



Agenda

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

Tuesday, February 20, 2018
at 1:00 p.m.

1. **Call Regular Council Meeting to Order**
 2. **Introduction of Late Items**
 3. **Adoption of Agenda**
 4. **Recess to Committee of the Whole**
 5. **Reconvene the Regular Council Meeting**
 6. **Adoption of Minutes:**
 - 6.1 Minutes of the February 6, 2018 Committee of the Whole 1-2 Receive
 - 6.2 Minutes of the February 6, 2018 Regular Council Meeting 3-11 Adopt
 7. **Committee and Board Reports**
 - 7.1 Parks & Recreation Master Plan Committee Minutes of January 8, 2018 12-14
Staff Recommendation: THAT Council receive the minutes of the Parks and Recreation Master Plan Committee meeting of January 8, 2018.
 - 7.2 Transportation Committee Minutes of January 30, 2018 15-17
Staff Recommendation: THAT Council receive the draft minutes of the Transportation Committee meeting of January 30, 2018.
 - 7.3 Community Revitalization Select Committee Minutes of February 8, 2018 18-20
Staff Recommendation: THAT Council receive the draft minutes of the Community Revitalization Select Committee meeting of February 8, 2018.
 8. **Correspondence**
 9. **Staff Reports:**
 - 9.1 RDOS Fire Service Agreement (FSA) Electoral Area F (West Bench) 21-31
Staff Recommendation: THAT Council approve the RDOS Fire Services Agreement for Electoral Area F (West Bench) for the term January 1, 2018 – December 31, 2023.
- FC

Cont	9.2	Year End Surplus Policy <i>Staff Recommendation: Council approve the Year End Surplus Policy effective February 20, 2018.</i>	32-36
CE	9.3	Flood Recovery – Sheet Pile Wall Repair <i>Staff Recommendation: THAT Council instruct staff to proceed with the preparation and issue of tender documents in accordance with the sheet pile wall and grouting repairs as detailed in Attachments A and B.</i>	37-44
PM	9.4	Development Cost Charges Reduction Amendment Bylaw No. 2018-11 <i>Staff Recommendation: THAT Council give first, second and third reading to “Development Cost Charges Reduction Amendment Bylaw 2018-11” a bylaw that amends Development Cost Charges Reduction Bylaw 2010-11 by removing the requirement to enter into a Housing Agreement to be eligible for reductions in cases where the land is owned or leased by BC Housing.</i>	45-48

10. **Public Question Period**

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

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

- (a) *personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- (e) *the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- (j) *information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;*

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

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

13.1	Zoning Amendment Bylaw No. 2018-03 Re: 450 Martin Street	49	2 nd /3 rd /Adopt
13.2	Zoning Amendment Bylaw No. 2018-04 Re: 799 Martin Street	50-51	2 nd /3 rd
13.3	Official Community Plan Amendment Bylaw No. 2018-05 Zoning Amendment Bylaw No. 2018-06 Re: 240 Riverside Drive, 251 Wylie Street, 1140 Burnaby Avenue	52-53 54-55	2 nd /3 rd /Adopt 2 nd /3 rd
13.4	Fees and Charges Amendment Bylaw No. 2018-10	56-71	Adopt
13.5	Zoning Amendment Bylaw No. 2017-69 Development Variance Permit PL2017-8045 Re: 681 Winnipeg Street	72-73 74-75	Adopt Approve

14. **Land Matters:**

DDS	14.1	Official Community Plan Amendment Bylaw No. 2018-12 Zoning Amendment Bylaw No. 2018-13 Re: 330 Power Street <i>Staff Recommendation: THAT prior to consideration of “Official Community Plan Amendment Bylaw No. 2018-12” and in accordance with Section 475 of Local Government Act, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:</i>	76-89
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1. *One or more persons, organizations or authorities;*
2. *The Regional District of Okanagan Similkameen;*
3. *Local First Nations;*
4. *School District #67; and*
5. *The provincial or federal government and their agencies;*

AND THAT it is determined that the consultation completed to date with School Board #67 and the proposed Public Hearing is sufficient consultation;

AND THAT "Official Community Plan Amendment Bylaw 2018-12", a bylaw that amends OCP Bylaw 2002-20 by changing the OCP designation on That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan kAP91728" shown on Schedule A of the Bylaw from A (Administration / Institutional – Including Schools) to MFMD (Multi-Family Medium Density), be introduced, read a first time and be forwarded to the March 6, 2018 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2018-13", a bylaw that amends Zoning Bylaw 2017-08, changing the zoning of That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan KAP91728" shown on Schedule A of the Bylaw, from P1 (Public Assembly) to C3 (Mixed Use Commercial) and C7 (Service Commercial) as shown on Schedule A of the bylaw, and that adds the uses "public parking" and "storage and warehousing" to the C3 and C7 zones as site specific uses for those areas identified on Schedule B of the Bylaw, be introduced, read a first time and be forwarded to the March 6, 2018 Public Hearing.

15. **Notice of Motion**
16. **Business Arising**
17. **Council Round Table**
18. **Public Question Period**
19. **Adjournment**

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

Tuesday, February 6, 2018
Recessed from the Regular Council Meeting at 1:00 p.m.

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

Staff: Peter Weeber, Chief Administrative Officer
Dana Schmidt, Corporate Officer
Jim Bauer, Chief Financial Officer
Mitch Moroziuk, General Manager of Infrastructure
Anthony Haddad, Director of Development Services
Angie Collison, Deputy Corporate Officer

1. Call to order

The Mayor called the Committee of the Whole meeting to order at 1:03 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on February 6, 2018 be adopted as amended to include a delegation from Okanagan Nation Alliance.

CARRIED UNANIMOUSLY

3. Delegations and Staff Presentations:

3.1 Downtown Penticton Issues

Ryan Graham, DPA Board President, shared his concerns with the drinking and drug use in the downtown area. He would like to work together with the RCMP, Council and staff to see a change to the culture of the downtown. He will return in three months and hopes to report that the safety concerns have been addressed.

3.2 Police Services – Quarterly Report

Supt. Ted De Jager provided Council with the Quarterly Report for October to December 2017. Overtime resources and Cpl. Rock's community support and enforcement team of five members will focus on priorities.

3.3 PIB/ONA

Camille Rivard-Sirois, Project Coordinator, Okanagan Nation Alliance, provided Council with an overview of the work planned at Ellis Creek and requested a letter of support to accompany application for a \$10,000 grant from OBWB to be used for environmental monitoring during construction.

It was MOVED and SECONDED

THAT Council provide the Okanagan Nation Alliance and Penticton Indian Band with a letter of support to accompany their funding application to Okanagan Basin Water Board (OBWB) to ensure water quality during the restoration of Ellis Creek Sediment Basin.

CARRIED UNANIMOUSLY

4. Adjourn to Regular Meeting

It was MOVED and SECONDED

THAT Council adjourn the Committee of the Whole meeting held February 6, 2018 at 2:30 p.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Dana Schmidt
Corporate Officer

Andrew Jakubeit
Mayor

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

Tuesday, February 6, 2018
at 1:00 p.m.

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

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 1:02 p.m.

2. Introduction of Late Items

3. Adoption of Agenda

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council meeting held on February 6, 2018 as amended to add correspondence 8.1 and 8.2.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:03 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 2:30 p.m.

6. Adoption of Minutes:

6.1 Minutes of the January 23, 2018 Regular Council Meeting

36/2018

It was MOVED and SECONDED

THAT Council adopt the minutes of the January 23, 2018 Regular Council Meeting as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the January 23, 2018 Public Hearing

37/2018

It was MOVED and SECONDED

THAT Council receive the minutes of the January 23, 2018 Public Hearing as presented.

CARRIED UNANIMOUSLY

7. Committee and Board Reports

7.1 Committee Minutes

38/2018

It was MOVED and SECONDED

THAT Council receive the minutes of the Official Community Plan Task Force meeting of June 5, 2017;

AND THAT Council receive the following draft minutes:

- Agriculture Advisory Committee meeting of November 14, 2017;
- Economic Development & Prosperity Task Force meeting of January 11, 2018;
- Penticton Creek Restoration Committee meeting of January 19, 2018; and
- Heritage and Museum Committee meeting of January 30, 2018.

CARRIED UNANIMOUSLY

8. Correspondence

8.1 Late Items 8.1 and 8.2

39/2018

It was MOVED and SECONDED

THAT Council refer the correspondence from the Public Library requesting a street named after Rory McIvor and the correspondence from the Robins Family to the Heritage and Museum Committee.

CARRIED UNANIMOUSLY

9. Staff Reports:

9.1 Emergency Operations Centre (EOC) Grant

40/2018

It was MOVED and SECONDED

THAT Council support the application for grant funding from UBCM for Emergency Operations Centre costs for equipment, supplies, & training for the City of Penticton Emergency Operations Centre.

CARRIED UNANIMOUSLY

9.2 Southern Interior Local Government Association (SILGA): 2018 Resolutions

41/2018

It was MOVED and SECONDED

WHEREAS Local Government has become reliant on use of information technologies including the internet, wireless technology and smart devices to advance communications and citizen services and create operational efficiencies;

AND WHEREAS protection of privacy and security of digital and physical assets and services is critical to local government in a situation where rapidly evolving technology poses significant risk of theft and damage to hardware, software and information;

NOW THEREFORE be it resolved that Province of British Columbia establish a program that supports local government and provides grant resources for information technology security audits and information technology security system upgrades.

CARRIED UNANIMOUSLY

9.3 Fees and Charges Amendment Bylaw No. 2018-10

42/2018

It was MOVED and SECONDED

THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2018-10".

CARRIED UNANIMOUSLY

43/2018

It was MOVED and SECONDED

THAT Council direct staff to provide a report at the April Council meeting outlining tiered recreational fee options.

DEFEATED

Councillors Watt, Sentes, Sayeed, Picton, Opposed

Councillor Watt left the meeting at 3:11 p.m.

9.4 Economic Development – 2018-2022 Strategic Plan

44/2018

It was MOVED and SECONDED

THAT Council support the 2018-2022 Economic Development Strategic Plan.

CARRIED UNANIMOUSLY

Councillor Watt returned to the meeting at 3:15 p.m.

9.5 City Land Disposition Policy

45/2018

It was MOVED and SECONDED

THAT Council provide Staff with direction on the issues identified in the proposed "City Land Disposition Policy" at the January 23, 2018 Council meeting by selecting the following option under A):

A) Replace the clause:

"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."

With:

If a proposal is deemed non-viable based on Staff vetting, the request will be declined at the staff level. Staff will advise the proponent of any viable alternative parcels and provide alternative processes that could be followed. Should the proponent not be satisfied with the staff decision the proponent may appeal the Staff decision to the CAO and if not satisfactorily resolved by the CAO, through an appeal to Council.

CARRIED
Councillor Sayeed, Opposed

46/2018

It was MOVED and SECONDED

THAT Council provide Staff with direction on the following issues identified in the proposed "City Land Disposition Policy" at the January 23, 2018 Council meeting by selecting the following option under B):

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.

CARRIED
Councillor Sayeed, Opposed

47/2018

It was MOVED and SECONDED

THAT Council approve the City Land Disposition Policy to be dated February 6, 2018 as modified by the above noted directions; AND THAT Council repeal the Land Sale Policy dated December 8, 1998.

CARRIED UNANIMOUSLY

9.6 Asset Management Building to the Standards

48/2018

It was MOVED and SECONDED

THAT future engineering projects reflect the reduced road widths and sidewalk elimination as per the standard referred to in this staff report dated February 6, 2018;
AND THAT Council direct staff to include the savings reflected by road width reductions and sidewalk elimination in the next update of the Asset Management Investment Plan;
AND FURTHER THAT residents be educated during the design phase with respect to the Asset Management Issues, adopted standards, mitigation measures and the possibility of a 100% resident funded Local Area Service charge should they want the wider street and sidewalks on both sides.

CARRIED UNANIMOUSLY

9.7 Electric Utility Services Bylaw No. 2017-44
Subdivision and Development Amendment Bylaw No. 2018-08
Fees and Charges Amendment Bylaw No. 2018-09

49/2018

It was MOVED and SECONDED

THAT Council give second reading as amended and third reading to the "Electric Utility Services Bylaw No. 2017-44";
AND THAT Council give first, second and third reading to the "Subdivision and Development Amendment Bylaw No. 2018-08" which is a Bylaw to amend the "Subdivision and Development Bylaw No. 2004-81" as it pertains to Net Metering;

AND THAT Council give first, second and third reading to "Fees and Charges Amendment Bylaw No. 2018-09" which is a Bylaw to amend the "Fees and Charges Bylaw No. 2014-07" as it pertains to Appendix 7 – Electricity;

AND THAT Council direct staff to forward the "Electric Utility Services Bylaw No. 2017-44" to the Minister of Municipal Affairs and Housing for approval.

**CARRIED
Mayor Jakubeit, Opposed**

9.8 City Owned Land Project Update

50/2018

It was MOVED and SECONDED

THAT Council receive the report dated February 6, 2018 titled "City Owned Land Project Update" into the record.

CARRIED UNANIMOUSLY

10. Public Question Period

11. Recess to In-Camera Meeting

51/2018

It was MOVED and SECONDED

THAT Council recess at 4:31 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;*
 - (b) *personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;*
 - (e) *the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
 - (f) *law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*
 - (j) *information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;*
- 90 (2) (b) *the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

CARRIED UNANIMOUSLY

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

Council reconvened the Regular Council Meeting at 6:01 p.m.

13. Reconsideration of Bylaws and Permits

13.1 Zoning Amendment Bylaw No. 2017-59
Re: 342 & 346 Van Horne Street

52/2018

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2017-59".

CARRIED UNANIMOUSLY

13.2 Street Naming (The Ridge) Bylaw No. 2017-80

53/2018

It was MOVED and SECONDED

THAT Council adopt "Street Naming (The Ridge) Bylaw No. 2017-80".

CARRIED UNANIMOUSLY

14. Land Matters

14.1 Development Variance Permit PL2017-8115

Re: 249/257 Scott Avenue

Delegations/Submissions:

- Linda Sankey, Main Street, spoke in support of the application.

54/2018

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2017-8115" for Lot 1 District Lot 250 Similkameen Division Yale District Plan 16905, located at 249 Scott Avenue and for Parcel B (Plan B837) of Lot 3 District Lot 250 Similkameen Division Yale District and of District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 582, located at 257 Scott Avenue, a permit to waive the visitor parking requirements and to reduce the minimum amenity space from 20m² to 0m²;

AND THAT approval of "Development Variance Permit PL2017-8115" be conditional on the following:

- That the developer entering into a Housing Agreement with the City of Penticton requiring participation in the South Okanagan Brain Injury Society (SOSBIS) landlord partnership program or other eligible similar program for four units within the building for a minimum of 20 years;
- That the two lots be consolidated;

AND THAT staff be directed to prepare a Housing Agreement Bylaw for the subject property; AND FURTHER THAT staff be directed to issue "Development Variance Permit PL2017-8115" after registration of the Housing Agreement.

CARRIED UNANIMOUSLY

14.2 Development Permit PL2018-8153

Re: 108, 114, 120, 126 and 136 Ellis Street

55/2018

It was MOVED and SECONDED

THAT Council approve "Development Permit PL2018-8153", a permit to for a six (6) storey, 48 unit, residential building with two (2) live work units and ground floor commercial uses on Lots 2 – 6, Bock 12, District Lot 202, Similkameen Division Yale District, Plan 479, located at 120 Ellis Street (108, 114, 120, 126 and 136 Ellis Street);

AND THAT as a condition of approval the five lots are to be consolidated prior to building permit issuance;

AND THAT staff are directed to issue the development permit;

AND FURTHER THAT Council with their authority under Section 507 of the *Local Government Act*, dealing with excess and extended services, require the construction of the full width of the lane to tie into the new portion of lane leading from Westminster Avenue.

CARRIED UNANIMOUSLY

14.3 Zoning Amendment Bylaw No. 2018-04
Development Variance Permit PL2017-8121
Development Permit PL2017-8122
Re: 799 Martin Street

56/2018

It was MOVED and SECONDED

THAT "Zoning Amendment Bylaw No. 2018-04", a bylaw to rezone Lot A District Lot 202 Similkameen Division Yale District Plan 1557, located at 799 Martin Street from RD1 (Duplex Housing) to RM3 (Medium Density Multiple Housing), be given first reading and forwarded to the February 20, 2018 Public Hearing; AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-04", a 1.0m road dedication along the east property line (Martin Street) is registered with the Land Title Office;

THAT delegations and submissions for "Development Variance Permit PL2017-8120" for Lot A District Lot 202 Similkameen Division Yale District Plan 1557, located at 799 Martin Street, a permit to reduce the minimum north interior side yard of a principal building from 4.5m to 3.9m, to reduce the minimum rear yard from 6.0m to 4.4m and to increase the maximum hard surfacing of a lot from 60% to 71%, be heard at the February 20, 2018 Public Hearing.; AND THAT Council consider "DVP PL2017-8121" following the adoption of "Zoning Amendment Bylaw No. 2018-04";

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2018-04," approve "Development Permit PL2017-8122" for Lot A District Lot 202 Similkameen Division Yale District Plan 1557, located at 799 Martin Street, a permit that allows for the construction of a nine-unit townhouse development.

CARRIED UNANIMOUSLY

14.4 Official Community Plan Amendment Bylaw No. 2018-05
Zoning Amendment Bylaw No. 2018-06
Development Variance Permit PL2017-8099
Development Permit PL2017-8100
Re: 240 Riverside Drive, 251 Wylie Street, 1140 Burnaby Avenue

57/2018

It was MOVED and SECONDED

THAT prior to consideration of "OCP Amendment Bylaw No. 2018-05" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation; AND THAT "OCP Bylaw No. 2002-20", be amended by changing the OCP designation on Lot 1, District Lot 366, Similkameen Division Yale District Plan 10541, located at 240 Riverside Drive and on Lot 1-2, District Lot 366, Similkameen Division Yale District Plan 14177 located at 1140 Burnaby Avenue and 251 Wylie Street from TC (Tourist Commercial) to MR (Medium Density Residential); AND THAT "Official Community Plan Amendment Bylaw No. 2018-05" be introduced, read a first time and forwarded to the February 20, 2018 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2018-06", a bylaw to amend Zoning Bylaw 2017-08 to rezone Lot 1, District Lot 366, Similkameen Division Yale District Plan 10541, located at 240 Riverside Drive and on Lot 1-2, District Lot 366, Similkameen Division Yale District Plan 14177 located at 1140 Burnaby Avenue and 251 Wylie Street from CT1(Tourist Commercial) and CT2(Campground Commercial) to RM3 (Medium Density Multiple Housing), be given first reading and be forwarded to the February 20, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-06" the following conditions are met:

- The subject lots are consolidated and registered with the Land Title Office;
- A 5m X 5m road dedication on the corner of Wylie and Burnaby be registered with the Land Title Office;

AND THAT, in accordance with section 211(1)(b) of the Community Charter, staff bring forward a Local Area Service for street improvements to parts of Burnaby Ave, Wylie St and Riverside Drive;

AND THAT, in accordance with section 507 of the *Local Government Act*, if the Local Area Service bylaw fails, Council require the developer to construct the full width of Wylie Street, Burnaby Avenue and Riverside Drive as per Attachment "H".

THAT delegations and submissions for "Development Variance Permit PL2017-8099" include Lot 1, District Lot 366, Similkameen Division Yale District Plan 10541, located at 240 Riverside Drive and on Lot 1-2, District Lot 366, Similkameen Division Yale District Plan 14177 located at 1140 Burnaby Avenue and 251 Wylie Street, a permit varying the following provisions of Zoning Bylaw 2017-08:

- decrease the front yard setback from 3m to 1.5m
- decrease the rear yard setback from 6m to 3m
- decrease the exterior yard setback from 4.5m to 1.5m

be heard at the February 20, 2018 Public Hearing;

AND THAT Council consider "DVP PL2017-8099" following the adoption of "Zoning Amendment Bylaw No. 2018-06"; AND THAT Council consider "DP PL2017-8100" following the adoption of "Zoning Amendment Bylaw No. 2018-06".

CARRIED UNANIMOUSLY

15. Notice of Motion

16. Business Arising

17. Council Round Table

18. Public Question Period

19. Adjournment

58/2018

It was MOVED and SECONDED

THAT Council adjourn the Regular Council meeting held on Tuesday, February 6, 2018 at 7:05 p.m.

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.

Monday, January 8, 2018
at 10:00 a.m.

Present: Andrew Jakubeit, Mayor
Judy Sentes, Councillor
Ron Ramsay, Chair
James Palanio, Vice-Chair
Doug Gorcak, Penticton District School District 67 Representative
Ezra Cremers, Organized Field Sport Representative
Roland Curnow, Organized Field Sport Representative
Adolf Steffen, Development Community Representative
Peter Dooling, Member at Large
Gary Denton, Member at Large

Staff: Anthony Haddad, Director of Development Services
Len Robson, Public Works Manager
Todd Whyte, Parks Supervisor
Ben Johnson, Special Projects Manager
JoAnne Kleb
Lorraine Williston, Corporate Committee Secretary

1. Call to Order

The Parks & Recreation Master Plan Steering Committee was called to order by the Chair at 10:04 a.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 January 8, 2018 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

3.1 Minutes of the October 26, 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 October 26, 2017 meeting as circulated.

CARRIED UNANIMOUSLY

4. Delegation

4.1 Official Community Plan Update

The Community Engagement Officer provided an update on the Official Community Plan review process and upcoming engagement events noting a special event is being held for all of Council's advisory committee members on January 17 to gather their input directly. The Special Projects Manager commented the City will be hosting a three day exposition to gather feedback on important topics and asked members to reach out to their networks and encourage their 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. New Business

5.1 Parks & Recreation Master Plan – Completion Timeline

The Director of Development Services reviewed the major targets in the proposed timeline.

Todd Whyte left the meeting at 2:40 p.m.

5.2 Committee Quorum/Attendance Discussion

The Chair opened the discussion on the proposed completion timeline. Members were canvassed as to their availability over the next few months. Roundtable discussion ensued. It was suggested that meeting times be extended to four hours. By general consensus it was agreed to extend meeting times, if necessary, to meet the May completion target date.

5.3 Terms of Reference

The Director of Development Services reviewed the draft Parks & Recreation Advisory Committee Terms of Reference. Discussions and questions followed. Concerns were raised regarding the voting members in Item 1. It was noted there is a lack of representation for field naturalists and park advocates and the voting member list is over weighted with recreational service representation and parks representation is underrated. It was generally agreed there should be diversity and a well-balanced cross section of representation on this committee. Discussion followed on whether the RDOS and PIB should also be represented. It was also suggested 'representative' be changed to 'stakeholder'.

It was further recommended that item 2 be amended to appoint a Chair and Vice-Chair at the second meeting. Wording in item 9, first bullet, should be revised from 'provision' to 'provision, protection and promotion of parks and the reference to the Park Use Policy in the fifth and sixth bullet should read 'Parks Protection and Use Policy' to maintain consistency with the master plan.

Ron Ramsay, Gary Denton and Peter Dooling agreed to further review the Terms of Reference and bring back recommendations to the committee for consideration at the next meeting. The Chair asked members to forward any comments to the Committee Secretary.

6. Business Arising from Prior Meetings

6.1 Sub-Committee Presentations

The Public Works Manager reviewed the recommended changes in Sections 1, 2, 3.3, 8, 10 and Appendix Review from the draft master plan. Discussion and questions followed and revisions noted by staff.

6.2 Finalization of Vision and Values

The Chair noted there is one outstanding item in the statement regarding the Fiscal Efficiencies & Partners. It was agreed to remove the wording 'not for profit'.

6.3 Review of Next Steps and Agenda Tracking List

Deferred to the next meeting.

7. Next Meeting

The next scheduled meeting of the Parks & Recreation Master Plan Steering Committee is Thursday, January 25, 2018.

8. Adjournment

It was MOVED and SECONDED

That the Parks & Recreation Master Plan Steering Committee adjourn the meeting held on Monday, January 8, 2018 at

CARRIED UNANIMOUSLY

Certified Correct:



Lorraine Williston
Corporate Committee Secretary



Transportation Advisory Committee Meeting

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

Tuesday, January 30, 2018
at 3:00 p.m.

Present: Tarik Sayeed, Councillor
Tracy Van Raes, Chair
Daryl Clarke, PIDA Representative
Matt Berry, Penticton Transit Representative
Martyn Lewis, Member at Large
Brigid Kemp, Member at Large
Matt Hopkins, Member at Large

Staff: Ian Chapman, City Engineer
Tyler Figgitt, Design Supervisor
Lorraine Witowski, Committee Secretary

1. Call to Order

The Transportation Advisory Committee was called to order by the Chair at 3:01 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED

THAT the Transportation Advisory Committee adopt the agenda for the meeting held on January 30, 2018.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED

THAT the Transportation Advisory Committee adopt the minutes of the November 17, 2017 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 2018 Transportation Master Plan Data Collection and Official Community Plan Update

The General Manager of Infrastructure reported the Official Community Plan (OCP) does have a segment focused on transportation and staff will be bringing in the transportation consultant to come to talk to this committee at a future meeting. Staff noted a new Transportation Plan is needed as the existing one is very outdated. The data required for a new 10 year transportation plan is huge and this committee will be involved in that process. Work on the Transportation Plan will commence once the OCP update has been completed as the plan will address recommendations contained in the OCP. Initial work (data collection) will be done during 2018 and in 2019, the work on the actual plan will start and it will include committee and public input. Discussion and questions followed. It was suggested that a representative from Interior Health be invited to a meeting to talk about 'Planning for Healthier Communities' and the importance of having a healthy transportation system in a community. Staff to extend an invitation to Interior Health. The PIDA representative raised concerns over the lack of focus/importance of the industrial area at the ExpOCP workshop and how this area fits into the OCP.

4.2 Alberni Street Large Vehicle Parking Update

The General Manager of Infrastructure provided an update on the parking issue on Alberni Street stating larger vehicles/trucks have been parking on the street taking up several parking spots. When there are events at the SOEC, this becomes an issue. New signs have been installed restricting the size of vehicles allowed to park there and a permit is now required for oversized vehicle parking. Discussion followed and concerns were raised on the lack of available parking areas for truckers to rest and sleep within the city.

4.3 Point Intersections Update

The Design Supervisor presented information on intersections that the City will be looking to improve the functionality of those roadways, namely, Kinney Avenue/South Main Street and Warren Avenue/Main Street. Discussion followed on the traffic flow into the industrial area. PIDA does not want more feeder traffic through the area. Staff commented any proposed changes will be included in the review. Discussion ensued on safety issues with some other intersections in the area such as Warren and Main. Staff commented that as options are developed, new information will be brought forward to the committee.

4.4 Sidewalk Installation Priorities Update

The Design Supervisor presented an updated new GIS mapping sidewalk network outlining existing sidewalks and areas with no sidewalks noting the network map is still a work in progress. Staff commented there are a high percentage of areas with very little to no sidewalks. Staff stated they have engaged consultants and will be working on a priority scale to identify priorities. The first step is to get the network built. Discussion and questions followed. It was suggested bus routes without a sidewalk be a priority. Staff commented there will be a scoring system to determine priorities. Staff pointed that work related to asset management and reducing the amount of money that we require to spend on roads is also ongoing. The City is looking at building roads to the standard contained in the bylaw instead of the existing standard. This would mean some areas would only be reconstructed with sidewalk on one side and some roads would be reduced in width.

5. **Next Meeting**

The next scheduled meeting of the Transportation Advisory Committee is Tuesday, February 27, 2018.

6. **Adjournment**

It was **MOVED** and **SECONDED** that the Transportation Advisory Committee adjourn the meeting held on Tuesday, January 30, 2018 at 3:53 p.m.

Certified Correct:

Lorraine Witowski
Committee Secretary



Community Revitalization Select Committee Meeting

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

Thursday, February 8, 2018
at 7:30 a.m.

Present: Judy Sentes, Councillor
Campbell Watt, Councillor
Deborah Moore, Vice-Chair
Tim Scott, Member at Large
Jim Meyer, Member at Large
Cheryl Watts, Member at Large
Corinna Netherton, Member at Large
Don Cocar, Member at Large
Nick Vassalakis, Member at Large

Staff: Ian Chapman, City Engineer
Blake Laven, Planning Manager
Shawn Filice, Electric Utility Manager
Lorraine Williston, Committee Secretary

Guest: Stephen Burns, P.Eng., PMP
CIMA+

1. Call to Order

The Community Revitalization Select Committee was called to order by the Vice-Chair at 7:30 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 February 8, 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 January 9, 2017 meeting.

CARRIED UNANIMOUSLY

4. Delegation

4.1 200 Block – East Lane Rebuild Presentation

The consultant provided an overview of the scope of works and rationale behind the rebuild and the challenges with this project. Staff explained the logistics of the replacement and installation of the new conduits and stated the purpose for this meeting is to present the preliminary designs for comment and input from the committee with respect to the disruption of access to the back lane to 200 Block business owners. The proposed schedule would have construction start at the beginning of May and completed by the end of June. Staff noted they have spoken to businesses regarding changes to garbage collection, deliveries etc. during this period. Committee members raised concerns over the lack of vehicle and pedestrian access to both the 200 Block and 300 Block businesses due to construction on the 300 Block happening at the same time and suggested this project be deferred to the fall.

The consultant noted this is a six week construction project and access to asphalt may not be available in late fall. The City Engineer commented that deferring the project to the fall could incur additional challenges with weather that may delay the works. The subject of lighting was discussed. Staff commented lighting will require permission from the land owners and noted the installation would not be at the owners cost. Lighting options will be determined after further consultations with owners.

By consensus, the committee recommended that staff defer the project to begin after the September long weekend as to not coincide with the 300 Block construction project.

The Electric Utility Manager mentioned that if owners would like to have their electrical capacity increased to contact him directly as it can be done at the same time as the construction and would save costs to the owners. Councillor Sentes suggested that the Downtown Penticton Association send out information to those businesses in the 200 Block to make them aware of this option.

5. Business Arising from Previous Meetings

5.1 300 Block Revitalization Update

The City Engineer reported the tender has been awarded to Grizzly Excavating Ltd. Grizzly Excavating Ltd. will begin mobilizing equipment and begin construction in the following week. Work will be done Monday to Friday. Weekend work will only happen nearer the scheduled completion date of mid-June, if required. Staff noted the City's Communication Department is working on a communication plan to inform the public. A question was raised about free parking in the downtown area during construction. Staff to enquire and report back to the committee. Discussion followed regarding whether another washroom facility would be installed in the 300 Block near the White Clinic Building. It was agreed that another washroom facility is needed in the 300 Block.

It was MOVED and SECONDED that the Community Revitalization Select Committee recommends:

THAT a second washroom facility be installed in the 300 Block similar to the washroom facility installed in the 200 Block.

CARRIED UNANIMOUSLY

Questions were raised on how staff will be addressing the transition of three lanes to two lanes. Staff commented at this time, they do not have any new information from the traffic consultant and noted the default would be to install a permanent splitter island. One suggestion was to use directional paint lines. Staff noted consultation with traffic experts is needed to determine what would be sufficient for safety. Following further discussion, staff agreed to research the option of directional line painting to reduce the lanes instead of using a splitter island and will bring back information to the committee.

Nick Vassalakis asked about the disposition of the interlocking pavers that will be replaced commenting the Greek community is interested in purchasing or having the pavers donated and have offered to store the pavers during construction. Staff commented that the disposal of the pavers will be handled by the City's Procurement and Inventory Services department.

6. **New Business**

7. **Next Meeting**

The next scheduled meeting for the Community Revitalization Select Committee is Thursday, March 8, 2018 at 7:30 a.m.

8. **Adjournment**

It was MOVED and SECONDED that the Community Revitalization Select Committee adjourn the meeting held on Thursday, February 8, 2018 at 8:30 a.m.

Certified Correct:

Lorraine Williston
Committee Secretary

Council Report

penticton.ca

Date: February 20, 2018 File No: 7200-01
To: Peter Weeber, Chief Administrative Officer
From: Larry Watkinson, Fire Chief
Subject: **RDOS Fire Service Agreement (FSA) Electoral Area F (West Bench)**

Staff Recommendation

THAT Council approve the RDOS Fire Services Agreement for Electoral Area F (West Bench) for the term January 1, 2018 – December 31, 2023.

Executive Summary

The Regional District has requested the City provide first responder medical and rescue services (“First Responder Services”) to supply and deploy firefighting personnel and equipment for the prevention, extinguishment and containment of fires (the “Fire Suppression Services”) in those areas within the Regional District outlined in the Fire Services Agreement.

Strategic Priority Objective

Good Governance: Provider of Public Services.

Background

From October 11, 2012 - December 31, 2017 the Penticton Fire Department (PFD) has provided first responder, rescue services and firefighting personnel and equipment for the prevention, extinguishment and containment of fires on the West Bench. The Fire Services Agreement (FSA) has provided the residents of the West Bench the same level of fire service provided to City of Penticton residents.

Financial Implication

The West Bench share of the City of Penticton costs would be approximately \$315,000 per year with annual increases based on the fire department operational and capital cost and assessed values of the FSA area.

Analysis

Fire Service Agreements like the West Bench, desiring fire/rescue protection and insurance grading recognition should be organized on a sound financial basis such as a tax levy as we have established in the FSA with the RDOS. The PFD has the capacity to provide fire/rescue protection to this area at this time. The PFD has the ability and modern fire equipment effective in meeting the requirements of the West Bench.

Changes to the FSA are as follows:

1. FIRE PROTECTION

1.3 (c) *Fire prevention measures such as fire bans or restrictions that are in effect within the City of Penticton will apply to the areas within the Regional District outlined on Schedule 1. If the fire prevention measures are not followed, fire suppression services will be supplied at Actual Cost per fire related incident.*

2. TERM

2.1 *Subject to section 2.2 and 2.3 herein, the term of this Agreement shall commence on the 1st day of January (date close to signing), 2018 and end on the 31st day of December, 2023.*

3. PAYMENT FOR SERVICES

3.1 *The City shall provide to the Regional District:*

- (a) *detailed operation and capital budgets for the City's Fire Department before the 31st day of January in each year of this Agreement, if approval by Council has been obtained;*
- (b) *for the first year of this Agreement the City shall provide the information required in subsection 3.1(a) prior to the execution of this Agreement;*
- (c) *an estimate of the costs of service in a dollar figure for the subsequent year by the 30th day of November in each year of this Agreement. It is understood and agreed that the estimate will be based on an annualization of the year to date numbers which may include some inaccuracies; and*
- (d) *detailed operational and capital financial information for the previous year for the City's Fire Department before the 30th day of June in each year of this Agreement.*

3.2 *For each year of this Agreement, the Regional District shall pay to the City an amount equal to:*

$$\{[(TAV_{EAF}) \div (TAV_{EAF} + TAV_{CP} + TAV_{FSA})] \times TC\} \text{ where:}$$

- (a) *TAV_{EAF} is the total assessed value before exemptions, as determined by the British Columbia Assessment Authority of the Regional District Land and Improvements, that are subject to this Agreement;*
- (b) *TC is the City of Penticton Fire Department's total cost of providing the Fire Services in the Fire Protection Areas within the boundaries of the City and elsewhere in the previous year;*
- (c) *TAV_{CP} is the total assessed value of all Land and Improvements within the City, after exemptions, as determined by the British Columbia Assessment Authority;*
- (d) *TAV_{FSA} is the total assessed value of all Land and Improvements, as determined by the British Columbia Assessment Authority of all areas provided with Fire Services by the City pursuant to other agreements and specifically excludes TAV_{EAF}; and*
- (e) *All assessment values herein shall be based upon the completed assessment rolls for the current taxation year.*

- 3.3** For the purposes of subsections 3.2(b) and 3.2(c), the City Fire Department’s cost of operation for the previous year:
- (a) includes the City’s standard administrative support service charge of 18 percent which includes costs for liability and fire insurance, as well as accounting, legal, data processing, personnel, and legislative services and must only be applied to operating costs, including depreciation of equipment; and
 - (b) includes the amortization and depreciation of fire services capital assets as defined by City of Penticton audited annual financial statements.
- 3.4** The City agrees to advise the Regional District, no later than July 31st day of each year during the term of this Agreement, of the payment required for the current year.
- 3.5** The Regional District shall pay to the City the amount payable under this section no later than the first business day of October in each year during the term of this Agreement commencing in the year 2018.
- 3.6** The Regional District shall provide to the City, by the 1st day of September of each year of this Agreement, a list of all properties and improvements in the Identified Lands for which the City is to provide the Fire Services, all related assessment data, and shall, from time to time, provide to the City an updated list and map(s) of Identified Lands or improvements thereon as and when necessary or requested by the City.

Attachments

Attachment A – January 1, 2018 – December 31- 2023 Fire Service Agreement (West Bench)

Respectfully submitted,



Larry Watkinson
Fire Chief

Approvals

Chief Financial Officer <i>JWB</i>	Chief Administrative Officer PW
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THIS AGREEMENT dated for reference the _____ day of _____ 2018.

BETWEEN:

THE CORPORATION OF THE CITY OF PENTICTON,
171 Main Street, Penticton, BC, V2A 5A9

(the "**City**")

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN,
101 Martin Street, Penticton, BC, V2A 5J9

(the "**Regional District**")

OF THE SECOND PART

WHEREAS:

- A. The Regional District has requested the City to provide first responder medical and rescue services ("First Responder Services") to supply and deploy fire fighting personnel and equipment for the prevention, extinguishment and containment of fires (the "Fire Suppression Services") in those areas within the Regional District outlined in heavy black on Schedule A (the "Schedule A Area")
- B. The City has, subject to the terms and conditions contained in this Agreement, agreed to provide the aforesaid services.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both the City and the Regional District, the City and the Regional District agree as follows:

1. FIRE PROTECTION

- 1.1 The City agrees to provide First Responder Services and Fire Suppression Services (collectively known as the "Services") to the Schedule A Area.
- 1.2 The City shall provide the Services at a level to that which the City's fire department provides to properties located within the boundaries of the City but not at a greater level.
- 1.3 The Services to the Schedule A Area shall be subject to the following:
 - (a) the availability of its fire suppression equipment and personnel; and
 - (b) the sole and absolute discretion of the City to determine the priority of use of its fire suppression equipment and personnel as well as the allocation of fire suppression equipment to be employed in regards to providing any of the Services.
 - (c) Fire prevention measures such as fire bans or restrictions that are in effect within the City of Penticton will apply to the areas within the Regional District outlined on Schedule A. If the fire prevention measures are not followed, fire suppression services will be supplied at Actual Cost per fire related incident.
- 1.4 The City shall not be responsible or held liable for any personal injury or loss or damages of any kind to any building, modular home or unit improvement, chattel or chattels or other structures, including the contents thereof which may be sustained by the City while exercising its discretion in Section 1.3 herein.
- 1.5 If and whenever to the extent the City shall be prevented, delayed or restricted from providing any of the Services by reason of civil commotion, war-like operation, or like operation, invasion, rebellion, hostilities, sabotage, strike or work stoppage, or being unable to obtain any material, service, utility or labor required to fill such obligation, or reason by any statute, law, or regulation of, or inability to obtain any information from any governmental authority having lawful jurisdiction preventing, delaying or restricting such fulfillment, by reason of other unavoidable occurrence, the time for fulfillment of the Services shall be postponed or extended during the period in which such circumstances operate to prevent, delay or restrict the fulfillment thereof, and the other party to this agreement shall not be entitled to compensation for any inconvenience, nuisance or damages of any kind thereby occasioned.
- 1.6 The City shall not be obliged to provide water, pipeline, hydrant and similar facilities to the Schedule A Area otherwise known as the "Fire Protection Area".

2. TERM

- 2.1 Subject to section 2.2 and 2.3 herein, the term of this Agreement shall commence on the 1st day of January, 2018 and end on the 31st day of December, 2023.

2.2 Notwithstanding anything herein to the contrary, either party to this Agreement may terminate this Agreement by delivering to the other party a written notice of termination before July 1st in any year during the term hereof and this Agreement shall terminate and be of no further force or effect as of December 31 of the year in which the said notice is delivered, save and except for sections 4.3 and 4.4 herein which shall survive the said termination.

3. PAYMENT FOR SERVICES

3.1 The City shall provide to the Regional District:

- (a) detailed operation and capital budgets for the City's Fire Department before the 31st of January in each year of this Agreement if approval by Council has been obtained;
- (b) for the first year of this Agreement the City shall provide the information required in subsection 3.1(a) prior to the execution of this Agreement;
- (c) an estimate of the costs of service in a dollar figure for the subsequent year by the 30th of November in each year of this Agreement. It is understood and agreed that the estimate will be based on an annualization of the year to date numbers which may include some inaccuracies; and
- (d) detailed operational and capital financial information for the previous year for the City's Fire Department before the 30th of June in each year of this Agreement.

3.2 For each year of this Agreement, the Regional District shall pay to the City an amount equal to:

$\{[(TAV_{EAF}) \div (TAV_{EAF} + TAV_{CP} + TAV_{FSA})] \times TC\}$ where:

- (a) TAV_{EAF} is the total assessed value before exemptions, as determined by the British Columbia Assessment Authority of the Regional District Land and Improvements that are subject to this Agreement;
- (b) TC is the City's Fire Department's total cost of providing the Fire Services in the Fire Protection Areas within the boundaries of the City and elsewhere in the previous year;
- (c) TAV_{CP} is the total assessed value of all Land and Improvements within the City, after exemptions, as determined by the British Columbia Assessment Authority;

- (d) TAV_{FSA} is the total assessed value of all Land and Improvements, as determined by the British Columbia Assessment Authority of all areas provided with Fire Services by the City pursuant to other agreements and specifically excludes TAV_{EMF}; and
 - (e) All assessment values herein shall be based upon the completed assessment rolls for the current taxation year.
- 3.3** For the purposes of subsections 3.2(b) and 3.2(c), the City's Fire Department's cost of operation for the previous year:
- (a) includes the City's standard administrative support service charge of 18 percent which includes costs for liability and fire insurance, as well as accounting, legal, data processing, personnel, and legislative services and must only be applied to operating costs, including depreciation of equipment; and
 - (b) includes the amortization and depreciation of fire services capital assets as defined by City of Penticton audited annual financial statements.
- 3.4** The City agrees to advise the Regional District, no later than July 31 of each year during the term of this Agreement, of the payment required for the current year.
- 3.5** The Regional District shall pay to the City the amount payable under this section no later than the first business day of October in each year during the term of this Agreement commencing in the year 2018.
- 3.6** The Regional District shall provide to the City, by the 1st day of September of each year of this Agreement, a list of all properties and Improvements in the Identified Lands for which the City is to provide the Fire Services, all related assessment data, and shall provide from time to time to the City an updated list and map(s) of Identified Lands or improvements thereon as and when necessary or requested by the City.

4. INSURANCE AND INDEMNITY

- 4.1** During the term of this Agreement, the Regional District shall, at its sole cost and expense, maintain comprehensive general liability insurance of at least \$5,000,000.00 against claims for personal injury, death, or property damage occurring on, off, in, or about the Fire Protection Area and arising out of or resulting from the negligence of the Regional District and its elected or appointed officials, officers, servants, employees, members, and agents with respect to its obligations under this Agreement.

- 4.2 During the term of this Agreement, the City must, at its sole cost and expense, maintain comprehensive general liability insurance of at least \$5,000,000.00 against claims for personal injury, death, or property damage occurring on, off, in, or about the Fire Protection Area and arising out of or resulting from the negligence of the City or its elected or appointed officials, officers, servants, employees, members, and agents in providing the Services under this Agreement.
- 4.3 The insurance referred to in sections 4.1 and 4.2 herein shall include the City or the Regional District as the case may be as an additional named insured with a cross-liability clause and shall protect the City or the Regional District in respective claims by the other as if the other were separately insured. The said policy shall contain a waiver of subrogation clause in favor of the other party as the case may be.
- 4.4 The City hereby releases and covenants to indemnify and save harmless the Regional District and its elected and appointed officials, officers, employees, servants, agents, successors and assigns from and against all claims, demands, losses, costs, damages, actions, suits, proceedings, fines, or assessments, including all legal fees and disbursements associated with same on a solicitor and own client basis, by whomever made, brought, or prosecuted and in any manner based on, arising out of, related to, occasioned by, or attributed to the breach of any provision of this Agreement to be performed by the City or the negligent acts or omissions, gross negligence or malicious or willful misconduct of the City, its elected or appointed officials, officers, servants, employees, agents, or contractors in providing the Services. Provided this indemnity shall be reduced where and to the extent the claim, demands, losses, costs, damages, actions, suits, proceedings, fines or assessments are caused or contributed by the Regional District or by those for whom the Regional District in law is responsible.
- 4.5 The Regional District hereby releases and covenants to indemnify and save harmless the City and its elected and appointed officials, officers, employees, servants, agents, successors and assigns from and against all claims, demands, losses, costs, damages, actions, suits, proceedings, fines, or assessments, including all legal fees and disbursements associated with same on a solicitor and own client basis, by whomever made, brought, or prosecuted and in any manner based on, arising out of, related to, occasioned by, or attributed to the breach of any provision of this Agreement to be performed by the Regional District or the negligent acts or omissions, gross negligence or malicious or willful misconduct of the Regional District, its elected or appointed officials, officers, servants, employees, agents, or contractors in providing the Services . Provided this indemnity shall be reduced where and to the extent the claims, demands, losses, costs, damages, actions, suits, proceedings, fines or assessments are caused or contributed to by the City or by those for whom the City in law is responsible.
- 4.6 Sections 4.4 and 4.5 survive the termination of this Agreement.

5. NOTICES, DEMANDS AND OTHER COMMUNICATIONS

5.1 Where this Agreement requires or permits a notice, demand, or other communication to be given or served by either party to the other, the notice, demand, or other communication must be given or served in writing, personally delivered or forwarded by registered mail, and addressed as follows:

(a) to the City:

THE CORPORATION OF THE CITY OF PENTICTON
171 Main Street,
Penticton, B.C., V2A 5A9
Attention: Corporate Officer

(b) to the Regional District:

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
101 Martin Street,
Penticton, B.C., V2A 5J9
Attention: Deputy Corporate Officer

5.2 A party may change its address by giving the other party prior written notice of a change of address in accordance with sections 5.1 or 5.3.

5.3 If there is a postal strike or other postal disruption, a notice, demand, or other communication must be personally delivered rather than mailed to the:

Corporate Officer of the City at the offices of the City; or the

Deputy Corporate Officer of the Regional District at the offices of the Regional District.

5.4 A notice, demand, or other communication must be considered to be given or received by the party to whom it is addressed:

(a) on delivery, if delivered personally; or

(b) if mailed, on the second day after it is mailed.

6. GENERAL PROVISIONS

6.1 Time is of the essence in this Agreement.

6.2 The parties hereto acknowledge and agree that this Agreement is intended to be a contract for the Services only and does not create an employer/employee relationship, agency relationship, joint venture or partnership between them and at all times the City is and is intended to be an independent contractor.

- 6.3 No waiver of any term or condition in this Agreement or breach of any term or condition in this Agreement is effective unless it is in writing, and no waiver of a breach is to be construed as a waiver of any future breach.
- 6.4 This Agreement ensures to the benefit of and binds the parties to it and their successors and permitted assigns.
- 6.5 This Agreement is the entire agreement between the parties and supersedes all prior written and oral agreements, representations, and statements entered or exchanged by the parties.

IN WITNESS WHEREOF THE PARTIES HERETO have executed this agreement at Penticton, British Columbia, this ____ day of _____, 2018.

THE CORPORATION OF THE CITY OF PENTICTON,
by its authorized signatories

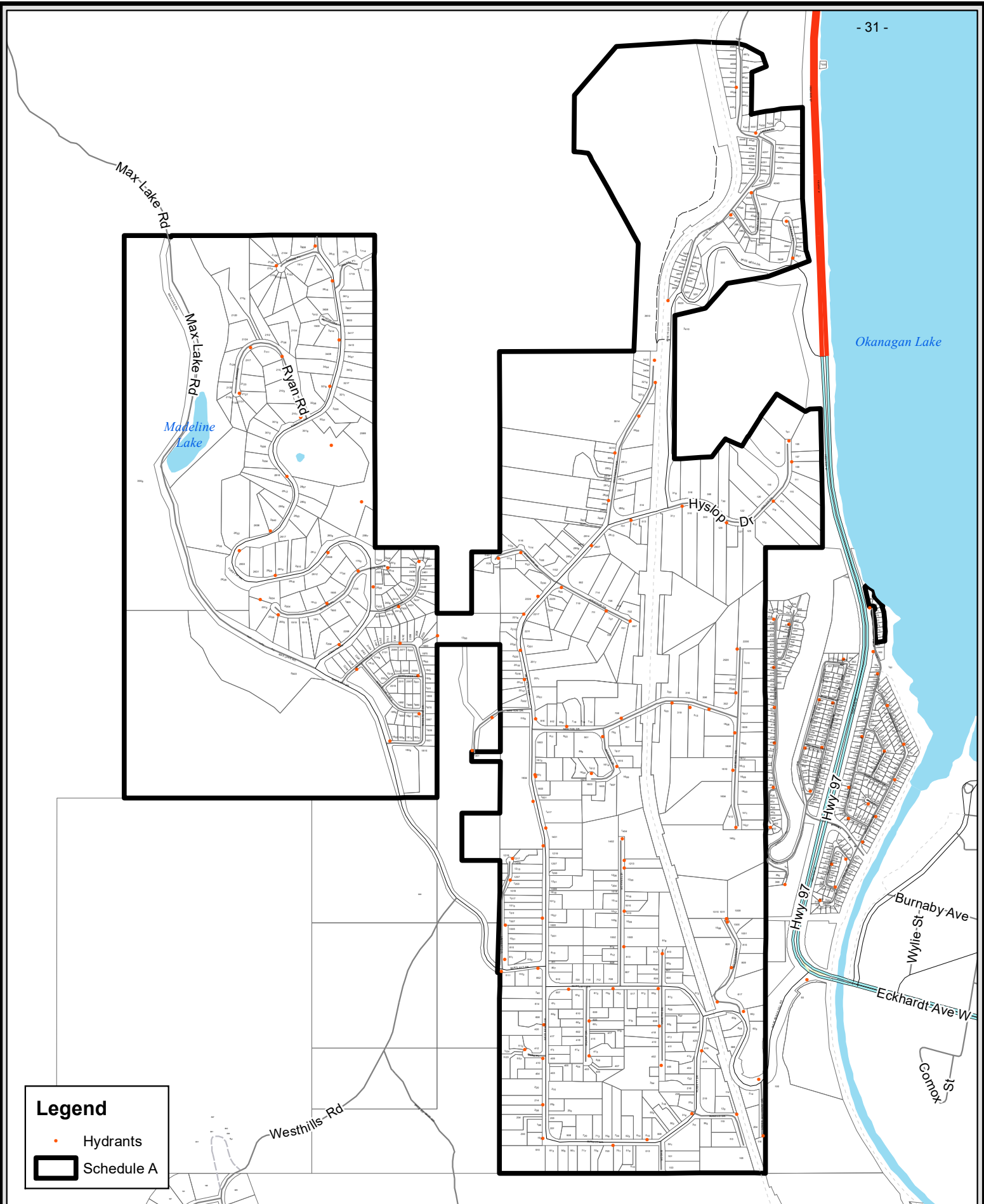
Mayor

Corporate Officer

REGIONAL DISTRICT OKANAGAN-SIMILKAMEEN,
by its authorized signatories

RDOS Board Chair

RDOS CAO



Legend

• Hydrants

▭ Schedule A

Westbench Fire Protection - Schedule 'A'

Council Report

penticton.ca

Date: February 20, 2018
To: Peter Weeber, Chief Administrative Officer
From: Angela Campbell, Controller
Subject: **Year End Surplus Policy**

File No:

Staff Recommendation

THAT Council approve the Year End Surplus Policy effective February 20, 2018.

Background

During the year end process the City's Financial Statements are compiled determining the surplus/deficit amount per fund for the fiscal year. When the net result for a fiscal year is a surplus, staff seek direction from Council to determine the amount of surplus that will go into accumulated surplus or into reserve funds.

Analysis

The Government Finance Officers Association (GFOA) recommends that governments establish a formal policy on the level of unrestricted fund balances that should be maintained in the general fund for accounting and budgetary purposes.

Staff have reviewed policies for other municipalities as well as the guideline from the GFOA and propose the appropriate level of surplus to be 15% of net expenditures which is between 1-2 months of general fund operating expenditures. This guideline provides the dollar value of the Maximum Accumulated Surplus for the City.

The City's current accumulated surplus as at December 31, 2016 is \$5,711,737 which equates to 11% of general expenditures (excluding Collections for Other Governments and transfers to Other Funds/Reserves); according to the guideline the Maximum Accumulated Surplus for 2016 would be \$7,989,641.

Annual General Surplus in Excess of \$500,000

Should the annual surplus be in excess of \$500,000 the policy provides that 40% would go into accumulated surplus if the maximum accumulated surplus is lower than the guideline, and then provides for allocation of surplus into other reserves including the RCMP non-statutory Reserve, Financial Stabilization non-statutory Reserve, Equipment Replacement statutory Reserve, and Asset Emergency non-statutory Reserve.

Costs for RCMP services are susceptible to unexpected increases when an unusual crime event occurs. The RCMP Services own reserve was created to establish funding in the event a high crime event occurs and the

City's policing contract costs come in above budget. The provision in the Year End Surplus Policy would allow for any surplus in RCMP contract costs during the year to a maximum of \$100,000 to be transferred into the reserve to fund any future overages due to unplanned events.

Upon approval of the Year End Surplus Policy, staff are proposing the creation of an non-statutory (own) reserve for Financial Stabilization that would fund major emergent operating issues, one-time and intermittent projects and could be used to offset unrealized revenues. The policy would allow for up to 10% of the general surplus to be allocated into the reserve should certain conditions apply regarding the funding source of the transfer. One of the main sources of funding would be Building and Licensing revenues when the revenues exceed the established budget for the year.

Any other remaining surplus funds would be split between the following:

- 33% to the Equipment Replacement Reserve (statutory)
- 67% to the Asset Emergency Reserve (non-statutory)

Annual General Surplus Less Than \$500,000

Should the annual surplus be less than \$500,000 the policy provides that 40% would go into accumulated surplus if the maximum accumulated surplus is lower than the guideline. Any other remaining surplus funds would be split between the following:

- 33% to the Equipment Replacement Reserve (statutory)
- 67% to the Asset Emergency (non-statutory)

Any surplus for the Electric, Water and Sewer funds will be allocated into the accumulated surplus for each respective fund.

The formalization of this policy provides greater clarity, direction, and authority to staff to properly allocate any general surplus.

Alternate recommendations

1. Maintain current process without formalizing into a policy.
2. Amend the policy based on Council direction.

Respectfully submitted,



Angela Campbell
Controller

Approvals

CFO <i>JWB</i>	CAO PW
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Effective date: February 20, 2018

Resolution No.:

Subject: **Year End Surplus Policy**

Goal

To provide clarity and consistency on the treatment of fund surpluses as calculated in the annual financial statements to ensure funds are set aside to address future City priorities.

Scope

To detail the policies surrounding treatment of the annual surplus for the general fund during year end.

Definitions

“Accumulated Surplus” means the accumulated excess of revenues over expenditures from prior years which has not been set aside for specific purposes

“Annual Surplus” means the accumulated excess of revenues over expenditures for the current year

“General Surplus” means the accumulated excess of revenues over expenditures for the current year for the General Fund

“Non-Statutory Reserve” means funds allocated for a specified purpose but not established by bylaw

“Maximum Accumulated Surplus” means the amount as calculated under s.1 of this policy

“Statutory Reserve” means a reserve fund established by bylaw for a specified purpose as per the *Community Charter*

“Total Actual Annual Expenditures” means the total expenditures from the City’s Financial Statements Statement of Operations

“Year End” means the end of the fiscal year

Policy

General Fund

Use of Surplus Funds

1. The goal is to ensure the City maintains an adequate Accumulated Surplus while also setting aside reserves for specific priorities. The balance in the Accumulated Surplus account should not exceed 15% of the net expenditures for the previous fiscal year:

Net expenditures are calculated as the Total Actual Annual Expenditures from Financial Statements for the previous year

Less:

Collection of annual payments to other Governments

Transfers to other Funds/Reserves

Example:

Total Expenditures		\$ 85,000,000
Less the total of:		
Collections for Other Governments	20,000,000	
Transfers to Other Funds/Reserves	12,000,000	
		32,000,000
Net Expenditures to which the 15% applies		53,000,000
Guideline Maximum Accumulated Surplus		<u>\$ 7,950,000</u>

2. If the City’s annual General Surplus for a fiscal year is in excess of \$500,000 it will be allocated as follows:
 - a. 40% to Accumulated Surplus until the Maximum Accumulated Surplus is achieved
 - b. Any remaining surplus amounts after item ‘a’ will be allocated as follows:
 - i. A maximum of \$100,000 per annum to the RCMP Services non-statutory (own) reserve if there is a surplus of RCMP yearly contract expenditures under budgeted expenditures
 - ii. A maximum of 10% to the Financial Stabilization Reserve based on the following:
 - Annual surplus of the Building & Licensing Cost Centre revenues over and above established budgeted revenues
 - c. Any remaining surplus amounts after items ‘a-b’ have been allocated shall be split between the following:
 - i. 33% to Equipment Replacements statutory reserve
 - ii. 67% to Asset Emergency non-statutory reserve

Once the Maximum Accumulated Surplus is achieved no further funds would be added to the Accumulated Surplus and allocations would be based solely on items ‘b-c’.

3. If the City's General Surplus for a fiscal year is less than \$500,000 it will be allocated as follows:
 - a. 40% to Accumulated Surplus until the Maximum Accumulated Surplus is achieved
 - b. Any remaining surplus amounts after item 'a' has been allocated shall be split between the following:
 - i. 33% to Equipment Replacements statutory reserve
 - ii. 67% to Asset Emergency non-statutory reserve

Electric, Water and Sewer Surplus

4. The City's Electric, Water or Sewer fund Surplus for a fiscal year will be allocated into the accumulated surplus for each respective Electric, Water or Sewer fund.

Certified Correct:

Dana Schmidt, Corporate Officer

Council Report

penticton.ca

Date: February 20, 2018
To: Peter Weeber, Chief Administrative Officer
From: Ian Chapman, P.Eng. City Engineer

File No:

Subject: Flood Recovery – Sheet Pile Wall Repair

Staff Recommendation

THAT Council instruct staff to proceed with the preparation and issue of tender documents in accordance with the sheet pile wall and grouting repairs as detailed in Attachments A and B.

Background

The damage: The combination of unusually high lake levels and storm events in the spring of 2017 caused damage to the sheet pile wall that is located adjacent to the pile supports section of the Okanagan Lake waterfront walkway and the continuation of the sheet pile wall that extends west towards "The Pines" area as shown on the sketch contained in Attachment C.

The principal structural damage consisted of deflection of parts of the section of the 'west' sheet pile wall and significant loss of the sand behind the wall which threatened the support of the new walkway. A less obvious aspects of the storm damage was the washing away of sand in front of the sheet pile wall along both sections. Temporary response measures at the time of the damage consisted of the following: Large concrete blocks were placed at the toe of the wall to assist in stabilizing it against further deflection and rock cobbles were placed behind the wall to replace the sand that had been washed out. These measures were successful in minimizing further deterioration for the remainder of the storm season and through the summer. See photographs at Attachment D.

The repair: The City has hired a consultant, Watson Engineering Ltd, to prepare a design for the permanent repair of the sheet pile wall under the Flood Recovery plan in accordance with the following details:

West section:

- Remove the temporary rock cobble and the existing concrete cap at the top and behind the wall.
- Remove the temporary concrete block support at the toe in front of the wall.
- Install new 6m (20 foot) long interlocking sheet piles just in front of the existing sheet piles with 'L' angle welded across the top. (The existing sheet pile wall will be abandoned in place).
- Re-incorporate the existing steps.
- Fill the void between the existing and new wall with sand.

- Install approximately 0.9m (3'-0") thickness of large rip rap 250mm to 680mm max (10" to 2'-3" max dimension over a 200mm (8") filter blanket of clean 75mm (3") rock immediately in front of the wall for scour protection.
- Install new reinforced concrete cap to encapsulate the top of the new and original sheet pile wall
- Install beach sand in the area where the cobble was removed.

See Watson Engineering Ltd design cross-section Attachment A

East section (beneath pile supported walkway):

The objective in this section is to repair damage under the slab and install scour protection and a wave dissipater to prevent further erosion of the sand at the toe of the wall.

- Install formwork at the sheet pile wall face and grout the gap under the slab.
- Install a thickness of up to 574mm (1'-10") of clean 75mm (3") rock immediately in front of the sheet pile wall and extending out 3.1m (10'-0") for scour protection.
- Install 600 to 800mm (2'-0" to 2'-6") diameter boulders between the piles to dissipate wave action.

See Watson Engineering Ltd design cross-section at Attachment B

Staff has submitted an application for construction of all the above works to the Ministry of Fisheries, Lands and Natural Resources (FLNRO). The work would proceed subject to Council approval of the scope of the project, receipt of the necessary permit from FLNRO, confirmation of funding assistance and receipt of firm construction prices that meet the budget. The work would ideally proceed in late March/early April while the lake levels are at a low level.

Financial implication

Our consultant has estimated the cost of these works to be \$419,000, with some portions eligible for 80% funding assistance from the Province (repairs to the wall). This leaves the City responsible for funding approximately \$234,000 (includes funded wall work and unfunded erosion protection), which is contained in the approval 2018-22 Financial Plan.

These figures correspond with the upper range of costs presented at the Council meeting held on October 17, 2017 and these figures were subsequently included and approved in the 2018 budget. For certainty we confirm that sufficient funds have been budgeted to address the estimated cost of the works described above and assume that flood recovery financial assistance would only be available for the installation of the new sheet pile wall and grout under the walkway. The full cost of the addition of rip rap protection along both sections has been budgeted without any expectation of funding assistance.

Staff has submitted an application for flood recovery funding assistance through the Emergency Management BC Flood Recovery Plan and we are working with the Ministry staff on providing further details to assist in their decision.

Analysis

The installation of the rip rap rock erosion protection presents a significant change to the appearance of this particular part of the waterfront and, as noted above, this element of the project costs may not be considered as eligible for funding which would leave the City with full cost responsibility. The rip rap is however required to maintain the long term integrity of the sheetpile wall.

There are a few potential alternatives that could be explored:

1. Install the sheet pile wall and grout but do not install the rip rap erosion protection and return the area to the same appearance as that before the storm damage. This would reduce the project cost but will not address the potential for further erosion and future repair costs.
2. Investigate a different form of wall and erosion protection that would offer a more acceptable appearance.

Alternate recommendations

THAT Council instruct staff to revise the design to modify the appearance of the sheet pile wall repair and/or eliminate the associated erosion protection works.

Attachments

Attachment A – Watson Engineering Ltd design detail for the West section of the project area.

Attachment B – Watson Engineering Ltd design detail for the East section of the project area.


Attachment C – Location plan of proposed works.

Attachment D – Photographs of damaged wall.

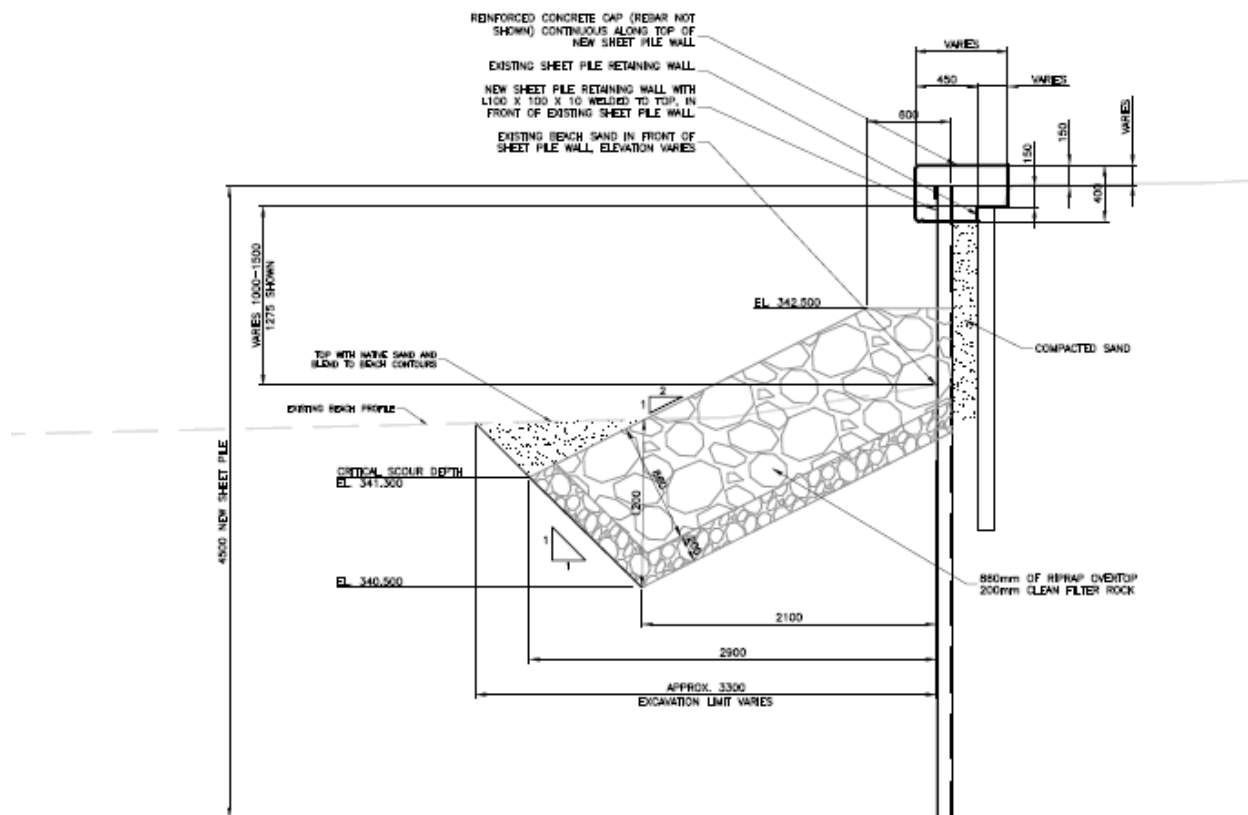
Respectfully submitted,

Ian Chapman, P.Eng.
City Engineer

Approvals

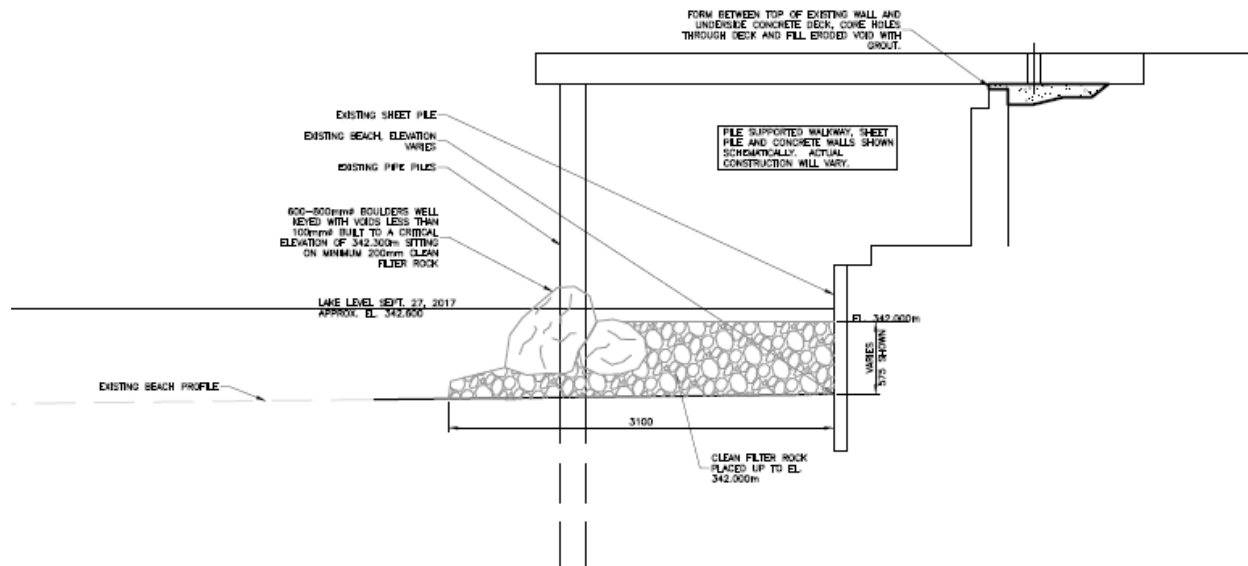
General Manager of Infrastructure 	Chief Administrative Officer PW
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Attachment A



Cross section at new sheet pile wall west of pile supported walkway

Attachment B



Cross section under pile supported walkway –East Section.

Attachment C



Attachment D



Temporary concrete block toe restraint to be removed.



Failed sheet pile wall west of pile supported walkway

Attachment D

Failed sheet pile wall west of pile supported walkway



Area beneath pile supported walkway showing gap under the slab.

Council Report

penticton.ca

Date: February 20, 2018 **File No:** RMS 3150-01
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Subject: **Development Cost Charges Reduction Amendment Bylaw No. 2018-11**

Staff Recommendation

THAT Council give first, second and third reading to "Development Cost Charges Reduction Amendment Bylaw 2018-11" a bylaw that amends Development Cost Charges Reduction Bylaw 2010-11 by removing the requirement to enter into a Housing Agreement to be eligible for reductions in cases where the land is owned or leased by BC Housing.

Strategic priority objective

The proposed bylaw amendment will help to expedite the development of social housing projects in Penticton, and aligns the City's policies with those of BC Housing, in keeping with Council's strategic priority of Good Governance.

Background

Section 563 of the *Local Government Act* allows local governments to reduce or waive development cost charges (DCCs) in certain circumstances. Eligible developments are ones that either provide affordable rental housing or achieve developments with low environmental impacts. In line with this section of the *Act*, Penticton City Council in 2010 passed *Development Cost Charges Reduction Bylaw 2010-11*, which provides a 50% reduction in DCCs for projects meeting a specified energy efficiency and a 100% DCC reduction for projects that met certain rental affordability criteria.

With regard to the DCC reduction for affordable housing, to be eligible, the Bylaw requires that a property owner enter into a Housing Agreement with the City requiring that the housing remain as intended for a period of 20 years. It is in place so that a development will remain as affordable housing, even if the property is sold to a different owner – the Housing Agreement is a covenant registered against the title of the property.

Recently, the City has been working with BC Housing on several housing projects in the City. These are projects that are directly targeted by this Bylaw, and in one case, the City actually owns the land that the project is to be constructed on (285 Nanaimo Avenue). BC Housing, though, as a policy does not enter into Housing Agreements with local governments. The reason for this is that their mandate as an organization is to provide social housing. It is seen as redundant to place a covenant on title reaffirming this point.

Because of this, staff are recommending that Council make a small amendment to Bylaw 2010-11, removing the requirement to enter into a Housing Agreement for BC Housing projects.

Proposal

That Section 5(a) of DCC Reduction Bylaw be amended as follows:

From:

- a) Rental housing including supportive living housing and services ancillary to such housing and subdivision lots and strata lots on which such housing is to be constructed, subject to a Housing Agreement under Section 905 of the *Local Government Act*, that:
 - i. limits the form of tenure of the housing units to rental tenure, notwithstanding that the units have been subdivided under the *Strata Property Act*;
 - ii. requires the housing units to be rented for an initial monthly rate that is less than the median market rent levels most recently published by Canadian Mortgage and Housing Corporation as of the date of first reading of the bylaw authorizing the housing agreement, and limits the rate of increase of the monthly rate;
 - iii. restricts the occupancy of the housing units to persons at risk of homelessness and support service providers; and
 - iv. is valid for a period of not less than 20 years.

To:

- a) Rental housing including supportive living housing and services ancillary to such housing and subdivision lots and strata lots on which such housing is to be constructed, subject to a Housing Agreement under the *Local Government Act*, **or in the case of a project with BC Housing involvement, an equivalently protective instrument**, that:
 - i. limits the form of tenure of the housing units to rental tenure, notwithstanding that the units have been subdivided under the *Strata Property Act*;
 - ii. requires the housing units to be rented for an initial monthly rate that is less than the median market rent levels most recently published by Canadian Mortgage and Housing Corporation as of the date of first reading of the bylaw authorizing the housing agreement, and limits the rate of increase of the monthly rate;
 - iii. restricts the occupancy of the housing units to persons at risk of homelessness and support service providers; and
 - iv. is valid for a period of not less than 20 years.

Financial Implications

Approval of the amendment will allow for projects with BC Housing involvement to proceed without the preparation and registration of a Housing Agreement for projects with equivalent protections in place, which will save staff time and legal document preparation money.

Analysis

Support

This minor amendment is being made with the intent of cleaning up a redundancy between City and provincial government policy. The intent of the DCC Reduction Bylaw's with regard to affordable housing is still being maintained.

City Council has made a commitment to work with the province in the provision of affordable housing in Penticton. This amendment assists in that endeavor.

Deny

If Council were to not support the changes outlined in this report, BC Housing or proponents working with BC Housing on affordable housing projects could do one of the following:

- Pay DCCs for affordable housing projects;
- BC Housing could change their policy on not entering into Housing Agreements and staff would have to spend time preparing Housing Agreement Bylaws with redundant intent;
- BC Housing could invoke their constitutional authority to disregard municipal bylaw.

Alternate Recommendations

1. THAT "Development Cost Charges Reduction Amendment Bylaw 2018-11" not be supported.

Attachments

Attachment A: Development Cost Charges Reduction Amendment Bylaw 2018-11

Respectfully submitted,

Blake Laven, RPP, MCIP
Planning Manager

Approvals

DDS	CAO
<i>AH</i>	PW

The Corporation of the City of Penticton

Bylaw No. 2018-11

A bylaw to amend Development Cost Charges Reduction Bylaw 2010-11

WHEREAS Council has adopted a Development Cost Charges Reduction Bylaw pursuant to the *Local Government Act*; and

WHEREAS the Council wishes to amend "City of Penticton Development Cost Charges Reduction Bylaw No. 2010-11";

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

1. Title

This Bylaw may be cited as "Development Cost Charges Reduction Amendment Bylaw No. 2018-11".

2. Amendment

Development Cost Charges Reduction Bylaw 2010-11 is hereby amended as follows:

2.1 Delete section 5 a) and replace with the following:

- a) Rental housing including supportive living housing and services ancillary to such housing and subdivision lots and strata lots on which such housing is to be constructed, subject to a Housing Agreement under the *Local Government Act*, or in the case of a project with BC Housing involvement, an equivalently protective instrument, that:
 - i. limits the form of tenure of the housing units to rental tenure, notwithstanding that the units may have been subdivided under the *Strata Property Act*;
 - ii. requires the housing units to be rented for an initial monthly rate that is less than the median market rent levels most recently published by Canada Mortgage and Housing Corporation as of the date of first reading of the bylaw authorizing the housing agreement, and limits the rate of increase of the monthly rate;
 - iii. restricts occupancy of the housing units to persons at risk of homelessness and support services providers; and
 - iv. is valid for a period of not less than 20 years.

READ A FIRST time this	day of	, 2018
READ A SECOND time this	day of	, 2018
READ A THIRD time this	day of	, 2018
ADOPTED this	day of	, 2018

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2018-03

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. 2018-03".

2. **Amendment:**

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

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, located at 450 Martin Street from CD1 Comprehensive Development (400 Martin Street) to C5(Urban Centre Commercial).

2.2 Remove 14.1 CD1 - Comprehensive Development (400 Martin Street) in its entirety from Zoning Bylaw No. 2017-08.

READ A FIRST time this	23	day of	January, 2018
A PUBLIC HEARING was held this	20	day of	February, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 9 day of February, 2018 and the 14 day of February, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Bylaw No. 2018-04

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. 2018-04".

2. **Amendment:**

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

Rezone Lot A District Lot 202 Similkameen Division Yale District Plan 1557, located at 799 Martin Street from RD1 (Duplex Housing) to RM3 (Medium Density Multiple Housing).

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

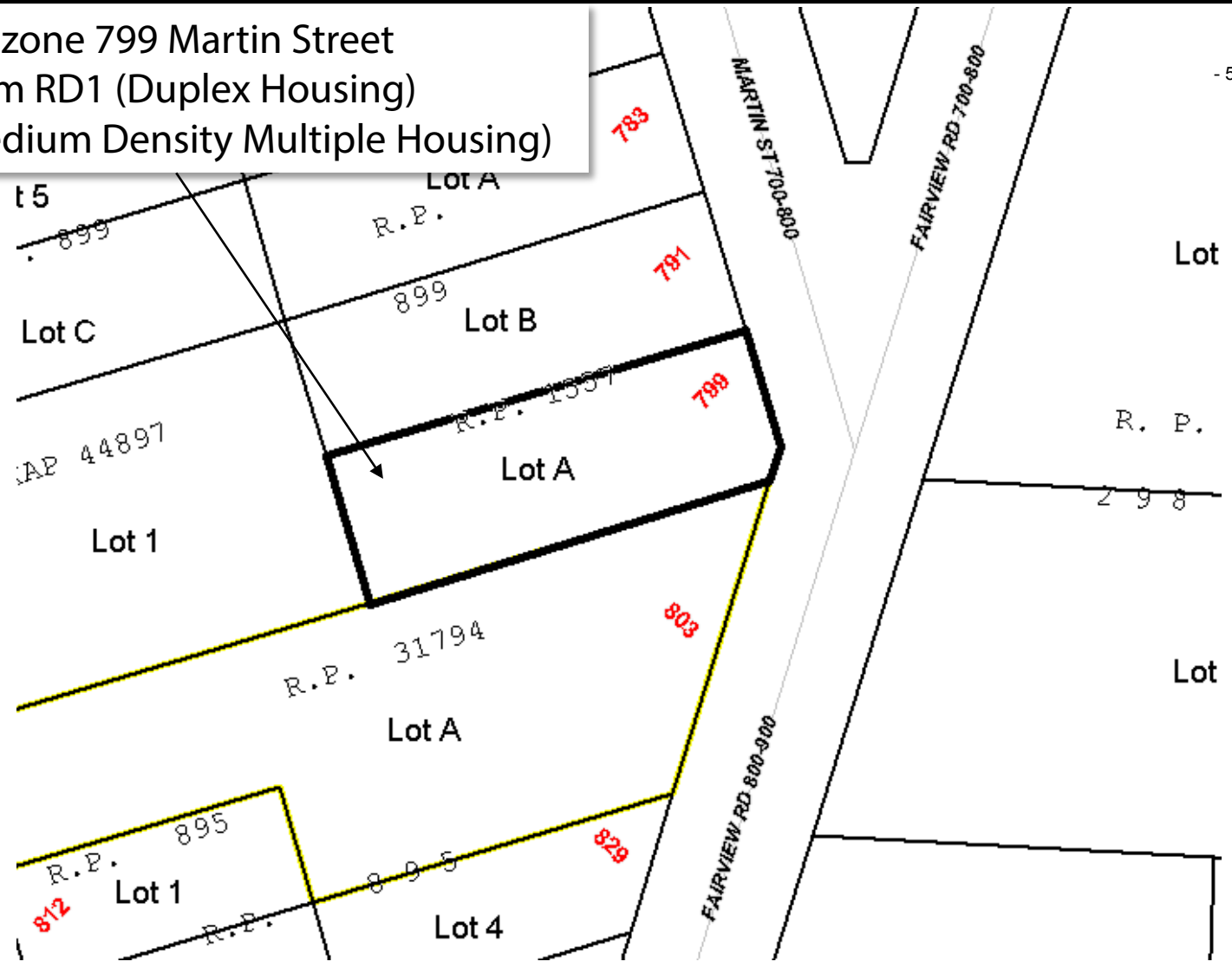
READ A FIRST time this	6	day of	February, 2018
A PUBLIC HEARING was held this	20	day of	February, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 9 day of February, 2018 and the 14 day of February, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 799 Martin Street
From RD1 (Duplex Housing)
To RM3 (Medium Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-04

Date: _____

Corporate Officer: _____

Bylaw No. 2018-05

A Bylaw to Amend Official Community Plan Bylaw 2002-20

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

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

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

1. Title:

This bylaw may be cited for all purposes as "Official Community Plan Amendment Bylaw No. 2018-05."

2. Amendment:

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

2.1 Amend Schedule 'B' Future Land Use designation for the following:

- a) Lot 1, District Lot 366, Similkameen Division Yale District Plan 10541, located at 240 Riverside Drive identified in Schedule A of this bylaw, from TC (Tourist Commercial) to MR (Medium Density Residential);
- b) Lot 1, District Lot 366, Similkameen Division Yale District Plan 14177, located at 1140 Burnaby Avenue identified in Schedule A of this bylaw, from TC (Tourist Commercial) to MR (Medium Density Residential);
- c) Lot 2, District Lot 366, Similkameen Division Yale District Plan 14177 located at 251 Wylie Street identified in Schedule A of this bylaw, from TC (Tourist Commercial) to MR (Medium Density Residential).

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

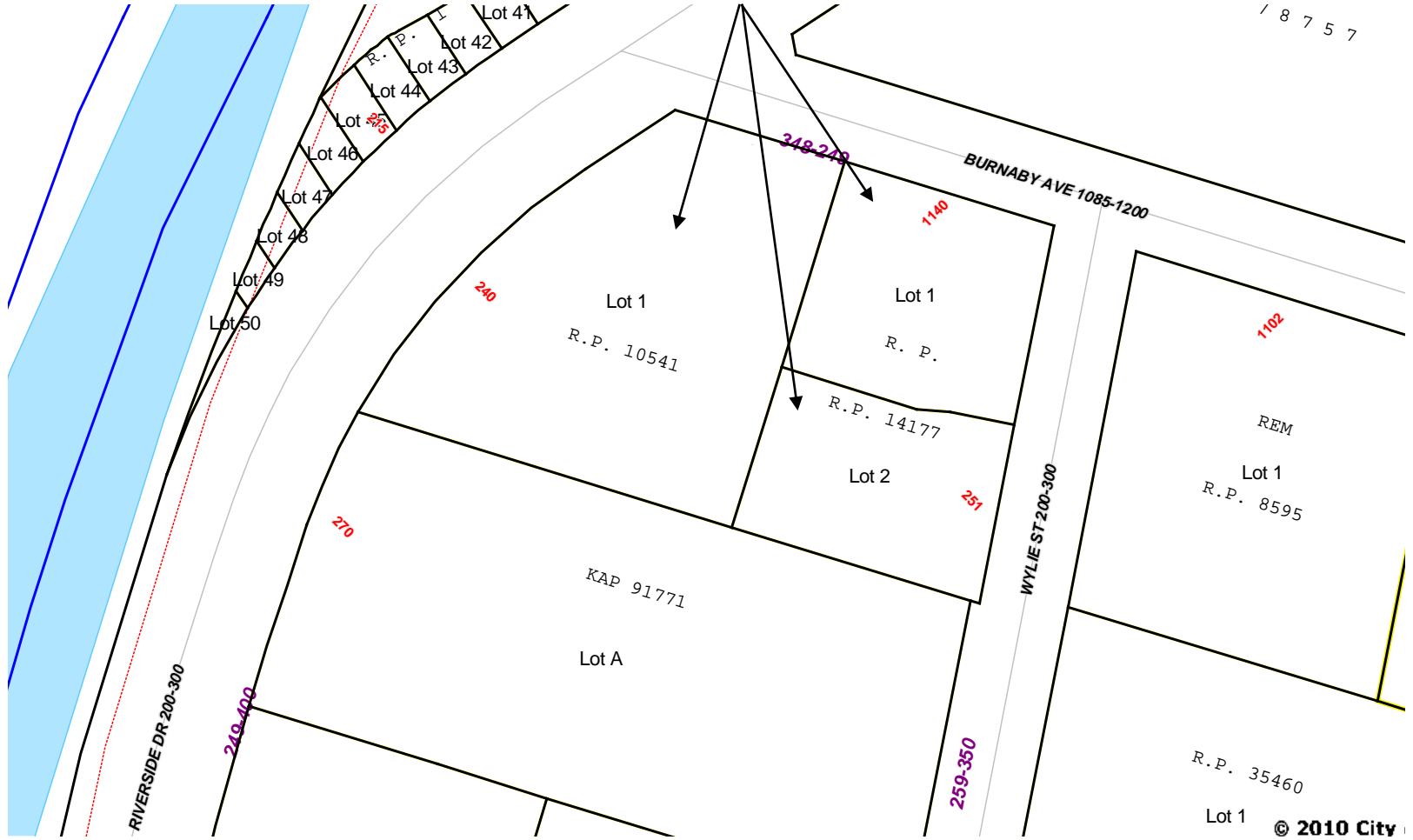
READ A FIRST time this 6 day of February, 2018
 A PUBLIC HEARING was held this 20 day of February, 2018
 READ A SECOND time this day of , 2018
 READ A THIRD time this day of , 2018
 ADOPTED this day of , 2018

Notice of intention to proceed with this bylaw was published on the 9 of February, 2018 and the 14 of February, 2018 in the Penticton newspapers, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Change the OCP designation of 240 Riverside Dr., 251 Wylie St., 1140 Burnaby Ave.
from TC (Tourist Commercial) to MR (Medium Density Residential) -53-



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2018-05

Date: _____

Corporate Officer: _____

Bylaw No. 2018-06

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. 2018-06".

2. Amendment:

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

a) Rezone Lot 1, District Lot 366, Similkameen Division Yale District Plan 10541, located at 240 Riverside Drive and Lot 2, District Lot 366, Similkameen Division Yale District Plan 14177 located at 251 Wylie Street from CT2(Campground Commercial) to RM3 (Medium Density Multiple Housing).

b) Rezone Lot 1, District Lot 366, Similkameen Division Yale District Plan 14177, located at 1140 Burnaby Avenue, identified in Schedule A of this bylaw, from CT1(Tourist Commercial) to RM3(Medium Density Multiple Housing).

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

READ A FIRST time this	6	day of	February, 2018
A PUBLIC HEARING was held this	20	day of	February, 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 9 day of February, 2018 and the 14 day of February, 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

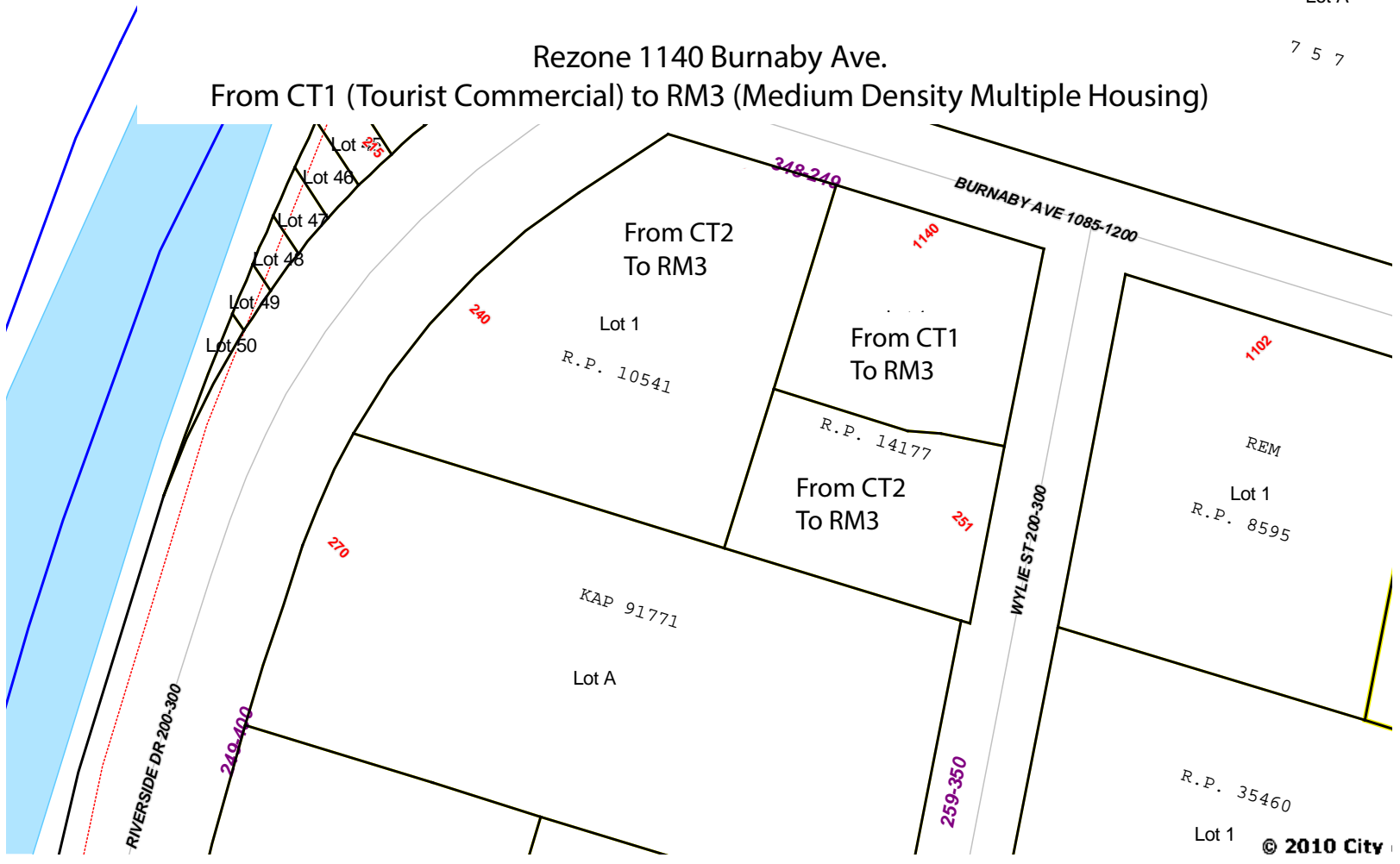
Dana Schmidt, Corporate Officer

Rezone 240 Riverside Dr. and 251 Wylie St.
From CT2 (Campground Commercial) to RM3 (Medium Density Multiple Housing)

- 55 -
Lot A

7 5 7

Rezone 1140 Burnaby Ave.
From CT1 (Tourist Commercial) to RM3 (Medium Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-06

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2018-10

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

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

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

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

1. **Title:**

This Bylaw may be cited as "Fees and Charges Amendment Bylaw No. 2018-10".

2. **Amendment:**

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

- Appendix 1 – Administrative Rates
- Appendix 16 – Meeting Rooms/Activity Spaces
- Appendix 17 – Museum
- Appendix 21 – Pool/Aquatics
- Appendix 28 – Vending Fees

2.2 Appendices 1, 16, 17, 21, 28 attached hereto forms part of this bylaw.

READ A FIRST time this	6 day of	February, 2018
READ A SECOND time this	6 day of	February, 2018
READ A THIRD time this	6 day of	February, 2018
ADOPTED this	day of	, 2018

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Appendix 1

ADMINISTRATIVE RATES		2017	2018
1	Historical Information Search (per hour, 1 hour minimum)	\$35.00	\$35.00
2	Mortgage Roll Register (hard or electronic copy) - price per folio*	\$10.00	\$10.00
3	N.S.F. Cheques	\$30.00	\$30.00
4	Manual Tax Search - written*	\$30.00	\$30.00
5	Manual Tax Search - verbal*	\$10.00	\$10.00
6	Online Tax Search - per tax roll*	\$10.00	\$10.00
7	Online Tax Search - per utility account*	\$10.00	\$10.00
7.1	Monthly Billing/Postage Fee for Electric and Water Bills*	\$1.00	\$1.00
7.2	Freedom of Information requests fees shall be as prescribed by BC Reg 155-2012 as amended or replaced from time to time	Actual Costs	Actual Costs
7.3	Commercial Freedom of Information Request Minimum Fee (all commercial request except Media)	\$20.00	\$20.00
7.4	Interest rate on Accounts Receivable in arrears		2% per Month

Transferring payments

8	Account Transfer (first time - fee waived)	\$25.00	\$25.00
9	Refund overpayment (excludes final overpaid utility accounts)	\$25.00	\$25.00

10	Photocopying (black and white) - per page (letter and legal)*	\$0.30	\$0.30
11	Photocopying (black and white) - per page (ledger)*	\$0.50	\$0.50
12	Photocopying (colour) - per page (letter and legal)*	\$1.00	\$1.00
13	Photocopying (colour) - per page (ledger)*	\$1.25	\$1.25

* GST applicable

Appendix 16

Meeting Rooms/Activity Spaces	Effective April 1, 2017	Effective April 1, 2018
-------------------------------	----------------------------	----------------------------

Community Centre/McLaren Arena Meeting Room

Non Profit/Local/ Regular

Child/Youth	\$11.22	\$11.56
Adult	\$11.22	\$11.56
Non School District 67 Schools*	\$8.42	\$8.67

Local Private	\$14.19	\$14.61
Local Commercial	\$24.84	\$25.58
Non-Resident	\$35.48	\$36.54

Community Centre Large Meeting Room

Note: Meeting Room #4, Meeting Room #7, and Combined #2 & #3 Rate is 1.75X Meeting Room Rate

Non Profit/Local/ Regular

Child/Youth	\$19.64	\$20.22
Adult	\$19.64	\$20.22
Non School District 67 Schools*	\$14.73	\$15.17

Local Private	\$24.99	\$25.74
Local Commercial	\$43.46	\$44.77
Non-Resident	\$62.08	\$63.94

Community Centre Conference Room

Note: Conference Room Rate is 75% X Meeting Room Rate

Non Profit/Local/ Regular

Child/Youth	\$8.42	\$8.67
Adult	\$8.42	\$8.67
Non School District 67 Schools*	\$6.31	\$6.50

Local Private	\$10.64	\$10.96
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Appendix 16

Meeting Rooms/Activity Spaces	Effective April 1, 2017	Effective April 1, 2018
Local Commercial	\$18.63	\$19.18
Non-Resident	\$26.60	\$27.40

Library/Museum Auditorium

Note - Security premium of \$10.50 added to base rates. To be increased by CPI.

Non Profit/Local/ Regular

Child/Youth	\$17.45	\$17.98
Adult	\$24.50	\$25.24
Non School District 67 Schools*	\$13.09	\$13.48

Local Private	\$28.45	\$29.30
Local Commercial	\$50.50	\$52.02
Non-Resident	\$72.15	\$74.32

Activity Spaces

Community Centre Dance Studio

Non Profit/Local/ Regular

Child/Youth	\$19.64	\$20.22
Adult	\$19.64	\$20.22
Non School District 67 Schools*	\$14.73	\$15.17

Local Private	\$24.84	\$25.58
Local Commercial	\$43.46	\$44.77
Non-Resident	\$62.08	\$63.94

Community Centre Gymnasium

Non Profit/Local/ Regular

Child/Youth	\$17.16	\$17.67
Adult	\$35.55	\$36.61
Non School District 67 Schools*	\$12.86	\$13.25

Appendix 16

Meeting Rooms/Activity Spaces	Effective April 1, 2017	Effective April 1, 2018
-------------------------------	----------------------------	----------------------------

Local Private	\$47.40	\$48.82
Local Commercial	\$82.95	\$85.43
Non-Resident	\$118.49	\$122.05

Community Centre 1/2 Gymnasium

Note: 1/2 Gymnasium Rate 66.7% X Gymnasium Rate

Non Profit/Local/ Regular

Child/Youth	\$11.44	\$11.79
Adult	\$23.72	\$24.43
Non School District 67 Schools*	\$8.59	\$8.85

Local Private	\$31.62	\$32.57
Local Commercial	\$55.32	\$56.98
Non-Resident	\$79.04	\$81.41

Non School District 67 Schools* are defined as grade schools (K-12) located within City of Penticton boundaries and Penticton Indian Band lands.

The Non School District 67 Schools rates are applicable during school hours.

Appendix 17

MUSEUM	Effective April 1, 2017	Effective April 1, 2018
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Museum Exhibits

Entrance Fee	By Donation - suggested donations: Adult \$2.00, Child \$1.00	By Donation - suggested donations: Adult \$2.00, Child \$1.00
Exhibit Openings	By Donation - suggested donations: Adult \$2.00, Child \$1.00	By Donation - suggested donations: Adult \$2.00, Child \$1.00

Museum Programs

School & group visits (guided)

Public & Private schools - per student	\$3.00	\$3.00
- maximum per group	\$52.50	\$52.50
Service Groups, Clubs & Societies - per person	\$3.00	\$3.00
- maximum per group	\$52.50	\$52.50
School & group visits (self-guided) - per student	\$1.05	\$1.05
- per adult	\$3.00	\$3.00

Curator Kid Program

Curator Kid Yearly Membership - individuals	\$21.00	\$21.00
- per family	\$52.50	\$52.50
Curator Kid Programs - drop-in; non-members - per child	\$5.25	\$5.25
- per family	\$21.00	\$21.00
Curator Kid Programs - offsite	Cost dependent on activities	Cost dependent on activities
Curator Kid Programs - summer specials - per child	\$5.25	\$5.25
- per family	\$21.00	\$21.00

Adult Programs

Onsite - Museum	\$25/per person + Supplies	\$25/per person + Supplies
Offsite - Smith Works / Outdoor	\$25 min.; activity dependent	\$25 min.; activity dependent

Appendix 17

MUSEUM	Effective April 1, 2017	Effective April 1, 2018
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Lectures

Brown Bag - per person	admission by donation	admission by donation
Custom Guest	Cost dependent on lecture	Cost dependent on lecture

Archives

Self-guided research	By donation - suggested min. \$10/ph	By donation - suggested min. \$10/ph
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Staff-assisted research

Non-commercial clients - first 30 minutes	Free	Free
- each additional hour	\$26.25	\$26.25
Commercial clients (first 90 minutes) - per hour	\$52.50	\$52.50
(every additional 60 minutes) - per hour	\$31.50	\$31.50

Photograph Reproductions (Print format)

From existing digital file (up to 8x10 only)	\$5.25	\$5.25
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
From negative or print, requiring scanning (up to 8x10 only)	\$9.40	\$9.40
Outsource (paper type and size dependent)	Actual Cost	Actual Cost

Photographic reproductions (digital format only - 300dpi jpg)

By email	\$10.50	\$10.50
By mail (+ disc) plus postage	\$15.75	\$15.75

Non-photographic reproductions (maps, plans, manuscripts)

From existing digital file - In House (up to 32" only)	\$10.50	\$10.50
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
From negative or print, requiring scanning - In House (up to 32" only)	\$16.75	\$16.75
Outsource (paper type and size dependent)	Actual Cost	Actual Cost

Publication & Commercial Fees (supplement)

Print, negative or digital copies for : Reports, calendars, brochures, magazines, newsletter, websites - per image	\$10.50	\$10.50
Print, negative or digital copies for : Books, films, videos - per image	\$21.00	\$21.00

Appendix 17

MUSEUM	Effective April 1, 2017	Effective April 1, 2018
Print, negative or digital copies for : Postcards, T-shirts, mugs etc. merchandise - per image	\$52.50	\$52.50
Photocopy Fees (black and white only)	see Administration services for fee	see Administration services for fee
Archival Supplies (boxes, tissue, encapsulation etc.)	Retail price plus 35%	Retail price plus 35%

Gift shop

Books & other Publications	Retail suggested price; minimum 35% markup	Retail suggested price; minimum 35% markup
Souvenirs & crafts	Wholesale price plus 35%	Wholesale price plus 35%
Photographic posters & postcard books	Style and format dependent	Style and format dependent

Museum Curatorial Services & Presentations

On-site consultation	By donation (suggested: \$35/ph)	By donation (suggested: \$35/ph)
Off-site consultation	By donation (suggested: \$35/ph plus travel)	By donation (suggested: \$35/ph plus travel)

Library/Museum Auditorium

See Appendix 16 for these rates.

Non Profit/Local/ Regular

Child/Youth	\$17.45	\$17.80
Adult	\$24.50	\$24.99
Non School District 67 Schools	\$13.09	\$13.35

Non Profit/Local/ Non-Regular

Child/Youth	\$20.15	\$20.55
Adult	\$28.85	\$29.42
Non-School District 67 Schools	\$15.11	\$15.41
Local Private	\$28.86	\$29.43
Local Commercial	\$50.50	\$51.51
Non-Resident	\$72.15	\$73.60

Appendix 21

POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018
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Note: Lifeguard/Instructor wages + 5% Admin Fee to be added to rental rate when appropriate
1 Lane (minimum 3 lane rental required for booking unless special permission)

Non Profit/Local/~~Regular~~

Child/Youth	\$5.17	\$5.33
Adult	\$12.24	\$12.61

Non Profit/Local/~~Non-Regular~~

Child/Youth	\$8.82	remove
Adult	\$15.49	remove

Local Private	\$15.49	\$15.96
Local Commercial	\$27.09	\$27.90
Non-Resident	\$38.70	\$39.86

3 Lanes

Non Profit/Local/~~Regular~~

Child/Youth	\$15.51	\$15.82
Adult	\$36.71	\$37.44

Non Profit/Local/~~Non-Regular~~

Child/Youth	\$26.47	remove
Adult	\$46.46	remove

Local Private	\$46.46	\$47.85
Local Commercial	\$81.27	\$83.71
Non-Resident	\$116.12	\$119.60

**4 Lanes to a Maximum of 13 Lanes Multiply # of
Lanes X 1 Lane Rate**

Appendix 21

POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018
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Leisure Pool

Note: Leisure Pool Rate is 7 Lane Rate

Non Profit/Local/-Regular		
Child/Youth	\$36.20	\$37.29
Adult	\$85.65	\$88.22
Non Profit/Local/ Non-Regular		
Child/Youth	\$61.75	remove
Adult	\$108.43	remove
Local Private	\$108.43	\$111.68
Local Commercial	\$189.66	\$195.35
Non-Resident	\$270.95	\$279.08

Full Aquatic Facility

Note: Full Aquatic Facility Rate is 15 Lane Rate

Non Profit/Local/-Regular

Child/Youth	\$77.55	\$79.88
Adult	\$183.52	\$189.02

Non Profit/Local/~~Non-Regular~~

Child/Youth	\$132.32	remove
Adult	\$232.35	remove

Local Private	\$232.35	\$239.32
Local Commercial	\$406.40	\$418.59
Non-Resident	\$580.61	\$598.03

Appendix 21

POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018
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**Public Swimming
Single Admission**

Preschool	\$1.19	\$1.19
Child	\$4.05	\$4.05
Youth	\$5.00	\$5.00
Adult	\$5.95	\$5.95
Senior	\$5.00	\$5.00
Super Senior	\$4.05	\$4.05
Family	\$15.24	\$15.24

10 Tickets

Preschool	\$10.48	\$10.48
Child	\$36.19	\$36.19
Youth	\$44.76	\$44.76
Adult	\$53.33	\$53.33
Senior	\$44.76	\$44.76
Super Senior	\$36.19	\$36.19
Family	\$137.14	\$137.14

1 Month

Preschool	\$10.48	\$10.48
Child	\$36.19	\$36.19
Youth	\$44.76	\$44.76
Adult	\$53.33	\$53.33
Senior	\$44.76	\$44.76
Super Senior	\$36.19	\$36.19
Family	\$137.14	\$137.14

Appendix 21

POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018
---------------	---------------------------	---------------------------

3 Months

Preschool	\$25.71	\$25.71
Child	\$89.52	\$89.52
Youth	\$99.05	\$99.05
Adult	\$139.05	\$139.05
Senior	\$99.05	\$99.05
Super Senior	\$89.52	\$89.52
Family	\$329.52	\$329.52

6 Months

Preschool	\$47.62	\$47.62
Child	\$159.05	\$159.05
Youth	\$179.05	\$179.05
Adult	\$239.05	\$239.05
Senior	\$179.05	\$179.05
Super Senior	\$159.05	\$159.05
Family	\$599.05	\$599.05

12 Month Annual Pass

Preschool	\$72.38	\$72.38
Child	\$249.52	\$249.52
Youth	\$279.05	\$279.05
Adult	\$379.05	\$379.05
Senior	\$279.05	\$279.05
Super Senior	\$249.52	\$249.52
Family	\$929.52	\$929.52

Appendix 21

POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018
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Fitness Room/Pool Combined

Single Admission

Youth	\$7.38	\$7.38
Adult	\$10.24	\$10.24
Senior	\$7.38	\$7.38
Super Senior	\$6.43	\$6.43

10 Tickets

Youth	\$65.71	\$65.71
Adult	\$91.43	\$91.43
Senior	\$65.71	\$65.71
Super Senior	\$57.14	\$57.14

1 Month

Youth	\$65.71	\$65.71
Adult	\$91.43	\$91.43
Senior	\$65.71	\$65.71
Super Senior	\$57.14	\$57.14

3 Months

Youth	\$173.33	\$173.33
Adult	\$234.29	\$234.29
Senior	\$173.33	\$173.33
Super Senior	\$141.90	\$141.90

6 Months

Youth	\$304.76	\$304.76
Adult	\$406.67	\$406.67
Senior	\$304.76	\$304.76
Super Senior	\$243.81	\$243.81

Appendix 21		
POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018

12 Month Annual Pass

Youth	\$479.05	\$479.05
Adult	\$641.90	\$641.90
Senior	\$479.05	\$479.05
Super Senior	\$386.67	\$386.67

**FITNESS ROOM / PUBLIC SWIMMING DAY PASS -
Admission Rates**

Single Admission

Youth	\$10.95	\$10.95
Adult	\$14.76	\$14.76
Senior	\$10.95	\$10.95
Super Senior	\$9.05	\$9.05
Agency Activity Pass - Annual	\$599.05	\$599.05
Access Passes	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room

Appendix 21

POOL/AQUATICS	Effective April 1,2017	Effective April 1,2018
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CLINIC RATES

Weekly Pool

Senior	\$12.38	\$12.38
Adult	\$14.76	\$14.76

Weekly Fitness/Pool

Senior	\$18.10	\$18.10
Adult	\$25.24	\$25.24

Monthly Pool

Senior	\$33.81	\$33.81
Adult	\$40.24	\$40.24

Monthly Fitness/Pool

Senior	\$49.29	\$49.29
Adult	\$68.57	\$68.57

10 Ticket Pool

Senior	\$36.19	\$36.19
Adult	\$42.86	\$42.86

Fitness/Pool 10 Ticket

Senior	\$52.38	\$52.38
Adult	\$73.33	\$73.33

Appendix 28

VENDING FEES	2017	2018
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Park, Beach and Street Vending Fees

One Year Permits (Victoria Day - Labour Day weekends)

Price per 10'x10' spot annually (~~double spots or two year licence times 2~~) (3 year terms available, rate adjusted annually by CPI)

Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime Plus	\$1,550.00	\$1,550.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime	\$1,400.00	\$1,400.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Secondary	\$1,325.00	\$1,325.00
Beach and Park Vending Fee (annually) 10'*10' Skaha Prime	\$1,300.00	\$1,325.00
Beach and Park Vending Fee (annually) 10'*10' Skaha Secondary	\$1,300.00	\$1,300.00
Sudbury Beach Shack	\$1,500.00	\$1,500.00

Street Vending Fees

One Year Permit 6' x 12'	\$1,325.00	\$1,325.00
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Motorized and Non-Motorized Mobile Vending (Victoria Day - Labour Day weekends)

Seasonal Motorized Mobile Vending Fee	\$1,880.00	\$1,880.00
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Bylaw No. 2017-69

A Bylaw to Amend Zoning Bylaw 2017-08

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

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw 2017-08;

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2017-69".

2. **Amendment:**

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

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

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

READ A FIRST time this	3	day of	October, 2017
A PUBLIC HEARING was held this	17	day of	October, 2017
READ A SECOND time this	17	day of	October, 2017
READ A THIRD time this	17	day of	October, 2017
RECEIVED the approval of the	26	day of	October, 2017
Ministry of Transportation on the			
ADOPTED this		day of	, 2017

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

Approved pursuant to section 52(3)(a) of the *Transportation Act*
 this 26th day of OCTOBER, 2017

M. Hill B.C.
 for Minister of Transportation & Infrastructure

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 681 Winnipeg Street From RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2017-69

Date: _____

Corporate Officer: _____

Development Variance Permit

Permit Number: DVP PL2017-8045

Name:
Address:

Conditions of Permit

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

Legal: Lot 11 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 804
Civic: 681 Winnipeg Street
PID: 012-102-270
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 two duplexes.
 - Section 5.3.1: to waive the requirements to provide trees and shrubs in the landscape buffer area.
 - Section 10.8.2.7.i: to reduce the minimum interior side yard of a principal building from 3.0m to 1.5m.

General Conditions

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

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

Authorized by City Council, the ___ day of _____ 2018

Issued this ___ day of _____, 2018

Dana Schmidt,
Corporate Officer

Date: February 20, 2018 File No: RMS ADDRESS/330 Power St
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: 330 Power Street and 645, 667, 669, 701 and 705 Wade Avenue
Subject: **Official Community Plan Amendment Bylaw No. 2018-12 and Zoning Amendment Bylaw No. 2018-13**

Staff Recommendation

Official Community Plan Amendment

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2018-12" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the consultation completed to date with School Board #67 and the proposed Public Hearing is sufficient consultation;

AND THAT "Official Community Plan Amendment Bylaw 2018-12", a bylaw that amends OCP Bylaw 2002-20 by changing the OCP designation on That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan kAP91728" shown on Schedule A of the Bylaw from A (Administration / Institutional – Including Schools) to MFMD (Multi-Family Medium Density), be introduced, read a first time and be forwarded to the March 6, 2018 Public Hearing.

Zoning Bylaw Amendment

THAT " Zoning Amendment Bylaw No. 2018-13", a bylaw that amends Zoning Bylaw 2017-08, changing the zoning of That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan KAP91728" shown on Schedule A of the Bylaw, from P1 (Public Assembly) to C3 (Mixed Use Commercial) and C7 (Service Commercial) as shown on Schedule A of the bylaw, and that adds the uses "public parking" and "storage and warehousing" to the C3 and C7 zones as site specific uses for those areas identified on Schedule B of the Bylaw, be introduced, read a first time and be forwarded to the March 6, 2018 Public Hearing.

Strategic Priority

N/A

Background

The subject strip of land was once part of the Kettle Valley Railway that led through Penticton to the Penticton Warf at the base of Martin Street in Downtown. When the rail line was closed in 1964, the portion fronting Queens Park School was given to the School Board. In 2001, when the Power Street 'roundabout' was being planned for and a land swap and road dedication with the City was being done, the old rail bed was consolidated with the school property. With the adoption of the new OCP in 2002 and new zoning bylaw in 2011, the old rail bed was designated and zoned the same designation and zoning of the School. Up until that time, the land was identified as industrial / heavy commercial.

Even though the lands do form part of the school's legal parcel area, the lands have never been really utilized by the school. The lands remain fenced off from the school field and are used informally as parking for business of adjoining properties on Wade Avenue and parking for events. The lands are in an undeveloped state, with a gravel surface for the most part and little to no stormwater management.

The owner of the adjoining businesses on Wade Avenue has made an offer to the School Board to purchase the rail right of way and the offer has been accepted. The intent for the lands would be to add them to the adjoining parcels, through a lot line adjustment subdivision application and develop more formalized parking in the interim and have a larger development land available in the future.

As the land is designated by the OCP as Administrative and zoned as P1 (Public Institutional), to process the lot line adjustment between the lands, amendments to the Official Community Plan and Zoning Bylaw are required. If the OCP and Zoning amendments are ultimately successful, the subdivision (lot line adjustment) process will then proceed.

Proposal

The applicants are proposing to amend Schedule B (Future Land Use Plan) of Official Community Plan Bylaw 2002-20 of the subject portion of 330 Power Street from A (Administration / Institutional – Including Schools) to MFMD (Multi-Family Medium Density) and to amend Zoning Bylaw 2017-08 of the same area from P1 (Public Assembly) to C3 (Mixed Use Commercial) and C7 (Service Commercial) to correspond to the zoning of the lands that the property will ultimately be forming part of.

In addition, the applicants are proposing to allow, on a site specific basis, the use "public parking" and "storage and warehousing" on the C3 and C7 zoned areas, as those are the current and intended interim use of the land. The following amendments are proposed for Zoning Bylaw 2017-08:

Add to Section 11.3.4:

.2 In the case of the following lands, "public parking" and "storage and warehousing" shall be permitted uses:

- Lot 6, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745, Except Plans 3134 and DD 1573D (705 Wade Avenue W);
- That Portion of Closed Road in District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Shown on Plan B7684, Lying Adjacent to Lot 5, Plan 745 (701 Wade Avenue W);
- That Part of Lot 5, Lying South of Kettle Valley Railway Company Right of Way (AFB VOL FOL 111 No 1573D), Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745 (669 Wade Avenue W);
- That Part Lot 4, Lying South of Kettle Valley Railway Company Right of Way (AFB VOL FOL 111 No 1573D), Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745 (667 Wade Avenue W);
- That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP91728 (330 Power Street) that is zoned C3 and as identified on Schedule 'B' of this bylaw.

And add to Section 11.7.4:

.4 In the case of the following lands, "public parking" and "storage and warehousing" shall be permitted uses:

- That Part Lot 3, Lying South of Kettle Valley Railway Company Right of Way (AFB VOL FOL 111 No 1573D), Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745 (645 Wade Avenue W);
- That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP91728 (330 Power Street) that is zoned C7 and as identified on Schedule 'B' of this bylaw.

Financial Implications

N/A

Technical Review

The subject application was reviewed by the Technical Planning Committee (TPC) at their meeting on February 8, 2018. Several items in relation to the servicing of the properties and the location of current property lines were identified as items that would need to be addressed at the subdivision stage of the process. Ideally, the resulting properties would all have servicing to each property and any buildings on the lands would meet spatial separation from property lines. Currently, services cross over property lines and buildings straddle property lines. In addition, several of the properties are smaller than the minimum lot area identified by the zoning bylaw. The most likely and desired outcome will be the consolidation of the 5 separate lots into two lots. This is a good opportunity to clean up a non-conforming situation.

Functionally, no immediate change to the lands will be happening, other than the development of more formalized parking. In the future, if a development were to occur on the property, servicing would be assessed at that time.

Consultation

As this is a relatively minor amendment to the OCP and zoning bylaw, staff are suggesting that the consultation with School Board #67 done to date is sufficient consultation and are recommending that Council proceed to Public Hearing without additional consultation. Council may feel that additional public consultation should occur in accordance with the guidelines of the Local Government Act. If this is the case, Council should direct staff to work with the applicant in hosting a public open house or advertise some other way for the public to provide comment on the proposed bylaw amendment prior to the Public Hearing.

Analysis

Support "OCP Amendment Bylaw 2018-12" and "Zoning Amendment Bylaw 2018-13"

The subject bylaws deal with lands that are technically part of Queens Park School but have never functionally formed part of the school grounds. Until the 2002 OCP and 2011 zoning bylaw was adopted, the lands were identified as industrial / heavy commercial. The lands have always been used by adjacent businesses for parking. Furthermore, the school board has agreed to disinvest of the lands, indicating that there is no operational necessity for the lands.

Adding the lands to the adjacent business sites provide opportunities for larger development in the long term and more formalized parking in the shorter term.

With regard to the site specific addition of the use 'pubic parking' and 'storage and warehousing' to the C3 and C7 portions of land, the reason for these amendments are to reflect what is currently happening on the property and what is intended to happen in the interim. Public parking is not a permitted use in either zone. For the parking on the lands to be formalized, the zoning amendment is required.

For these reasons, staff are recommending that Council give first reading to the subject bylaws and forward them to the March 6, 2018 Public Hearing for comment from the public.

Deny / Refer "OCP Amendment Bylaw 2018-12" and "Zoning Amendment Bylaw 2018-13"

Council may feel that these lands should continue to form part of the Queens Park School campus. While the lands are not being utilized currently, having a larger campus dedicated to the school, will provide greater options for redevelopment of the school site in the future when the elementary school needs to be replaced or added on to. If this is the case, Council should not give first reading to the bylaw. School Board #67 in their decision to disinvest of the lands, however, should give Council some indication that the lands are not deemed necessary for the future of Queens Park School.

Alternatively, Council may want to give the public greater opportunity to provide comment on this item prior to considering the bylaw. If this is the case, Council should direct staff to work with the applicant and the School Board to provide opportunities for the public to receive information on the proposal and to give comment prior to the official Public Hearing on March 6.

Alternatives

1. THAT Council not support *“Official Community Plan Amendment Bylaw No. 2018-12” and “Zoning Amendment Bylaw No. 2018-13”*.
2. THAT Council give direction to staff to work with the applicant and the school board to set up opportunities for the public to receive information and provide comment on the proposal prior to consideration of *“Official Community Plan Amendment Bylaw No. 2018-12” and “Zoning Amendment Bylaw No. 2018-13”*.

Attachments

Attachment A – Property location map

Attachment B – Images of Subject Property

Attachment C – *“Official Community Plan Amendment Bylaw No. 2018-12”*

Attachment D – *“Zoning Amendment Bylaw No. 2018-13”*

Respectfully submitted

Blake Laven, MCIP, RPP
Planning Manger

Approvals

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



Attachment B
Images of Subject Property

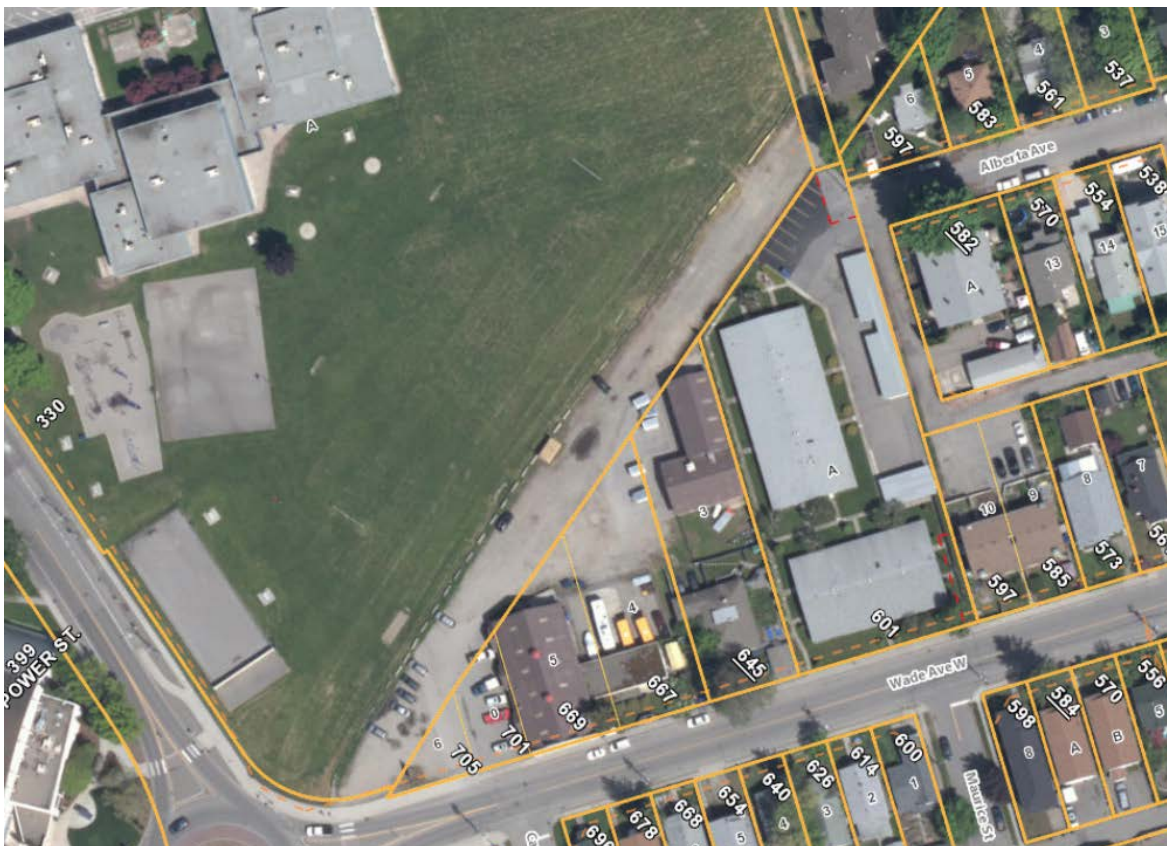


Figure 1: Aerial image of subject lands (2017)



Figure 2: Street view image of subject property showing current state of the lands



Figure 3: Street view image of subject lands showing the interface between the school site and adjacent businesses

Bylaw No. 2018-12

A Bylaw to Amend Official Community Plan Bylaw 2002-20

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

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

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

1. Title:

This bylaw may be cited for all purposes as "Official Community Plan Amendment Bylaw No. 2018-12."

2. Amendment:

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

2.1 Amend Schedule 'B' Future Land Use designation for the following:

That Part of Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan AP91728 as shown on Schedule 'A' from A (Administration/Institutional – Including Schools) to MFMD (Multi-Family Medium Density).

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

READ A FIRST time this day of , 2018

A PUBLIC HEARING was held this day of , 2018

READ A SECOND time this day of , 2018

READ A THIRD time this day of , 2018

ADOPTED this day of , 2018

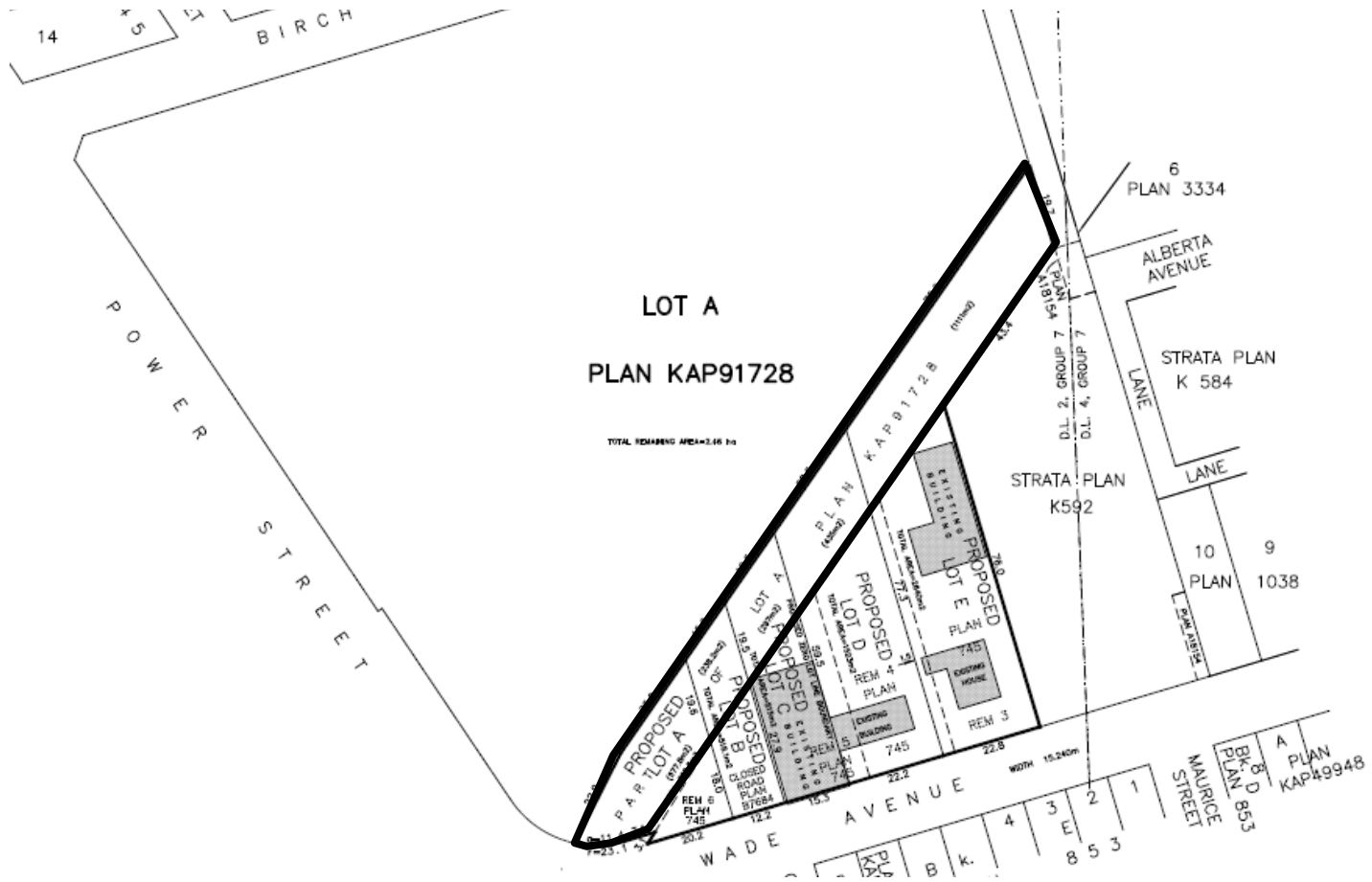
Notice of intention to proceed with this bylaw was published on the ___ of ___, 2018 and the ___ of ___, 2018 in the Penticton newspapers, pursuant to Section 94 of the Community Charter.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Amend OCP Bylaw 2002-20

By changing the OCP designation of a portion of 330 Power Street (outlined in black)
From A (Administration/Institutional-Including Schools) To MFMD (Multi-Family Medium Density)⁸⁵
From A (Administration/Institutional-Including Schools) To MFMD (Multi-Family Medium Density)



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2018-12

Date: _____

Corporate Officer: _____

Bylaw No. 2018-13

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. 2018-13".

2. **Amendment:**

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

Rezone That Part of Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan AP91728 as shown on Schedule 'A' of this bylaw from P1 (Public Assembly) to C3 (Mixed Use Commercial) and C7 (Service Commercial).

2.2 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 11.3.4:

.2 In the case of the following lands, "public parking" and "storage and warehousing" shall be permitted uses:

- Lot 6, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745, Except Plans 3134 and DD 1573D (705 Wade Avenue W);
- That Portion of Closed Road in District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Shown on Plan B7684, Lying Adjacent to Lot 5, Plan 745 (701 Wade Avenue W);
- That Part of Lot 5, Lying South of Kettle Valley Railway Company Right of Way (AFB VOL FOL 111 No 1573D), Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745 (669 Wade Avenue W);
- That Part Lot 4, Lying South of Kettle Valley Railway Company Right of Way (AFB VOL FOL 111 No 1573D), Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745 (667 Wade Avenue W);
- That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP91728 (330 Power Street) that is zoned C3 and as identified on Schedule 'B' of this bylaw.

2.3 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 11.7.4:

.4 In the case of the following lands, "public parking" and "storage and warehousing" shall be permitted uses:

- That Part Lot 3, Lying South of Kettle Valley Railway Company Right of Way (AFB VOL FOL 111 No 1573D), Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 745 (645 Wade Avenue W);
- That Part of "Lot A, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP91728 (330 Power Street) that is zoned C7 and as identified on Schedule 'B' of this bylaw.

2.4 Schedule 'A' and Schedule 'B' attached hereto forms part of this bylaw.

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

Notice of intention to proceed with this bylaw was published on the ___ day of ____, 2018 and the ___ day of ____, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

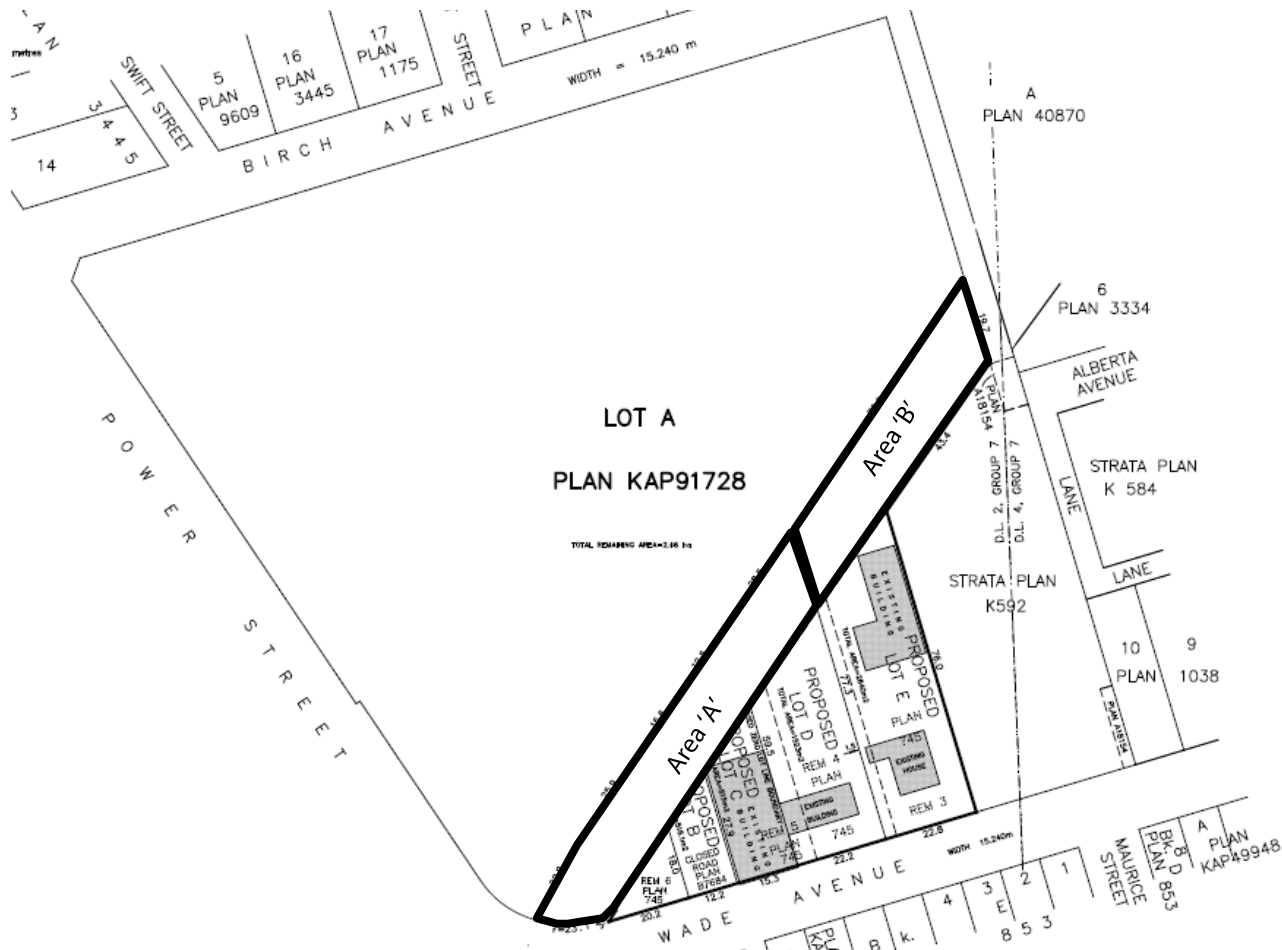
Andrew Jakubeit, Mayor

<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>
--

Dana Schmidt, Corporate Officer

Rezone a portion of 330 Power Street (Area 'A'): From P1 (Public Assembly) to C3 (Mixed Use Commercial)

Rezone a portion of 330 Power Street (Area 'B'): From P1 (Public Assembly) to C7 (Service Commercial)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-13

Date: _____

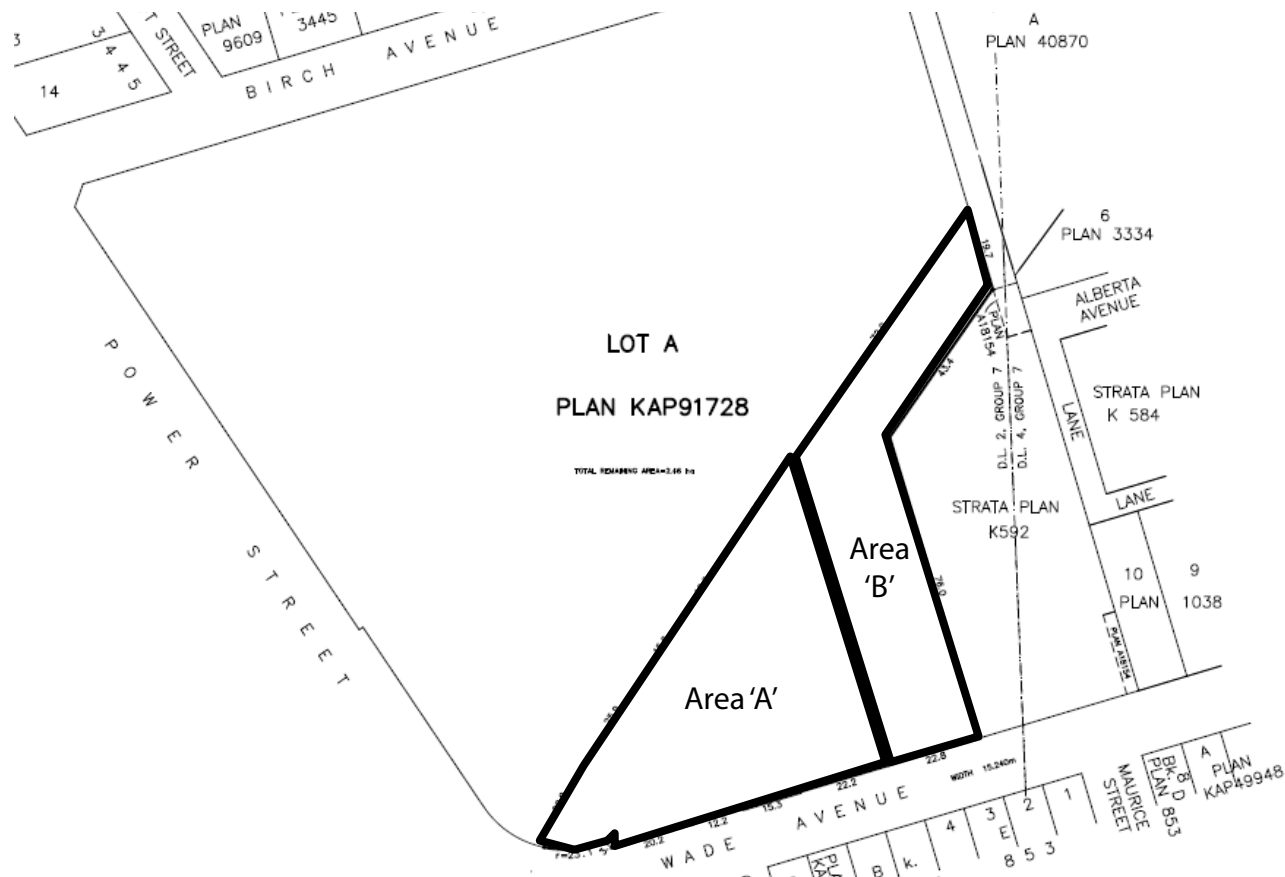
Corporate Officer: _____

C3 (Mixed Use Commercial)

Add "public parking" and "storage and warehousing" as permitted uses to a portion of 330 Power Street and 705, 701, 669, 667 Wade Ave W (Area 'A')

C7 (Service Commercial)

Add "public parking" and "storage and warehousing" as permitted uses to a portion of 330 Power Street and 645 Wade Ave W (Area 'B')



City of Penticton – Schedule 'B'

Zoning Amendment Bylaw No. 2018-13

Date: _____

Corporate Officer: _____