, prepared by Urbanix, used the data to run a rigorous growth assessment. While further work is required to determine breakdowns demographically, new projections indicate a more moderate growth scenario than projected in 2002. Urbanix will be invited to present their data at a future Task Force meeting.

6. Next Steps

The Manager Special Projects assigned homework to the committee – review the documents on the [shapeyourcitypenticton](http://shapeyourcitypenticton.ca) site and provide comments by Monday, January 8.

7. Next Meeting

The next regularly scheduled meeting of the Official Community Plan Task Force will be after ExpOCP, date to be determined.

8. Adjournment

It was MOVED and SECONDED

THAT the Official Community Plan Task Force adjourn the meeting held on Wednesday, January 3, 2018 at 7:54 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Sharon Thompson
Corporate Administrative Secretary

Community Revitalization Select Committee Meeting

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

Tuesday, January 9, 2018
at 7:30 a.m.

Present: Judy Sentes, Councillor
Campbell Watt, Councillor
Deborah Moore, Vice-Chair
Tim Scott, Member at Large
Cheryl Watts, Member at Large
Corinna Netherton, Member at Large
Don Cocar, Member at Large
Skyler Punnett, Member at Large
Terry Olfert, Member at Large

Staff: Anthony Haddad, Director of Development Services
Mitch Moroziuk, General Manager of Infrastructure
Ian Chapman, City Engineer
JoAnne Kleb, Community Engagement Officer
Lorraine Williston, Committee Secretary

1. Call to Order

The Community Revitalization Select Committee was called to order by the Vice-Chair at 7:32 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Community Revitalization Select Committee adopt the agenda for the meeting held on January 9, 2018 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Community Revitalization Select Committee adopt the minutes of the October 26, 2017 meeting.

CARRIED UNANIMOUSLY

4. **Delegation**

4.1 Official Community Plan Update

The Community Engagement Officer provided an update on the Official Community Plan process and upcoming engagement events noting a special event is being held for all of Council's advisory committee members on January 17th to gather their input directly. The City is also hosting a three day exposition January 18-20 to gather feedback on important topics and information and asked members to reach out to their networks and encouraged participation, as this is an opportunity to influence the future of this community as it will set the vision for the next 25 years.

5. **Business Arising from Previous Meetings**

5.1 300 Block Revitalization

The Director of Development Services commented that staff, along with the Downtown Penticton Association, will be setting up a meeting with the landowners and businesses to provide them with information on the revitalization construction project.

The City Engineer stated the project will go out for tender this week and awarded mid-February with construction starting shortly thereafter. Construction must be done by June 22, 2018. Staff are also researching ways to transition from three lanes to two. One option is to install planter boxes in the splitter island. A traffic consultant has been engaged to provide recommendations for safe options. Discussion and questions followed.

5.2 500 & 600 Block Landowner Requests Update

Staff commented there has been no new information regarding any upgrades for those blocks.

6. **New Business**

6.1 Main Street Storefront Use Discussion

The Director of Development Services provided a summary of the Main Street Storefront Use Bylaw commenting the bylaw allows for flexibility for retail, beautification and patio use. Design options were reviewed and it was noted the goal is to maintain consistency. Discussions and questions followed on surface treatments for patios and elevation differences. Staff commented they will be working with the individual business owners with respect to patios.

6.2 Commercial Loading Zones in Downtown Core

The General Manager of Infrastructure reviewed the locations of the existing loading zones in the downtown core noting there are currently six. Staff are seeking input from the committee on whether more loading zones should be allowed in the downtown core and if a policy should be developed to handle requests for new loading zones. A request has been received for the 500 Block. Staff noted that currently the City deals with requests on an individual basis. Discussion and questions followed. Rationale for loading zones and options were discussed. By consensus, it was agreed by the committee that staff should continue handling requests as they have been previously doing.

7. **Next Meeting**

The next scheduled meeting for the Community Revitalization Select Committee is Thursday, February 22, 2018 at 7:30 a.m.

8. **Adjournment**

It was **MOVED and SECONDED** that the Community Revitalization Select Committee adjourn the meeting held on Tuesday, January 9, 2018 at 8:25 a.m.

Certified Correct:

Lorraine Williston
Committee Secretary

Council Report

penticton.ca

Date: January 23, 2018 File No:
To: Peter Weeber, Chief Administrative Officer
From: Shawn Filice, Manager – Electric Utility

Subject: Feedback: Electric Utility Services Bylaw No. 2017-44

Staff Recommendation

THAT Council direct staff to consolidate the “Residential/Special Service” and the “Residential” definitions in the Electric Utility Services Bylaw No. 2017-44;

AND THAT Rate Code 15 be removed from the Fees and Charges Bylaw No. 2014-07;

AND THAT net metering connection costs remain as proposed in the Electric Utility Services Bylaw No. 2017-44;

AND THAT the rate the Electric Utility purchases excess energy from Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44;

AND THAT Billing Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44;

AND THAT Council direct staff to proceed with the proposed changes prior to further consideration of Electric Utility Services Bylaw No. 2017-44.

Strategic priority objective

Good Governance: Provide Services that support quality of life, protect our health, enhance public safety, and promote economic and the social well-being of our community.

Background

On October 3, 2017 Council gave first reading to the “Electric Utility Services Bylaw No. 2017-44” and directed staff to consult with affected stakeholders and interested members of the community on the proposed electrical changes prior to second and third reading of the bylaw (See Attachment A). Staff contacted Technical SafetyBC, Home Based Businesses (Attachment B), Net Metered (aka “Solar Power”) customers (Attachment C), other BC Utilities, Penticton Industrial Development Association (PIDA), the Development Services Advisory Committee (Attachment E), and the general public was invited to provide feedback. The detailed results of the consultation are found in Attachment F; however, a summary is included in this report for each of the issues. This report is divided into the two issues where the majority of the feedback was received: Rate Codes – Home Based Business and Net Metering (aka “Solar Power”). The options considered are presented with the staff recommended option highlighted and explained.

Rate Codes – Home Based Businesses

Home Based Businesses include many types of business operating out of a residential unit, including but not limited to consultants, accountants, special education (e.g. music), bed and breakfast, day cares, personal care, etc. Some Home Based Businesses are currently being billed under the Residential/Special Service Rate Code 15 –while others are billed under Residential Electric Rate Code 10 (for further discussion see Attachment F).

Most comments received from Home Based Businesses opposed a special rate for home-based businesses for the following reasons:

- It is unfair to charge home-based businesses the same rate as a standalone business / or higher rate than a residence because the majority of use is related to daily living and not business.
- It is a penalty or 'cash grab' and a deterrent as lower costs is one of the advantages of home based businesses and most home based businesses do not cause an additional strain on infrastructure.
- It is complicated and difficult to apply or implement fairly and may discourage business license applications from home based business owners.

Some of the comments supported the special rate for home based businesses for the following reasons:

- Customers who consume more already pay more.
- Business is business. Treat all equally.
- A lower rate because the business is located in the home is essentially a subsidy.
- The expense can be written off.

Financial implication

- If all existing electrical Rate Code 15 customers were transitioned to Rate Code 10, then the Electric Utility the annual revenue for the Utility would decrease by \$6,000.
- If all of the customers were placed into Rate Code 15 that should be, the revenue required from Residential Rate Code 10 would decrease by approximately \$100,000 annually, i.e. 91% of all customer's rates would decrease over the long-term.

Analysis

General Observations

- Since 1985 there have been separate electricity rates for three Customer Classes
 - 1) Residential (Rate Code 10)
 - 2) Home Based Businesses (Rate Code 15) and
 - 3) Commercial/Industrial (Rate Codes 20, 25, 30, 35, 45 & 55)

Prior to 1985 Home Based Businesses were charged Commercial Rates. Since that time, some of the Home Based Businesses have been moved into Rate Code 15 as they were identified as businesses rather than residential, but not all have been moved to this category to date. It should be noted that each electrical customer is unique because Customers within each Customer Class use energy differently. In drafting our recommendations we considered that no customer would prefer to pay more for electricity.

Options for Consideration by Council

Customers	Options	Pro's	Con's
Home Based Businesses	<p>1. Consolidate the "Residential/Special Service" and the "Residential" definitions in the proposed Electric Utility Services Bylaw No. 2017-44 and Remove Rate Code 15 from the Fees and Charges Bylaw No. 2014-07</p>	<ul style="list-style-type: none"> • Simplifies utility classifications from 3 categories to 2 • Less administration • Home Based Businesses would pay the same energy rates as Residential customers based on usage 	<ul style="list-style-type: none"> • \$6k loss of revenue • Residential Rates will not observe the nominal rate decrease associated with Option 2
	<p>2. No changes to the proposed Electric Utility Services Bylaw No. 2017-44 and place home based business customers in the Residential/Special Service (Rate Code 15)</p>	<p>Residential Rates would observe a nominal rate decrease over time</p>	<ul style="list-style-type: none"> • Home based business customers will pay more for electricity • 2.5% of electrical customers will be negatively impacted with higher prices
	<p>3. Retain the proposed Electric Utility Services Bylaw No. 2017-44 definitions and introduce language in the Business License Database to account for businesses where no work is performed in the home i.e. "virtual workers" such as consultants, etc.</p>	<p>Recognizes the non-commercial business owners that list their home address in the business license database yet no work is performed in their home. These customers would pay Residential Rate Code 10</p>	<ul style="list-style-type: none"> • Incremental administrative work to track and monitor "virtual workers" • 1.25% of electrical customers will be affected • \$3k loss of revenue
	<p>4. Retain the proposed Electric Utility Services Bylaw No. 2017-44 definitions and make Residential/Special Service Rate Code 15 = Residential Code 10 in the Fees and Charges Bylaw No. 2014-07</p>	<p>Home Based Businesses would pay the same energy rates as Residential customers</p>	<ul style="list-style-type: none"> • \$6k loss of revenue • Residential Rates will not observe the nominal rate decrease associated with Option 2. • Slightly more administration vs. Option 1
	<p>5. Change the definition of Residential/Special Service in the proposed Electric Utility Services Bylaw No. 2017-44 to only include Secondary Suites, BnB's, Air B&B, and Carriage Houses</p>	<p>The majority of home based businesses would not be impacted.</p>	<ul style="list-style-type: none"> • Secondary and Seasonal Suite, BnB and Air BnB owners may not register their businesses • Seasonal Suite and/or lower energy consumers may still feel they are being discriminated against

Staff Recommendations – Home Based Business

Option 1 is recommended as there is no technical reason to support the concept of home based businesses paying more for energy when compared to Residential customers as it would be based on usage. The reduction in revenue resultant from this recommendation is marginal (\$6,000) but would be more than offset by the reduced costs resulting from improved operational efficiencies by not having to monitor which home based businesses are performing which type of activities by the Utility Department. For these reasons the following recommendation affecting home based businesses is made:

THAT Council direct staff to consolidate the “Residential/Special Service” and the “Residential” definitions in the Electric Utility Services Bylaw No. 2017-44;

AND THAT Rate Code 15 be removed from the Fees and Charges Bylaw No. 2014-07

Net Metering

Net metering occurs when a customer has the ability to produce their own energy (e.g. solar panels) and either reduce their consumption of City consumed power, or in one case where a customer was actually able to produce enough energy to sell excess electricity back to the City (this has occurred for one customer for April and May 2017). Council directed staff to implement Net Metering to encourage sustainability (see Appendix D).

Through the consultation process, the Development Services Advisory Committee (DSAC) expressed concerns about Net Metering including connection costs – which they believe should be funded through government grants, rates paid for excess energy sold back to the grid – which they believe should remain at current retail rates rather than the proposed wholesale rates, and identified a preference for Net Meter customers to bank the excess energy to offset energy purchases at different times of the year (more detail is in Appendix E and F)

Financial implication

- **Meter Installation:** The Electric Utilities costs would be reduced by \$2,000 per Net Meter installation (Estimated at \$24,000 per year) if the Electric Utility begins recovering all Net Meter installation costs. Noting the practice of full recovery is consistent with all work performed on New Services and Service Upgrades.
- **Electricity Purchase Rates:** If the Electric Utility continues to purchase surplus energy at Retail Rates vs. Wholesale Rates for surplus energy generated by Net Metered Customers; the Electric Utility would pay a premium for this energy source when compared against the energy rates that are currently being paid to FortisBC by the Electric Utility.

Analysis

General Analysis related to Net Metering is contained in the table below. The three areas of concern identified by DSAC are included below identifying key options for: Connection Costs (Options 6 & 7), Excess Energy Purchase Rates (Options 8 & 9) and Banking Excess Energy (Options 10 & 11).

Options for Consideration by Council

Customers	Options	Pros	Cons
Net Metering	6. Net metering connection costs remain as proposed in the Electric Utility Services Bylaw No. 2017-44	No cross subsidization by other customers	Customers that want to enter into Net Metering arrangements will incur additional costs of approximately \$2,000/customer
	7. Net metering connection costs be funded by the City	Net Meter customers will save \$2,000 of connection costs	All other Electricity Rate payers (or tax payers) will be subsidizing Net Meter Customers
	8. The rate the City purchases excess energy remain as proposed in the Electric Utility Services Bylaw No. 2017-44 i.e. Wholesale Rates (FortisBC Electric Tariff Schedule 40)	<ul style="list-style-type: none"> • FortisBC and BCHydro are attempting to move in this direction with the British Columbia Utilities Commission • Electric Rate Payers would not be subsidizing the revenue of others. The City would be purchasing energy produced by all suppliers at the same rate • Allows customers to offset their electrical load at Retail Rates 	The one commercial customer that has generated more energy than consumed over one-two month period would observe a reduction in their revenue from the Electric Rate Payers
	9. The rate the City purchases excess energy be to equal the rate that energy is sold to the customer i.e. Retail Rates (Appropriate Rate Code that the Electric Utility charges for power for the class of said Customer)	The one commercial customer that has generated more energy than consumed over one-two month period would increase their revenue over option 8 above	Electric Rate Payers would be subsidizing the revenue of others
	10. Billing Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44 (i.e. Monthly reconciliation)	No additional costs to modify the billing software	Does not allow for banking of excess energy consumed
	11. Billing Net Metered Customers be changed to allow Net Metered customers to bank kwh produced and reconciled annually	Allows for banking of excess energy consumed	<ul style="list-style-type: none"> • Expensive to modify the billing software • The software modifications will be paid by all electrical customers that only benefit one Commercial Net Metered Customer that generated more energy than they consumed for 2 months in 2017.

Staff Recommendations – Net Metering

Options 6, 8 & 10 are recommended to avoid cross subsidization between customer classes and customers. It is the opinion of staff that Customers should not have to pay for services where another customer derives the sole benefit. It is also believed by staff that if property owners decide to install distributed generation equipment such as solar panels; those decisions should be based upon their own merit, whether it is a property owners statement of ‘environmental interest’, a business case or another reason and the costs related to the installation should be borne solely by the owner and not passed on to the Community at large. For these reasons the following recommendations are made:

AND THAT net metering connection costs remain as proposed in the Electric Utility Services Bylaw No. 2017-44;

AND THAT the rate the Electric Utility purchases excess energy from Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44;

AND THAT Billing Net Metered Customers remain as proposed in the Electric Utility Services Bylaw No. 2017-44.

Alternate recommendations for Rate Codes – Home Based Businesses and Net Metering

1. THAT Council provide alternate direction to staff on how to modify the Electric Utility Services Bylaw No. 2017-44 which may include any of the options noted above.

NOTE: Any combination of the above Options or other ideas could be used to form alternate recommendations.

Attachments

Attachment A – October 3, 2017 Council Resolution (536/2017) Electric Utility Services Bylaw No. 2017-44

Attachment B – Letters to Residential R10 Rate Code Customers with Home Based Businesses


Attachment C – Letter to existing Net Metered Customers

Attachment D – Council Resolutions Re: Net Metering - June 21, 2010 (826/2010); March 21, 2011 (296/2011); March 21, 2011 (297/2011)

Attachment E – December 1, 2017 Development Services Advisory Committee Recommendation

Attachment F – Consultation Results & Feedback

Respectfully submitted,
Shawn C. Filice, MBA, P. Eng.
Manager, Electric Utility

<p>General Manager of Infrastructure</p> 	<p>Chief Administrative Officer</p> <p>PW</p>
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**ATTACHMENT A – OCTOBER 3, 2017 COUNCIL RESOLUTION (536/2017) 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

ATTACHMENT B – LETTER TO RESIDENTIAL R10 RATE CODE CUSTOMERS WITH HOME BASED BUSINESSES

October 16, 2017

XXXXX Street Name

Penticton, BC

V2A

Dear [resident, NAME, business],

Re: Proposed Electric Utility Services Bylaw No. 2017-44 may affect home-based businesses

On October 3, Council gave first reading to the “Electric Utility Services Bylaw No. 2017-44”, a bylaw that establishes and regulates the Penticton Electric Utility Services. This proposed bylaw consolidates information related to electrical servicing that previously existed in multiple bylaws; some of which were out of date and others that no longer reflect current operating procedures due to provincial regulation changes and technology.

The City is contacting customers who may be affected by some of the changes proposed in the bylaw. As an owner of a home-based business, we wanted to make you aware of the proposed changes to the Residential Service Section of the bylaw.

- The bylaw proposes a simplified definition for a Residential Service to include any occupied dwelling unit.
- Within Residential Services, there are only two categories:
 - Any standard home or dwelling falls under the category of Residential and are charged under Rate Code 10.
 - Any dwelling with a commercial component such as a vacation rental or bed and breakfast falls under the category of Residential / Special Service and are charged under Rate Code 15.
- Residential customers with a home-based business who were set up against Rate Code 10 will be changed to a Rate Code 15 if the bylaw is adopted.

The following chart provides a comparison Rate Code 10 and Rate Code 15 using the current charges from the Fees and Charges Bylaw No. 2014-07:

Electric Rates	Basic Charge	Energy Charge
Rate Code 10 – Residential	\$18.14	\$0.1284 per kwh
Rate Code 15 – Residential/Special Service	\$18.14	\$0.1474 per kwh*

* For an “Average” consumer @ 916 kwh/month this translates to an extra \$17.40/month

A copy of the applicable section of the existing bylaw and new bylaw is attached for your convenience. You can also find the complete bylaw along with the materials presented to Council at shapeyourcitypenticton.ca as well as on our website. Hard copies of these materials are available for viewing at City Hall and at the Public

Library. The bylaw requires a second and third reading as well as review by the Minister of Municipal Affairs before it can be adopted.

If you would like to provide feedback on the changes, please email shawn.filice@penticton.ca or go to shapeyourcitypenticton.ca.

Yours truly,

Shawn C. Filice, MBA, P. Eng.
Electric Utility, Manager
Email: shawn.filice@penticton.ca

Letter Attachment A - Excerpts from the New and Existing Bylaws

Letter Attachment A – Excerpts from the New and Existing Bylaws

The New Bylaw

"Residential Service" means a Service for a Dwelling Unit.

"Residential/Special Service" means a Service for a Dwelling Unit where a small portion of the Energy supplied through the residential Meter is used for a business purpose.

4.2 Electrical Service Classifications

a) Residential Service

For most residential uses, the Electrical Service will be 60 hertz, normally 200 amps single-phase 120/240 volts 3 wire or three-phase 120/208 volts, either 3 wire (network) or 4 wire. The Penticton Electric Utility shall determine the Voltage, phase(s) and Rate Code of the Residential Service Connection based on these variables;

Residential Service Rate Codes:

- A. Rate Code 10 - Residential: Includes detached Dwelling Units, one unit of a semi-detached duplex, triplex, or quadruplex with residential zoning; and separately Metered Dwelling Units within a strata building, town house complex or Apartment Building;
- B. Rate Code 15-Residential/Special Service: Includes Owner-occupied home based businesses which include but are not be limited to home occupations including bed and breakfast businesses, vacation rentals, secondary suites and carriage homes; and
- C. The City's Business Licence database will be used as a source of information for the determination of the applicable Rate Code.

Existing - Bylaw 2000-36

- x) "Residential Service" shall mean a service for
 - i) Farms and adjacent farm buildings used solely by the occupants of the farm and where the service does not exceed a total motor load of five (5) horse power;
 - ii) Domestic uses in separately metered single family dwellings (including connections to adjacent garage buildings used solely by the occupants of the dwelling);
 - iii) Apartment buildings, boarding houses, rooming houses and similar multi-family establishments (including service for hall lights, furnaces and other ancillary uses directly related to the main function of the building served) but not including any service included in the definition of "General Service".
- y) "Residential/Special Service" shall mean a service for residential premises where a small proportion of the energy supplied through the residential meter is used for business purposes.

(The applicability of this rate code shall be determined by the City Collector in consultation with the Electrical Engineer and the Licence Inspector.)

2. RESIDENTIAL SERVICE

The electric rates and charges set out in The Corporation of the City of Penticton's "Fees and Charges Bylaw" under the classification, "Residential Service", shall be

charged for all electrical current or energy supplied to a customer having a residential or residential/special service as above defined.

Availability

For all residential uses, service will be 60 hertz, normally single phase 120/240 volts 3 wire or three phase 120/208 volts, either three wire (network) or four wire. In any case, the City reserves the right to determine the voltage and phase(s) of the service connection.

- a) Rate Code 10 - Residential
- b) Rate Code 15 - Residential/Special Service

Existing - Billing Policy

Policy

BED AND BREAKFAST FACILITIES

1. "Bed & Breakfast" operations, by definition, consist of single-family dwellings offering overnight accommodation to the travelling public in no more than four sleeping rooms without cooking facilities where the room rate includes breakfast served on the premises.
2. "B & B's" fall into different categories based primarily on the number of sleeping rooms available and the number of guests accommodated. As a result, the electric rates charged vary based on similar factors. The applicable rates are as follows:
 - a. Residential Rate Code 10 – Will be charged on B & B's that are limited to one available sleeping room accommodating no more than two guests.
 - b. Residential/Special Rate Code 15 – Will be charged on all other owner-occupied B & B's.
 - c. Commercial Rate Code 20/25/30/35 – Will be charged on all non-owner occupied B & B's.
 - i. If a non-owner occupied B & B were to contain a separately metered manager's living quarters, then that service would be eligible for the Residential Rate Code 10.
3. The City's Business Licence database will be used as a source of information for the determination of which category and rate code is applicable to a B & B.
4. Should a B & B change the nature of its operation or cease to operate as a B & B, the utility customer is responsible for providing notice in writing to the utility staff so that any resulting change in rate code can be effected.

ATTACHMENT C – LETTER TO EXISTING NET METERED CUSTOMERS

October 16, 2017

XXXXX Street Name

Penticton, BC

V2A

Dear [resident, NAME, business],

Re: Proposed changes to Electric Utility Services Bylaw No. 2017-44 may affect Net Metered Customers

On October 3, Council gave first reading to the “Electric Utility Services Bylaw No. 2017-44”, a bylaw that establishes and regulates the Penticton Electric Utility Services. This proposed bylaw consolidates information related to electrical servicing that previously existed in multiple bylaws; some of which were out of date and others that no longer reflect current operating procedures due to provincial regulation changes and technology.

The City is contacting customers who may be affected by some of the changes proposed in the bylaw. As a customer who uses a Net Meter, we wanted to make you aware of the proposed changes to the requirements in the bylaw.

- The requirement for a covenant and statutory right-of-way to be registered on title to allow City access to Net Meters is being removed. This access is now provided for in the Bylaw.
- The City will purchase excess energy at wholesale rates instead of retail.
- Customers requesting a Net Meter are responsible for 100% of the connection costs but do have the option of a payment plan with the City.

Attached to this letter is an excerpt for proposed changes to the Fees and Charges Bylaw No. 2014-07.

As At January 1, 2017 the Energy Charge for FortisBC Schedule 40 – Wholesale Service – Primary Electric is \$0.05441 per kwh.

We will be summarizing all comments received and presenting them to Council in November prior to receiving final readings of this bylaw.

We request that you please forward any comments you might have regarding these proposed changes to the undersigned.

Yours truly,

Shawn C. Filice, MBA, P. Eng.

Electric Utility, Manager

Email: shawn.filice@penticton.ca

Letter Attachment A - Proposed Changes to Appendix 7 Fees and Charges Bylaw No. 2014-07

Net Metering (aka Micro-DR)

~~Energy Credit – When paying Net Metered Customers for any excess Energy generated by the Customer, the Penticton Electric Utility shall use the applicable Energy rate as specified in the FortisBC Electric Tariff Schedule 40 as amended from time to time. The City will apply a credit for the purchase of power from all City customers generating and transmitting power into the City electrical grid at the appropriate rate code that the City charges for power for the class of the said customer. Furthermore no additional City Fees related to electrical will be applied for participating in the Net Metering program. Customers will be responsible for all on-site costs of their Distribution Generation system including, but not limited to, design, permits, installation, inspection fees, connection fees, repairs and maintenance.~~

Notes:

#4. All customers are eligible to access the "Electrical Service Payment Plan" for the installation of City Electrical Infrastructure **and/or customer owned Micro-DR equipment** that supplies power to their properties. The details of this program are summarized as follows:

-If Micro-DR, receipts must be submitted from the contractor performing the work; and

ATTACHMENT D – COUNCIL RESOLUTIONS RE: NET METERING

June 21, 2010 Council Resolution (826/2010)

826/2010

It was MOVED and SECONDED

That the BC Climate Action Charter Compliance Advisory Committee recommends to council that the City of Penticton:

1. Set a deadline of September 30, 2010 to implement net metering on its electrical utility.
2. Have available a guide outlining the standards and procedures of becoming a net metered customer
3. Encourage its citizens to reduce carbon emissions by making it free for the producers of low carbon energy to become a net metered customer

CARRIED UNANIMOUSLY

March 21, 2011 Council Resolution (296/2011)

296/2011

It was MOVED and SECONDED

That the BC Climate Action Charter Compliance Advisory Committee recommends to council that:

the city of Penticton's electric utility adopt the same Net Metering policies as FortisBC and BCHydro;

AND THAT specifically, the utility will credit customers for net green energy they produce at their existing retail rate and that other additional expenses (including metering) be paid by the electrical utility

**CARRIED
Councilor Albas, Opposed**

March 21, 2011 Council Resolution (297/2011)

297/2011

It was MOVED and SECONDED

That the BC Climate Action Charter Compliance Advisory Committee recommends that council:

work with committee members to evaluate ways of implementing a net metering rebate program

**CARRIED
Councilor Albas, Opposed**

**ATTACHMENT E – DECEMBER 1, 2017 DEVELOPMENT SERVICES ADVISORY COMMITTEE
RECOMMENDATION**

It was MOVED and SECONDED that the Development Services Advisory Committee recommends that Council support the proposed electrical bylaw subject to the following considerations:

THAT Council take into consideration existing Council Resolutions passed regarding net metering procedures and the City's Climate Action Plan;

AND THAT the City look into implementing an annual billing cycle for net metering;

AND THAT net metering connection costs be funded by the Climate Action fund.

CARRIED UNANIMOUSLY

ATTACHMENT F - CONSULTATION RESULTS & FEEDBACK

Technical SafetyBC – Emails were sent to the local Technical SafetyBC representatives on October 6, 2017 to solicit their feedback on the proposed bylaw. Feedback received was of a technical nature and comments will be incorporated into the bylaw when resubmitted for 2nd and 3rd readings.

Home Based Businesses – The City recently introduced technology that identified a gap in the records kept between the departments that manage business licenses and electric utility accounts. As a result of this discovery an audit was conducted in early October 2017 and approximately 444 letters (See Attachment B) were sent to customers to solicit their input on the proposed Electric Bylaw. These 444 customers were being billed under the Residential Electric Rate Code 10; whereas, according to the existing Bylaw No. 2000-36 these customers should have been billed under the Residential/Special Service Rate Code 15.

Feedback and Facts:

- 444 customers represent 2.5% of all Electric Utility Customers
- 35 responses were received: 12 verbal and 23 written (0.2% of all customers or 8% letter response rate).
- 54% of respondents don't perform work in their home
- 26% use a small portion of their home for a business purpose.
- Some home based business owners would accept increased energy rate based upon a percentage of home use vs. 100%.
- Most don't believe home based business should pay more.
- 17% of respondents represented secondary suites, BnB's and seasonal rentals.
- 3% were seeking information/clarification

How other utilities in BC deal with home based businesses

- FortisBC
 - Do not have access to municipality business license databases
 - Has a definition of "Partial Commercial Use" in their Electric Tariff Schedule which basically states that Commercial use carried on in a residential premise should be separately metered and the commercial area should be billed Commercial Rates. Where not separately metered, if the connected load of the commercial business is than 5kW then they would be billed Residential and if the connected load for the commercial business (excluding space heating) is greater than 5kW then they would be billed Commercial Rates.
- New Westminster
 - Charges a higher rate for home based businesses
- BCHydro
 - Does not charge a separate rate for home based business unless the Customer requests it.
- Summerland
 - Do not define home based businesses
- Nelson Hydro
 - Do not define home based businesses but have a demand charge included in their fee schedule for Residential Customers.

Net Metered (aka "Solar Power") Customers – On October 16, 2017 letters (See Attachment C) were issued to all Net Metering Customers to solicit input on the Electric Bylaw. One customer responded seeking clarification.

Penticton Industrial Development Association ("PIDA") & the Development Services Advisory Committee ("DSAC") – Staff shared background materials and met with representatives from both organizations on November 3, 17 & December 1, 2017. Excerpts from Mr. Chris Allen's, DSAC Committee Member, letter which summarized previous Council Resolutions pertaining to Net Metering can be found in Attachment D. Attachment E includes the recommendation from the minutes of the December 1, 2017 Development Services Advisory Committee meeting.

Feedback:

- PIDA – Has questions surrounding voltage offerings and Power Factor changes. They seemed satisfied with responses provided.
- DSAC – Concerns were exclusively related to the proposed changes to Net Metering, they believe:
 - Net Meter Customers should not have to pay connection costs, the costs should be funded through Federal or Provincial Grants received by the City;
 - The excess energy produced (i.e. energy generated and delivered to the grid by the Net Meter customers) should continue to be purchased at Retail Rates; and,
 - Net Metered Customers should be able to bank the excess energy produced to offset energy purchased at different times in the year.

General Public – Hard copies of the Electric Utility Services Bylaw No. 2017-44 were placed at City Hall and the Library. In addition, a webpage was placed on shapeyourcitypenticton.ca/electrical-utility-services-bylaw. The issue was also reported by local media which generated several letters to the editor as well as comments on social media and in forums.

Feedback:

- Most comments were against a special rate for home-based businesses for the following reasons:
 - It is unfair to charge home-based businesses the same rate as a standalone business / or higher rate than a residence because the majority of use is related to daily living and not business.
 - It is a penalty or 'cash grab' and a deterrent as lower costs is one of the advantages of home-based businesses and most home based businesses do not cause an additional strain on infrastructure.
 - It is complicated and difficult to apply or implement fairly and may discourage business license applications from home-based businesses.
- Some of the comments supported the special rate for home-based businesses for the following reasons:
 - Customers who consume more already pay more.
 - Business is business. Treat all equally.
 - A lower rate because the business is located in the home is essentially a subsidy.
 - The expense can be written off.

Council Report



Date: January 23, 2018
To: Peter Weeber, Chief Administrative Officer
From: Wes Renaud, Budget Analyst
Subject: 300 Block Main Street - Borrowing Resolution

File No:

Staff Recommendation

THAT the Council of the City of Penticton authorizes up to \$1,635,040 be borrowed, under Section 175 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of revitalizing the 300 block of Main Street in Penticton;

AND THAT the loan be repaid within five years, with no rights of renewal, with the annual principal and interest payments to be funded from the City of Penticton’s Asset Sustainability Reserve.

Strategic Priority

This project is consistent with the Council Priorities of Economic Vitality and Fiscal Sustainability. Specifically the project supports investment and economic sustainability, the City’s commitment to fund infrastructure and future growth. In addition, the project supports the City’s vision of a vibrant downtown.

Background

During the 2018 budget deliberations held in November 2017, Council approved the 300 block of Main Street revitalization project, which included an estimated cost of \$1,635,040 from the general fund. Council further resolved that this cost should be debt financed over five years, with the servicing of the debt to be paid out of the City’s asset sustainability reserve.

The loan application to the Municipal Finance Authority (MFA) requires that Council pass a resolution which authorizes the debt for the project and specifies the repayment term, which cannot exceed five years.

Respectfully submitted,



Wes Renaud
 Budget Analyst

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

penticton.ca

Date: January 23, 2018 **File No:** 7200-01
To: Peter Weeber, Chief Administrative Officer
From: Larry Watkinson, Fire Chief

Subject: Firefighting Service Level

Staff Recommendation:

THAT Council recognizes that the City of Penticton Fire Department is a Full Service Operations Fire Department (career) with a component of Interior Operations Fire Department (auxiliary) in accordance with the British Columbia Fire Service Minimum Training Standards and the "Fire and Life Safety Bylaw No. 2014-57".

Strategic priority objective

Good Governance: Provide services that support quality of life, protect our health enhance public safety, and promote economic and the social well-being of our community.

Background

The Playbook was derived from the Fire Chiefs Association of British Columbia, Fire Services Liaison Group and the Coroner's Inquiry into the fire death of Clearwater Volunteer Fire fighter Chad Schapansky.

This Playbook and establishment of the local government service level are intended to provide an industry recognized minimum standard of training that utilizes, and bridges to, the current National Fire Protection Association (NFPA) Fire Fighter qualifications.

The Playbook establishes and describes the minimum competencies required of firefighter roles in the following three (3) categories:

- Exterior Operations Level Firefighter
- Interior Operations Level Firefighter
- Full-Service Operations Level Firefighter

The Playbook further states:

"It is the responsibility of each AHJ to select and declare its firefighting Service Level, which in turn determines the training Competencies that must be met by the fire service for which it is responsible. The Playbook standard outlines the minimum competencies which are drawn from the NFPA standards. The declared Service Level must be established as formal policy for the Department (whether by bylaw, policy

or in contract) and needs to be fully reflected in the fire department's operating guidelines and policies." (p. 4)

"Authority Having Jurisdiction" or "AHJ" describes the relevant local or regional government, or the entity (or persons) legally responsible for the organization and operation of the particular fire service." [For Penticton the AHJ is the Fire Chief]

As per the requirements above, each local government, or AHJ, is to declare its firefighting service level in order to determine the minimum training standard to be met. This declared service level needs to be fully reflected in the fire department's operating guidelines, policies and training programs.

Analysis

The City of Penticton through Mayor and Council, has established the Penticton Fire Department's "Level of Service" in the Fire and Life Safety Bylaw No. 2004-57 and as a result, guidelines, policy and training programs have been implemented which meet the Playbook's requirements.

The Level of Service identified is contained in the Fire and Life Safety Bylaw No. 2004-57 Part IV - Fire Department:

PART IV FIRE DEPARTMENT

4.01 Establishment of Fire Department

A department for the City known as the Penticton Fire Department (PFD) is established and is continued as a Fire Department pursuant to Section 8 of the Community Charter.

4.02 Authorization

The Fire Department is authorized to:

take all reasonable measures to prevent, control and extinguish fires.

(b) provide assistance in response to:

- i) medical emergencies,
- ii) land and water rescue operations,
- iii) requests from other fire services,
- iv) Dangerous Goods incidents, and
- v) requests for public service.

4.03 Fire Chief

The head of the Fire Department is the Fire Chief who is responsible to the City Manager for the efficient management of the Fire Department and the condition of all buildings, Apparatus and Equipment under the Fire Chief's control.

4.04 Power and Duties of the Fire Chief

The Fire Chief shall manage, control and supervise the Fire Department and have care, custody and control of all buildings, Apparatus and Equipment, and be responsible for

(a) making such rules and regulations for the proper and efficient administration and operation of the Fire Department and for the discipline of Fire Services Personnel and may, from time to time, but subject always to the provisions of the Fire Services Act, vary, alter or repeal the rules or regulations.

PFD is considered a Full Service Operations Fire Department (career) with a component of Interior Operations Fire Department (auxiliary). The declaration as Full Service/Interior Operations Fire Department is supported through the operational guidelines and training programs established in the Penticton Fire Department. Penticton Fire Department currently meets the intent of the Playbook.

Substantiation of recommendation

Penticton Fire Department declaration as Full Service/Interior Operations Fire Department supports Council strategic goal Good Governance: Provide services that support quality of life, protect our health enhance public safety, and promote economic and the social well-being of our community.

Declaration

Under the “Fire and Life Safety Bylaw No. 2004-57” section 4.04 Power and Duties of the Fire Chief, the Penticton Fire Chief as the AHJ declares under the British Columbia Structure Firefighter Competency and Training Playbook to be a Full Service/Interior Operations Fire Department.

Attachments

Attachment A – Office of the Fire Commissioner of British Columbia,
British Columbia Minimum Training Standards,
Structure Firefighter Competency and Training Playbook

Respectfully submitted,

Larry Watkinson
Fire Chief

Approvals

Chief Administrative Officer PW

British Columbia Fire Service Minimum Training Standards

*Structure Firefighters
Competency and Training*

PLAYBOOK



**Second Edition
Amended: May 2015**

Pursuant to paragraph 3(3)(b) of the *Fire Services Act* of B.C.

Acknowledgements

The Office of the Fire Commissioner wishes to acknowledge the contributions of the following organizations in the compilation, consultation, evaluation and drafting of the B.C. Fire Service Minimum Training Standards:

Fire Chiefs Association of British Columbia

British Columbia Fire Training Officers Association

It was through the efforts of these organizations as well as staff and other individuals within the fire service that this Playbook was created. In moving forward, the Playbook is intended to be a living document that will be periodically reassessed with a view to enhancing or clarifying aspects identified by the fire service.

Table of Amendments

Description	Effective Date
Original document issued	September 2014
Amended	May 2015

Overview

1. Purpose:

Under paragraph 3(3)(b) of the *Fire Services Act* (B.C.), the Fire Commissioner is required to establish the minimum standards of training required for fire services personnel in British Columbia. This Playbook sets out a competency-based ladder that provides for a minimum level of sequential training and operational requirements that must be met by each fire department. The Authority Having Jurisdiction will set the **Service Level** (refer to pages 10, 17 and 18) to be provided by its fire department, which in turn determines the minimum training Competencies that must be met by that department. The Playbook establishes the minimum training Competencies required and the standards from which they are drawn.

2. Scope:

This **Playbook** is applicable to all fire services personnel in British Columbia, as defined in the *Fire Services Act*. It covers all fire departments and fire services, including municipal and regional district fire departments, fire brigades, volunteer fire departments, and fire departments established as a society under the *Society Act* (B.C.). This **Playbook** does not apply to provincial Wildfire Management Branch resources.

For the purpose of this document, the term “Authority Having Jurisdiction” or “AHJ” describes the relevant local or regional government, or the entity (or persons) legally responsible for the organization and operation of the particular fire service.

This **Playbook** is intended to provide an industry recognized minimum standard of training that utilizes, and bridges to, the current National Fire Protection Association (NFPA) Firefighter qualifications. The training requirements are expressly tied to the **Service Level** provided by a fire department, as formally determined by the Authority Having Jurisdiction. This document and program establishes the minimum Competencies necessary to perform the role of a firefighter, instructor/Evaluator and Team Leader at each designated **Service Level**, as well as for the delivery of in-house training in such Competencies.

The **Playbook** addresses the principal functional or operational roles for each **Service Level** but does not encompass all roles or functions of the fire service. The **Playbook** is not intended to change or nullify any requirements or training related to other roles or functions in the fire service.

This document and program does not cover the minimum standards for the skills and training necessary to perform other advanced or specific functions/roles such as, but not limited to: Incident Commander, Driver/Operator, Incident Safety Officer, or Rapid Intervention Team. The training for such roles and functions must meet the requirements of the *Workers Compensation Act* (B.C.) and any other applicable statutory or regulatory requirements. These additional training requirements need to be considered by the AHJ when determining the **Service Level** to be provided by its fire service.

3. Principles:

It is the responsibility of each AHJ to select and declare its firefighting **Service Level**, which in turn determines the training Competencies that must be met by the fire service for which it is responsible. The **Playbook** standard outlines the minimum competencies which are drawn from the NFPA standards. The declared **Service Level** must be established as formal policy for the Department (whether by bylaw, policy or in contract) and needs to be fully reflected in the fire department's operating guidelines and policies. The AHJ's decision as to the appropriate **Service Level** for its fire service should be based upon:

- local conditions;
- consultation with representatives of local fire service delivery organization;
- availability of resources and the ability of those resources to respond;
- the realities of the community in terms of demographics, risks, travel distances, fire hall locations, equipment and staffing models; and
- the ability of the AHJ to financially support its fire department to enable it to meet all applicable training, safety and operational requirements for the chosen **Service Level**.

This **Playbook** establishes three **Service Level** options from which an AHJ may choose. Once a **Service Level** is established, each AHJ must ensure that its fire service meets the appropriate competency requirements as identified in the Competency ladder, as well as for the functions and roles not expressly covered by this **Playbook**. Ensuring compliance with minimum standard established in this **Playbook** is the responsibility of the AHJ.

As a competency-based program, formal certification (whether Accredited Certification or other third-party Certification), while encouraged, is not required by this **Playbook**. Each firefighter must be provided training and evaluation in all applicable Competencies, including theoretical classroom and hands-on practical skills, which are required by the chosen **Service Level**.

Assessments and evaluations of Competencies can be carried out internally by the AHJ so long as the evaluation instruments follow the criteria of this **Playbook** (and other applicable NFPA Standards) and that detailed records of firefighter training and evaluation are maintained.

4. Competencies

The **Playbook** establishes and describes the minimum Competencies required of firefighter roles in the following three categories:

- Exterior Operations Level Firefighter;
- Interior Operations Level Firefighter; and
- Full-Service Operations Level Firefighter.

In addition, the **Playbook** establishes three new supervisory responsibilities with related training Competencies or responsibilities. These are:

- Exterior Operations Level Team Leader;
- Exterior Operations Level Risk Management Officer; and
- Interior Operations Level Team Leader

The fire service has a number of well-established officer ranks within its structure. However, use of departmental officer rank identification is not included within this **Playbook** as such ranks do not necessarily signify an operational role on the fire ground. The supervisory roles and responsibilities identified above do not require new “positions” in the department; they simply reflect specific skills and training required to lead a functional crew or to ensure a department is meeting its administrative requirements. Each department must determine the number of these trained individuals required based on the **Service Level** it provides and its operational requirements. A department may choose, through its operational guidelines or policies, to associate the functional skills and training requirements for these supervisory positions to specific fire officer and incident command roles.

5. New Terminology:

Team Leader:

In this **Playbook**, the term **Team Leader** is applied to identify the individual, whether a firefighter or officer, responsible for a specific crew function at an emergency incident.

*Background: On the fire ground most departments operate in a manner whereby not all activities are supervised by an officer; commonly there are simply not enough officers for all the functions being performed. Usually a functional role being performed, such as ventilation, results in the identification and assignment of a **Team Leader**. This individual may commonly be referred to as the Ventilation **Team Leader**, or some other functional description. Frequently a senior or more qualified firefighter will lead the team, even if they are not of officer rank. This reality is identified and accounted for in this **Playbook**. This terminology also recognizes the reality of elected officers in some department structures who may not have advanced operational qualifications or skills necessary for providing supervision at an emergency scene.*

Team Leaders require additional Competencies to qualify them to provide appropriate supervision of the team for which they are responsible. This is a worker safety requirement under the *Workers Compensation Act* (B.C.) and related regulations, as well as being operationally sound. This **Playbook** therefore identifies the minimum training Competencies required for those individuals who will be assuming **Team Leader** roles within Exterior and Interior Operations **Service Level** departments. Nothing in this **Playbook** restricts Full Service Operations Level departments from appointing fully qualified firefighters to act as Team Leaders at an incident.

Risk Management Officer:

The **Risk Management Officer** is an administrative role that must be formally addressed by all “Exterior Operations **Service Level**” departments. The individual who fulfils this role is responsible for ensuring that the department has in place Operational Guidelines, training programs and other administrative processes that ensure safe and effective operations at all incidents. In this **Playbook**, the term **Risk Management Officer** is applied to identify the individual, usually a senior officer, responsible for overseeing the development and implementation of administrative processes which are necessary to ensure an Exterior Operations Level department practices safe and effective fire ground operations as a matter of principle.

*Background: Although the responsibilities that attach to the role of “Risk Management Officer” need to be met by all fire departments, this role is being mandated specifically for Exterior Operations **Service Level** departments, which typically will be the smaller departments in the Province. The intent is to ensure that these departments are formally addressing their obligations with regards to developing the administrative processes and guidelines that are necessary to implement the requirements of this **Playbook** as well as to ensure that a department meets its other statutory or regulatory obligations.*

This role and the attendant responsibilities of the **Risk Management Officer** are administrative. It bears no relationship to the operational roles of either the Incident Commander (IC) or Safety Officer (ISO) at an emergency incident (although it may be possible that an individual who fulfils the Risk Management Officer role in a department may also be qualified to act as an IC or ISO at an incident).

The **Risk Management Officer** may be the Fire Chief, or another member of the department, depending on the composition and structure of the department. This individual needs to have sufficient experience and/or appropriate training to ensure that he or she understands the administrative structures and processes that must be in place to guide a department’s training, safety programs and operations.

6. Instruction, Evaluation and Records Keeping:

The Competencies required to act as an in-house instructor and evaluator of the training required by this **Playbook** are detailed within the document. There are clear expectations identified regarding the provision of training and the creation and management of training records. Training and evaluation can occur using either a third party training organization, or “in-house” by a department using its own instructors and evaluators. The decision on the most appropriate method for each department rests with the AHJ.

It is the responsibility of all fire departments/AHJs to be able to accurately identify record, edit and report out on a complete list of training records for each individual firefighter including specific training subjects covered at each training session. All training records must be kept in accordance with the requirements of the *Workers Compensation Act* (B.C.) and related regulations, and any other regulatory requirements.

7. Maintenance Training:

This **Playbook** identifies the minimum training Competencies required of all firefighters at each **Service Level**. The maintenance training for such Competencies is the responsibility of the Authority Having Jurisdiction and it is expected that this will be accomplished through ongoing skills maintenance training and education. This ongoing training must be duly recorded for each firefighter and officer as contemplated by section 6 above.

8. Transition:

This **Playbook** replaced the previous Minister's Order on training. It establishes a number of new, formal requirements for AHJs and fire departments, which will involve some consideration and take time to implement. It is the responsibility of each AHJ immediately to take steps to establish a **Service Level** policy for each fire service for which it is responsible, and to ensure implementation of the related training requirements. However, given the nature of the changes involved, a transitional period will exist until [30 June 2016]. By that date:

- each AHJ must formally have adopted a **Service Level** for each fire service for which it is responsible; and
- each fire service must have a training program which meets both the Playbook Competency Requirements and the other training requirements needed to deliver the services which it is mandated to provide.

In the interim, every AHJ and fire department must understand that the Competency requirements set out in the **Playbook** are a codified expression of the generally accepted training standards for fire department operations, although they now are expressly linked to different **Service Levels**. These standards were formerly required to be met under the previous Minister's Order on training.

Under British Columbia law, all employers are legally required to ensure that their employees are properly trained for their jobs and properly supervised while performing them. Where a formal **Service Level** and related training program has not yet been implemented, AHJs and fire departments must still meet this legal obligation and manage (or limit) their operations accordingly. Where a fire department undertakes operations for which its personnel are not adequately or appropriately trained or supervised, both the department and its AHJ face potential legal liability.

9. Authority to Amend:

The Fire Commissioner is empowered to make minor amendments in the form of corrections or clarifications to the content of the **Playbook** without approval of the Minister, providing there is no substantive change to the minimum standards outlined. Any other amendments are subject to the approval of the Minister pursuant to section 3 of the *Fire Services Act*. Amendments shall be posted to the Office of the Fire Commissioner (OFC) website.

Impact of amendments (Playbook or NFPA)

Where amendments to the **Playbook** are put into effect;

- A person that has met the specific competency requirements to perform roles or supervisory responsibilities is considered to have met those requirements and is not obliged to complete new requirements resulting from amendments in order to be able to continue in their role or supervisory responsibility. (**Exception:** where the **Playbook** specifically states that requirements shall be completed in addition to previous training)
- The **Playbook** references NFPA standards in effect at the time of the **Playbook's** most recent issue/revision. In the event of a change to Job Performance Requirement section numbers in the relevant NFPA standards, the original number and wording of those sections as referenced in the **Playbook** remain in effect until the **Playbook** itself is updated.

Definitions and Concepts

For the purpose of this **Playbook**, the following definitions and concepts apply:

Accredited Certification – in connection with fire service training, “Accredited Certification” refers to the situation where a firefighter:

- has been trained or qualified to meet or exceed a specific operational standard or job performance requirement; and
- has been successfully evaluated by or through an Accredited Entity .

Accredited Entity – refers to an institution or entity (an “Accredited Entity”) which is recognized by an external agency (an “External Agency”) such as ProBoard, IFSAC or such other organization as may be recognized by the OFC. An Accredited Entity has had its training evaluation processes reviewed and accredited by the External Agency, and is able, directly or through agents, to provide certified evaluations of training in relation to various NFPA Standards.

Authority Having Jurisdiction (AHJ) – for the purpose of this document the AHJ is any local government or other entity or organization that provides or oversees the provision of fire services in British Columbia.

BCERMS – means the British Columbia Emergency Response Management System, an incident command system established pursuant to the *Emergency Program Act* (B.C.).

Certification– in connection with fire service training, certification refers to the situation where a firefighter has been trained or qualified to meet or exceed a specific operational standard or job performance requirement AND has been certified by an external third party organization.

Competency– references to a “Competency” or “Competencies” in this **Playbook** refers to the knowledge and skill components of the job performance requirements for the role or function

involved, as referenced in the relevant NFPA Standard (unless otherwise expressly noted). Competency is achieved when a firefighter is trained or qualified and evaluated to meet the operational requirements of a given NFPA Standard (or portion thereof). Accredited Certification or other Certification of the training involved is not expressly required. Qualification for a particular **Service Level** will be recognized if the training and evaluation records of a firefighter clearly demonstrate that, for a given role or function, he or she has met all relevant Competencies.

Exterior Operations – is the **Service Level** that includes firefighting activities restricted to the control and/or extinguishment of fire from a position external to the building or object in question, and outside of any IDLH environment, as described at page 17 below.

Full Service Operations – is the **Service Level** that includes activities that are undertaken by firefighters and officers trained in the full spectrum of Competencies outlined in the NFPA 1001 Firefighter 2, *Standard for Fire Fighter Professional Qualifications* as well as the relevant competencies of NFPA 1021 *Standard for Fire Officer Professional Qualifications* for officers, as described at page 18 below.

IDLH (Immediately dangerous to life and health) - refers to incident conditions that present an immediate threat to a person's safety through inhalation or exposure (e.g. smoke, noxious vapor, super-heated air), and includes any oxygen-deficient atmosphere or any untested confined space.

Incident Commander – is a designated and specifically trained individual responsible for safety, strategies and tactics during any fire service operation.

Incident Safety Officer or ISO – is a member of the command staff at an incident who is a trained firefighter with fire ground experience and appropriate training, responsible for monitoring and assessing safety hazards or unsafe situations and for developing measures for ensuring personnel safety at an incident.

Interior Operations – is the **Service Level** that authorizes firefighting activities that include entry into structures and objects with the purpose of control and/or extinguishment of fire. This requires use of specialized protective equipment and procedures not covered by the training provided in relation to Exterior Operations **Service Level** as described at page 17 below.

Maintenance Training – ongoing training provided to firefighters and officers to ensure previously acquired skills, abilities and knowledge are retained at a level sufficient to meet the associated Competencies.

NFPA Standards – Various National Fire Protection Association standards, including the *Standard for Fire Fighter Professional Qualifications*, are referred to or incorporated by reference in this **Playbook**. Individual NFPA standards are generally referred to by their number (e.g., NFPA 1001 for the *Standard for Fire Fighter Professional Qualifications*). Pursuant to the *Fire Services Act* (BC) and this **Playbook**, NFPA standards have been identified in British Columbia as the standards upon which all firefighter Competency will be based and evaluated. The most current version of the relevant NFPA standard must be used, subject only to the “Impact of Amendments” section above.

Prior Learning Assessment – means a process implemented by a department or AHJ to assess the relevant Competencies of individual firefighters or officers, based on their existing training and experience.

Rapid Intervention Team (RIT) – a dedicated crew of firefighters, at a minimum trained to conduct Interior Operations as set out in this **Playbook** and assembled within the time frames required under s. 31.23(4) of the *Occupational Health and Safety Regulation* under the *Workers Compensation Act*, ready to engage in firefighter rescue operations.

Risk Management Officer – an administrative role created within this **Playbook** framework to ensure that External Operations Level fire services are identifying and managing the risk and safety aspects of their operation. Areas of responsibility for this role include: training program design, training records management, Bylaw management, Operational Guidelines, fire department adherence to applicable regulations and standards, and other non-fire ground administrative matters related to safety and risk, including those prescribed under the *Workers Compensation Act* (B.C.).

SCBA (Self-contained breathing apparatus) - is purpose-designed and built for firefighters to allow for operations in and around dangerous atmospheres or in IDLH situations.

Service Level – means the level of service to be provided by a fire department, as determined by the department’s AHJ. The AHJ may select a **Service Level** from among one of the following options: Exterior Operations, Interior Operations or Full Service Operations.

Team Leader – a firefighter or officer trained and/or qualified to lead a team of firefighters in the undertaking of a fire ground task, or set of tasks, as applicable to the operational **Service Level** provided by the department. Team Leader qualifications are not based on, or necessarily applicable to, a department rank. Requirements for Team Leaders are set out in the Standards and Requirements sections of this document.

Instructor and Evaluator Competencies

Training and evaluation may be administered via third party providers, or be conducted “in-house” by qualified department personnel. The following section principally describes the requirements for “In-House” delivery of **Playbook** training related requirements, though the records keeping requirements apply regardless of how a department chooses to deliver training to its members. Where a department has decided to use a third-party training provider, it should ensure that the training provided addresses the Competencies set out in this **Playbook**.

Regardless of which **Service Level** is selected, each AHJ and department must ensure its training program meets the requirements of the *Workers Compensation Act*, including section 31.4 of the *Occupational Health and Safety Regulation*, which provides as follows:

“31.4 Instruction and direction

The employer must ensure the adequate instruction and direction of firefighters in the safe performance of their duties."

1. Instructor Competencies for “In-House” training delivery

For clarity, in this section and in section 2, references to the “Training Officer” means the fire department member who is responsible for overseeing the in-house delivery of training to other fire department members, and the evaluation of such training. The use of this term is not meant to prescribe an actual title to the position as assigned by a department.

Exterior Operations Level:

- The Training Officer responsible for overseeing the delivery of Exterior Operations Level training to firefighters must already have achieved the Competencies specified for the Exterior Operations **Service Level** and have successfully trained to the competencies of one of the following:
 - Fire Service Instructor 1 (NFPA 1041), or
 - Train the Trainer course (*see matrix for competencies*)
- Individual instructors for a particular Competency must already meet the requirements for that Competency and be considered by the department to be capable of providing instruction to other department members.

Interior Operations Level:

- The Training Officer responsible for overseeing the delivery of Interior Operations Level training programs must hold the NFPA 1001 Competencies specified for the Interior Operations **Service Level**, and either the:
 - Training Competencies noted in relation to the Exterior Operations **Service Level**; or
 - Competencies of a Fire Service Instructor 1 (or higher) under NFPA 1041.
- Individual instructors for a particular Competency must already meet the requirements for that Competency and be considered by the department to be capable of providing instruction to other department members.

Full-Service Operations Level:

- The Training Officer responsible for overseeing the delivery of Full-Service Operations Level training programs must have met the Competencies for NFPA 1001-FF2 **and** the Competencies as a Fire Service Instructor 1 (or higher) under NFPA 1041.
- Individual instructors for a particular Competency must already meet the requirements for that Competency and be considered by the department to be capable of providing instruction to other department members.

2. **Evaluator Competency** requirements for “In-House” training delivery

Oversight: The oversight of the evaluation processes used by a department for its in-house training program is the responsibility of the Training Officer who has oversight of the delivery of the training being provided.

Specific Evaluations: For each **Service Level**, an individual who is responsible for conducting a specific evaluation of another firefighter’s or officer’s Competency must already have achieved that Competency and been determined by the department as capable of conducting such evaluation.

3. **Training Records**

Each department is responsible for keeping accurate and current records of the training and certifications of each of its firefighters and officers. Third-party training providers and individual departments also are required by WorkSafe BC to track training and maintain individual training records for each firefighter and officer.

4. **Bridging and Prior Learning Assessment**

The **Playbook** is expressly designed to enable bridging from an existing **Service Level** to a higher **Service Level**. The Office of the Fire Commissioner may, from time to time, provide additional guidance regarding the specific Competencies required to be obtained to move from one **Service Level** to another, or from a previous level of training to one of the **Service Levels** established under the **Playbook**.

In terms of Prior Learning Assessment for firefighters who may have previous training, at whatever level, the onus is on the AHJ and the department to put in place appropriate processes to determine whether the prior experience and training of a firefighter meet the training Competencies needed for the department’s **Service Level**.

This assessment may be performed internally by a department or be undertaken by an external third party assessor. An assessor must, as a minimum, already have the Competencies in respect of which the assessment is being performed.

The assessment may take into account the experience, prior training and any Accredited Certification or other Certification, of an individual firefighter or officer. The assessment must be formally documented, including identifying the factors upon which equivalency to the relevant Competencies was determined.

5. **Important Considerations for local decisions on Service Level and Training**

It is important to recognize that a number of the Competencies may not be applicable for all jurisdictions (e.g. fire hydrants). Therefore, the AHJ may choose to identify the Competencies that do not have application in their jurisdiction. Where training is to be limited based on local circumstances, these limitations must be identified either in the **Service Level** Policy Statement or operational policies which implement it, and must be reflected in the training program description and evaluation processes.

In addition, this **Playbook** is not an “all encompassing” program: additional training and Competency in specific skill areas are required for a department to operate at an emergency incident. These additional Competencies include matters such as driver training, pump operations, rapid intervention team, incident safety officer and others. These aspects of fire service function are beyond the scope of this **Playbook**, but are critical areas that must be addressed to enable a department to deliver services under any of the chosen **Service Levels**.

BC Firefighter Competency Matrix

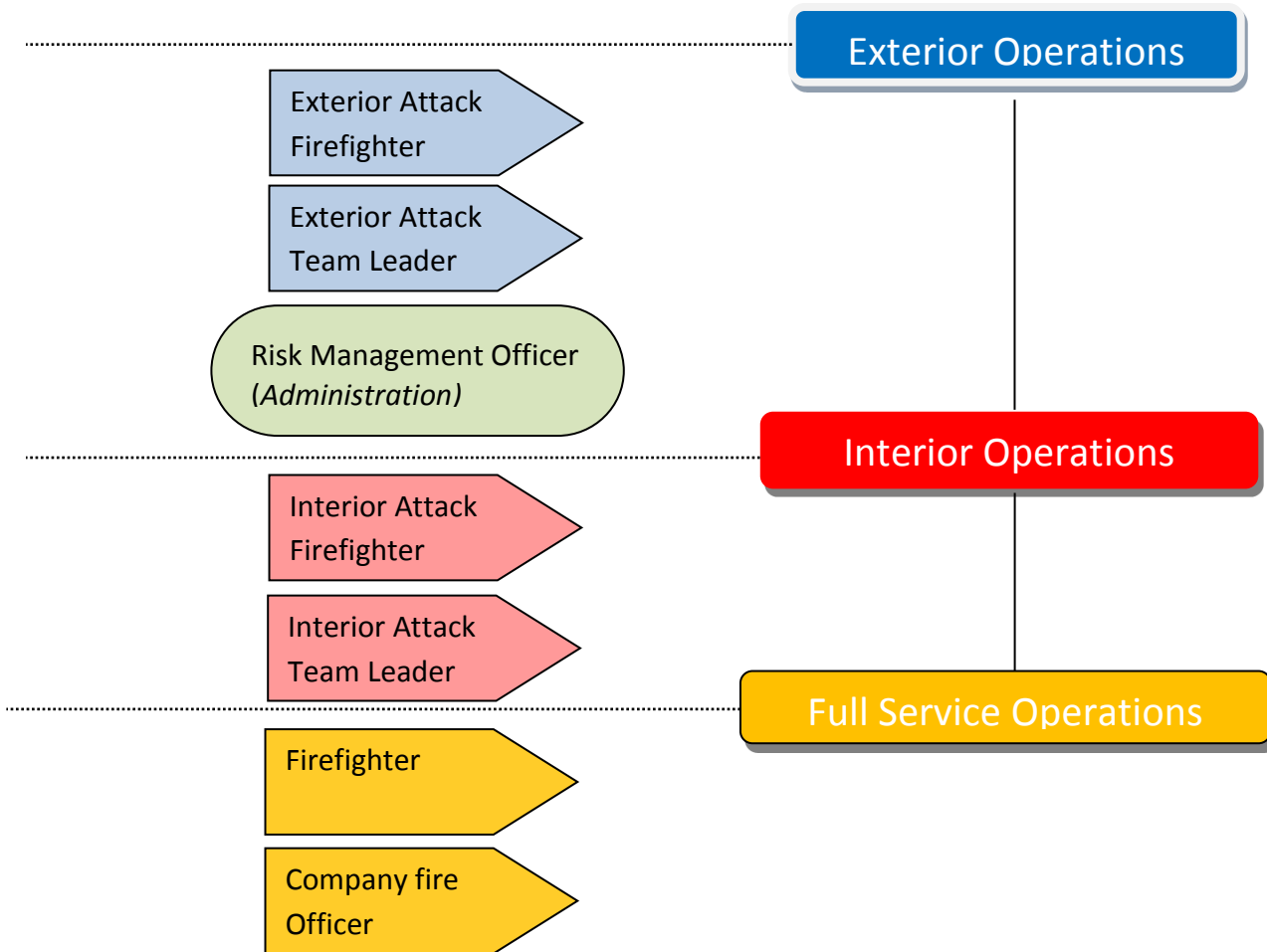
Summary of Requirements

This summary is provided to assist departments and AHJs when examining the Competency Matrix. Readers should review the more detailed discussion of these individual issues elsewhere in this Playbook or refer to the appropriate requirements in the *Workers Compensation Act* and related regulations.

- **Determination by the AHJ of the Service Level appropriate to community needs (see section 3, “Principles” at page 4 above, and the descriptions of each Service Level at pages 17 to 18 below)**
- **Policy Statement, bylaw or contract establishing fire department’s authority and Service Level (see Overview, section 3, “Principles” at page 4, above)**
- **WorkSafe BC firefighter coverage in place**
- **WorkSafe BC safety and functional requirements in place (e.g., firefighter fitness records, Employer/Worker joint committee (or employee representative), OH&S program, Rapid Intervention Team OG, other OGs covering fundamental operational procedures, etc.)**
- **A comprehensive process for recording and retaining Training Records which meet the requirements of the *Workers Compensation Act* (B.C.) and this Playbook (Instructions, Evaluations and Record Keeping, section 6, “Training Records” at page 6 above, and “Training Records” at page 12 above)**
- **Appropriate equipment and apparatus available to deliver the declared Service Level requirements**

Position Competency Ladder

Service Level



**** Each level in the Competency Ladder has identified requisite minimum training requirements described within the Playbook that must be met.**

	Train the Trainer Competencies	Job Performance Requirements (NFA 1041 Competencies)	Training Officer
	4.2.1 – 4.2.4 / 4.3.2 – 4.3.3 / 4.4.1 – 4.4.4 / 4.5.1 – 4.5.3 and 4.5.5		

	<p>The following Competencies extracted from NFPA 1001 – FF1 must be met to achieve the requirements for Exterior Ops Firefighter (specific Competency lesson plans and evaluations are available from the OFC and partner training provider agencies)</p>	<p>Job Performance Requirements (Exterior Firefighter Competencies)</p>	<p>Exterior Operations - Firefighter</p>
	<p>Emergency Scene Traffic NFPA 1001 5.3.3</p>		
	<p>Safety & Communications NFPA 1001 5.1.1, 5.1.2, 5.2, 5.2.1, 5.2.2, 5.2.3, 5.3.2, 5.3.17, 5.3.18</p>		
	<p>PPE and Self Contained Breathing Apparatus NFPA 1001 5.1.2, 5.2, 5.3, 5.3.1, 5.3.2, 5.5.1</p>		
	<p>Ropes and Knots NFPA 1001 5.1.2, 5.3.20, 5.5.1</p>		
	<p>Fire Streams, Hose and Appliances NFPA 1001 5.3.7, 5.3.8, 5.5.1, 5.5.2</p>		
	<p>Ventilation NFPA 1001 5.3.11, 5.5.1</p>		
	<p>Water Supply NFPA 1001 5.3.15, 5.5.1, 5.5.2</p>		
	<p>Ladders NFPA 1001 5.3.6, 5.5.1</p>		
	<p>Rehabilitation Area (REHAB) NFPA 1001 5.1.1, NFPA 1500, NFPA 1584</p>		
	<p>Introduction to Basic Fire Behavior and Building Construction NFPA 220, NFPA 921, NFPA 1001 5.3.11, 5.3.12, 5.3.13 NFPA 5000</p>		
	<p>Dangerous Goods or Hazmat Awareness (from NFPA 472)¹</p>		
	<p>Gas & Electrical Safety for Firefighters (supplied by a BC Utility utilizing an evaluation mechanism)²</p>		
	<p>Incident Command System 100 (from BCERMS curriculum)³</p>		
	<p>All of Exterior Operations Firefighter PLUS completion of the following Competencies from NFPA 1001 – FF1</p>	<p>Job Performance Requirements (NFPA 1001 – FF1 Competencies)</p>	<p>Interior Operations - Firefighter</p>
	<p>Organization, Safety and Communications NFPA 1001 5.2.4</p>		
	<p>RIT Training – pertinent to jurisdictional hazards NFPA 1001 5.3.9 NFPA 1407, NFPA 1500</p>		
	<p>Self-Contained Breathing Apparatus NFPA 1001 5.3.1, 5.3.5, 5.3.9</p>		
	<p>Search and Rescue NFPA 1001 5.3.9</p>		
	<p>Fire Behavior NFPA 1001</p>		
	<p>Fire Extinguishers NFPA 1001 5.3.16</p>		
	<p>Building Construction NFPA 1001 5.3.11, 5.3.12</p>		
	<p>Forcible Entry NFPA 1001 5.3.4</p>		
	<p>Ventilation NFPA 1001 5.3.12</p>		
	<p>Loss Control NFPA 1001 5.3.13, 5.3.14</p>		
	<p>Live Fire Exterior NFPA 1001 5.3.7, 5.3.8, 5.3.10, 5.3.19</p>		

	All of NFPA 1001 – FF2 Competencies (except Hazmat and Medical Response) and with the addition of:	Job Performance Requirements (NFPA 1001 – FF2 Competencies)	Full Service Operations - Firefighter
	Live Fire Exterior and Interior		
	Hazmat Operations (NFPA core competencies plus 6.6.1.1.2)		

	Completion of the Operational Firefighter requirements for <u>either</u> the Exterior or Interior Service Level <u>PLUS</u> the following Competencies from NFPA 1021:⁴	Job Performance Requirements (NFPA 1021 – Competencies)	Team Leader Exterior & Interior
	Incident Command and Fire Attack NFPA 1021 4.1.1, 4.2.1, 4.2.2, 4.2.3		
	Pre-Incident Planning, Size-up and Incident Action Planning NFPA 1021 4.5.2, 4.5.3, 4.6, 4.6.1, 4.6.2		
	Fire ground Accountability NFPA 1021 4.6.1, 4.6.2		
	Live Fire – Exterior (Recommended for Exterior Operations) NFPA 1001 5.3.7, 5.3.8, 5.3.10		
	Live Fire Exterior and Interior (Recommended for Interior Operations)		
	Completion of the Team Leader requirements for the Exterior Operations level <u>PLUS</u> the following courses (1 from each area):	One of One of	Risk Management Officer
	Incident Action Planning (NFPA 1021 4.6.1, 4.6.2)⁵		
	Incident Safety Officer NFPA 1521 6.1 – 6.7.2 (operational)		
	FCABC/LGMA: Effective Fire Service Administration		
	Beyond Hoses and Helmets, or equivalent (administrative)		
	Fire Officer 1 (NFPA 1021)	Job Performance Requirements (NFPA 1021 – Competencies)	Company Fire Officer
	Incident Command 200		
	Fire Service Instructor 1 (NFPA 1041 Chapter 4)		
	Emergency Scene Management (4.6.1, 4.6.2)		

Footnotes:

1. Can utilize any training provider, including internal, that meets the competencies of NFPA 472 – Awareness Level
2. Can utilize any program, developed by a registered Gas or Electrical Utility within the Province of BC, which includes an evaluation instrument based upon current recommended practice
3. Can utilize any training provider, including internal, using certified training and evaluation based upon the BCERMS model
4. Can utilize any training provider, including internal, that meets the competencies of NFPA 1021 – Fire Officer Professional Qualifications
5. Requires a training program with subject matter covering areas such as strategies and tactics, fire ground command and emergency scene management

Exterior Operations Service Level

Exterior Operations Level fire service firefighters shall not enter any building, vehicle, dumpster or other object if an IDLH atmosphere is present. If an IDLH atmosphere is present, Exterior Operation firefighters shall only engage in external fire suppression activities. Operational Guidelines that restrict them to Exterior Operations must be written and enforced by the department, even though they may possess equipment that would otherwise permit them to respond at a higher level.

On occasions where the department responds to a simple incident and an IDLH atmosphere does not yet exist, it is reasonable to address the issue from inside the structure. However, if an IDLH atmosphere develops or the fire progresses beyond the object of origin, or the environment or structure become compromised in any way, all firefighters must immediately withdraw to the exterior and combat the situation from the outside. Where the IDLH atmosphere no longer exists as a result of fire suppression operations or otherwise, subject always to an appropriate risk assessment by the Incident Commander, it may be appropriate for members of an Exterior Operations **Service Level** department to enter the structure.

Where there is a potential risk of an IDLH atmosphere developing, or risk from smoke or particulate matter when conducting external operations (including overhaul), SCBA must be worn in accordance with WorkSafe BC requirements.

Exterior Operations Team Leaders are trained to supervise exterior operations only.

The Exterior Operations Risk Management Officer is an administrative role focused on ensuring departmental safe work practices and adherence to the **Playbook** requirements and other relevant regulations and standards.

The Exterior Operations **Service Level** applies to all external fire ground operational functions except support positions such as, but not restricted to: rehab/first aid, first medical responder, vehicle driver. Specific training for these roles, and applicable to the hazards involved, is still required for these positions and must be addressed elsewhere in departmental training programs.

Interior Operations Service Level

Interior Operation Fire Departments may engage in internal fire suppression activities within simple structures or objects such as a vehicle, single family dwelling or other small structure. Interior Operations may also include larger or more complex structures that the AHJ has assessed and pre-planned for, such that it determines the structure to be safe for Internal Operations qualified firefighters. Firefighters must be trained specifically to the risks associated with these structures.

Interior Operations Level fire services will have Operational Guidelines, that must be written and enforced by the department, that describe advanced training in fire operations activities that allow for a calculated fire attack within permitted structures and objects.

Interior operations must be undertaken in accordance with the requirements of WorkSafe BC (including, in particular, s. 31.23 of the *Occupational Health and Safety Regulation*). The Incident Commander must recognize the need, and staff appropriately, for a Rapid Intervention Team (RIT) with trained firefighters following the WorkSafe BC requirements.

Interior Operations Team Leaders are trained to supervise interior operations. Team Leaders must follow established Operational Guidelines or Procedures for safety during all fire ground operations.

Full Service Level

Full Service Operations Fire Departments are equipped and have completed the appropriate training identified in this **Playbook** to provide a full spectrum of fire services. These services are based on the Competencies included within the NFPA 1001 Firefighter 2 Standard and relevant NFPA 1021 Fire Officer Standards.

Full service fire departments will have Operational Guidelines that must be written and enforced by the department, that describe advanced training in fire operations activities.

These fire departments are organized such that the suppression activities that occur are based on response protocols which include the appropriate staffing levels, and number and type of apparatus on scene.

Playbook Compliance Checklist

(Fire Department Internal Use – to assist in determining compliance)

Department Name: _____

Date: _____

Fire Fighter Competency and Training Playbook Checklist			
<p>1. Does your local government have a bylaw to establish the fire department or if you are a registered society, do your constitution and bylaws provide the mandate to establish a fire department? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><i>Note: If the answer is "no" the fire department will not be considered by the Office of the Fire Commissioner for deployments under the Provincial Mobilization Plan. If "yes", identify the functions that the fire department is authorized by the local authority to deliver?</i></p>			
<p>2. Is your local authority/registered society registered with WorkSafe BC? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><i>Note: If the answer is "no" the fire department will not be considered by the Office of the Fire Commissioner for deployments under the Provincial Mobilization Plan.</i></p>			
<p>3. Is there a policy statement determining if the fire department will provide either a defensive/exterior or an offensive/interior structure fire attack type for fire suppression? Yes <input type="checkbox"/> No <input type="checkbox"/></p>			
<p>4. Is there a policy statement determining the training standards to which the fire department will train? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><i>Note: If the answer is "no" the fire department will not be considered by the Office of the Fire Commissioner for deployments under the Provincial Mobilization Plan. If "yes", what standards have been adopted for the fire department?</i></p>			
<p>5. Who coordinates your department's firefighter training? Please list positions:</p>			
<p>6. Is there a Training Records database and records management system that provides detailed records for the training of each firefighter? Yes <input type="checkbox"/> No <input type="checkbox"/></p>			
<p>7. Does the training records system maintain records for every members training in perpetuity (their lifetime)? Yes <input type="checkbox"/> No <input type="checkbox"/></p>			
Fire Department Service Level Identification		Yes	No
Exterior Operations – Buildings, Vehicles, Dumpsters			
Interior Operations – Simple structures			
Full Service			
Other Comments			

Name of Individual completing the Checklist

Title/Position

Training Organizations

(Information only)

The following professional organizations can assist with agency direction and training provider contacts:

FCABC – Fire Chiefs Association of BC www.fcabc.ca

BCFTOA – BC Fire Training Officers Association www.bcftoa.com

OFC – Office of the Fire Commissioner of BC <http://embc.gov.bc.ca/ofc/index.htm>

BC Wildfire Management Branch www.bcwildfire.ca

FPOABC – Fire Prevention Officers Association of BC www.fpoabc.bc.ca

FNESS – First Nations Emergency Services Society of BC www.fness.bc.ca

Council Report

penticton.ca

Date: January 23, 2018
To: Peter Weeber, Chief Administrative Officer
From: Peter Wallace, Land Administrator
Subject: City Land Disposition Policy

File No:

Staff Recommendation

THAT Council approve the Land Disposition Policy as attached to the report dated January 23, 2018 titled "City Land Disposition Policy";

AND THAT Council repeal the Land Sale Policy dated December 8, 1998.

Strategic priority objective

Background

The City is currently establishing a Land Management Strategy to administer over 400 parcels of real property it currently owns. The proposed policy forms part of this Strategy and establishes a formal process for the disposal of City owned land.

Major components of the Policy include:

- From a list and map of all city owned lands Staff will review lands for current or potential future use and will present a list of potential non-core lands for Council consideration;
- Council will determine which of the lands from this list will be considered for disposition and move forward to a public engagement process;
- The results of the public engagement process will be forwarded to Committees with related interests for input. The committees will provide recommendations to Council;
- Based on results of public engagement and committee recommendations Council will direct, at a public meeting, which properties are to be disposed of, typically through a competitive and open process.

A separate and more stringent process is required for unsolicited requests to sell property, which includes:

- Internal review considering current and potential future uses or needs to determine if potential for disposal is feasible, if so the proponent will be invited to submit formal proposal with specific requirements;

- Staff will only recommend deviation from the standard competitive and open process if the proposal provides unique and significant benefits that could not be provided by any other proponent;
- Requests will be evaluated under the Assessment Criteria (Appendix A of the Land Disposition Policy with staff recommendations to Council for consideration;
- If the proposal is supported by Council, the proposal may undergo a public engagement process and be reviewed by the appropriate committees for input;
- The proposal would be brought back to Council with the results from any public engagement and committee review with recommendations;
- Any disposition of City lands will be publicly advertised as per section 26 of the *Community Charter*.

Financial implication

There is no direct financial impact from the policy.

Analysis

The City Land Disposition Policy formalizes a fair, consistent and competitive process to manage the disposition of City owned lands. This policy will also serve to protect the community’s interests while providing certainty to potential purchasers or lessees.

Alternate recommendations

1. That Council decline to approve the City Land Disposition Policy.
2. That Council approve the City Land Disposition Policy with specific amendments as directed by Council.



Attachments

Attachment A – City Land Disposition Policy

Respectfully submitted,

Peter Wallace, Land Administrator

Approvals

<p>Chief Financial Officer</p> 	<p>Chief Administrative Officer</p> <p>PW</p>	<p>Director of Development Services</p> 
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Approval date:

Resolution No.:

Subject: City Land Disposition

Goal

To establish a fair, consistent and competitive process to manage the disposal of City owned lands. This policy will also serve to protect the community's interests while providing certainty to potential purchasers or lessees through established practice.

Legislative Authority

As required by Section 26 of the *Community Charter* the City is required to advertise its intent to dispose of property. Although this is the minimum requirement the policy intends to go well beyond the legislative requirements and engage the community on potential properties that will be disposed.

Scope

This policy applies to any city owned real property considered for sale or lease greater than 5 years; with the following exceptions:

- Land zoned for park purposes;
- Dedicated parkland;
- Encroachments;
- Rights of way or Easements;
- Non-buildable properties;
- Properties acquired by non-profit organizations;
- Land with a restrictive grant, trust or covenant.

Policy

Determining Properties for Sale and Method of Disposal

Every two years or more frequently if necessary, Council, with recommendation from staff, will consider the disposal of city owned lands, taking into account:

- Future needs of the City;
- Economic climate and current market values;
- Needs and priorities of the community.

A list and map of potential non-core lands will be created and circulated through city departments for review and comment before providing an in-camera report to Council, which includes: properties not excluded through department vetting; recommendations; and in-house valuations.

Having evaluated the recommendations, Council will determine which properties move forward in the public engagement process.

Based on public engagement, a report will be prepared for consideration by committees with related interests.

E.g.: Downtown Commercial Property – committees such as Community Revitalization, Development Services, and Economic Development.

The committees will provide recommendations related to retaining or disposing of the properties and preferred potential uses.

In an open meeting Council, upon consideration of public engagement results and committee recommendations, may direct staff to:

- Rezone the property prior to disposal and/or;
- Proceed with a Request for Proposal (RFP);
- Proceed with an Expression of Interest (EOI);
- List the property for sale privately or with a Realtor;
- Retain the property.

If Council elects to dispose of the property, the City will publish notice (in consecutive weeks in a newspaper) of the proposed acquisition opportunity in accordance with the requirements of the *Community Charter*. The notice will describe the property, the nature and, if applicable, the term of the proposed disposition (for example, a purchase or a 30-year lease) and the process by which the property may be acquired.

Council meetings respecting evaluations and negotiations following an RFP, EOI, or listing will be held in-camera (where council is of the view that disclosure could reasonably be expected to harm the City's or proponent's interests). A public summary of the process and evaluations will be provided once the City is satisfied that no financial harm will come to the City or proponent due to the disclosure.

Unsolicited Offers for City Property

On occasion, the City receives unsolicited offers and expressions of interest for real property. Based on the initial expression of interest, (which at a minimum must include the location, purchase price and the proposed use) all departments that could potentially be impacted by the potential disposal of the land will vet the proposal to determine if there are issues with disposal of the property or the proposal. If significant issues are identified, the request will be declined at the staff level. Staff may advise the proponent of any viable alternatives or alternative processes that could be followed.

The proponent of an initial proposal that passes the initial vetting without objection will be provided with the Assessment Criteria (Attachment A) and invited to provide a formal written proposal which must:

- clearly outline the offer, proposal and intended use;
- demonstrate how the proposed development will comply with the Official Community Plan, Zoning Bylaw and how the proposal meets the specific points of the Assessment Criteria;
- outline the projected economic impact and/or benefits to the community;
- high-level concept drawings including at a minimum:
 - a site plan showing the location of the development on the parcel of land;
 - conceptual renderings of the proposed development;
- a detailed timeline for the development to occur, including any phasing required;
- staff may require additional information, depending on the location and impact on adjacent uses.

Upon receipt of a completed formal proposal, staff will complete a Council report, which will evaluate the proposal, provide market value estimate, evaluate the Assessment Criteria, and provide recommendations.

An open competitive process will be the standard approach for disposing of property. Staff will only recommend deviation from the competitive process if using the Assessment Criteria the proposal demonstrates unique and significant benefits that could not be provided by any other proponent.

The ultimate determination to proceed differently than a competitive process is at Council's discretion. Council may support the disposal of the specific property through a competitive process and the initial proponent will be invited to participate.

If the proposal delivers significant benefits that could not be provided by any other proponent and Council elects to proceed without a competitive process, Council may authorize staff to negotiate with the proponent. Once initial negotiations are complete, Council may choose to proceed with a public engagement process (the proponent will be required to participate), the results of which will be provided to applicable committees. Following successful staff negotiations, and any engagement process and committee recommendations, the proposal will be brought back to Council for consideration as to whether to decline the proposal, direct staff to conduct further negotiations or authorize the City to enter into a contract of purchase and sale based on the initial negotiations.

Before the City enters into a contract of purchase and sale with the proponent, the City will publish notice (including in consecutive weeks in a newspaper) of the intended disposition in accordance with the requirements of the *Community Charter*. The notice must identify the property, the purchaser, the purchase price and the nature and term of the proposed disposition (for example a purchase or a 30-year lease). Following publication of the required notices, the City may execute the contract of purchase and sale.

Cost and Timelines of the Process for Unsolicited Offers

Costs for the proponent to prepare and provide the City with the necessary information related to this process shall be borne by the proponent. The proponent will also be required to pay any costs of estimating the market value of the property.

The City will expedite the review and approval of a proposal in a timely and efficient manner.

Appendix A: Proposal Assessment Criteria for Unsolicited Requests to Purchase City Owned Lands

Appendix B: Responsibilities

Previous Revisions

Revision date	Author
Land Sale 1998 (Res 793/1998)	

Certified Correct:

Corporate Officer

Appendix A:

Proposal Assessment Criteria for Unsolicited Requests to Purchase City Owned Lands

The Assessment Criteria shall ensure that:

- Clear desirable benefits are identified that directly address a clearly defined objective or Community need;
- The request reflects Council priorities;
- The request reflects the values and will of the Community as understood by the City;
- The purchase price (including any non-monetary consideration to be provided to the City) reflects estimated market value.

Demonstration of unique benefits:

- The proposal can only be delivered by the proponent, and possesses something that no other competitor can provide; i.e. the proponent owns adjacent property, possesses proprietary rights, etc.;
- Attributes, which may not necessarily stand alone as unique but, when combined, create a “unique” proposal. This may include innovative ideas, including financial arrangements or a unique ability to deliver a strategic outcome;
- The proposal delivers economic benefit for the City that would provide financial benefits/savings that would not otherwise be achieved;
- The request will deliver improved infrastructure and/or services to the Community;
- There is a demand for outcomes from the proposal.

Demonstration of City objectives:

- The proposed use of the land aligns with Council’s Priorities;
- The proposal will not conflict with identified potential uses for the surrounding properties;
- The proposal aligns with Council’s Vision for the City’s development and identified planning outcomes (OCP - public facilities, key services, short and long term accommodation commercial facilities, industrial facilities, open space, etc.);
- Alignment with the City’s Economic Development Strategy;
- Evidence of long term economic benefits to the Community;
- Provision of other investment opportunities;
- Evidence of local job creation (short term and long term);
- Consideration of any significant natural or environmental features;
- Consideration of any cultural significance;
- Identify and quantify risks for the City and community.

Appendix B:
Responsibilities

- LAND:** The Land Administrator shall be the initial contact for proponents and be the facilitator for progressing the proposal through the process.
- FINANCE:** Assist in any necessary financial analysis.
- DEVELOPMENT SERVICES:** To determine alignment to the OCP, Zoning Bylaw and the City's development priorities as well as economic development priorities.
- INFRASTRUCTURE:** Public Works, Parks, Engineering, Facilities to identify any operational needs, issues or potential future requirements for the property.
- PROCUREMENT:** To oversee RFP and EOI requests processes.

Council Report



Date: January 23, 2018
To: Peter Weeber, Chief Administrative Officer
From: Dana Schmidt, Corporate Officer

File No:

Subject: Heritage and Museum Committee Appointments

Staff Recommendation

THAT Council appoint Heather Buzzell, Randy Manual, William Allen, Loraine Stephanson, Brad Hills, Shelley Clarke, Gerald Buzzell and Bob Parliament to the Heritage and Museum Committee for the 2018 term.

Background

At the December 19th Regular meeting, Council resolved to reinstate the Heritage and Museum Committee. As a result of advertising for new members as well as inviting past members to return, we have received interest from:

Returning Members

- Heather Buzzell
- Randy Manual
- William Allen
- Loraine Stephanson
- Brad Hills
- Shelley Clarke

New Members

- Bob Parliament
- Gerald Buzzell

If each of the above applicants is appointed, there will be one vacant position.

Respectfully submitted,

Dana Schmidt, Corporate Officer

Approvals

Director of Corporate Services	CAO
LD	PW

Bylaw No. 2018-02

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. 2018-02".

2. Amendment:

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

Rezone Lot 4 District Lot 5 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 10974, located at 237 Phoenix Avenue from R1 (Large Lot Residential) to RD1 (Duplex Housing).

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

READ A FIRST time this	9	day of	January, 2018
A PUBLIC HEARING was held this	23	day of	January, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
RECEIVED the approval of the		day of	, 2018
Ministry of Transportation on the			
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 12 day of January, 2018 and the 17 day of January, 2018 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 _____, 2018</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>
--

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

237 Phoenix Avenue – Rezone from R1 (Large Lot Residential) to RD1 (Duplex Housing) -71-



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-02

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2017-62

A bylaw to establish a local area service and to authorize the construction of sidewalk improvements on the 300 block of Main Street.

WHEREAS Section 211(1)(b) of the *Community Charter* authorizes Council to proceed with a local area service, subject to a petition against by property owners subject to a local area service tax;

AND WHEREAS notice of Council's intention to undertake a local area service under its own initiative has occurred in accordance with Section 213 of the *Community Charter*;

AND WHEREAS fewer than 50% of the property owners representing less than 50% of the total assessed value of the properties subject to the local area service tax described herein have petitioned against the local service tax;

AND WHEREAS the Corporate Officer has determined the sufficiency and validity of every petition against the local area service tax, and certified her determination;

AND WHEREAS the *Community Charter* provides for a part of the cost to be borne by property owners benefitting from a local area service and for the levy and imposition of a local service tax to be imposed on benefitting properties to recover the owners' portion of the costs;

NOW THEREFORE the Municipal Council of the Corporation of the City of Penticton in open meeting assembled ENACTS AS FOLLOWS:

Title

1. This bylaw may be cited for all purposes as the "300 Block – Main Street Local Area Service Bylaw No. 2017-62".

Definitions

2. In this bylaw, unless otherwise stated, the following words and terms shall have the following meanings:

"actual asphalt costs" means the final cost of asphalt paving covering vehicle travel lanes, including raw materials and labour, but does not include post-construction maintenance and operational costs, decorative paving stones and surfacing installed in on-street parking spaces.

"actual owner supported costs" means the difference between actual project costs and actual asphalt and water infrastructure costs, multiplied by 25%.

"actual project cost" means the final cost of the project after construction is complete including engineering, sales taxes and contingencies, but does not include post-construction maintenance and operational costs.

"annual tax rate" means the rate charged annually per meter of frontage as calculated under Section 7 of this bylaw.

“current tax year” means:

- a) the current year; or
- b) if taxes under this bylaw have been paid for the current year, the year following the current year.

When applied in a formula in this bylaw, the current tax year shall be expressed as a number between 2019-2040.

“estimated asphalt and infrastructure costs” means the estimated cost of asphalt paving covering vehicle travel lanes and water infrastructure service upgrades, as determined by the City Engineering Department, including raw materials and labour, but does not include post-construction maintenance and operational costs, decorative paving stones and surfacing installed in on-street parking spaces.

“estimated owner supported costs” means \$298,960; which is the difference between estimated project costs and estimated asphalt and infrastructure costs, multiplied by 25%.

“estimated project cost” means the total estimated project cost as determined by the City Engineering Department prior to construction.

“frontage” means the total frontage of the property fronting the project area.

“interest” means a rate of interest charged annually on an outstanding principle.

“power outlet” means electrical sockets installed on street lighting or other suitable locations intended to provide electricity for street vendors, special events or other activities subject to the approval of the City.

“project area” means the area shown in blue crosshatching on Schedule A of this bylaw.

“total frontage” means the sum of the frontage of all the assessed parcels fronting the project area and for the purpose of this bylaw has a value of 382.703 metres.

Project description

3. The local area service shall be the installation of new sidewalk, street trees, street furnishings, irrigation, and street lighting on the east and west sides of the 300 Block of Main Street as shown in Schedule A.

Project location

4. The boundaries of the local service area are shown in blue within Schedule A of this bylaw.
5. Assessed parcels which shall be subject to the local service tax under this bylaw, are those parcels, within the area shown in heavy red line in Schedule A of this bylaw.

Total Project cost

- 6. The estimated total project cost for the local area service is \$2,185,000.

Portion of cost of service recovered from land owners

- 7. The total portion of the local area service cost that will be recovered from property owners under Section 9, through the local service tax shall be either:
 - a) estimated owner supported cost of \$298,960, plus interest where applicable; or
 - b) actual owner supported costs,
 whichever is less.
- 8. The remaining portion of the local area service cost has been appropriated for that purpose in the annual budget and has been levied through the City’s annual property tax bylaw.

Form of local service tax and methods of cost recovery

- 9. The local area service tax shall be imposed as a parcel tax on the frontage of each parcel in accordance with Section 202(2)(c) of the *Community Charter*.
- 10. Each year, property owners shall pay the annual tax rate/meter of frontage, including interest, for a period of 20 years.
- 11. As an alternative to Section 10, property owners may elect to pay their entire contribution prior to commencement of the first year, without any interest.

Severability

- 12. A declaration by a court of competent jurisdiction that a section, clause or provision of this Bylaw, including anything shown on Schedules to the Bylaw is invalid, shall not affect the validity of the Bylaw or any part of the Bylaw other than the section, clause or provision, or part of the Schedule declared to be invalid.

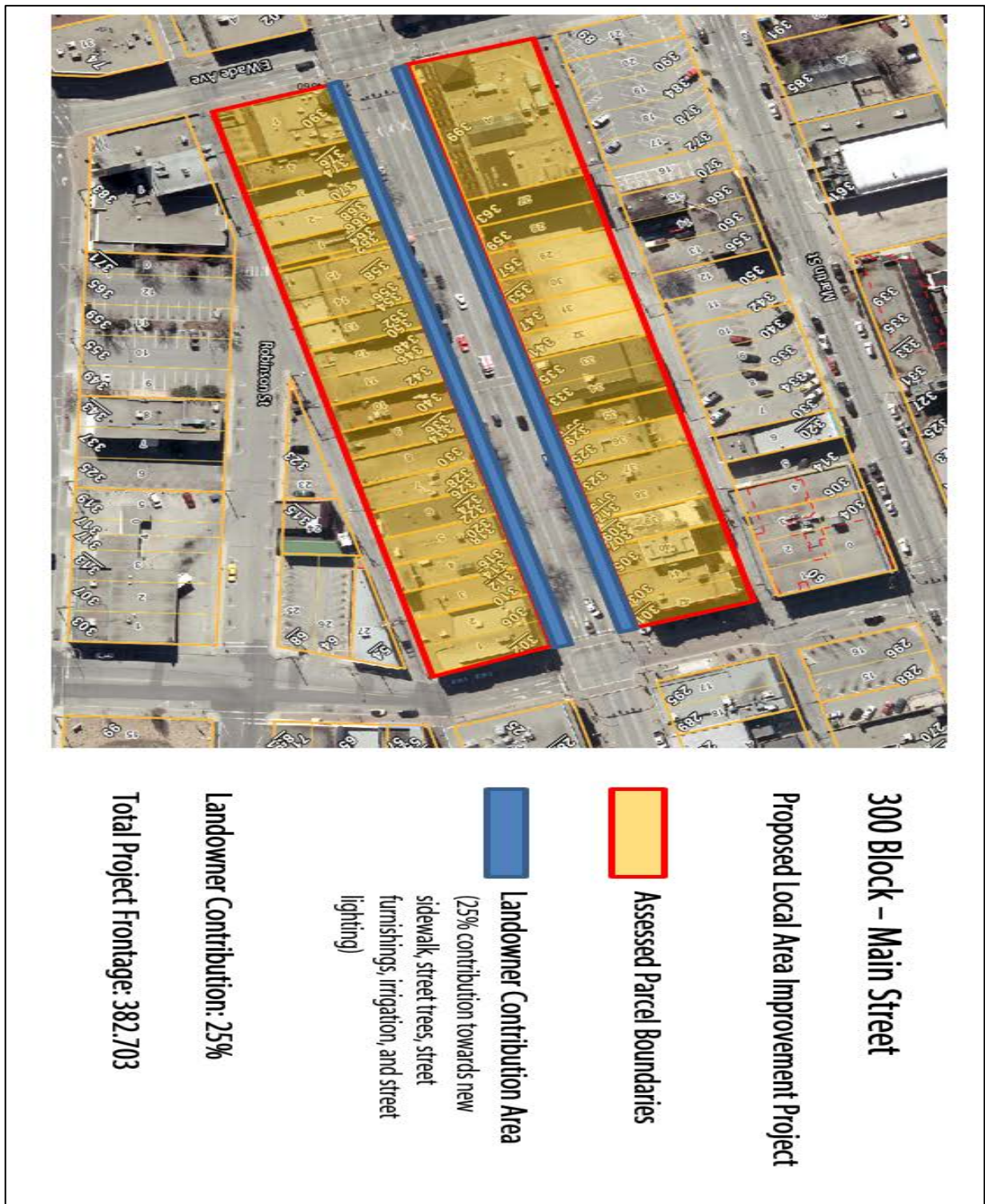
READ A FIRST time this	19	day of	September, 2017
READ A SECOND time this	19	day of	September, 2017
READ A THIRD time as amended this	7	day of	November, 2017
ADOPTED this		day of	, 2018

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Schedule A

Local Area Service Boundary



Council Report

penticton.ca

Date: January 23, 2018
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner 1
Address: 1198 Government Street
Subject: **Development Variance Permit PL2017-8118**

File No: DVP PL2017-8118

Staff Recommendation

THAT Council approve "Development Variance Permit PL2017-8118" for Lot 1 District Lot 250 Similkameen Division Yale District Plan 39066, located at 1198 Government Street, a permit to reduce the minimum interior yard from 4.5m to 0m and to reduce the minimum rear yard when abutting a lane that abuts a residential zone from 6.0m to 3.0m;

AND THAT staff be directed to issue "Development Variance Permit PL2017-8118."

Background

The subject property (Attachment A) is designated by the Official Community Plan (OCP) as GC (General Commercial) and is currently zoned C8 (Vehicle Service Station). The subject site is 1245.3m² (13404 ft²) and features a gas station. Photos of the site are included as Attachment D. The adjacent properties to the east are zoned Small Lot Residential (R2), with the remainder of surrounding properties zoned General Commercial (C4).

Council supported a Development Variance Permit for a gas station addition on the subject property in early 2017 which reduced the minimum interior yard setback from 4.5m to 0.0m and the minimum rear yard setback from 6.0m to 3.0m. A Development Permit was approved shortly after. After a cost analysis, the applicants determined that it would be more cost effective to demolish the existing structure and build a new gas station.

Proposal

The new gas station will be within the footprint of the existing gas station and previously approved addition. Since the plans have changed, a new development variance and development permit are required. To facilitate the construction, the applicant is requesting a Development Variance Permit to vary the following sections of Zoning Bylaw No. 2017-08:

- Section 11.8.2.6.i: to reduce the minimum interior side yard from 4.5m to 0m.
- Section 11.8.2.7.i: to reduce the minimum rear yard when abutting a lane that abuts a residential zone from 6.0m to 3.0m.

Financial implication

N/A

Technical Review

This application was reviewed by the City’s Technical Planning Committee. Concerns pertaining to storm drainage and geotechnical requirements were raised, but will be addressed at the building permit stage. If the request for the variances is supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

Development Statistics

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

Item	Requirement C8 zone	Proposed
Maximum Lot Coverage:	35%	30%
Vehicle Parking:	1 space per 50m ² net floor area (146m ² floor area → 3 required)	6 spaces
Required Setbacks		
Front yard (west, Government Street):	4.5m	22.2m
Rear yard (east, lane):	6.0m	3.0m (variance required)
Interior yard (north):	4.5m	0.08m (variance required)
Exterior yard (south):	4.5m	20.56m
Maximum Building Height:	10.5m	4.88m
Other Information:	- The subject property is located within the Tourist Commercial Development Permit Area, thus a development permit is required. This will follow the variance application and be staff-issuable.	

Analysis

Support Variances

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

Section 11.8.2.6.i: to reduce the minimum interior side yard from 4.5m to 0m.

- The proposed new gas station will be 0.08m from the north property line. The adjacent building, IGA, sits right on the property line and covers the entire north boundary. The height of the proposed gas station is 4.88m which is less than the height of the IGA building. A small shed already exists in this current location which will be replaced by the new gas station. The proposal falls within the

footprint of the existing gas station and previously approved addition. Given the above, staff considers that it is sensible to support the variance.

Section 11.8.2.7.i: To decrease the minimum rear yard when abutting a lane that abuts a residential zone from 6.0m to 3.0m.

- The existing building and shed currently sit 3.0m from the rear property line, thus it is unlikely that the proposed new gas station will create any added negative impacts on the neighbouring properties. The height of the proposed new gas station (16 feet) is similar in height to the existing gas station at its highest peak. The lane acts as a buffer from the residences to the east. Council recently supported the same variance for the previous addition. Given the above, staff consider that it is reasonable to reduce the minimum rear yard to 3.0m.

Given the above, staff feel that the variances requested will not have an unreasonable impact on the adjacent properties and recommend that Council support the application.

Deny/Refer Variance

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

Alternate Recommendations

1. THAT Council support "DVP PL2017-8118" with conditions.
2. THAT "DVP PL2017-8118" be referred 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: Elevations
Attachment G: Floor Plan
Attachment H: Letter of Intent
Attachment I: Previously Approved Elevations
Attachment J: DVP PL2017-8118

Respectfully submitted,

Randy Houle
Planner I
Approvals

DDS	CAO
<i>AH</i>	<i>PW</i>

Attachment A – Subject Property Location Map



Figure 1: Subject Property



Figure 2: Zoning Map

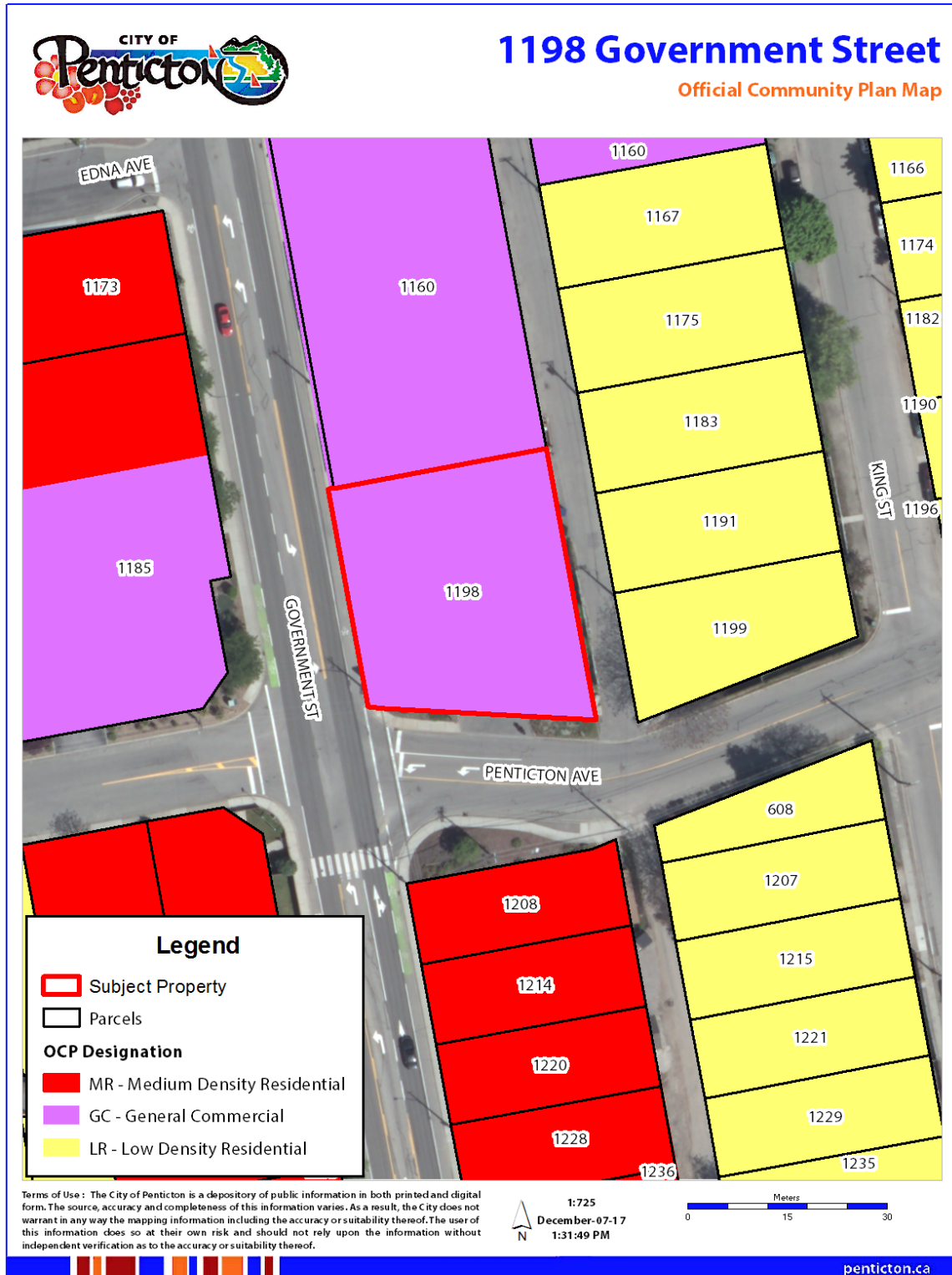


Figure 3: OCP Map



Figure 4: West Elevation of existing gas station



Figure 5: West Elevation of existing gas station and shed



Figure 6: East Elevation from the lane looking south



Figure 7: East Elevation



Figure 9: West Elevation

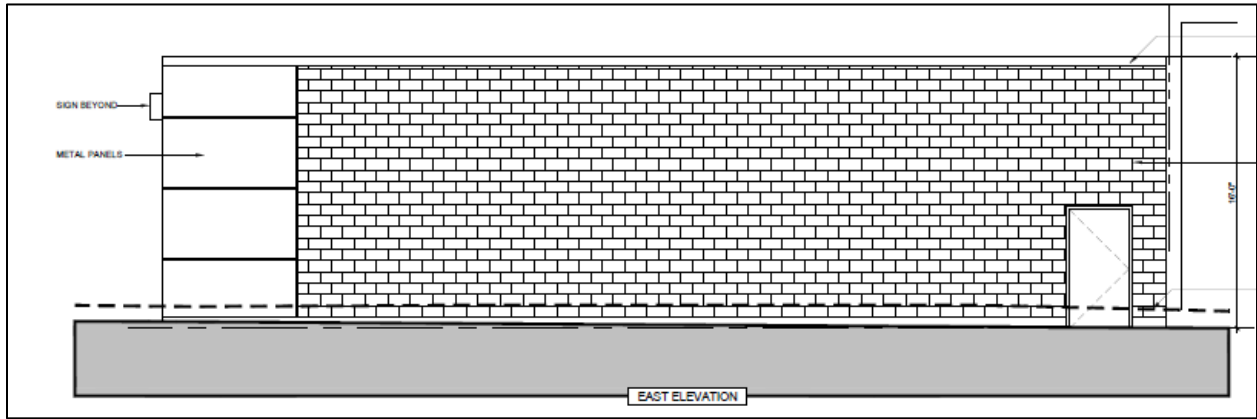


Figure 10: East Elevation

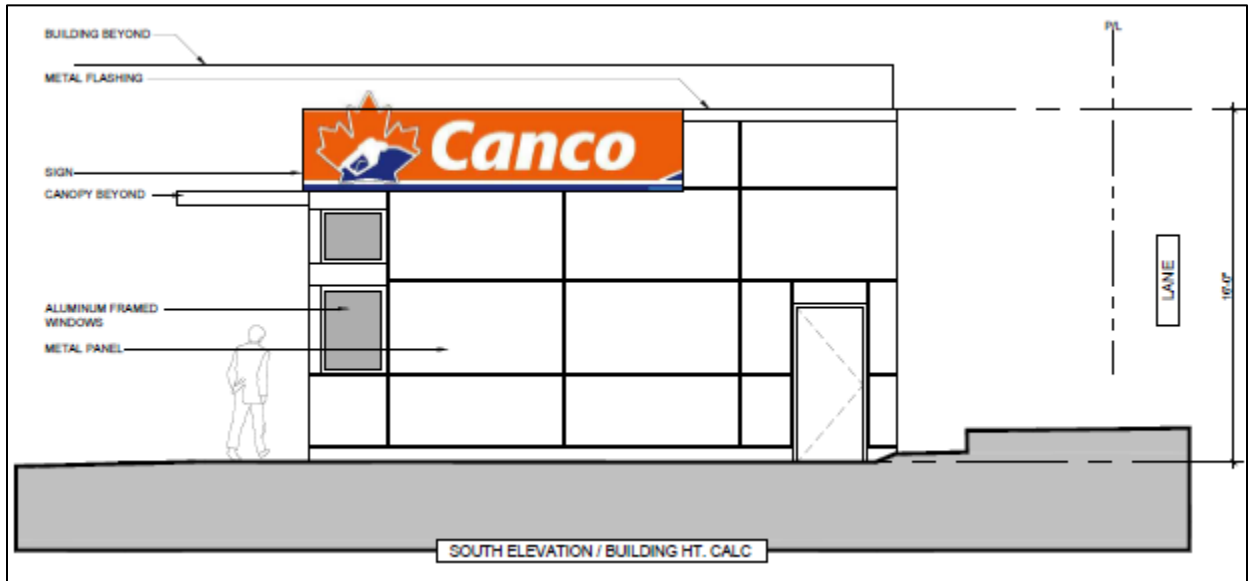


Figure 11: South Elevation

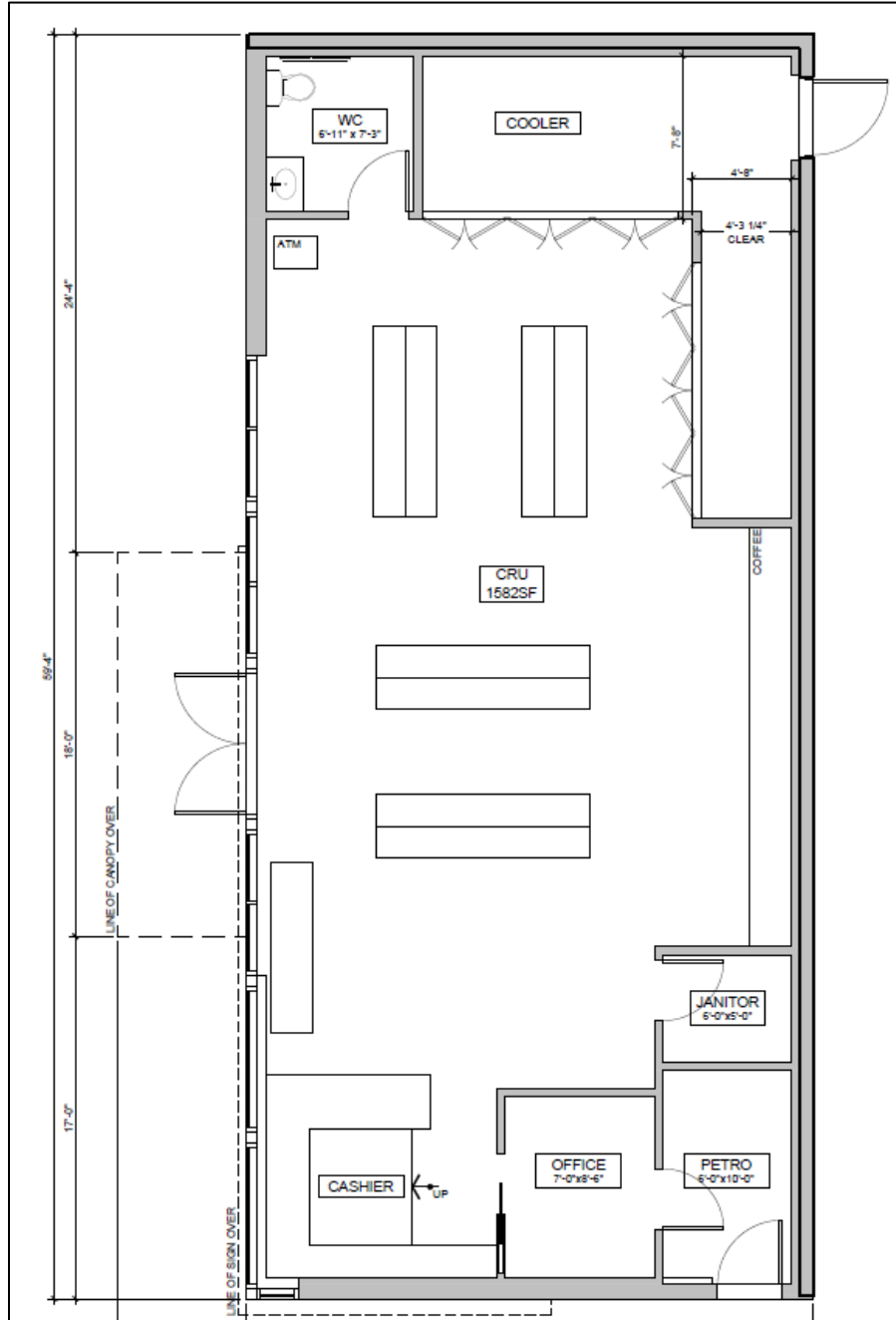


Figure 12: Floor Plan



RE: Letter of intent for 1198 Government St. Penticton B.C.

On behalf of the PR Petroleum group, Plan B is proposing to construct a new gas service station located at 1198 Government St. Penticton B.C. There is an old and out-dated structure existing on site. There was a previous DP and Variance already approved for the site for an addition. After cost analysis for that project it was determined that it would be more cost effective to reconstruct a new facility. Our intention for this project is stay within the already approved foot print. The new proposed facility will add curb appeal and a cosmetic uplift the community.

Justin Cromarty

Project Manager

Cell: 250.215.5542

Office: 250.717.8234

Email: justin@planbcontractors.com

www.planbcontractors.com

#4 – 715 Evans Court

Kelowna, BC V1X 6G4

Figure 13: Letter of Intent

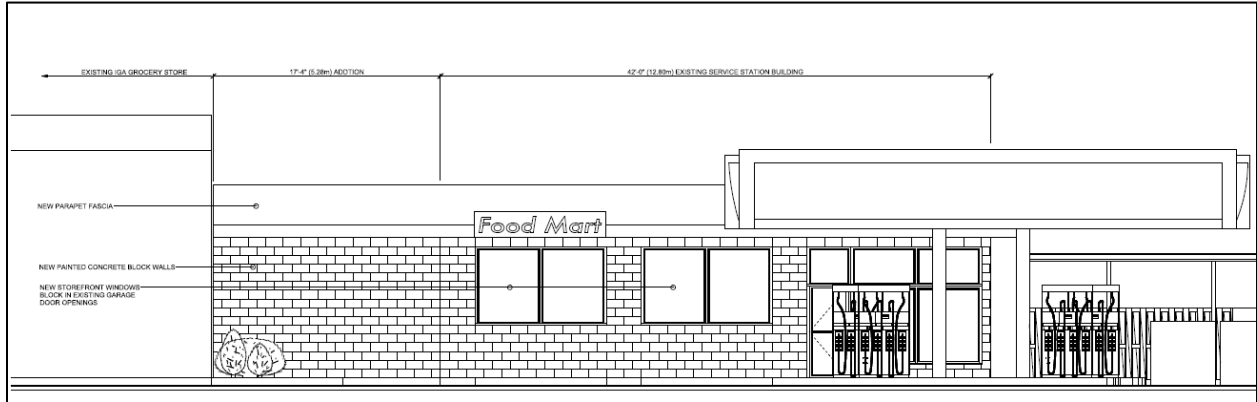


Figure 14: West Elevation

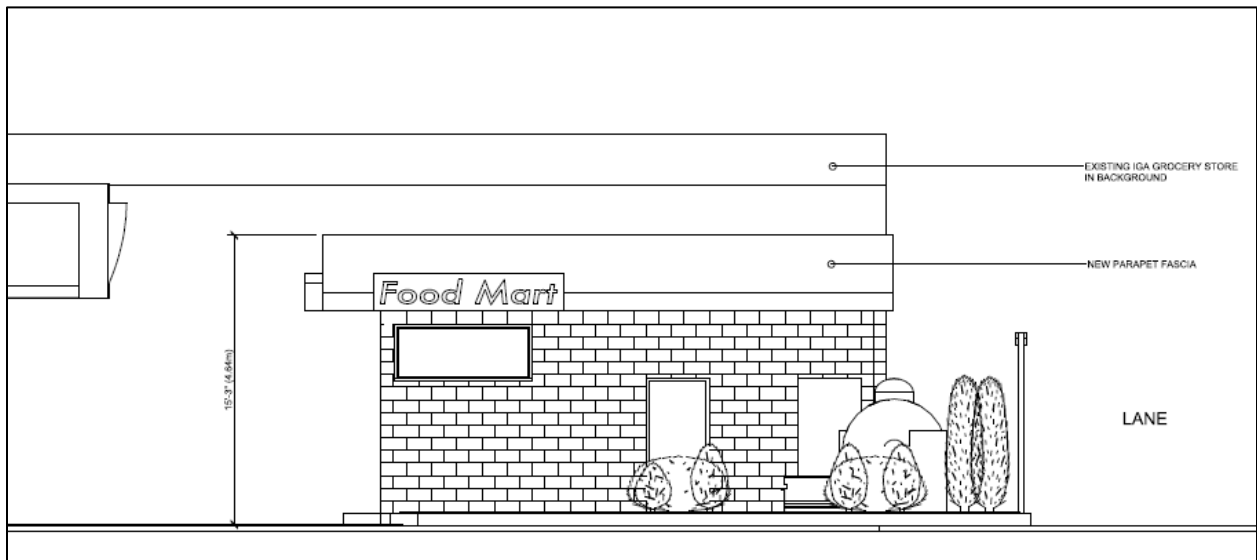


Figure 15: South Elevation



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

Development Variance Permit

Permit Number: DVP PL2017-8118

1003795 BC LTD., INC. NO. BC1081214
 1198 Government Street
 Penticton BC, V2A 4V1

Conditions of Permit

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

Legal: Lot 1 District Lot 250 Similkameen|Division Yale District Plan 39066
 Civic: 1198 Government Street
 PID: 009-406-875
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2017-08 to allow for the construction of a new gas station, as shown in the plans attached in Schedule A.
 - Section 11.8.2.6.i: to reduce the minimum interior side yard from 4.5m to 0m.
 - Section 11.8.2.7.i: to reduce the minimum rear yard when abutting a lane that abuts a residential zone from 6.0m to 3.0m.

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the 23 day of January, 2018

Issued this ____ day of _____, 2018

Dana Schmidt,
Corporate Officer

Council Report

penticton.ca

Date: January 23, 2018 File No: RMS ADDRESS/450 Martin
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: **450 Martin Street**
Subject: **Zoning Amendment Bylaw No. 2018-03 (P2 Developments)**

Staff Recommendation

THAT "Zoning Amendment Bylaw No. 2018-03", being a bylaw to rezone Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District and District Lot 202, Similkameen Division Yale District, Plan KAP90148, from CD1 Comprehensive Development Zone 1 (400 Martin Street) to C5 (Urban Centre Commercial) and to remove the CD1 from Zoning Bylaw 2017-08, be given first reading and be forwarded to the February 6, 2018 Public Hearing.

Background

At the December 5, 2017, Regular Meeting, City Council voted to mutually cancel a Phased Development Agreement for 450 Martin Street as offered by the land owner. Council at that meeting also gave direction for staff to bring forward a bylaw amendment to lower the permitted height of the project from 23 storeys to 10 storeys and to rezone the lands in-line with surrounding properties – in essence reverting the lands to its previous zoning designation. Rationale for this direction is contained in the staff report to Council dated December 5, 2017.

Ultimately Council supported the following steps to move forward with this property once the Phased Agreement was cancelled:

1. Deliver notice to the developer of agreement with the plan to mutually cancel the PDA
2. Proceed with amendments to the Zoning Bylaw to remove the height allowances permitted by the previous development approvals.
3. Take steps to *clean up* the title of the property, removing the restrictive covenant and statutory right-of-way that were required as part of the agreement.
4. Return the \$150,000 that was given to the City by the developer for downtown planning work (the money has not been spent)

Following adoption of the subject bylaw, staff will proceed with steps 3 and 4 as listed above.

Proposal

Staff are introducing an amendment bylaw for Council’s consideration today that reverts the zoning of the lands back to a similar zoning of surrounding properties and removes the CD zone pertaining to the property from the zoning bylaw. The bylaw includes the following provisions:

- 450 Martin Street is rezoned from CD1 Comprehensive Development (400 Martin Street) to C5 (Urban Centre Commercial)
- And the CD1 zone is removed from Bylaw 2017-08

Analysis

Support Zoning Amendment Bylaw

The original development plans for this property were disrupted by forces outside of the control of either the City or the developer. As such the City has agreed to mutually cancel the phased development agreement that was originally signed by both parties in 2009.

As part of the cancellation, an arrangement has been agreed to whereby the lands would revert to the previous zoning to lower the height of any future proposal on the property to a maximum of 10 storeys (as limited by the airport zoning regulations).

The proposed amendment to change the zone to C5 is in line with the OCP designation for the property and the vision of the Downtown Plan.

For these reasons, staff are recommending that Council give first reading to the bylaw and forward it to the February 6, 2018 public hearing for comment from the public.

Attachments

Attachment A – Zoning Amendment Bylaw No. 2018-03

Respectfully submitted

Blake Laven, MCIP, RPP
Planning Manger

Approvals

<p>Director Development Services</p> <p><i>AL</i></p>	<p>Chief Administrative Officer</p> <p>PW</p>
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Rezone 450 Martin Street from CD1
Comprehensive Development Zone 1
(400 Martin St) to C5 (Urban Centre
Commercial)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-03

Date: _____

Corporate Officer: _____