Agenda

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

Tuesday, May 8, 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 April 17, 2018 Committee of the Whole	1-2	Receive
6.2	Minutes of the April 17, 2018 Public Hearing	3-4	Receive
6.3	Minutes of the April 17, 2018 Regular Council Meeting	5-11	Adopt

7. **Committee and Board Reports**

7.1 Economic Development & Prosperity Task Force Minutes of April 4, 2018 — 12-14
Staff Recommendation: THAT Council receive the draft minutes of the Economic Development & Prosperity Task Force meeting of April 4, 2018.

7.2 Affordable Community Task Force Minutes of April 13, 2018 — 15-16
Staff Recommendation: THAT Council receive the draft minutes of the Affordable Community Task Force meeting of April 13, 2018.

7.3 Penticton Creek Restoration Committee Minutes of April 18, 2018 — 17-19
Staff Recommendation: THAT Council receive the draft minutes of the Penticton Creek Restoration Committee meeting of April 18, 2018.

7.4 Official Community Plan Task Force Minutes of April 18, 2018 — 20-22
Staff Recommendation: THAT Council receive the draft minutes of the Official Community Plan Task Force meeting of April 18, 2018.

8. **Correspondence**

8.1 Travel Penticton 23-25
Re: Changes to the Municipal & Regional District Tax (MRDT)

9. **Staff Reports:**

CFO 9.1 2017 Audited Financial Statements 26-65
Jonathan McGraw, BDO
Staff Recommendation: THAT Council accepts the Financial Statements as presented by BDO Canada LLP for the year ending December 31, 2017.

DFC 9.2 UBCM Structural Flood Mitigation Grant 66-67
Staff Recommendation: THAT Council support the application for grant funding of $750,000 from UBCM for Structural Flood Mitigation within a designated section of Penticton Creek with the remaining $200,000 project cost funded as part of the 2019 budget process.

DCS 9.3 Appointment of Chief Election Officer and Deputy Chief Election Officer 68-70
Re: 2018 General Election
Staff Recommendation: THAT Council appoint Laurie Darcus as the Chief Election Officer for the 2018 Local Government General Election;
AND THAT Council appoint Dana Schmidt the Deputy Chief Election Officer for the 2018 Local Government General Election.

CFO 9.4 The Penti-Con Association In-Kind Grant Request 71-77
Staff Recommendation: THAT Council decline the request of a $2,130 Value In Kind (VIK) grant from the Penti-Con Association.

RS 9.5 Tax Rates Bylaw No. 2018-25 78-92
Staff Recommendation: THAT Council give first, second and third reading to "Tax Rates Bylaw No. 2018-25", a bylaw that establishes property taxation rates for the 2018 tax year.

CE 9.6 Kiwanis Pier Repairs 93-96
Staff Recommendation: THAT Council approve proceeding with Option 1, Storm Damage with Additional Structural Repairs, as described in this Council Report dated May 8, 2018 as part of the Tender to repair the Kiwanis Pier;
AND THAT the 2018 Budget be amended to increase CAP10118-003 by $278,000 for the Kiwanis Pier repairs with an estimated $78,000 funding coming from insurance coverage and the remainder coming from the Asset Emergency Reserve.

GMI 9.7 BC Transit City of Penticton Annual Operating Agreement 97-109
Staff Recommendation: THAT Council authorize the Mayor and Corporate Officer to execute the 2018 2019 Annual Operating Agreement Conventional and Custom Transit as contained in Attachment "A".

PM 9.8 Zoning Amendment Bylaw No. 2018-18 110-114
Development Variance Permit PL2018-8178
Re: 657 Churchill Avenue
Staff Recommendation: THAT Council remove the condition of registering a 1.9m road dedication along the frontage of Churchill Avenue prior to adoption of Zoning Amendment Bylaw No. 2018-18; AND THAT Council adopt "Zoning Amendment Bylaw No. 2018-18".
THAT Council approve "Development Variance Permit PL2018-8178" for 657 Churchill Avenue.

PM 9.9 Zoning Amendment Bylaw No. 2018-26 115-136
Development Permit PL2018-8194
Re: 500 & 512 Gahan Avenue

Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2018-26", a bylaw to rezone Lot 30, District Lot 202, Similkameen Division Yale District Plan 1122, and Lot 31, District Lot 202, Similkameen Division Yale District Plan 1122, located at 500 & 512 Gahan Avenue, from R2 (Small Lot Residential) to RM5 (Urban Residential), be given first reading and be forwarded to the May 22, 2018 Public Hearing; AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-26", the owner be required to consolidate both lots.

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2018-26", approve Development Permit PL2018-8194, for the consolidated parcel of Lot 30, District Lot 202, Similkameen Division Yale District Plan 1122, and Lot 31, District Lot 202, Similkameen Division Yale District Plan 1122, located at 500 & 512 Gahan Avenue, a permit that allows for the construction of a townhouse with 4 units and 4 suites.

THAT Council, in accordance with Section 507 of the Local Government Act, require the full construction of the lane along the rear of the property and the rear of 490 Gahan Avenue tying into the works into the existing lane, representing an excess and extended service.

PM 9.10 Zoning Amendment Bylaw No. 2018-27 137-160
Official Community Plan Amendment Bylaw No. 2018-28
Re: 201 Penticton Avenue

Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2018-27", a bylaw to Rezone Lot 31 Block 1 District Lot 250 Similkameen Division Yale District Plan 812, located at 201 Penticton Avenue from R2 (Small Lot Residential) to RD1 (Duplex Housing), be given first reading and be forwarded to the May 22, 2018 Public Hearing;

THAT prior to consideration of "OCP Amendment Bylaw No. 2018-28" and in accordance with Section 475 of Local Government Act, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the public consultation conducted to date is sufficient;

AND THAT "Official Community Plan Amendment Bylaw No. 2018-28," a bylaw to amend Schedule 'H' Development Permit Area Map of the City's OCP, to include the subject property in the Downtown Multiple Family Development Permit Area; be introduced, given first reading and forwarded to the May 22, 2018 Public Hearing.

PM 9.11 Zoning Amendment Bylaw No. 2018-29 161-188
Development Variance Permit PL2018-8238
Development Permit PL2018-8246
Re: 179 Green Avenue

Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2018-29" a bylaw that changes the zoning designation of Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868 (179 Green Avenue), from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the May 22, 2018 Public Hearing.

THAT delegations and submissions for "Development Variance Permit PL2018-8238", a permit that reduces a required exterior side yard from 4.5m to 3.0m for the consolidated parcels of Lot 1, District Lot 116, Similkameen Division Yale District, Plan KAP79498 (2872 Skaha Lake Road) and Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868 (179 Green Avenue), be heard at the May 22, 2018 Public Hearing; AND THAT prior to issuance of, the two lots are consolidated.

THAT "Development Permit PL2018-8246", a permit for the construction of a three storey 50 unit congregate housing building for the consolidated parcels of Lot 1, District Lot 116, Similkameen Division Yale District, Plan KAP79498 (2872 Skaha Lake Road) and Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868 (179 Green Avenue), be approved, subject to issuance of "Development Variance Permit PL2018-8238".

PM 9.12 Zoning Amendment Bylaw No. 2018-30 189-202
Re: 1273 Edgewood Drive

Staff Recommendation: THAT "Zoning Amendment Bylaw No. 2018-30," a bylaw to amend Zoning Bylaw 2017-08 to rezone Lot 9, District Lot 250, Similkameen Division Yale District, Plan 6748, located at 1273 Edgewood Drive from R2 (Small Lot Residential) to R3 (Small Lot Residential: Lane) be given first reading and forwarded to the May 22, 2018 Public Hearing; AND THAT, in accordance with section 507 of the Local Government Act, Council require the developer to construct the full width of the lane directly contiguous to the property including provisions for storm water management.

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:

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality.

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

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

13.1	Housing Agreement (257 Scott Avenue) Bylaw No. 2018-17	203-210	Adopt
13.2	Fire and Life Safety Amendment Bylaw No. 2018-20	211-212	Adopt
13.3	Zoning Amendment Bylaw No. 2018-22	213-214	Adopt
	Development Variance Permit PL2018-8184 Re: 175 Cossar Avenue	215-216	Approve
13.4	Zoning Amendment Bylaw No. 2018-23 Re: 249 Westminster Avenue W	217-218	2nd/3rd
13.5	Zoning Amendment Bylaw No. 2018-24	219-220	2nd/3rd
	ALC non-farm use application Re: 468 Lower Bench Road		Support

14. **Land Matters:**

BPM 14.1 Structural Change and Winery Lounge Endorsement 221-225 Del/Sub
Re: Moraine Estate Winery

Staff Recommendation: THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Moraine Estate Winery for the proposed Structural Change and Winery Lounge Endorsement with:

- *Interior lounge hours from 10:00am to 10:00pm, and*
- *Exterior lounge hours10:00am to 10:00pm (9:00pm - service closure), with no amplified music on patio.*

PM 14.2 Development Variance Permit PL2018-8208 226-239 Del/Sub
Re: 147 Bankview Road

Staff Recommendation: THAT Council approve "Development Variance Permit PL2018-8208" for Lot 1 District Lot 188 Similkameen Division Yale District Plan 9342, located at 147 Bankview Road, a permit to decrease the minimum front yard from 6.0m to 3.5m; AND THAT staff be directed to issue "Development Variance Permit PL2018-8208."

PM 14.3 Temporary Use Permit PL2018-8229 240-249 Del/Sub
Re: 160 Evergreen Crescent

<u>Staff Recommendation:</u> THAT Council approve "Temporary Use Permit PL2018-8229", a permit to allow the use of "a swimming pool" on Proposed Lot A, created by the subdivision of Lot A, District Lot 2710, Similkameen Division Yale District, Plan 34460, located at160 Evergreen Crescent;
AND THAT "Temporary Use Permit PL2018-8229" be valid for a period of three years.

15. **Notice of Motion**

16. **Business Arising**

17. **Council Round Table**

18. **Public Question Period**

19. **Adjournment**

Minutes

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

Tuesday, April 17, 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
Laurie Darcus, Director of Corporate Services
Jim Bauer, Chief Financial Officer
Ian Chapman, City Engineer
Ken Kunka, Building and Permitting Manager
Angie Collison, Deputy Corporate Officer

1. Call to order

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

2. Adoption of Agenda

It was MOVED and SECONDED
THAT the agenda for the Committee of the Whole meeting held on April 17, 2018 be adopted as presented.

CARRIED UNANIMOUSLY

3. Delegations and Staff Presentations:

3.1 5G Network - concerns

Kevin Proteau and Ross Anderson spoke to health concerns related to 5G Network in the community and requested a public forum.

3.2 Lease Extension for LocoLanding

Dustin and Diana Stirling, owners of LocoLanding, requested Council consider extending their lease to 2038. With long term lease certainty, they intend to invest approximately two million into LocoLanding over the next 12 years.

It was MOVED and SECONDED
THAT the Committee of the Whole direct staff to work with Dustin and Diana Stirling to extend the lease for LocoLanding.

CARRIED UNANIMOUSLY

3.3 Political Signage

The Corporate Officer provided Council with options for the placement of political signage for the 2018 General Local Election.

It was MOVED and SECONDED
THAT the Committee of the Whole direct staff to maintain the bylaw and policy signage regulations that are currently in place.

DEFEATED
Mayor Jakubeit and Councillors Watt, Sentes, Picton, Opposed

4. Adjourn to Regular Meeting

It was MOVED and SECONDED
THAT Council adjourn the Committee of the Whole meeting held April 17, 2018 at 1:53 p.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

_____
Dana Schmidt
Corporate Officer

Confirmed:

_____
Andrew Jakubeit
Mayor

Minutes

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

Tuesday, April 17, 2018
at 6:00 p.m.

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

Staff: Peter Weeber, Chief Administrative Officer
Dana Schmidt, Corporate Officer
Jim Bauer, Chief Financial Officer
Ken Kunka, Building and Permitting Manager
Ian Chapman, City Engineer
Blake Laven, Planning Manager
Angie Collison, Deputy Corporate Officer

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:00 p.m. for Official Community Plan Amendment Bylaw No. 2018-21 and Zoning Amendment Bylaw No. 2018-22. He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

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

2. <u>Official Community Plan Amendment Bylaw No. 2018-21 and "Zoning Amendment Bylaw No. 2018-22" (175 Cossar Avenue)</u>

The purpose of "Official Community Plan Amendment Bylaw No. 2018-21" is to amend Official Community Plan Bylaw No. 2002-20 as follows:

Amend Schedule 'B' Future Land Use designation for Lot 5, District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3223, located at 175 Cossar Avenue from HR (High Density Residential) to MR (Medium Density Residential).

Amend Schedule 'H' Development Permit Area Map for Lot 5, District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3223, located at 175 Cossar Avenue, from High Density Development Permit Area to General Multiple Family Development Permit Area.

The purpose of "Zoning Amendment Bylaw No. 2018-22" is to amend Zoning Bylaw No. 2017-08 as follows:

Rezone Lot 5 District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3223, located at 175 Cossar Avenue from RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing).

The applicant is proposing to construct two side-by-side duplexes.

The Corporate Officer advised that 1 letter has been received since the printing of the agenda and distributed to Council.

DELEGATIONS

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

- No one spoke.

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

- No one spoke.

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

- No one spoke.

The public hearing for "Official Community Plan Amendment Bylaw No. 2018-21" and "Zoning Amendment Bylaw No. 2018-22" was terminated at 6:06 p.m. and no new information can be received on this matter.

Certified correct:

Dana Schmidt
Corporate Officer

Confirmed:

Andrew Jakubeit
Mayor

Minutes

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

Tuesday, April 17, 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
Dana Schmidt, Corporate Officer
Laurie Darcus, Director of Corporate Services
Jim Bauer, Chief Financial Officer
Ian Chapman, City Engineer
Ken Kunka, Building and Permitting Manager
Angie Collison, Deputy Corporate Officer

1. Call to Order

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

2. Introduction of Late Items

3. Adoption of Agenda

151/2018 **It was MOVED and SECONDED**
THAT Council adopt the agenda for the Regular Council meeting held on April 17, 2018 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

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

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:53 p.m.

6. Adoption of Minutes:

6.1 Minutes of the April 3, 2018 Committee of the Whole

152/2018 **It was MOVED and SECONDED**
THAT Council receive the minutes of the April 3, 2018 Committee of the Whole as presented.
CARRIED UNANIMOUSLY

6.2 Minutes of the April 3, 2018 Public Hearing

153/2018 **It was MOVED and SECONDED**
THAT Council receive the minutes of the April 3, 2018 Public Hearing as presented.
CARRIED UNANIMOUSLY

6.3 Minutes of the April 3, 2018 Regular Meeting of Council

154/2018 **It was MOVED and SECONDED**
THAT Council adopt the minutes of the April 3, 2018 Regular Meeting of Council as presented.
CARRIED UNANIMOUSLY

7. Committee and Board Reports

7.1 Agriculture Advisory Committee Minutes of November 14, 2017

155/2018 **It was MOVED and SECONDED**
THAT Council receive the minutes of the Agriculture Advisory Committee meeting of November 14, 2017.
CARRIED UNANIMOUSLY

7.2 Agriculture Advisory Committee Minutes of March 2, 2018

156/2018 **It was MOVED and SECONDED**
THAT Council receive the draft minutes of the Agriculture Advisory Committee meeting of March 2, 2018.
CARRIED UNANIMOUSLY

7.3 Transportation Advisory Committee Minutes of March 27, 2018

157/2018 **It was MOVED and SECONDED**
THAT Council receive the draft minutes of the Transportation Advisory Committee meeting of March 27, 2018.
CARRIED UNANIMOUSLY

8. Correspondence

9. Staff Reports:

9.1 Smart City Challenge Application

158/2018 **It was MOVED and SECONDED**
THAT Council approve the application for the Smart City Challenge that focuses on a Healthier Penticton for the $10M prize, with the following challenge statement:

"Let's build a physically & mentally healthier, strongly-connected Penticton where each person has access and opportunity to maximize their health potential".

CARRIED UNANIMOUSLY

9.2 Property Taxation Distribution Policy

159/2018 **It was MOVED and SECONDED**
THAT Council approve the Property Taxation Distribution Policy.

CARRIED UNANIMOUSLY

9.3 Donation of Proceeds from Paver Sales

160/2018 **It was MOVED and SECONDED**
THAT Council authorize staff to donate proceeds from the sale of used pavers from revitalization projects to the South Okanagan Similkameen Medical Foundation (SOSMF).

CARRIED UNANIMOUSLY

9.4 Hospital Room Naming Contest

161/2018 **It was MOVED and SECONDED**
THAT Council select "Meadowlark" as the room name in the new David E. Kampe Tower at the Penticton Regional Hospital with the alternates "Peach Blossom" and "Sun-Oka Serenity".

CARRIED UNANIMOUSLY

9.5 Study to Review Waste Water Solids Management Options

162/2018 **It was MOVED and SECONDED**
THAT Council receive into the record the report titled "Study to Review Waste Water Solids Management Options".

CARRIED UNANIMOUSLY

9.6 Fire Protection Mutual Aid Agreement with RDOS

163/2018 **It was MOVED and SECONDED**
THAT Council approve the renewal of the two year Fire Protection Mutual Aid Agreement with the Regional District of Okanagan-Similkameen.

CARRIED UNANIMOUSLY

9.7 Fire and Life Safety Amendment Bylaw No. 2018-20

164/2018 **It was MOVED and SECONDED**
THAT Council give first, second and third reading to "Fire and Life Safety Amendment Bylaw No. 2018-20", a bylaw to amend "Fire and Life Safety Bylaw No. 2004-57" to require a fire safety plan that is acceptable to the Fire Department for wood dust producing operations.

CARRIED
Councillor Martin, Opposed

10. Public Question Period

11. Recess to In-Camera Meeting

165/2018 **It was MOVED and SECONDED**
THAT Council recess at 4:09 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(c) labour relations or other employee relations;

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

2(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

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

Council reconvened the Regular Council Meeting at 6:06 p.m.

13. Reconsideration of Bylaws and Permits

13.1 2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-19

166/2018 **It was MOVED and SECONDED**
THAT Council adopt "2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-19".

CARRIED UNANIMOUSLY

13.2 OCP Amendment Bylaw No. 2018-21
Zoning Amendment Bylaw No. 2018-22
Re: 175 Cossar Avenue

167/2018 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2018-21"; AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2018-21".
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-22".

CARRIED UNANIMOUSLY

13.3 Zoning Amendment Bylaw No. 2017-75
DVP PL2017-8093
Re: 453 Eckhardt Avenue West

168/2018 **It was MOVED and SECONDED**
THAT Council adopt "Zoning Amendment Bylaw No. 2017-75";
AND THAT Council approve "Development Variance Permit PL2017-8093" for 453 Eckhardt Avenue West.

CARRIED UNANIMOUSLY

14. Land Matters

14.1 Liquor Service – Permanent Change of Hours – Bench 1775 Winery
Re: 1775 Naramata Road

Delegations/Submissions: Mark Ewan, Naramata Road, spoke against extending service hours.

169/2018 **It was MOVED and SECONDED**
THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Bench 1775 Winery (0988081 BC) for the proposed permanent change in hours for exterior lounge from 10:00am to 7:00pm to 10:00am to 10:00pm (9:00pm - service closure), with no amplified music on patio.

CARRIEDUNANIMOUSLY

14.2 Development Variance Permit PL2018-8139
Re: 2883 and 2895 Partridge Drive

Delegations/Submissions: nil

170/2018 **It was MOVED and SECONDED**
THAT Council approve "Development Variance Permit PL2018-8139", a permit to increase the permitted height of a retaining wall in a required yard from a maximum height of 1.2m to a maximum height of 4.5m for Lots 4 and 5 of District Lot 2710, Similkameen Division Yale District, Plan EPP28587, located at 2883 and 2895 Partridge Drive; AND THAT staff are directed to issue "Development Variance Permit PL2018-8139".

CARRIED UNANIMOUSLY

14.3 Development Variance Permit PL2018-8207
Re: 134 Glen Place

Delegations/Submissions: nil

171/2018 **It was MOVED and SECONDED**
THAT Council approve "Development Variance Permit PL2018-8207" for Lot 4, District Lot 2710, Similkameen Division Yale District, Plan 27000, located at 134 Glen Place, a permit to vary the following sections of Zoning Bylaw No. 2017-08:

- Section 8.2.3.5: to permit a carriage house, in the R1 (Large Lot Residential) zone, to be located closer to the front lot line than the principal dwelling; and
- Section 10.1.2.5: to reduce the front yard setback from 6.0 m to 4.67 m;

AND THAT staff be directed to issue "DVP PL2018-8207".

CARRIED UNANIMOUSLY

Councillor Konanz declared a conflict of interest and left the meeting at 6:33 p.m.

14.4 Zoning Amendment Bylaw No. 2018-23
Re: 249 Westminster Avenue W

172/2018 **It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2018-23", a bylaw to Rezone Lot A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan KAP92015, located at 249 Westminster Avenue West from CD4 (Comprehensive Development) to C5 (Urban Centre Commercial), and to add Section 11.5.4.8: "In the case of Lot A, DL 4, Group 7, SDYD (Formerly Yale Lytton), Plan KAP92015, located at 249 Westminster Avenue West, a craft brewery/distillery and cidery shall be permitted," be given first reading and be forwarded to the May 8, 2018 Public Hearing.

CARRIED UNANIMOUSLY

Councillor Konanz returned to the meeting at 6:41 p.m.

14.5 Zoning Amendment Bylaw No. 2018-24
Re: 468 Lower Bench Road

173/2018 **It was MOVED and SECONDED**
THAT "Zoning Amendment Bylaw No. 2018-24", a bylaw to amend "Zoning Bylaw No. 2017-08" by adding Section 9.2.6.10 "In the case of Lot 3, District Lot 187, Similkameen Division Yale District, Plan 23377, located at 468 Lower Bench Road, a 20 suite hotel and operator dwelling unit shall be permitted and, notwithstanding section 9.2.2 Subdivision and Development Regulations, a maximum parcel coverage of 35% for all buildings is permitted" be introduced, read a first time and forwarded to the May 8, 2018 Public Hearing;
AND THAT Council, after hearing from the public at the May 8, 2018 Public Hearing, consider sending a positive recommendation to the Agricultural Land Commission in support of the proponents 'non-farm use' application (ALC Application #57103); AND THAT a soil relocation plan be submitted prior to adoption of "Zoning Amendment Bylaw No. 2018-24".

CARRIED UNANIMOUSLY

14.6 Housing Agreement (257 Scott Avenue) Bylaw No. 2018-17

174/2018 **It was MOVED and SECONDED**
THAT "Housing Agreement (257 Scott Avenue) Bylaw No. 2018-17", a bylaw authorizing the City of Penticton to enter into a housing agreement with the owner of 257 Scott Avenue, requiring 4 units with the apartment building to be rented to those on the Supported Housing Registry, or equivalent for a 20 year period, be given first, second and third reading and forwarded to the May 8, 2018 Regular Meeting of Council for adoption.

CARRIED UNANIMOUSLY

14.7 Urban Deer Update and Recommendations

175/2018 **It was MOVED and SECONDED**
THAT Council direct staff to put out a request for quotes for a wildlife consultant to develop an urban deer management strategy.

DEFEATED
Councillors Sayeed, Watt, Konanz, Sentes and Picton, Opposed

176/2018 **It was MOVED and SECONDED**
THAT Council direct staff to maintain the status quo approach towards urban deer management in Penticton and re-engage with the Regional District of Okanagan Similkameen and BC Conservation on a regional approach and deal with specific issues on an event by event basis.

CARRIED
Mayor and Councillor Martin, Opposed

15. Notice of Motion

16. Business Arising

Committee Appointments
THAT Council appoint Judy Richards to the Economic Development Task Force.

THAT Council accept the resignation of Terry Olfert and appoint Doug MacMillan as the Penticton Yacht Club and Marina representative on the Community Revitalization Select Committee.

Licence to Use

THAT Council authorize an extension of the Licence to Use Agreement with Penticton & Area Cycling Association (PACA) a non-profit Society, over 332 acres located at 1400 Riddle Road AKA Three Blind Mice Trail Network with a legal description of DL 392s, SDYD, to formalize the existing use of the mountain bike trail network on the property and to allow improvements and development of new trails for a period of 5 years beginning April 1, 2018 at a rate of $330.00 per year;

AND THAT the administration fee of $250 be waived for the Penticton & Area Cycling Association licence to use;

AND FURTHER THAT the Mayor and Corporate Officer be authorized to execute the PACA LTU.

Land Disposition

THAT Council approve the land sale of 703 Pineview Road to South Okanagan Construction Ltd. or their designate for $223,250;
AND THAT the City will be responsible for all legal costs associated with the sale of the lands and the Purchaser will be responsible for the legal and registration costs associated with the purchase of the land.

17. Council Round Table

18. Public Question Period

19. Adjournment

177/2018 **It was MOVED and SECONDED**
THAT Council adjourn the Regular Council meeting held on Tuesday, April 17, 2018 at 7:33 p.m.

CARRIED UNANIMOUSLY

Certified correct:

_____
Dana Schmidt
Corporate Officer

Confirmed:

_____
Andrew Jakubeit
Mayor

Economic Development & Prosperity Task Force Meeting

Held at the City of Penticton
171 Main Street, Penticton, B.C.

Wednesday, April 4, 2018
at 8:00 a.m.

Present: Mayor Andrew Jakubeit, Chair
Danielle Robinson
Derek Badger
Eric Corneau
Judy Richards
Kirk Marleau
Stephen Noton

Staff: Jennifer Vincent, Economic Development Services
Jim Bauer, CFO
Sharon Thompson, Recording Secretary

Guests: Hugh McClelland, Baird McClelland Inc., Economic Development Consultant
Larry Olson
Louise Kozier, Kozier Consulting Limited

1. Call to order

The Economic Development & Prosperity Task Force was called to order by the Mayor at 8:00 a.m.

2. Adoption of Agenda

It was MOVED and SECONDED
THAT the Economic Development & Prosperity Task Force adopt the agenda dated April 4, 2018 as amended.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED
THAT the Economic Development & Prosperity Task Force adopt the minutes of the February 22, 2018 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Strategic Plan Update

Strategic Plan progress in Q1 and Q2 and the Business Climate Survey results were reviewed. Council will receive a first quarter report at their Regular Meeting May 8.

4.2 Industry Cluster Update

The updated version of the Industry Cluster model and diagram was reviewed. The next version of the document will include Restaurants & Accommodation in the Tourism, Events, Arts & Culture Bubble on the diagram to best reflect that cluster. The next steps will focus on an action plan for engaging stakeholders and experts in the field. There will be a report to Council at the end of Q2 in June.

5. New Business

5.1 Business Climate Survey Results Update

The Survey methodology, purpose and findings and key themes of the Business Climate Survey was reviewed. The Results Launch Event March 13 was well received and produced good feedback and challenging questions. Feedback will be aligned with the City's operations to improve processes and efficiencies which promises to result in greater customer service delivery.

An update was provided on current City initiatives and strategic plan action steps that address feedback themes arising from the survey.

5.2 PR Strategy Introduction

Louise Kozier presented on a PR strategy to leverage the positive business stories in the community as identified in the 2018-2022 Economic Development Strategic Plan

5.3 Economic Development Website Update

A brief comparison of three possible Economic Development website providers was presented. The chosen company will be vetted through the IT Department and, provided approval is granted, the website could be up and running by Q3. The Economic Development Specialist will provide links to Task Force members to review economic development dashboard sites.

5.4 Property Tax Distribution

Multiple Property Tax Distribution models were explained and the benefits of the proposed revenue neutral model was discussed. This item will be on the Regular Council agenda April 17.

9:45 a.m. Louise Kozier departed the meeting.

10:01 a.m. Derek Badger departed the meeting.

6.0 Next Meeting

The next scheduled meeting of the Economic Development & Prosperity Task Force will be decided depending on the results of a Doodle Poll.

7.0 Adjournment

It was MOVED and SECONDED that the Economic Development & Prosperity Task Force Meeting of April 4, 2018 adjourn at 10:02a.m.

CARRIED UNANIMOUSLY

Certified Correct:

_____

Sharon Thompson
Committee Secretary

DRAFT

Minutes

penticton.ca

Affordable Community Task Force Meeting

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

Friday, April 13, 2018
at 2:00 p.m.

Present: Garry Gratton, Chair
Mayor Andrew Jakubeit
Carol Sudchak, Canadian Home Builders Association South Okanagan Representative
Connie Sahlmark, Member at Large (3:04 p.m.)
Kona Lynn Sankey, Member at Large
Linda Sankey, Member at Large
Maggie Chinnery, BC Housing Representative
Marjorie King, Member at Large

Staff: Blake Laven, Planning Manager
Nicole Capewell, Planner
Sharon Thompson, Corporate Administrative Secretary

1. Call to Order

The Affordable Community Task Force meeting was called to order by the Chair at 2:05 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the Affordable Community Task Force adopt the agenda for the meeting held on April 13, 2018.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED
THAT the Affordable Community Task Force adopt the minutes of the February 16, 2018 meeting as circulated.

CARRIED UNANIMOUSLY

4. **Business Arising from Prior Meetings**

4.1 Affordable Housing Forum Update

The Affordable Housing Forum held March 28, 2018 was a successful event, with 90-100 people from the community in attendance. The Forum included guest speakers and engaged

stakeholders with the goal of capitalizing on provincial and federal funding grants coming down the pipeline.

The City of Penticton's website has added an Affordable Housing page and content will be updated regularly.

5. **New Business**

5.1 Housing for the New OCP

The draft OCP Housing Goals and Policies document and public engagement process was reviewed. Discussion and feedback included managing growth, affordability options, housing diversity and character and complete neighbourhoods. The document will be circulated and the Manager Special Projects requests feedback on the Housing section of the draft OCP and emerging policies.

3:04 p.m. Connie Sahlmark arrived at meeting.

3:34 The Mayor departed the meeting.

6. **Council Outcomes**

Received for information.

7. Next Meeting

The next meeting of the Affordable Community Task Force will be scheduled in approx. June. A Doodle Poll will be circulated to determine a date and time.

8. Adjournment

It was MOVED and SECONDED
THAT the Affordable Community Task Force adjourn the meeting held on Friday, April 13, 2018 at 3:40pm

CARRIED UNANIMOUSLY

Certified Correct:

_____
Sharon Thompson
Corporate Administrative Secretary

DRAFT

Minutes

penticton.ca

Penticton Creek Restoration Committee Meeting

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

Wednesday, April 18, 2018
at 9:00 a.m.

Present: Helena Konanz, Councillor
Bryn White, Chair and South Okanagan Similkameen Conservation Program Representative
Camille Rivard-Sirois, Okanagan Nation Alliance
Bruce McFarlane, Regional Water Engineer, Min. of FLNRO Representative (Via conference call)
Paul Askey, Freshwater Fisheries Society of BC
Hillary Ward, Province of BC Fisheries, Min. of FLNRORD Representative
Bill Wickett, Penticton Fly Fishers Association Representative
Bruce Turnbull, Penticton Fly Fishers Association Representative
Elliott Tonasket, Councillor, Penticton Indian Band Representative
Doug Maxwell, Member at Large
Paul Truelove, Member at Large

Staff: Ian Chapman, City Engineer
Lorraine Witowski, Committee Secretary

Guest: Dwight Shanner, Aarde Environmental Ltd.
Yi Li, Regional Hydrologist, Min. of FLNRORD

1. **Call to Order**

The Penticton Creek Restoration Committee was called to order by the Chair at 9:03 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the Penticton Creek Restoration Committee adopt the agenda for the meeting held on April 18, 2018 as circulated.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED
THAT the Penticton Creek Restoration Committee adopt the minutes of the March 21, 2018 meeting as circulated.

CARRIED UNANIMOUSLY

4. Business Arising from Prior Meetings

4.1 Lower 3A Project

- Fish Window Analysis and Variance Permit Update

The Province of BC Fisheries representative and the Aarde Environmental Ltd. consultant reported on the results compiled from water temperature records at the Penticton Water Treatment Plant , jump and migration records including analyzing temperature profiles from two different watersheds. From the data collected, the best recommendation with the least impact on Kokanee was determined to be July 28 as the earliest date that work can begin and August 24 is the end date. Any works must be completed before the August 24 date.

- Update on Permitting, Tendering Process, Documents and Timing

The City Engineer confirmed they are fully permitted for the Lower 3A project and are now ready to proceed with the tender process and expect to go out for tender next week. Discussion and questions followed on the tender documents. A copy of the document will be available for viewing at City Hall once it has been issued. Staff will send out a copy of the management plan via email.

- Update on Timing and Removal of Vegetation, Adjacent Property Items

The City Engineer confirmed a large tree and cedars have been removed on an adjacent property and additional work will be completed in conjunction with the project. The project area downstream from the Nanaimo Avenue bridge has also been surveyed for the removal of vegetation.

4.2 Update on Freshet 2017 Repair Works Penticton Creek and Ellis Creek

The City Engineer confirmed all permits are in place and repair works on Penticton Creek have started that include removing concrete debris, adding rocks to fill holes and stabilize banks. Works should be completed over the next two weeks. Ellis Creek flows have risen rapidly and the City can no longer complete works within the permit. An emergency order to repairs areas has been issued and staff are working with the ministry with respect to digging out materials that have accumulated from the last freshet. Improvement works planned will not take place.

The City Engineer commented the City is sending out notices to all adjacent property owners for all creeks advising them to remove any items away from creek banks in anticipation for a heavy freshet flow this year.

Discussion followed on the recent storm event and the possible damage to spawning beds from the deposit of water, debris and sediment originating from Regional District of Okanagan Similkameen areas above Penticton Creek. Staff stated they have given notice to RDOS to address this matter and will do a follow up to determine how to best deal with these storm

events. The Regional Water Engineer stated the ministry will want a report to know if this matter has been dealt with. The Regional Hydrologist commented he will make direct contact with the RDOS.

5. New Business

5.1 Update on Lower Ellis Basin Fish Passage

The Okanagan Nation Alliance representative presented an overview of the project that included historical information, issues with the existing basin, project vision, design and work plan and timing. The main vision and goal is to redesign the basin to restore access to historic stream habitat for indigenous salmonids (Rainbow Trout, Steelhead, Kokanee, Sockeye and Chinook) by providing year round fish passage and improve spawning habitat, water quality and overall habitat diversity. Discussion and questions followed. Councillor Konanz suggested this information be presented to the RDOS as well.

Councillor Konanz left the meeting at 10:15 a.m.

6. Next Meeting

The next scheduled meeting of the Penticton Creek Restoration Committee to be scheduled for a date yet to be determined in June.

7. Adjournment

It was MOVED and SECONDED
THAT the Penticton Creek Restoration Committee adjourn the meeting held on Wednesday, April 18, 2018 at 10:23 a.m.

CARRIED UNANIMOUSLY

Certified Correct:

_____

Lorraine Witowski
Committee Secretary

Minutes

penticton.ca

Official Community Plan Task Force Meeting

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

Wednesday, April 18, 2018
at 5:30 p.m.

Present: Mayor Andrew Jakubeit
Councillor Judy Sentes [arrived at 5:45pm]
Brian Symonds, Member at Large
Denis O'Gorman, Member at Large
Evelyn Riechert, Regional District of the Okanagan Similkameen Representative Garrett
Garrett Cruickshank, Member at Large (partial)
Jill Bateman, Penticton Industrial Development Association Representative Jillian
Jillian Tamblyn, Member at Large
Kristi Estergaard, Interior Health Representative
Lynn Allin, Downtown Penticton Association Representative
Lynn Kelsey, Vice-Chair
Randy Manuel, Member at Large
Rhys Spencer, Member at Large
Sharon Fletcher, Member at Large
Suzanne Moccia, Chair
Warren Sanders, Member at Large
Wendy Hyer, School District No. 67 Representative

Staff: Ben Johnson, Special Projects Manager
Blake Laven, Planning Manager
JoAnne Kleb, Communication Engagement Officer
Sharon Thompson, Corporate Administration Secretary

1. Call to Order

The Official Community Plan Task Force was called to order by the Chair at 5:32 p.m.

2. Adoption of Agenda

It was MOVED and SECONDED
THAT the Official Community Plan Task Force adopt the agenda for the meeting held on April 18, 2018 as amended.

CARRIED UNANIMOUSLY

3. Adoption of Minutes

It was MOVED and SECONDED
THAT the Official Community Plan Task Force adopt the minutes of the January 3, 2018 meeting as amended.

CARRIED UNANIMOUSLY

4. Smart Cities Update

On April 17, the Smart Cities Challenge volunteer project team presented an update to Council on community engagement activities and progress of the development of their submission. Detailed technology solutions were not revealed, however, the application will focus on a Healthier Penticton for a chance to win the $10M prize offered by this Federal Ministry of Infrastructure and Communities initiative. The final application is due April 24.

5:45pm Councillor Sentes joined the meeting.

5. Business Arising from Prior Meetings

5.1 Timeline Update

The OCP review process was launched just over a year ago. Recent activity has focused on presenting to a number of Council Committees and gathering input to include with OCP recommendations. The process is on schedule to wrap up in the fall.

5.2 Consultancy Updates

(a) Population Projections and Housing Needs Review – Final Update

In early March, Urbanics addressed City Council at a Regular meeting on population projection findings. The rigorous population projections and findings 30 years into the future has been finalized. The Manager Special Projects will circulate the report to the Task Force.

(b) Commercial & Industrial Capacity Study

Colliers was commissioned to perform a study of industrial and commercial land use and future capacity needs. The draft report is anticipated any day.

6. New Business

6.1 Task Force Introductions

Task Force members spotlighted were Jill Bateman, Cannery Trade Centre and Penticton Industrial Association Representative and Brian Symonds, retired Professional Engineer who specialized in water resource engineering.

6.2 Expo Summary Presentation

Expo engagement activities were recapped. A presentation was made to Council at their Regular meeting on March 6.

6.4 Draft Goals and Policies

Draft Housing, Transportation and Agriculture Goals and Policies were reviewed as well as feedback received from the Affordable Community Task Force.

7. Next Steps

Ideas and questions on the draft Goals and Policies will be collected through the Shape Your City website. The Manager Special Projects will advise when the website has been set up to accommodate this.

8. Next Meeting

The next regularly scheduled meeting of the Official Community Plan Task Force will be at the call of the Chair.

9. Adjournment

It was MOVED and SECONDED
THAT the Official Community Plan Task Force adjourn the meeting held on Wednesday, April 18, 2018 at 8:21 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

_____

Sharon Thompson
Corporate Administrative Secretary

LOGO of Business or Letterhead

Honorable Carole James May ,2018

Minister of Finance

Province of British Columbia

Room 153 Parliament Buildings

Victoria, B.C. V8V 1X4

Re: Changes to the Municipal & Regional District Tax

Dear Minister James,

As a local business impacted by tourism and in support of our community destination marketing organization, I am writing to request that Government not proceed any further with the proposed changes to the Municipal & Regional District Tax (MRDT) as outlined in February's budget as it relates to the AirB&B MRDT.

As you know, tourism is a $17 billion industry providing careers to 290,000 dedicated employees in more than 19,000 businesses across the province.

Here in Penticton, our visitor economy supports several sectors of industry including accommodators, tourism stakeholders, wineries, craft breweries, sport organizations, conferences, trade shows, conventions and many community festivals and events, to list a few.

A key reason for our success is the partnership between the Province, the local commercial accommodations sector, and our municipality through Travel Penticton that invests revenues from MRDT into sales and marketing initiatives as well as attracting guests and participants to special events held here in our region for many years.

That is now all at risk! Any alternate uses for MRDT could seriously hamper Travel Penticton's ability to bring tourists to our region and negatively impact our tourism-related businesses. Penticton and the South Okanagan are tourist destinations and, as such, any decrease in visitation could also compromise the overall economy of our communities.

DRAFT

We respectfully request that the Province immediately retract any implementation of changes to the MRDT. Affordable housing is not just a challenge for the tourism sector…it is multi- industry wide. Conversation with our provincial organizations including the Tourism Industry Association of BC and the BC Hotel Association is imperative as we move forward to plan and we ask that government begin that process.

We thank you in advance for your attention to this very urgent situation and look forward to hearing from you in the near future.

Sincerely,

(Name, title, signature, phone #)

Cc: Mayor Andrew Jakubeit and Penticton City Council
Peter Weeber, CAO, City of Penticton
MLA Dan Ashton
Kim Kirkham, Manager, Penticton and District Chamber of Commerce
Walt Judas, CEO, Tourism Industry Association of BC
James Chase, CEO, BC Hotels Association
Val Litwin, CEO, BC Chamber of Commerce
Thom Tischik, Executive Director, Travel Penticton
Barb Haynes, Chair, Travel Penticton

DRAFT

TOURISM INDUSTRY ASSOCIATION OF BC

MRDT Key Messages for MLAs/media

1. The proposed change to MRDT regulations was introduced without meaningful consultation with the industry most affected. Before moving forward with any changes, industry should be consulted.

2. There are numerous examples when governments destabilize tourism marketing or eliminate it completely – Washington State, Colorado http://longwoods-intl.com/the-rise-and-fall-of-colorado-tourism/

3. The concept to rob Peter to pay Paul typically results in failure. For example, in recent years government used a particular crown corporation's revenues to balance the books and fund other projects. Now this crown corporation is in a perilous position financially. This will happen in tourism as well.

4. Because MRDT requires support from the local hotel community, this new scenario will pit hoteliers against local governments. That does not foster intra-sector collaboration.

5. At renewal time, MRDT may be shut down in many communities due to lack of hotel support because of the housing stipulation. Consequently, a smaller destination marketing fee applied by hotels could emerge to replace MRDT but not necessarily be forwarded to a DMO.

6. The current MRDT structure has been successful for decades. No other industry would have to face this scenario where they are destabilized to fix another issue.

7. MRDT provides local/regional governments with a sales tax stream derived by only one industry. It makes this revenue stream too tempting for a local government to resist. As a result we will see DMOs at risk.

8. Reduced MRDT will cost communities who will now have to fund tourism marketing out of city coffers.

9. With an incoming crop of new councillors and mayors this fall, many of them will not have familiarity with this program. Therefore, they will view MRDT as another source for funding election promises.

10. Affordable housing is not just a tourism issue, therefore, funding from only one industry sector is completely out of line.

Council Report

penticton.ca

Date: May 8, 2018 File No:
To: Peter Weeber, Chief Administrative Officer
From: Angela Campbell, Controller
Subject: **2017 Audited Financial Statements**

Staff Recommendation

THAT Council accepts the Financial Statements as presented by BDO Canada LLP for the year ending December 31, 2017.

Background

Per the *Community Charter* Section 167 municipal Financial Statements for the year must be prepared by the financial officer and presented to Council for acceptance.

Section 171 of the *Community Charter* requires that the municipal auditor report to Council on the annual Financial Statements of the municipality.

Financial Implication

The Consolidated Surplus for the fiscal year ended December 31, 2017 is $9,632,860. Some significant highlights from the statements include:

- Increase in electric utility revenues of $4.5 million owing to increases in electrical rates and customer consumption
- Decrease in Casino revenues of $2.9 million as the Development Assistance Compensation was completed in 2016
- Increase in Casino revenues for the Host Financial Assistance Agreement of $304,000 owing to the opening of Cascades Casino in April 2017
- Recovery of $900,000 of emergency related costs from the Province related to flood and other response activities
- Contributed assets of $2.4 million relating to development projects
- Carmi substation upgrade project cost of $3.4 million
- Increase in electrical energy purchases of $2.4 million

Attachments

Attachment A – Management Letter

Attachment B – Audit Report

Attachment C – Draft Financial Statements

Respectfully submitted,

Angela Campbell
Controller

Chief Financial Officer	Chief Administrative Officer
JWB	PW

Tel: 250 492 6020
Fax: 250 492 8110
Toll free:
www.bdo.ca

BDO Canada LLP
100 Front Street, Unit 102
Penticton, British Columbia V2A 1H1

May 8, 2018

The Corporation of the City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Dear Ms. Campbell, ACIA, CPA, CGA

During the course of our audit of the consolidated financial statements ("financial statements") of The Corporation of the City of Penticton for the year ended December 30, 2017, we identified matters which may be of interest to management. The objective of an audit is to obtain reasonable assurance whether the financial statements are free of any material misstatement and it is not designed to identify matters that may be of interest to management in discharging its responsibilities. Accordingly an audit would not usually identify all such matters.

The responsibility for producing financial statements and ensuring adequate internal controls and sound business practices is the responsibility of the Board of Directors through management and is a part of management's overall responsibility for the ongoing activities of the City. Policies and procedures developed by the City to safeguard its assets and to provide reasonable assurance that errors and irregularities or illegal acts are promptly identified, must be properly monitored to ensure that all staff are complying with the guidelines provided. Where we determined, from our testing, that there exists a need for improvement in existing systems of internal control or if we detected that the City's staff are not complying with the critical accounting policies and procedures provided by management, we increased our year-end testing of account balances to ensure that audit risk was kept to an appropriately low level.

The comments and concerns expressed herein did not have a material effect on the City's financial statements and, as such, our opinion thereon was without reservation. However, in order for the City to ensure the safeguarding of its assets and the accuracy of its records, we believe our comments and concerns should be taken into consideration by management. Our comments are not intended to reflect upon the honesty or competence of the City's employees.

The matters we have identified are discussed in Appendix 1.

This communication is prepared solely for the information of management and is not intended for any other purposes. We accept no responsibility to a third party who uses this communication.

We would like to express our appreciation for the cooperation and assistance which we received during the course of our audit from Angela Campbell, Jim Bauer, Jackie Collier, Amber Coates, Maria Brown, Dave Polvere, Candi Yeo and Brad Whelan.

draft

BDO Canada LLP, a Canadian limited liability partnership, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms.

We shall be pleased to discuss with you further any matters mentioned in this report at your convenience.

Yours truly,

Jonathan W. McGraw, BComm, CPA, CA
Partner through a corporation
BDO Canada LLP
Chartered Professional Accountants

JVM\tv

draft

Appendix 1

Lack of formal process for Tempest Program changes

During the audit, as part of our review of Tempest program change controls, we noticed that there were no formal processes in place to authorize changes to be uploaded from the development to production (live) environments. This could result in improper or untested changes to be made to Tempest being uploaded to the production environment creating an opportunity for errors and fraud.

We recommend that the City improve the Tempest program change controls by implementing best practices such:

• Creating formal change management process for Tempest where changes are logged, prioritized, categorized, assessed, authorized, planned, and scheduled.

• Using formal change request tickets to enable business process owners and IT to request changes to business process, infrastructure, systems or applications.

This will ensure that all such changes made only arise through the change request management process.

draft

Control Weaknesses

Title	Weakness	Effect	Recommendation
Exception report weakness	There is no indication of who investigated each variance in the exception report.	Without an identifier indicating who approved each variance, there is a lack of accountability and no way of tracing back a variance approval to an employee for an explanation.	Staff indicated that in the past utilities clerks were required to initial the first page of the section of the variance report they were reviewing in addition to placing a check-mark beside each variance. It is recommended that this control be re-implemented to ensure accountability when reviewing variances.

Periodical Review of accounting software users	Management is not reviewing user software access listings.	This can become a risk to the City when an employee's job function changes and does not require that employee the same level of access.	We suggest that management review employee software access restrictions when the employee's job function changes. Proof of such review could be by way of signing and dating the user listing when such change occurs.

draft

Independent Auditor's Report

To the Mayor and Council of
Corporation of the City of Penticton

Draft for council meeting

We have audited the accompanying consolidated financial statements of the Corporation of the City of Penticton, which comprises the consolidated statement of financial position as at December 31, 2017, and the consolidated statements of operations and accumulated surplus, change in net financial assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Corporation of the City of Penticton as at December 31, 2017 and the results of its operations, change in net financial assets and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Unaudited Information

We have not audited, reviewed or otherwise attempted to verify the accuracy or completeness of the supplementary schedules on pages 20 through 32 of the Corporation of the City of Penticton's Financial Statements.

Chartered Professional Accountants

Penticton, British Columbia
May 8, 2018

Draft for council meeting

Management's Responsibility for Financial Reporting

The accompanying financial statements of the Corporation of the City of Penticton are the responsibility of management and have been approved by Mayor and Council.

The financial statements have been prepared by management in accordance with Canadian public sector accounting standards. Certain amounts used in preparation of the financial statements are based on management's best estimate and judgements. Actual results could differ as additional information becomes available in the future. When alternative accounting methods exist, management has chosen those it deems most appropriate in the circumstances, in order to ensure that the financial statements are presented fairly, in all material respects.

The Corporation of the City of Penticton maintains systems of internal accounting and administrative controls of high quality, consistent with reasonable costs. Such systems are designed to provide reasonable assurance that the financial information is relevant, reliable and accurate and the entity's assets are appropriately accounted for and adequately safeguarded.

The Corporation of the City of Penticton is responsible for ensuring that management fulfills its responsibilities for financial reporting and is ultimately responsible for reviewing and approving the financial statements.

The Mayor and Council review the financial statements and recommend their approval. The Mayor and Council meet periodically with management as well as the external auditors, to discuss internal controls over the financial reporting process, auditing matters and financial reporting issues, to satisfy themselves that each party is properly discharging their responsibilities, and to review the financial statements and external auditor's report. The Mayor and Council also consider the engagement of the external auditors.

The financial statements have been audited by BDO Canada LLP Chartered Professional Accountants in accordance with Canadian generally accepted auditing standards on behalf of the members. The independent auditors report expresses their opinion on these statements. The auditors have full and free access to the accounting records as well as Mayor and Council.

Draft for council meeting

Approved on behalf of Mayor and Council

_____ Mayor

_____ Councilor

THE CITY OF PENTICTON
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
DECEMBER 31, 2017

	2017	2016
Financial Assets		
Cash	$ 5,730,053	$ 1,316,987
Term Deposits (Note 1)	87,799,083	82,779,729
Accounts Receivable (Note 2)	11,349,691	7,700,806
	104,878,827	91,797,522
Financial Liabilities		
Development Cost Charges (Note 3)	14,589,967	10,275,074
Accounts Payable and Accrued Liabilities	15,544,385	12,940,547
Deferred Revenue	5,374,566	5,133,917
Deposits	4,605,675	2,565,874
Long Term Debt (Note 8)	37,173,405	43,113,226
	77,287,998	74,028,638
Net Assets	$ 27,590,829	$ 17,768,884
Non-Financial Assets		
Tangible Capital Assets (Note 9)	$314,408,591	$315,573,844
Inventory	3,636,271	2,700,039
Prepaid Expenses	596,538	556,602
	318,641,400	318,830,485
Accumulated Surplus	$346,232,229	$336,599,369

DRAFT FOR DISCUSSION PURPOSES

See accompanying notes to the Consolidated Financial Statements.

THE CITY OF PENTICTON
CONSOLIDATED STATEMENT OF OPERATIONS AND ACCUMULATED SURPLUS
YEAR ENDED DECEMBER 31, 2017

DRAFT FOR DISCUSSION PURPOSES

	2017 Budget	2017	2016
Revenue			
Taxation	$ 30,640,945	$ 30,770,666	$ 30,485,377
Sales of Services	64,538,624	71,117,937	62,541,835
Government Grants and Transfers	2,265,237	2,957,572	2,301,804
Other Revenue	7,052,492	9,931,637	11,747,857
Other Contributions	3,211,168	2,006,807	1,621,845
Gain on Disposal	30,000	99,028	38,791
Contributed Asset	-	2,380,923	80,796
	107,738,466	119,264,570	108,818,305
Expenditure (Note 10)			
General Government	9,730,061	18,603,949	16,693,301
Protective Services	15,261,170	15,915,825	14,813,217
Transportation Services	4,429,796	8,882,373	8,589,817
Environmental Health Services	1,548,066	1,607,516	1,502,407
Public Health and Safety	199,648	267,020	263,687
Environmental Development Services	3,532,658	3,308,318	3,275,570
Recreation and Culture	11,425,487	12,398,818	12,731,301
Electrical Supply	35,856,279	38,549,353	31,027,273
Sewer System Utility	3,760,143	5,228,799	4,858,669
Water Utility Services	2,996,862	4,869,739	4,316,920
	88,740,170	109,631,710	98,072,162
Annual Surplus	18,998,296	9,632,860	10,746,143
Accumulated Surplus, Beginning of Year	336,599,369	336,599,369	325,853,226
Accumulated Surplus, End of Year	$355,597,665	$346,232,229	$336,599,369

See accompanying notes to the Consolidated Financial Statements.

THE CITY OF PENTICTON
CONSOLIDATED STATEMENT OF CHANGE IN NET ASSETS
YEAR ENDED DECEMBER 31, 2017

	2017 Budget	2017	2016
Annual surplus	$ 18,998,296	$ 9,632,860	$ 10,746,143
Acquisition of Tangible Capital Assets (Note 9)	(16,398,087)	(10,319,164)	(11,939,201)
Amortization (Note 9)	-	13,389,731	13,444,292
Net Disposal of Tangible Capital Assets (Note 9)	-	89,838	25,719
Contributed Tangible Capital Assets (Note 9)	-	(2,380,923)	(80,796)
Asset reclassification (Note 9)	-	385,771	(62,849)
	2,600,209	10,798,113	12,133,308
Change in Prepaid Expenses (Increase)	-	(39,936)	108,127
Consumption of Supplies Inventories	-	(936,232)	(38,530)
	-	(976,168)	69,597
Increase in Net Assets	2,600,209	9,821,945	12,202,905
Net Assets, Beginning of Year	-	17,768,884	5,565,979
Net Assets, End of Year	$ 2,600,209	$ 27,590,829	$ 17,768,884

DRAFT FOR DISCUSSION PURPOSES

See accompanying notes to the Consolidated Financial Statements.

THE CITY OF PENTICTON
CONSOLIDATED STATEMENT OF CASH FLOWS
YEAR ENDED DECEMBER 31, 2017

	2017	2016
Operating Transactions		
Annual Surplus	$ 9,632,860	$ 10,746,143
Change in Non-Cash Operating Items		
(Increase) decrease in Accounts Receivable	(3,648,885)	764,668
Increase in Trade Accounts Payable and Accrued Liabilities	9,199,181	1,967,612
(Increase) decrease in Prepaid Expenses	(39,936)	108,127
Increase in Inventory	(936,232)	(38,530)
Net Disposal of Tangible Capital Assets	89,838	25,719
Amortization	13,389,731	13,444,292
Contributed Tangible Capital Assets	(2,380,923)	(80,796)
Asset reclassification	385,771	(62,849)
	16,058,545	16,128,243
Cash Provided by Operating Activities	25,691,405	26,874,386
Capital Transactions		
Cash Used to Acquire Tangible Capital Assets	(10,319,164)	(11,939,201)
Financing Transactions		
Debt Repayment	(5,939,821)	(5,801,553)
Investing Transactions		
Increase in Term Deposits	(5,019,354)	(10,817,609)
Change in Cash	4,413,066	(1,683,977)
Cash, Beginning of Year	1,316,987	3,000,964
Cash, End of Year	$ 5,730,053	$ 1,316,987

DRAFT FOR DISCUSSION PURPOSES

See accompanying notes to the Consolidated Financial Statements.

THE CITY OF PENTICTON
SIGNIFICANT ACCOUNTING POLICIES
DECEMBER 31, 2017

DRAFT FOR DISCUSSION PURPOSES

Management's Responsibility for the Financial Statements

The consolidated financial statements of the City are the responsibility of management. They have been prepared in accordance with Canadian generally accepted accounting principles established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. The Corporation of the City of Penticton ("the City") is a municipality in the Province of British Columbia and operates under the provisions of the Community Charter. The City provides municipal services such as fire, public works, planning, parks, recreation and other general government services.

Basis of Consolidation

The consolidated financial statements reflect the assets, liabilities, revenue and expenses of all municipal organizations, committees and Boards which are owned or controlled by the City. All inter-entity transactions and balances have been eliminated. The controlled organizations include:

Penticton Public Library

Interfund Balances and Transactions

All material interfund transactions and balances have been eliminated within the Consolidated Financial Statements for the General, Sewer, Water and Electrical funds.

Deferred Revenue

Funds received for specific purposes which are externally restricted by legislation, regulation or agreement and are not available for general municipal purposes are accounted for as deferred revenue on the Consolidated Statement of Financial Position. The revenue is recognized in the Consolidated Statement of Operations in the year in which it is used for the specified purpose.

Revenue Recognition

Taxation

Taxes are recorded at estimated amounts when they meet the definition of an asset, have been authorized and the taxable event occurs. For property taxes, the taxable event is the period for which the tax is levied. Taxes receivable are recognized net of an allowance for anticipated uncollected amounts.

Government Transfers

Government transfers are recognized as revenue in the financial statements when the transfer is authorized and any eligibility criteria are met, except to the extent that transfer stipulations give rise to an obligation that meets the definition of a liability. Transfers are recognized as deferred revenue when transfer stipulations give rise to a liability. Transfer revenue is recognized in the statement of operations as the stipulation liabilities are settled.

Utilities

Charges for sewer and water usage are recorded as user fees. Connection fee revenues are recognized when the connection has been established. Conditional grant revenue is recognized to the extent the conditions imposed on it have been fulfilled.

THE CITY OF PENTICTON
SIGNIFICANT ACCOUNTING POLICIES
DECEMBER 31, 2017

Revenue Recognition continued

Fee for Service

Sales of service and other revenue is recognized on an accrual basis.

Financial Instruments

The City's financial instruments consist of cash and term deposits, accounts receivable, accrued interest receivable, bank indebtedness, trade accounts payable and accrued liabilities, deposits and long term debt. Unless otherwise noted, it is management's opinion that the City is not exposed to significant interest, currency or credit risks arising from these financial instruments. The fair values of these financial instruments approximate their carrying value, unless otherwise noted.

Inventory

The City holds consumable inventory which is recorded at the lower of cost and net realizable value. Cost is determined on a weighted average basis.

Tangible Capital Assets

Tangible capital assets are not available to discharge existing liabilities and are held for use in the provision of goods and services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

Tangible capital assets are recorded at cost, net of capital asset disposals, write-downs and amortization. Cost includes all costs directly attributable to acquisition or construction of the tangible capital asset including transportation costs, installation costs, design and engineering fees, legal fees and site preparation costs. Contributed tangible capital assets are recorded at fair value at the time of the donation, with a corresponding amount recorded as revenue. Amortization is recorded on a straight-line basis over the estimated life of the tangible capital asset commencing once the asset is available for productive use as follows:

Buildings	20 to 70 years
Roads and Sidewalks	25 to 75 years
Machinery and Equipment	5 to 20 years
Water Infrastructure	50 to 100 years
Sewer Infrastructure	10 to 100 years
Electrical Infrastructure	20 to 50 years
Parks and Recreation Infrastructure	10 to 50 years
Vehicles	10 to 20 years
Furniture and Equipment	10 to 20 years
Computer Hardware and Software	4 to 10 years
Books and Library Materials	5 to 13 years

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
SIGNIFICANT ACCOUNTING POLICIES
DECEMBER 31, 2017

Reserve for Future Expenditure

Reserves for future expenditure are non-statutory reserves which represent an appropriation of surplus for specific purposes. Transfers to reserves for future expenditure include funds to finance incomplete projects and accumulations for specific purposes.

Statutory Reserve Funds

The use of these funds is restricted by the Community Charter and associated Municipal Bylaws. Statutory reserve funds are funded 100% by cash and temporary investments.

Use of Estimates

The preparation of consolidated financial statements in accordance with Public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future. Adjustments, if any, will be reflected in the consolidated financial statements in the period that the change in estimate is made, as well as in the period of settlement if the amount is different.

Collection of Taxes on Behalf of Other Taxation Authorities

The City collects taxation revenue on behalf of other entities. Such levies, other revenues, expenses, assets and liabilities with respect to the operations of entities are not reflected in these consolidated financial statements.

Contaminated Sites

A liability for contaminated sites is recognized when a site is not in productive use and the following criteria are met:

a) An environmental standard exists

b) Contamination exceeds the environmental standard

c) The City is directly responsible or accepts responsibility for remediation

d) It is expected that future economic benefits will be given up; and

e) A reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

As at December 31, 2017 the City has no liability for contaminated sites.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

1. Term Deposits

	Maturity Date	Effective Interest Rate (%)	2017	2016
Valley First	Aug 15, 2018	1.55	$ 15,000,000	$ -
Valley First	Jan 11, 2018	1.90	10,175,000	10,175,000
Valley First	Jan 1, 2018	1.90	10,828,910	11,002,648
Valley First	Nov 2, 2018	1.70	5,165,000	5,038,003
Valley First	May 1, 2018	1.45	24,750	54,750
Valley First	May 1, 2018	1.45	30,000	10,000,000
Valley First	Aug 17, 18	1.55	10,000,000	10,000,000
Valley First	Aug 20, 18	1.55	10,000,000	10,000,000
Municipal Finance Authority		0.25	26,575,423	26,509,328
			$ 87,799,083	$ 82,779,729

2. Accounts Receivable

	2017	2016
Property Taxes	$ 984,370	$ 1,141,890
Other Receivables	3,645,341	1,888,393
Federal Government	350,404	222,024
Provincial Government	788,997	395,357
Regional District Okanagan Similkameen	3,271	1,725
Other Government Agencies	59,543	168,017
Utility Rates Receivable	4,878,382	3,528,303
Accrued Interest Receivable	609,673	308,944
Cemetery Trust Fund Receivable	29,710	46,153
	$ 11,349,691	$ 7,700,806

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

DRAFT FOR DISCUSSION PURPOSES

3. Development Cost Charges (DCC)

The City collects development cost charges to pay for a proportionate share of infrastructure related to new growth. In accordance with the Local Government Act of BC, these funds must be deposited into a separate reserve fund. When the related costs are incurred, the DCCs are recognized as revenue.

	2017	2016
DCC by Type		
Roads DCC	$ 1,553,588	$ 1,025,489
Parks DCC	710,820	475,189
Drainage DCC	379,993	204,571
Waste Water DCC	8,136,869	5,736,922
Water DCC	3,808,697	2,832,903
	14,589,967	10,275,074
DCC Activity		
Balance, Beginning of Year	10,275,074	8,015,262
Return on Investments	159,240	123,534
DCCs Levied in the Year	4,463,347	2,220,398
Transfers to General Operating	(307,694)	(84,120)
	$ 14,589,967	$ 10,275,074

4. Development Cost Charges

In 2010, Council adopted the Development Cost Charge Reduction Bylaw and the companion Economic Incentive Zone Bylaw. The purpose of these bylaws was to spur development in key areas of the City, promote sustainable development and promote the development of affordable rental housing. The bylaws also contain provisions to encourage high-end hotel development. These bylaws will reduce the value of development cost charges, building permit fees and municipal taxes received by The City of Penticton for eligible developments.

The DCC reductions and Economic Incentive tax exemption program have been implemented in accordance with the provisions of Section 933(1) of the Local Government Act and Section 226 of the Community Charter, respectively. In 2017 $217,011 (2016 - $190,113) of Economic Incentive tax exemptions were granted. In addition, Council approved $51,434 (2016 - $22,193) of DCC reductions in 2017.

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

5. Pension Liability

The City and its employees contribute to the Municipal Pension Plan (the Plan), a jointly trusteed pension plan. The Board of Trustees, representing plan members and employers, is responsible for administering the Plan, including investment of the assets and administration of benefits. The Plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at December 31, 2016, the Plan has about 193,000 active members and approximately 90,000 retired members. Active members include approximately 38,000 contributors from local government.

Every three years, an actuarial valuation is performed to assess the financial position of the plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the Plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for the average future entrants to the plan. This rate may be adjusted for the amortization of any actuarial funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

The most recent actuarial valuation as at December 31, 2015 indicated a $2,224 million funding surplus for basic pension benefits on a going concern basis. As a result of the 2015 basic account actuarial valuation surplus and pursuant to the joint trustee agreement, $1.927 million was transferred to the rate stabilization account and $297 million of the surplus ensured the required contribution rates remained unchanged.

The City of Penticton paid $1,924,992 (2016 - $1,849,912) for employer contributions to the Plan in fiscal 2017.

The next valuation will be as at December 31, 2018 with results available in 2019.

Employers participating in the Plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the Plan records accrued liabilities and accrued assets for the Plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the Plan.

6. Contingent Liabilities

a. Regional District of Okanagan Similkameen

Under Section 836 of the Local Government Act, all monies borrowed by a Regional District, shall be upon its credit at large and shall, in the event of any default, constitute an indebtedness of the member municipalities for which they are jointly and severally liable. At December 31, 2017, the long term debt of the Regional District aggregated $86,060,832 (2016 - $86,130,133).

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

6. Contingent Liabilities continued

b. Legal Actions

As at December 31, 2017, certain legal actions are pending against the City as follows:

1. The City is aware of various liens registered against the City owned properties located at 903-969 Eckhardt Ave W. These liens were filed by various companies engaged by the third party purchaser of the same properties who subsequently defaulted on the purchase. These companies were not paid and they filed liens against the properties. Twelve liens were filed representing claims totaling $2,111,921.90. Since then, and within the one year limitation period under the Builders Lien Act, five lien claimants had started legal actions against various parties, including the City, and filed certificates of pending litigation ("CPL") against the properties. One claimant has subsequently abandoned its lien claim and discontinued its action and another claimant reached a settlement. The remaining three claims remain alive with the value of these lien claims totaling $663,851. It is unknown at this time the likely outcome; however, damages could reach $66,000, which is 10% of the total claims still being advanced.

2. The City has been named a party to an action with respect to a claim made for interference with development rights. The Claimant may have a reasonable basis for a claim; however given the uncertainty of the amount and likeliness of the claim, no accrual has been recorded in regards to these costs.

c. General Contingencies

From time to time there are potential claims against the City for incidents which arise in the ordinary course of business. In the opinion of management and legal counsel, the outcomes of the claims are not determinable at this time and cannot be estimated. Should any loss result from the resolution of these claims, such loss will be charged to operations in the year of resolution.

7. Letters of Credit

In addition to the performance deposits reflected in the Consolidated Statement of Financial Position, the City is holding irrevocable Letters of Credit in the amount of $722,800 which were received from depositors to ensure their performance of works to be undertaken within the City. These amounts are not reflected in the Consolidated Financial Statements but are available to satisfy liabilities arising from non-performance by the depositors.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

8. Long Term Debt

Long term debt reported on the Consolidated Statement of Financial Position is comprised of the following:

	2017	2016
Long Term Debt	$ 37,173,405	$ 43,113,226

Principal repayments relating to long term debt of $37,173,405 outstanding are due as follows (in thousands):

	2018	2019	2020	2021	2022	Thereafter
General Fund	$ 1,985	$ 1,059	$ 1,042	$ 911	$ 913	$ 12,759
Sewer Fund	575	545	539	539	539	7,940
Water Fund	422	422	422	422	422	5,717
	$ 2,982	$ 2,026	$ 2,003	$ 1,872	$ 1,874	$ 26,416

Long term debt is secured by the assets of the City. The Long Term Debt is held by the Municipal Finance Authority. The principal payments are invested by the Municipal Finance Authority into a Sinking Fund. The principal repayments are currently calculated at a rate of 4%. The 2017 earnings in the Sinking Fund were calculated to be $1,709,768 and are included in Other Revenue on the Consolidated Statement of Operations.

9. Tangible Capital Assets

The City of Penticton budgets for Tangible Capital Assets (TCA) as well as non-operating repairs and maintenance through the capital budget. During the year, the City incurred $15,106,042 of expenditures that fall within the Capital Budget. Of this amount, $10,319,164 met the TCA capitalization policy criteria while the remaining $4,786,878 was expensed due to the expenditure being outside the TCA capitalization policy criteria or they were related to repairs and maintenance.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

DRAFT FOR DISCUSSION PURPOSES

9. Tangible Capital Assets continued

	Land	Building	Equipment	Sewer Infrastructure	Water Infrastructure	Electrical Infrastructure	Roads	Construction in Progress	2017 Total
COST									
Opening Balance	$ 48,433,058	$ 163,954,616	$ 39,906,689	$ 50,618,753	$ 54,038,979	$ 73,909,945	$ 84,739,652	$ 1,562,907	$ 517,164,599
Add: Additions	86,252	985,843	1,463,075	531,833	741,303	983,508	1,925,330	3,602,020	10,319,164
Add: Trsf to/from Construction in Progress	-	-	-	47,475	-	-	-	(47,475)	-
Add: Contributed Assets	-	-	-	1,097,900	506,773	-	776,250	-	2,380,923
Less: Disposals	-	51,652	589,447	-	-	-	-	-	641,099
Re-classification	-	-	-	-	-	-	-	(385,771)	(385,771)
	48,519,310	164,888,807	40,780,317	52,295,961	55,287,055	74,893,453	87,441,232	4,731,681	528,837,816
ACCUMULATED AMORTIZATION									
Opening Balance	-	66,514,460	26,237,831	9,442,865	18,558,926	34,430,762	46,405,911	-	201,590,755
Add: Amortization	-	4,855,665	1,829,297	1,065,414	821,001	2,097,121	2,721,233	-	13,389,731
Less: Acc Amortization on Disposals	-	51,652	499,609	-	-	-	-	-	551,261
	-	71,318,473	27,567,519	10,508,279	19,379,927	36,527,883	49,127,144	-	214,429,225
Net Book Value for Year Ended Dec. 31, 2017	$ 48,519,310	$ 93,570,334	$ 13,212,798	$ 41,787,682	$ 35,907,128	$ 38,365,570	$ 38,314,088	$ 4,731,681	$ 314,408,591

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

DRAFT FOR DISCUSSION PURPOSES

9. Tangible Capital Assets continued

	Land	Building	Equipment	Sewer Infrastructure	Water Infrastructure	Electrical Infrastructure	Roads	Construction in Progress	2016 Total
COST									
Opening Balance	$ 48,433,058	$ 163,265,759	$ 36,255,075	$ 50,274,463	$ 52,860,867	$ 72,143,119	$ 80,497,549	$ 1,492,298	$ 505,222,188
Add: Additions	-	595,010	3,330,963	344,290	1,068,075	1,766,826	3,907,257	926,780	11,939,201
Add: Trsf to/from Construction in Progress	-	13,051	150,212	-	110,037	-	334,846	(608,146)	-
Add: Contributed Assets	-	80,796	-	-	-	-	-	-	80,796
Less: Disposals	-	-	488,673	-	-	-	-	-	488,673
Re-classification to Financial Assets	-	-	659,112	-	-	-	-	(248,025)	411,087
	48,433,058	163,954,616	39,906,689	50,618,753	54,038,979	73,909,945	84,739,652	1,562,907	517,164,599
ACCUMULATED AMORTIZATION									
Opening Balance	-	61,742,536	24,324,874	8,399,814	17,726,280	32,274,934	43,792,741	-	188,261,179
Add: Amortization	-	4,771,924	2,027,673	1,043,051	832,646	2,155,828	2,613,170	-	13,444,292
Less: Acc Amortization on Disposals	-	-	462,954	-	-	-	-	-	462,954
Re-classification	-	-	(348,238)	-	-	-	-	-	(348,238)
	-	66,514,460	26,237,831	9,442,865	18,558,926	34,430,762	46,405,911	-	201,590,755
Net Book Value for Year Ended Dec. 31, 2016	$ 48,433,058	$ 97,440,156	$ 13,668,858	$ 41,175,888	$ 35,480,053	$ 39,479,183	$ 38,333,741	$ 1,562,907	$ 315,573,844

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

10. Reporting by Object

	2017	2016
Salaries and Benefits	$ 26,840,274	$ 24,281,346
Goods and Services	49,529,865	43,891,775
Interest	3,515,479	3,802,731
Amortization	13,389,732	13,444,293
Other Expenses	2,333,354	2,193,951
Vehicle & Equipment Maintenance	6,761,752	3,452,486
Policing Agreement	7,261,254	7,005,580
	$ 109,631,710	$ 98,072,162

11. Credit Facilities

a. Line of Credit

The City holds a $5,000,000 line of credit with the Valley First Credit Union. This line of credit has a borrowing rate of prime and is secured by the Revenue Anticipation Borrowing Bylaw 2011 No. 5003.

As of December 31, 2017 there was no balance outstanding.

b. Bank Indebtedness

The City holds a $4,230,000 EFT limit.

12. Municipal Finance Authority

Cash Deposits and Demand Notes - The City issues the majority of its debt instruments through the Municipal Finance Authority. As a condition of these borrowings, a portion of the debenture proceeds is withheld by the Municipal Finance Authority as a debt reserve fund. The City also executes demand notes in connection with each debenture whereby the City may be required to loan certain amounts to the Municipal Finance Authority. These demand notes are contingent in nature.

Proceeds on loan requests are 98.40% of the gross amount of the loan. 1% is deducted by the MFA for security against loan default (this is held in trust by the MFA in its Debt Reserve Fund and will be refunded to clients, with interest, at loan expiry). The remaining 0.60% is deducted as an issue expense to cover the costs of administering the Debt Reserve Fund.

As at December 31, 2017 the Debt Reserve Fund demand note requirements were $2,507,605 (2016 - $3,346,659). In addition, cash deposits totaling $978,524 (2016 - $1,162,303) were held by the MFA.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

13. Budget

The Financial Plan (Budget) Bylaw No. 2017-21 adopted by Council on March 21, 2017 was not prepared on a basis consistent with that used to report actual results (Public Sector Accounting Standards). The budget figures anticipated use of reserves accumulated in previous years to reduce current year expenditures in excess of current year revenues to Nil. In addition, the budget expensed all tangible capital expenditures rather than including amortization expense. As a result, the budget figures presented in the statements of operations and change in net financial assets represent the Financial Plan adopted by Council with adjustments as follows:

	2017
Financial Plan (Budget) Bylaw surplus for the year	$ -
Add:	
Transfer to Funds/Reserves	22,537,576
Debt Principal Repayments	4,230,055
Budgeted Capital Expenditures - General	5,304,102
Budgeted Capital Expenditures - Electric	3,765,485
Budgeted Capital Expenditures - Sewer	5,282,500
Budgeted Capital Expenditures - Water	2,046,000
Less:	
Budgeted Transfers from Surplus	24,167,422
Budget Surplus per Statement of Operations	$ 18,998,296

14. Transfers From Other Governments

	2017	2016
Gas tax community works fund	$ 1,458,679	$ 1,439,404
Traffic fine revenue sharing	381,557	401,411
Okanagan Basin Water Board grants	215,822	215,822
Province of British Columbia - Carmi Reservoir	662,745	-
BC Arts Council	20,000	20,000
Library	130,696	125,720
Miscellaneous	88,073	99,447
	$ 2,957,572	$ 2,301,804

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

15. Penticton Public Library

The establishment of a municipal public library in the City of Penticton Bylaw 2639 was passed December 8, 1969. The Bylaw indicates that the City exercises significant influence over the Penticton Public Library and is required to fund its operations as per the Library Act. The Penticton Public Library assets as managed by the Library Board are recorded as assets of the City. The operations of the Penticton Public Library have been wholly consolidated by the City.

16. Taxation

	Budget	2017	2016
Municipal Taxation			
Real Property	$ 30,202,576	$ 30,224,908	$ 28,542,185
Special Assessments	183,850	198,927	1,532,170
Grants in Lieu	254,519	346,831	411,022
Total municipal taxation	30,640,945	30,770,666	30,485,377
Collections For other Governments			
School	16,231,670	15,318,549	16,058,746
Regional District	1,629,839	1,864,568	1,613,311
Regional Hospital	2,285,961	2,483,961	2,378,286
BCAA	459,835	392,230	438,770
Total collections for other taxing authorities	20,607,305	20,059,308	20,489,113
Transfers to Other Governments	(20,607,305)	(20,038,950)	(20,506,789)
Net taxation for municipal purposes	$ 30,640,945	$ 30,791,024	$ 30,467,701

17. Comparative Figures

Certain comparative figures have been reclassified to conform with the current year presentation.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

18. Segmented Information

The City is a diversified municipal government institution that provides a wide range of services to its citizens such as transit, police, fire, water and electricity. Distinguishable functional segments have been separately disclosed in the segmented information. The nature of the segments and the activities they encompass are as follows:

General Government Services

This segment includes all of the revenues and expenses that relate to the operations of the City itself and cannot be directly attributed to one of the other specific segments.

Protective Services

Protection is comprised of police services and fire protection. The police services work to ensure the safety and protection of the citizens and their property. The fire department is responsible to provide fire suppression service, fire prevention programs, training and education.

Transportation Services

Transportation is responsible for providing the City's transit services including roads and maintenance.

Environmental Health Services

Environmental services consists of providing waste disposal to citizens.

Public Health and Safety

Health services are comprised of public health services which works to improve the overall health of the population and overcome health inequalities by providing services to individuals and communities.

Environmental Development Services

This segment includes city planning and review of all property development plans through its application process.

Recreation and Culture

This segment provides services meant to improve health and development of the City's citizens. Recreational programs and cultural programs like swimming and skating lessons are provided at the arenas, the aquatic centre and the community centre. Also, the City provides library services to assist with its citizens' informational needs and a museum that houses collections and artifacts.

Electrical Supply

This segment includes all of the operating activities related to the supply of the City's electricity.

Sewer System Utility

This segment includes all of the operating activities related to the collection and treatment of wastewater (sewage) throughout the City.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
DECEMBER 31, 2017

18. Segmented Information continued

Water Utility Services

This segment includes all of the operating activities related to the treatment and distribution of water throughout the City.

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
SCHEDULE OF SEGMENT DISCLOSURE
DECEMBER 31, 2017

DRAFT FOR DISCUSSION PURPOSES

	General Government Services	Protective Services	Transportation Services	Environmental Health Services	Public Health and Safety	Environmental Development Services	Recreation and Culture	Electrical Supply	Sewer System Utility	Water Utility Services	2017 Total
REVENUE											
Taxation	$ 30,770,666	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 30,770,666
Sales of Services	3,150,915	1,279,191	2,043,241	2,583,457	493,556	306,965	2,394,211	45,209,797	5,080,860	8,575,744	71,117,937
Government Grants and Transfers	1,860,236	-	20,000	-	-	48,073	150,696	-	215,822	662,745	2,957,572
Other Revenue	8,384,173	269,220	175	-	-	636	1,258,269	12,609	-	6,555	9,931,637
Other Contributions	282,322	-	174,547	-	-	1,500	2,480	994,501	109,492	441,965	2,006,807
Gain (loss) on Disposal	79,768	-	19,260	-	-	-	-	-	-	-	99,028
Contributed Asset	2,380,923	-	-	-	-	-	-	-	-	-	2,380,923
	46,909,003	1,548,411	2,257,223	2,583,457	493,556	357,174	3,805,656	46,216,907	5,406,174	9,687,009	119,264,570
EXPENDITURE											
Salaries and Benefits	4,930,164	7,640,837	1,734,272	133,695	49,032	1,544,976	5,506,649	2,249,394	1,471,248	1,580,007	26,840,274
Goods and Services	4,156,689	826,727	3,496,708	1,469,544	212,409	1,138,280	4,255,190	30,516,156	1,597,089	1,861,073	49,529,865
Interest	(44,188)	84,000	126,064	-	-	-	2,145,288	-	759,695	444,620	3,515,479
Amortization	7,664,494	-	1,741,702	-	-	-	-	2,097,121	1,065,414	821,001	13,389,732
Other Expenses	1,601,973	16,507	3,342	-	-	615,771	24,666	66,313	1,365	3,417	2,333,354
Vehicle & Equipment Maintenance	294,817	86,500	1,780,285	4,277	5,579	9,291	467,025	3,620,369	333,988	159,621	6,761,752
Policing Agreement	-	7,261,254	-	-	-	-	-	-	-	-	7,261,254
	18,603,949	15,915,825	8,882,373	1,607,516	267,020	3,308,318	12,398,818	38,549,353	5,228,799	4,869,739	109,631,710
Excess (Deficiency) of Revenues Over Expenditures	$ 28,305,054	$(14,367,414)	$ (6,625,150)	$ 975,941	$ 226,536	$ (2,951,144)	$ (8,593,162)	$ 7,667,554	$ 177,375	$ 4,817,270	$ 9,632,860

THE CITY OF PENTICTON
SCHEDULE OF SEGMENT DISCLOSURE
DECEMBER 31, 2016

DRAFT FOR DISCUSSION PURPOSES

	General Government Services	Protective Services	Transportation Services	Environmental Health Services	Public Health and Safety	Environmental Development Services	Recreation and Culture	Electrical Supply	Sewer System Utility	Water Utility Services	2016 Total
REVENUE											
Taxation	$ 29,111,741	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,373,636	$ -	$ 30,485,377
Sales of Services	2,657,309	997,297	1,288,925	2,464,088	363,357	113,686	2,231,071	39,647,110	4,625,517	8,153,476	62,541,835
Government Grants and Transfers	1,939,262	-	1,000	-	-	-	145,720	-	215,822	-	2,301,804
Other Revenue	10,650,566	55,780	-	-	-	8,500	1,019,211	13,800	-	-	11,747,857
Other Contributions	119,052	-	544,283	-	-	-	71,486	590,070	47,712	249,242	1,621,845
Gain (loss) on Disposal	10,436	-	28,355	-	-	-	-	-	-	-	38,791
Contributed Asset	80,796	-	-	-	-	-	-	-	-	-	80,796
	44,569,162	1,053,077	1,862,563	2,464,088	363,357	122,186	3,467,488	40,250,980	6,262,687	8,402,718	108,818,305
EXPENDITURE											
Salaries and Benefits	4,619,001	6,885,913	1,229,617	102,174	39,410	1,470,080	5,374,197	1,715,290	1,349,195	1,496,469	24,281,346
Goods and Services	2,743,400	734,360	3,500,069	1,394,320	217,779	1,222,251	4,508,140	26,988,679	1,372,054	1,210,723	43,891,775
Interest	(42,147)	84,000	174,478	-	-	-	2,236,253	-	758,021	592,126	3,802,731
Amortization	7,465,548	-	1,947,220	-	-	-	-	2,155,828	1,043,051	832,646	13,444,293
Other Expenses	1,577,029	1,049	737	66	-	581,241	29,273	4,546	-	10	2,193,951
Vehicle & Equipment Maintenance	330,470	102,315	1,737,696	5,847	6,498	1,998	583,438	162,930	336,348	184,946	3,452,486
Policing Agreement	-	7,005,580	-	-	-	-	-	-	-	-	7,005,580
	16,693,301	14,813,217	8,589,817	1,502,407	263,687	3,275,570	12,731,301	31,027,273	4,858,669	4,316,920	98,072,162
Excess (Deficiency) of Revenues Over Expenditures	$ 27,875,861	$(13,760,140)	$ (6,727,254)	$ 961,681	$ 99,670	$ (3,153,384)	$ (9,263,813)	$ 9,223,707	$ 1,404,018	$ 4,085,798	$ 10,746,143

THE CITY OF PENTICTON
GENERAL REVENUE FUND
STATEMENT OF OPERATIONS
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	2017 Budget	2017	2016
Revenue			
Taxation	$ 30,640,945	$ 30,770,666	$ 29,111,741
Sales of Services	13,847,841	16,929,886	14,760,623
Government Grants and Transfers	2,049,416	2,079,005	2,085,983
Transfer From Other Funds/Reserves	3,352,272	5,275,786	6,729,667
Other Revenue	7,020,492	9,912,473	11,734,057
Other Contributions	205,768	460,849	734,820
Sale of Assets	30,000	99,028	38,791
Collections For other Governments	20,607,305	20,059,308	20,489,113
	77,754,039	85,587,001	85,684,795
Expenditure			
Salaries and Benefits	20,616,544	22,175,482	20,380,323
Goods and Services	12,637,494	16,529,558	15,236,941
Interest	2,371,750	2,311,164	2,452,585
Principal Payments	3,232,875	3,232,873	3,231,187
Other Expenses	2,130,771	2,262,258	2,189,395
Vehicle & Equipment Maintenance	2,687,585	2,647,775	2,768,262
Policing Agreement	7,205,141	7,261,254	7,005,580
Transfer to Other Funds/Reserves	6,264,574	8,813,414	11,415,232
Transfers to Other Governments	20,607,305	20,038,950	20,506,789
	77,754,039	85,272,728	85,186,294
EXCESS OF REVENUES OVER EXPENDITURES	-	314,273	498,501
CHANGE IN FUND BALANCES	-	314,273	498,501
FUND BALANCES, BEGINNING OF YEAR	5,711,736	5,711,736	5,213,235
FUND BALANCES, END OF YEAR	$ 5,711,736	$ 6,026,009	$ 5,711,736

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
RESERVE FUNDS
STATEMENT OF FINANCIAL POSITION
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	2017	2016
Balance, Beginning of Year	$ 10,815,928	$ 12,474,200
Add		
Transfers from:		
Revenue Funds	3,650,159	2,998,632
Interest Earned	142,216	153,470
Deduct		
Transfers to:		
Capital Funds	69,103	4,810,374
	$ 14,539,200	$ 10,815,928
STATUTORY RESERVE FUND BALANCES		
Equipment Replacement Reserve Fund	3,802,136	3,490,375
Tax Sale Lands Reserve Fund	7,555	7,460
Capital Reserve Fund	2,538,535	165,784
Land Acquisition Reserve	1,917,025	1,892,984
Local Improvement	1,258,805	1,196,360
Off-Site Parking Reserve Fund	122,434	120,899
Community Works Reserve Fund	922,087	915,595
Public Amenity Reserve	75,601	74,653
Affordable Housing Reserve	169,021	166,901
Alternative Transportation Reserve	52,743	52,082
Asset Sustainability	1,211,591	302,040
Water Capital Reserve Fund	904,142	892,803
Sewer Capital Reserve Fund	542,833	536,025
Electric Capital Reserve Fund	1,014,692	1,001,967
	14,539,200	10,815,928
Balance, End of Year	$ 14,539,200	$ 10,815,928

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
RESERVE FUNDS
STATEMENT OF CHANGES IN FUND BALANCES
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

DRAFT FOR DISCUSSION PURPOSES

	Balance, Beginning of Year	Transfer from General Revenue Fund	Interest Earned	Transfer to/from General Capital Fund	Transfer to Sewer Capital Fund	Inter-reserve Transfers	2017 Total
Reserve							
Equipment Replacement	$ 3,490,375	$ 1,128,666	$ 45,246	$ (862,151)	$ -	$ -	$ 3,802,136
Tax Sale Lands	7,460	-	95	-	-	-	7,555
Capital	165,784	-	2,105	2,370,646	-	-	2,538,535
Land Acquisition	1,892,984	-	24,041	-	-	-	1,917,025
Local Improvement	1,196,360	162,814	12,934	(91,967)	(21,336)	-	1,258,805
Off-Street Parking	120,899	-	1,535	-	-	-	122,434
Community Works	915,595	1,458,679	12,108	(1,464,295)	-	-	922,087
Public Amenity	74,653	-	948	-	-	-	75,601
Affordable Housing	166,901	-	2,120	-	-	-	169,021
Alternative Transportation	52,082	-	661	-	-	-	52,743
Asset Sustainability	302,040	900,000	9,551	-	-	-	1,211,591
Water Capital	892,803	-	11,339	-	-	-	904,142
Sewer Capital	536,025	-	6,808	-	-	-	542,833
Electric Capital	1,001,967	-	12,725	-	-	-	1,014,692
	$ 10,815,928	**$ 3,650,159**	**$ 142,216**	**$ (47,767)**	**$ (21,336)**	**$ -**	**$ 14,539,200**

THE CITY OF PENTICTON
RESERVES
STATEMENT OF CHANGES IN FUND BALANCES
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	Balance, Beginning of Year	Transfer From Funds	Transfer To Funds	Interest	Inter-reserve Transfers	2017 Total
Non-Statutory						
Asset Emergency	$ 800,000	$ 263,203	$ (104,729)	$ -	$ -	$ 958,474
Building Permit Stabilization	100,000	-	-	-	-	100,000
Carbon Tax Credit Reserve	152,421	-	-	-	-	152,421
Cemetery Land	133,000	-	-	-	-	133,000
Climate Action	131,247	48,073	-	-	-	179,320
Election	47,599	23,353	-	-	-	70,952
Electric Surplus	14,500,932	2,321,687	-	-	-	16,822,619
Financial Stabilization	-	78,568	-	-	-	78,568
Gaming	7,350,533	1,982,787	(3,172,441)	-	-	6,160,879
General Surplus	5,711,737	314,273	-	-	-	6,026,010
Infrastructure	400,000	-	-	-	-	400,000
Investment Income	973,435	-	-	-	396,507	1,369,942
Liability Insurance	250,001	-	-	-	-	250,001
Marinas	489,681	57,923	-	-	-	547,604
Multi-Material BC	-	467,109	-	-	(396,507)	70,602
Northgate	52,000	-	-	-	-	52,000
Parking & Revitalization	51,765	-	-	-	-	51,765
Public Art	35,011	32,000	(19,740)	-	-	47,271
Rate Stabilization	200,000	-	-	-	-	200,000
RCMP	359,999	-	-	-	-	359,999
Sewer Equipment Replacement	108,022	-	-	-	-	108,022
Sewer Surplus	6,901,389	-	(1,689,712)	-	-	5,211,677
Snow Clearing Stabilization	75,000	-	-	-	-	75,000
Special Events Site	21,166	-	-	-	-	21,166
Water Surplus	3,913,262	996,186	-	-	-	4,909,448
West Bench Capital	1,185,185	-	-	-	-	1,185,185
West Bench Water	1,723,392	-	(78,336)	-	-	1,645,056
Wine/Info	13,150	-	-	-	-	13,150
	45,679,927	6,585,162	(5,064,958)	-	-	47,200,131
Statutory	10,815,928	3,650,159	(69,103)	142,216	-	14,539,200
DCC	10,275,074	4,463,347	(307,694)	159,240	-	14,589,967
	$ 66,770,929	$ 14,698,668	$ (5,441,755)	$ 301,456	$ -	$ 76,329,298

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
SEWER REVENUE FUND
STATEMENT OF OPERATIONS
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	2017 Budget	2017	2016
Revenue			
Taxation	$ -	$ -	$ 1,373,636
Sales of Services	5,218,069	5,080,860	4,625,517
Government Grants and Transfers	215,821	215,822	215,822
Transfer From Other Funds/Reserves	-	1,031,396	2,156,826
	5,433,890	6,328,078	8,371,801
Expenditure			
Salaries and Benefits	1,453,156	1,471,248	1,349,195
Goods and Services	1,710,856	2,154,684	1,837,641
Interest	773,830	759,695	758,021
Principal Payments	575,057	575,057	575,057
Other Expenses	-	1,365	-
Vehicle & Equipment Maintenance	379,895	333,988	336,348
Transfer to Other Funds/Reserves	541,096	2,721,753	2,156,826
	5,433,890	8,017,790	7,013,088
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	-	(1,689,712)	1,358,713
CHANGE IN FUND BALANCES	-	(1,689,712)	1,358,713
FUND BALANCES, BEGINNING OF YEAR	6,901,389	6,901,389	5,542,676
FUND BALANCES, END OF YEAR	$ 6,901,389	$ 5,211,677	$ 6,901,389

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
WATER REVENUE FUND
STATEMENT OF OPERATIONS
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	2017 Budget	2017	2016
Revenue			
Sales of Services	$ 8,030,014	$ 8,575,744	$ 8,153,476
Government Grants and Transfers	-	662,745	-
Transfer From Other Funds/Reserves	1,578,336	939,158	1,352,716
Other Revenue	25,000	6,555	-
	9,633,350	10,184,202	9,506,192
Expenditure			
Salaries and Benefits	1,379,711	1,580,007	1,496,468
Goods and Services	1,510,784	2,490,503	1,754,094
Interest	448,795	444,620	592,126
Principal Payments	422,123	422,123	458,414
Other Expenses	21,787	3,417	-
Vehicle & Equipment Maintenance	265,215	159,621	184,946
Transfer to Other Funds/Reserves	5,584,935	4,087,725	2,368,812
	9,633,350	9,188,016	6,854,860
EXCESS OF REVENUES OVER EXPENDITURES	-	996,186	2,651,332
CHANGE IN FUND BALANCES	-	996,186	2,651,332
FUND BALANCES, BEGINNING OF YEAR	3,913,263	3,913,263	1,261,931
FUND BALANCES, END OF YEAR	$ 3,913,263	$ 4,909,449	$ 3,913,263

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
ELECTRIC REVENUE FUND
STATEMENT OF OPERATIONS
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	2017 Budget	2017	2016
Revenue			
Sales of Services	$ 42,033,580	$ 45,209,797	$ 39,647,110
Other Revenue	7,000	12,609	13,800
Transfer From Other Funds/Reserves	2,590,233	1,137,922	1,362,733
	44,630,813	46,360,328	41,023,643
Expenditure			
Salaries and Benefits	1,471,671	2,249,394	1,715,290
Goods and Services	32,544,519	32,397,614	29,048,758
Other Expenses	79,651	66,313	-
Vehicle & Equipment Maintenance	3,641,895	3,620,369	162,930
Transfer to Other Funds/Reserves	6,893,077	5,704,951	5,742,133
	44,630,813	44,038,641	36,669,111
EXCESS OF REVENUES OVER EXPENDITURES	-	2,321,687	4,354,532
CHANGE IN FUND BALANCES	-	2,321,687	4,354,532
FUND BALANCES, BEGINNING OF YEAR	14,500,932	14,500,932	10,146,400
FUND BALANCES, END OF YEAR	$ 14,500,932	$ 16,822,619	$ 14,500,932

DRAFT FOR DISCUSSION PURPOSES

THE CITY OF PENTICTON
DEBT ISSUED AND OUTSTANDING
DECEMBER 31, 2017
(UNAUDITED)

DRAFT FOR DISCUSSION PURPOSES

LIA B Law	S/1 B Law	Issue	Issue Date	Purpose	Issue Amount	Outstanding Amount	Term (Years)	Maturity	Rate (%)	2017 Payments	
										Interest	Principal
General Fund											
9925	20005	72	12-Apr-00	RCMP Building	$ 2,500,000	$ 537,074	20	2020	2.100	$ 52,500	$ 82,873
9925	20046	73	07-Nov-00	RCMP Building	1,500,000	322,244	20	2020	2.100	31,500	49,725
2003-15	2268	81	22-Apr-04	Storm Sewer	337,500	156,706	20	2024	2.400	8,100	10,207
2004-16	859-2004	85	25-Oct-04	Parks-Land Acquisition	1,680,000	780,047	20	2024	2.000	33,600	50,807
2004-18	859/2004	85	25-Oct-04	Road Works-S. Main St.	195,000	90,541	20	2024	2.000	3,900	5,897
2004-19	859/2004	85	25-Oct-04	Road Design-Main St.	150,000	69,647	20	2024	2.000	3,000	4,536
2004-20	859/2004	85	25-Oct-04	Integrated Waterfront	550,000	255,373	20	2024	2.000	11,000	16,633
2004-21	859/2004	85	25-Oct-04	Youth Park	50,000	23,216	20	2024	2.000	1,000	1,512
2004-11	1108/2004	93	06-Apr-05	Wine Information Centre	800,000	368,908	20	2025	5.100	19,862	41,105
2004-20	1108-2004	93	06-Apr-05	Integrated Waterfront	520,000	239,790	20	2025	5.100	12,911	26,718
2004-21	614/2005	95	13-Oct-05	Youth Park	150,000	73,993	20	2025	1.800	2,700	5,514
2005-18	615/2005	95	13-Oct-05	Integrated Waterfront	825,000	406,962	20	2025	1.800	14,850	30,328
2006-15	17/17/2006	99	07-Nov-06	Road Works-Fairview/Ind	1,595,000	872,632	20	2026	1.750	27,913	53,563
2006-17	17/17/2006	99	07-Nov-06	Sportsfields	3,200,000	1,750,735	20	2026	1.750	56,000	107,462
2006-18	273-2007	102	27-Mar-07	Queens Park Site Serv	7,000,000	-	10	2017	4.820	337,400	583,037
2006-33	273/2007	102	02-Nov-07	Integrated Waterfront '06	350,000	208,885	20	2027	4.820	16,870	11,754
2006-39	273/2007	102	02-Nov-07	S Okanagan Event Ctre	8,000,000	-	10	2017	4.820	385,600	666,328
2006-76	024/2008	103	23-Apr-08	Wellness Centre	3,000,000	1,933,834	20	2028	4.650	139,500	100,745
2006-39	333/2008	104	20-Nov-08	S Okanagan Event Cntr	10,000,000	1,185,490	10	2018	5.150	515,000	832,909
2007-41	333/2008	104	20-Nov-08	Cemetery-Columbarium	2,500,000	1,611,528	20	2028	5.150	128,750	83,954
2007-52	333/2008	104	20-Nov-08	Indoor Soccer Facility	1,000,000	644,611	20	2028	5.150	51,500	33,582
2007-57	333/2008	104	20-Nov-08	Integrated Waterfront	530,000	341,644	20	2028	5.150	27,295	17,798
2007-60	333/2008	104	20-Nov-08	PIDA	1,140,000	135,146	10	2018	5.150	58,710	94,952
2007-60	157-2009	105	21-Apr-09	PIDA	231,344	53,796	10	2019	4.900	11,336	19,269
2007-52	638/2009	106	13-Oct-09	Indoor Soccer Facility	415,000	286,587	20	2029	4.130	17,140	13,936
2007-52	15/30/2010	110	08-Apr-10	Indoor Soccer Ph2	586,000	430,570	20	2030	4.500	26,370	19,679

THE CITY OF PENTICTON
DEBT ISSUED AND OUTSTANDING
DECEMBER 31, 2017
(UNAUDITED)

DRAFT FOR DISCUSSION PURPOSES

LIA B Law	S/1 B Law	Issue	Issue Date	Purpose	Issue Amount	Outstanding Amount	Term (Years)	Maturity	Rate (%)	2017 Payments Interest	2017 Payments Principal
2009-14	15/30/2010	110	08-Apr-10	Pool Upgrades	7,400,000	5,437,235	20	2030	4.500	333,000	248,505
2007-52	B25/2011	116	04-Apr-11	Indoor Soccer Facility	135,000	104,929	20	2031	4.200	5,670	4,534
2009-43	B25/2011	116	04-Apr-11	Road Wrks-Smythe Dr	447,000	347,432	20	2031	4.200	18,774	15,011
					56,786,844	18,669,555				2,351,751	3,232,873
Water Fund											
2006-07	17/07/2006	99	07-Nov-06	Naramata Rd. Upgrade	4,670,000	2,554,979	20	2026	1.750	81,725	156,827
2007-83	333/2008	104	20-Nov-08	Water Filtration Plant	4,000,000	2,578,445	20	2028	5.150	206,000	134,327
2007-83	638/2009	106	13-Oct-09	Water Filtration Plant	3,900,000	2,693,224	20	2029	4.130	161,070	130,969
					12,570,000	7,826,648				448,795	422,123
Sewer Fund											
2006-61	273/2007	102	02-Nov-07	Septage Handling Facility	1,050,000	626,655	20	2027	4.820	50,610	35,261
2008-10	333-2008	104	02-Nov-07	Sewer System Upgrade	8,000,000	5,156,890	20	2028	5.150	412,000	268,654
2007-60	333/2008	104	20-Nov-08	PIDA	360,000	42,678	10	2018	5.150	18,540	29,985
2007-60	157/2009	105	21-Apr-09	PIDA	73,056	16,988	10	2019	4.900	3,580	6,085
2008-10	638-2009	106	13-Oct-09	Sewer Plant Expansion	7,000,000	4,833,991	20	2029	4.130	289,100	235,072
					16,483,056	10,677,202				773,830	575,057
					$ 85,839,900	$ 37,173,405				$ 3,574,376	$ 4,230,053

THE CITY OF PENTICTON
CEMETERY PERPETUAL TRUST FUND
STATEMENT OF FINANCIAL POSITION
YEAR ENDED DECEMBER 31, 2017
(UNAUDITED)

	2017	2016
ASSETS		
Bank Term Deposits	$ 1,016,404	$ 993,552
Less:		
Due To General Revenue Fund	29,710	46,153
	$ 986,694	$ 947,399
SURPLUS		
Balance, Beginning of Year	$ 947,399	$ 921,779
Add:		
Care Fund Contributions	39,240	33,220
Interest Earned	22,855	22,400
	62,095	55,620
Deduct:		
Cemetery Maintenance	22,800	30,000
Balance, End of Year	$ 986,694	$ 947,399

DRAFT FOR DISCUSSION PURPOSES

Council Report

penticton.ca

Date: May 8, 2018 File No:
To: Peter Weeber, Chief Administrative Officer
From: Chris Forster, Deputy Fire Chief & Emergency Planning Coordinator

Subject: **UBCM Structural Flood Mitigation Grant**

Staff Recommendation

THAT Council support the application for grant funding of $750,000 from UBCM for Structural Flood Mitigation within a designated section of Penticton Creek with the remaining $200,000 project cost funded as part of the 2019 budget process.

Strategic priority objective

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

Background

In the late 1940's and early 1950's, Penticton Creek was significantly modified to protect the City from flooding. Flood protection works included the elimination of floodplains and the creation of a single channel, lining the lower reaches with concrete and installing 39 concrete drop structures. Fish habitat was heavily impacted from the infrastructure work. In late 2017, the City developed a Master Plan for Penticton Creek, which evaluated existing infrastructure and identified a list of priority projects based on a number of criteria, including flood hazards. The Master Plan also included a risk rating for flood mitigation infrastructure based on its potential to fail and the consequence should a failure occur.

This project deals specifically with Reach 12 part of Penticton Creek. The three existing concrete drop structures in Reach 12 were given a risk rating of very high (high potential for failure and consequence should the infrastructure fail).

After over 65 years of service, the concrete drop structures are deteriorating in many locations to the point where native material is being exposed. In the past, the City has had to make costly emergency repairs, which act as a temporary solution but do not address the long-term problem.

This project will provide a long term solution to that part of Penticton Creek by:

- Removing three large failing concrete drop structures
- Installing river cobble to create a long, sloping, natural riffle and pool sequence, and
- Creek widening to increase the freeboard and prevent flooding

Financial implication

The Community Emergency Preparedness Fund (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments and their residents in responding to emergencies. Funding is provided by the Province of BC and is administered by UBCM. The grant funding can contribute a maximum of 100% of the cost of eligible activities to a maximum of $750,000.00.

- UBCM Grant Contribution $750,000.00
- City of Penticton Contribution $200,000.00
- Total Project Cost $950,000.00

The City of Penticton contribution would be funded through capital budget funds and would be included as part of the 2019 budget process as the project would be completed in 2019.

Eligible Activities & Expenditures

Eligible costs are direct costs that are approved by the CEPF Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted. Eligible activities must be cost-effective and may include:

- Installation of structural flood protection works, or upgrades to existing structural flood protection works (e.g. pump stations, flood boxes, etc.)
- Construction of flood conveyance works (e.g. bypass channels to accommodate periodic gravel removal works in primary flood way to restore design flood conveyance of the flood way)
- Placement of rip-rap to strengthen bank protection and/or to protect critical infrastructure from erosion
- Retrofitting or repairing existing dikes
- Geotechnical drilling in dikes and dike Rights of Way to determine dike foundation material characteristics (in advance of determining design and cost of dike upgrades)
- Improvement in performance or modernization of existing permanent structural flood mitigation works

A completed submission was submitted on April 12, 2018 pending the approval of the Council Resolution.

Deny/Refer Recommendations

Should Council determine that additional information is required, it may refer requests back to Staff for additional research.

Respectfully submitted,

Chris Forster
Deputy Fire Chief
Emergency Planning Coordinator

General Manager of Infrastructure	Chief Administrative Officer
	PW

Council Report

penticton.ca

Date: May 8, 2018 File No: 4200-20-2018
To: Peter Weeber, Chief Administrative Officer
From: Laurie Darcus, Director of Corporate Services
Subject: **2018 General Election**
Appointment of Chief Election Officer and Deputy Chief Election Officer

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Staff Recommendation

THAT Council appoint Laurie Darcus as the Chief Election Officer for the 2018 Local Government General Election;

AND THAT Council appoint Dana Schmidt the Deputy Chief Election Officer for the 2018 Local Government General Election.

Strategic priority objective

Good Governance – Council are the key policy makers for the City which is needed to ensure Good Governance. An Election is at the heart of democracy and every four years the City must elect a Council.

Background

For each election, Council is required to appoint a Chief and Deputy Chief Election Officer in accordance with section 58 of the *Local Government Act*. See below for the Section of the Act and the general duties of the Chief Election Officer.

Appointment of election officials

S. 58 (1) For the purposes of conducting an election, the local government must appoint a chief election officer and a deputy chief election officer.

(2) The chief election officer must appoint election officials required for the administration and conduct of the election.

(3) Without limiting the generality of subsection (2), the chief election officer must appoint the following:

(a) presiding election officials for election proceedings where the chief election officer is not acting as presiding election official;

(b) election officials to act as alternate presiding election officials for election proceedings;

(c) election officials required to assist the presiding election official at election proceedings.

(4) The chief election officer may delegate the authority under subsection (3) (c) to the presiding election official for the election proceedings.

(5) The chief election officer may appoint peace officers as election officials to assist presiding election officials in fulfilling their duty to maintain peace and order at the election proceedings for which they are responsible.

(6) If an election official is absent or unable to act, a person appointed as deputy chief election officer or appointed under this section as alternate for the official must perform the duties and has the powers of the official.

(7) A candidate, candidate representative or financial agent may not be appointed as an election official.

(8) Before assuming duties, an election official must make a solemn declaration that the person

(a) will faithfully and impartially exercise the powers and perform the duties of the position to which the election official is appointed,

(b) has not received and will not accept any inducement

(i) to exercise the powers or perform the duties of the position otherwise than impartially and in accordance with this Act, or

(ii) to otherwise subvert the election,

(c) will preserve the secrecy of the ballot in accordance with section 123 [voting to be by secret ballot], and

(d) is not and will not become a candidate, candidate representative or financial agent while holding the position of an election official.

Chief election officer duties and powers

59 (1) In addition to all other duties established by this Part and the Local Elections Campaign Financing Act, the chief election officer must do the following:

(a) ensure that a sufficient number of ballots are prepared for an election by voting;

(b) ensure that each voting place

(i) is supplied with sufficient numbers of ballots, ballot boxes and voting books, and

(ii) has an area that may be used as a voting compartment;

(c) take all reasonable precautions to ensure that a person does not vote more than once in an election;

(d) do all other things necessary for the conduct of an election in accordance with this Part, the Local Elections Campaign Financing Act and any bylaws and regulations under this Part or that Act.

(2) In addition to all other powers given by this Part, the chief election officer may do one or more of the following:

(a) exercise any power conferred on a presiding election official in relation to the election proceedings for which the presiding election official is responsible;

(b) as an exception to the restrictions on where an elector may vote when municipal voting divisions are established, authorize an election official to vote at the voting place at which the official is working;

(c) take solemn declarations where these are required under this Part or the Local Elections Campaign Financing Act;

(d) delegate to other election officials the chief election officer's duties and powers under this Part or the Local Elections Campaign Financing Act, subject to any restrictions or conditions specified by the chief election officer;

(e) apply to the minister for an order under section 167 [ministerial orders in special circumstances] of this Act or section 99 [ministerial orders in special circumstances] of the Local Elections Campaign Financing Act.

The requested and necessary changes to the Elections Procedures Bylaw and Council Procedures Bylaw will be presented to Council in the next month.

Financial implication

The total budget allocated for this election is $111K.

Alternate recommendations

Council could select other individuals to fill these roles.

Respectfully submitted,

Laurie Darcus

Director Corporate Services

Approvals

CAO
PW

Council Report

penticton.ca

Date: May 8, 2018 File No:
To: Peter Weeber, Chief Administrative Officer
From: Jim Bauer, Chief Financial Officer
Subject: **The Penti-Con Association In-Kind Grant Request**

Staff Recommendation

THAT Council decline the request of a $2,130 Value In Kind (VIK) grant from the Penti-Con Association.

Background

The City has received a grant application from the Penti-Con Association for assistance in holding an event in Penticton for their second year. There is an expected attendance of 600 to 1000 people, with a wide demographic ranging from youth to adults. While hosting vendors, crafters, guests, artists and entertainers the Penti-Con also supports local charities and service groups within Penticton.

Financial Implication

During the budget process an amount is allocated to 'other' grants to fund requests that are made during the year. The current remaining budget available to allocate is $10,474.

Analysis

The Penti-Con event budget is projecting a surplus of $2,400 prior to receiving any City grant funds. If the full City grant request is provided it will generate an estimated surplus of $4,530. Event organizers have indicated that any surplus funds generated from the event will be provided to the YES Project and the Discovery House. In addition, using the eventful Penticton matrix staff have scored the event 13 out of a possible 50.

Alternate Recommendations

That Council approves 50% or $1, 065 of the Value In Kind grant request to the Penti-Con Association.

That Council approves the Value in Kind grant request for $2,130 to the Penti-Con Association.

Attachments

Attachment A – Grant Application

Attachment B – Grant Scorecard and Eventful Penticton Matrix

Respectfully submitted,

Jim Bauer
Chief Financial Officer

Chief Administrative Officer
PW

CITY OF PENTICTON

Council Policy

penticton.ca

Application Form – Municipal Grants

Grant Year: 2018 Application Deadline Date: _____

Name of Organization: The Penti-Con Association

Organization Website: www.thepenti-con.com

Eligibility Criteria Checklist

1. Not-for-Profit Status: ☑
CRA/Society Act Number: S0068838

2. Community Based: ☐
Mailing Address of Organization: Box 1302

City: OLIVER Postal Code: V0H 1T0

3. Accessible to Penticton Residents: ☑
How many active members in your organization: 14

4. Additional Funding Sources Sought: ☐
Please list confirmed/contacted granting agencies: N/A

Please list confirmed/contacted corporate sponsors: N/A

5. No Duplication (without excess demand): ☑

6. If there are events/programs/projects of a similar nature in the Penticton area, please list them and provide data/evidence of excess market demand: _____

Organization Information

7. Briefly describe the organization's mission or purpose: To enhance and encourage the entertainment and crafting community within the penticton community.

8. (E) If the organization has received assistance from the City of Penticton in cash (C), value in-kind (VIK), lease/licence to use (L), maintenance (M), rent (R), tax exemption (T) or other (O) please specify:

Year: _____ Type(s): _____ Amount: _____ Purpose: _____

Year: _____ Type(s): _____ Amount: _____ Purpose: _____

Year: _____ Type(s): _____ Amount: _____ Purpose: _____

9. (E) If the organization provides financial assistance to other organizations/societies please list below:

Grant Request and Outcomes

10. Briefly describe the event/program/project for which the organization is applying, including its location/venue and timing: The Penti-Con runs the weekend of June 9th and 10th in the penticton trade and convention center.

11. (E) If the organization is supplying a service which enhances the City's Community Services please describe below:

12. (E) Does the organization occupy a City property through a lease, license to use or rental agreement? If yes please list the address of the property:

Yes. PT & CC

13. (E) If the organization is holding a core event please complete the following:

How does the event/program/project align with the City's vision?

We have a family friendly event that highlights penticton and brings people to town.

Has the event/program/project been in the community more than 5 years? (Y/N) N

If yes, how many? _____

14. What is the event/program/projects annual attendance? 600 - 1000

15. **(E)** What is the length (in years) that the organization is applying to receive grant funding? 1
(maximum of 5 for sustainable grants, maximum of 3 for seed grants)

16. **(E)** If your organization is applying for a municipal grant in order to host an event or series of events:

- Will the event(s) attract overnight visitors? (Y/N) N **(E)** If yes, how many? _____
- Will the event(s) budget for external marketing? (Y/N) N If yes, how much? $_____

(**NOTE**: Yes answers result in use of attached Eventful Penticton matrix to evaluate the application)

Category:

17. Select one category that best captures the event/program/project:

Arts, Culture & Heritage: ☑

Health, Safety & Social Services: ☐

Parks, Recreation & Sport: ☐

Community Value:

18. **(E)** Which other businesses or organizations are involved in this event/program/project? Please list partners and briefly describe their roles: Replay Games, sponsor. Yes! Project, RADAR and SOS Pride are guests and penticton community groups we are fundraising for.

19. **(E)** How many residents will directly benefit from this event/program/project? 600 +

20. **(E)** How many volunteers will be needed and how will they be recruited, trained and recognized? 25-30 volunteers. We already have most from last year. We advertise online. They are given weekend passes free and taken out on the town !!

City Value:

21. **(E)** How will the event/program/project strengthen the City of Penticton's Council Priorities?

Sustainable: _____

Livable: _____

Smart: _____

Connected & Strong: We enhance the community feelings and connections while growing the event together

22. **(E)** Indicate outcomes of the event/program/project of the organization: We hope to pay all ~~owe~~ our owed amounts with the profit used to make the event better each year; bigger guests and entertainment

23. (E) How will the organization measure the outcomes listed above: Financially as well as through social media and physical communication

Financial Information

24. (E) Total budgeted expenses for event/program/project: $ 21 475.00

Less (enter as negative):

Amount contributed by the organization: $ 0.00

Amount contributed by other partners: $ 0.00

Amount contributed by granting agencies, sponsors: $ 0.00

Municipal grant requested: Cash $ VIK$ $ 2,130

Budgeted surplus/deficit: $ $ 0.00

If the organization is applying for the first time, please provide the organization's most current financial statements, attached to the application.
(**NOTE:** This is a requirement. Audited or reviewed financial statements are preferred, if available)

All applicants please provide:

- Balance sheet or statement of financial position for immediately prior year
- Income statement or statement of financial activities for the immediately prior year
- Budgeted income statement or statement of financial activities for the grant year

Contact Information

Contact Person: Lillian Wilson Position/Title: Director / Chair

Cell/Telephone: Email: barenecessitiesmarketing@gmail.com

Signatures

By signing below the representatives of the organization thereby acknowledge that they have fully read and understand the policy conditions and agree to be bound by them and that the information included in this application is true and correct to the best of their knowledge.

	Lillian Wilson - Chair Name and position	Apr 4 2018 Date
	barenecessities Email marketing@gmail.com	
Signature	Name and position	Date
Telephone	Email	

All completed applications, reporting out forms, and correspondence should be forwarded in accordance with timelines specified herein to the attention of the Controller at Penticton City Hall.

Municipal Grant Application Review

Organization: The Penti-Con Association

Purpose: To enhance and encourage the entertainment and crafting community within Penticton.

Type:

Seed ☑ 1 year ☑ 2 year ☐ 3 year ☐

Sustainable ☐
- Enhance Community Services ☐
- Utilizing City Property ☐
- Core Penticton Event ☐
- Length of application (in years)

Eligibility:

- Application Complete ☑
- Not for Profit ☑
- Community Based ☑
- Accessible to all Residents ☑
- Not duplicated event ☑

Evaluation Criteria:

Community Value

- Number of participants/ residents/volunteers: 600-1000
- Number of partners: n/a — Partners: None identified
- Number of sponsors: 1 — Sponsors: Replay Games

City Value

Strategic Pillars		Comment
Sustainable	☐	
Livable	☑	Enhance community feelings and connections while growing the event
Smart	☐	
Connected & Strong	☐	
City Assistance	☐	Type provided:

Category

		Comment
Arts, Culture & Heritage	☑	
Health, Safety & Social Services	☐	
Parks, Recreation & Sport	☐	

Eventful Penticton ☑ Score: 13

Financial:	**2018**	**2017**		**2016**	
Grant Request:		Budget	Actuals	Budget	Actuals
In Kind	2,130.00	-	-	-	-
Cash	-	-	-	-	-
Total	**2,130.00**	**-**	-	**-**	-

		Other Assistance:		Amount	Year
Event Budget	21,475.00				
Other Revenues	23,875.00	Tax Exemption	No	-	2017
Contributions from other partners	-			-	2018
Contributions from sponsors	-				
Surplus/(Deficit)	**4,530.00**	Non-market rent	No	-	

Council Report

penticton.ca

Date: May 8, 2018 File No: 1970-02
To: Peter Weeber, Chief Administrative Officer
From: Amber Coates, Revenue Supervisor
Subject: **Tax Rates Bylaw No. 2018-25**

Staff Recommendation

THAT Council give first, second and third reading to "Tax Rates Bylaw No. 2018-25", a bylaw that establishes property taxation rates for the 2018 tax year.

Background

Pursuant to Section 197 of the *Community Charter*, annual property tax rates must be adopted by Bylaw prior to May 15. The property tax rates are prepared after the adoption of the City's Financial Plan.

During 2018 Budget deliberations, Council approved a 3.44% General Municipal levy increase with Resolution 682/2017. This increase can be broken down to:

- 1.00% Asset Management;
- 1.50% Inflation; and
- 0.94% General Increase.

At the April 17, 2018 Regular Council Meeting, Council passed Resolution 159/2018 approving the City of Penticton Property Taxation Distribution Policy. The policy adopts the ***revenue neutral approach*** to be followed in property tax rate setting for the General Municipal Levy. The revenue neutral approach is used to maintain the same level of revenue in each class before considering non-market change. This approach prevents against shifts in the tax burden between classes and also ensures any tax increases will be consistent across classes. This approach works best in dynamic market conditions such as those currently experienced by the City.

Rates for the Regional District Okanagan-Similkameen (RDOS) and the Okanagan-Similkameen Regional Hospital District (OSRHD) are set with the City of Penticton Tax Rate Bylaw as well. RDOS and OSRHD remit an annual levy requisition to the City and rates are calculated using provincial ratios and the hospital purposes taxable assessment base. Programs funded through the RDOS levy include:

- General Government
- Noxious Weeds and Environmental Conservation
- Illegal Dumping and Solid Waste Management Plan
- Regional Trails, Regional Growth Strategy, and Heritage – Sub Regional

- Regional Economic Development
- Okanagan Basin Water Board
- Nuisance Control – Regional Service
- Emergency Planning
- Sterile Insect Release Program
- 911 Emergency Call System and Mosquito Control Program

The City also collects on behalf of BC Assessment, the Municipal Finance Authority, and School District 67. These do not require rates set by City bylaw as these taxing authorities set their rates through their own Bylaws, Resolutions, and Orders in Council.

Monies collected on behalf of these agencies are in turn remitted back to the taxing authorities annually.

Analysis

The 2018 Revised Assessment Roll has been received from BC Assessment which contains decisions made by the Property Assessment Review Panel (PARP) as a result of assessment notice appeals, and any other corrections to the roll deemed necessary by BC Assessment. The Revised Roll captures both market and non-market changes. The Revised Roll indicates that of the total increase in assessment of $915,852,515 an estimated 1.58% or $98,676,295 of the change in taxable assessment to be the result of non-market change.

2018 Summary of Non-Market Change

Property Class	2018 NMC Assessment Distribution	Total	NMC New Revenue
01 - Residential	103.66%	$102,291,908	$401,545
02 - Utilities	0.00%	$0	$0
03 - Supportive Housing	0.00%	$2	$0
04 - Major Industry	0.00%	$0	$0
05 - Light Industry	0.06%	$59,600	$391
06 - Business & Other	-5.18%	-$5,114,691	-$33,411
07 - Managed Forest	0.00%	$0	$0
08 - Rec/Non Profit	0.06%	$60,000	$334
09 - Farm	1.40%	$1,379,476	$17,668
Total:	**100.00%**	**$98,676,295**	**$386,527**

As new revenues from the 2018 Revised Roll Non-Market change were less than those estimated from the estimated Non-Market Change Roll generated by BC Assessment mid-November 2017, the ratio for property Class 2 Utilities has been manually adjusted to recover a portion of the shortfall. This generates an additional $58,000. This property class is capped at a maximum rate of 40.0000, and at 28.7747 the City of Penticton remains significantly below the prescribed maximum. This property class includes those used for telecommunications, gas distribution systems, and electrical power systems.

2018 Summary of Property Assessment, Taxation, Rates and Ratios

Property Class	2018 Municipal Rates	2018 Municipal Ratios	2018 General Municipal Revised Roll	2018 Taxable Assessment Distribution	2018 Municipal Tax Levy	2018 Tax Burden Distribution
1 Residential	3.9255	1.00	$5,980,324,277	83.73%	$23,475,659	74.56%
2 Utilities	28.7747	7.33	$18,035,031	0.25%	$518,953	1.65%
3 Supportive Housing	3.9255	1.00	$10	0.00%	$0	0.00%
4 Major Industry	6.5551	1.67	$0	0.00%	$0	0.00%
5 Light Industry	6.5551	1.67	$96,736,800	1.35%	$634,119	2.01%
6 Business & Other	6.5324	1.66	$1,030,723,287	14.43%	$6,733,146	21.38%
7 Managed Forest	6.5324	1.66	$0	0.00%	$0	0.00%
8 Recreation/Non-Profit	5.5713	1.42	$11,885,000	0.17%	$66,215	0.21%
9 Farm	12.8080	3.26	$4,485,625	0.06%	$57,452	0.18%
Total:			**$7,142,190,030**	**100.00%**	**$31,485,545**	**100.00%**

The Business ratio continues to remain both below the supported Canadian Federation of Independent Business ratio of no more than 2.00, as well as lower than all but one of those in the region.

Municipality	Business Multiplier
Vernon (2017)	2.73
Provincial Average (2017)	**2.73**
West Kelowna (2017)	2.33
Kelowna (2017)	2.30
Summerland (2017)	2.27
Comparison Average (2017)	**2.24**
Penticton (2018)	**1.66**
Osoyoos (2017)	1.60

The typical Residential property, which under the revenue neutral approach, is calculated by removing the current year Non-Market Change assessments from the total Net taxable assessments and dividing the calculated Market Change taxable assessments by the prior year occurrences in the Residential class, is summarized in the following table.

Typical Residential Property	2017	2018	% Change	$ Change
Taxable Assessment	*$368,202*	*$420,340*	*14.16%*	*$52,138*
Municipal Rate	*4.3323*	*3.9255*	*-9.39%*	
Typical municipal residential levy	**$1,595**	**$1,650**	**3.44%**	**$55**
Taxes for Other Governments				
RDOS - General	$58	$63	8.40%	$5
RDOS - SIR	$16	$18	10.91%	$2

RDOS - 911 & Mosquito	$24	$31	29.19%	$7
Regional Hospital	$107	$120	11.95%	$13
BCA	$16	$17	6.50%	$1
MFA	$0.07	$0.08	14.16%	$0.01
SD67 - School	$687	$734	6.88%	$47
Overall Gen. Mun. & RDOS & SD67 Change:	**$2,503**	**$2,633**	**5.18%**	**$130**

The typical Business property, which under the revenue neutral approach, is calculated by removing the current year Non-Market Change assessments from the total Net taxable assessments and dividing the calculated Market Change taxable assessments by the prior year occurrences in the Business class, is summarized in the following table.

Typical Business Property	2017	2018	% Change	$ Change
Taxable Assessment	*$1,082,294*	*$1,173,089*	*8.39%*	*$90,795*
Municipal Rate	*6.8450*	*6.5324*	*-4.57%*	
Typical municipal business levy	**$7,408**	**$7,663**	**3.44%**	**$255**
Taxes for Other Governments				
RDOS - General	$429	$430	0.20%	$1
RDOS - SIR	$117	$121	3.70%	$4
RDOS - 911 & Mosquito	$180	$212	17.77%	$32
Regional Hospital	$787	$819	4.07%	$32
BCA	$151	$146	-3.44%	-$5
MFA	$0.54	$0.59	8.39%	$0.05
SD67 - School	$5,195	$4,927	-5.16%	-$268
Overall Gen. Mun. & RDOS & SD67 Change:	**$14,268**	**$14,319**	**0.36%**	**$51**

In reviewing our 2017 Residential competitiveness, data is available through information collected by the Province of BC to compare Total Taxes and Charges for typical residential properties. This would mean a reasonably holistic overview of the cost to residential properties in that charges for the municipality taxes, the taxes for other governments, parcel taxes, and charges for city services, etc. are included. In 2017, using the same comparator regional municipalities as for business, residential costs show Penticton as second lowest for this area as well.

Municipality	2017 Total Residential Taxes & Charges
West Kelowna	$4,558
Summerland	$4,179
Kelowna	$4,167
Vernon	$3,912
Penticton	**$3,751**
Osoyoos	$2,858

Attachments

Attachment A – 2017 to 2018 Comparisons

Attachment B – 2018 Revised Roll Non-Market Change

Attachment C – 2018 Revised Roll Net Taxable Values

Attachment D – Tax Rates Bylaw No. 2018-25

Respectfully submitted,

Amber Coates
Revenue Supervisor

Approvals

Chief Financial Officer	Chief Administrative Officer
JWB	PW

Attachment A – 2017 to 2018 Comparisons

Changes in Assessment

Property Class	2017 Taxable Assessments	2018 Taxable Assessments	Change in Taxable Assessment ($)	Change in Taxable Assessment (%)
1 Residential	$5,148,942,041	$5,980,324,277	$831,382,236	16.15%
2 Utilities	$17,345,930	$18,035,031	$689,101	3.97%
3 Supportive Housing	$8	$10	$2	25.00%
5 Light Industry	$89,503,800	$96,736,800	$7,233,000	8.08%
6 Business & Other	$955,665,314	$1,030,723,287	$75,057,973	7.85%
8 Recreation/Non Profit	$10,576,300	$11,885,000	$1,308,700	12.37%
9 Farm	$4,304,122	$4,485,625	$181,503	4.22%
Total:	**$6,226,337,515**	**$7,142,190,030**	**$915,852,515**	**14.71%**

Changes in Municipal Tax Levies (including 2018 Non-Market Change)

Property Class	2017 Municipal Tax Levies	2018 Municipal Tax Levies	Change in Tax Levies ($)	Change in Tax Levies (%)
01 - Residential	$22,306,762	$23,475,659	$1,168,898	5.24%
02 - Utilities	$445,624	$518,953	$73,329	16.46%
03 - Supportive Housing	$0	$0	$0	13.26%
05 - Light Industry	$612,654	$634,119	$21,466	3.50%
06 - Business & Other	$6,541,529	$6,733,146	$191,617	2.93%
08 - Rec/Non Profit	$63,689	$66,215	$2,525	3.96%
09 - Farm	$38,412	$57,452	$19,040	49.57%
Total:	**$30,008,670**	**$31,485,545**	**$1,476,875**	**4.92%**

Changes in General Municipal Tax Rate

Property Class	2017 General Municipal Tax Rate	2018 General Municipal Tax Rate	Change in General Municipal Tax Rate	Change in General Municipal Tax Rate (%)
1 Residential	4.3323	3.9255	-0.4068	-9.39%
2 Utilities	25.6904	28.7747	3.0843	12.01%
3 Supportive Housing	4.3323	3.9255	-0.4068	-9.39%
5 Light Industry	6.8450	6.5551	-0.2899	-4.24%
6 Business & Other	6.8450	6.5324	-0.3126	-4.57%
8 Recreation/Non Profit	6.0219	5.5713	-0.4506	-7.48%
9 Farm	8.9245	12.8080	3.8835	43.52%

Changes in Municipal Ratios

Property Class	2017 Municipal Ratio	2018 Municipal Ratio	Change in Municipal Ratio	Change in Municipal Ratio (%)
1 Residential	1.00	1.00	0.00	0.00%
2 Utilities	5.93	7.33	1.40	23.61%
3 Supportive Housing	1.00	1.00	0.00	0.00%
5 Light Industry	1.58	1.67	0.09	5.70%
6 Business & Other	1.58	1.66	0.08	5.06%
8 Recreation/Non Profit	1.39	1.42	0.03	2.16%
9 Farm	2.06	3.26	1.20	58.25%

Changes in Typical Properties

Property Class	2017 Occurrences	2017 Average Assessment	2017 Typical General Municipal Tax	2018 Typical Assessment (Net of NMC)	2018 Typical General Municipal Tax	2018 Typical Increase
1 Residential	13,984	$368,202	$1,595	$420,340	$1,650	3.45%
2 Utilities	30	$578,198	$14,854	$601,168	$17,298	16.46%
3 Supportive Housing	4	$2	$0	$2	$0	0.00%
5 Light Industry	84	$1,065,521	$7,293	$1,150,919	$7,544	3.45%
6 Business & Other	883	$1,082,294	$7,408	$1,173,089	$7,663	3.44%
8 Recreation/Non Profit	18	$587,572	$3,538	$656,944	$3,660	3.45%
9 Farm	267	$16,120	$144	$11,634	$149	3.47%

BC ASSESSMENT

NMC Roll Comparison by Property Class

Printed Date: 5/Apr/2018

2018 Net General Taxable Values

Revised Roll run on 21/Mar/2018

Area 17 - Penticton

Jurisdiction 222 - City of Penticton

NMC by Neigh

NMC Detail

Property Class	2017 Cycle 13	2018 Revised	NMC Land	NMC Impr	NMC Total	% Chg Due to NMC	% Chg Due to Market	% Chg
Res Vacant	$78,639,100	$110,929,812	$17,358,212	$0	$17,358,212	22.07%	18.99%	41.06%
Res Single Family	$3,529,967,900	$4,106,842,300	$11,991,900	$44,264,000	$56,255,900	1.59%	14.75%	16.34%
Res ALR	$39,051,800	$40,286,100	-$1,118,500	$0	-$1,118,500	-2.86%	6.02%	3.16%
Res Farm	$108,637	$100,361	$0	-$1,000	-$1,000	-0.92%	-6.70%	-7.62%
Res Strata	$1,107,911,204	$1,290,008,700	$11,167,200	$13,090,596	$24,257,796	2.19%	14.25%	16.44%
Res Other	$389,573,504	$432,157,004	$2,809,600	$2,729,900	$5,539,500	1.42%	9.51%	10.93%
01 - Residential Total	**$5,145,252,145**	**$5,980,324,277**	**$42,208,412**	**$60,083,496**	**$102,291,908**	**1.99%**	**14.24%**	**16.23%**
02 - Utilities	$17,345,930	$18,035,031	$0	$0	$0	0.00%	3.97%	3.97%
03 - Supportive Housing	$8	$10	$1	$1	$2	25.00%	0.00%	25.00%
04 - Major Industry	$0	$0	$0	$0	$0			
05 - Light Industry	$89,501,300	$96,736,800	-$1,405,700	$1,465,300	$59,600	0.07%	8.02%	8.08%
06 - Business And Other	$955,295,814	$1,030,723,287	-$7,749,168	$2,634,477	-$5,114,691	-0.54%	8.43%	7.90%
07 - Managed Forest Land	$0	$0	$0	$0	$0			
08 - Rec/Non Profit	$10,576,300	$11,885,000	$45,000	$15,000	$60,000	0.57%	11.81%	12.37%
09 - Farm	$4,385,635	$4,485,625	$82,476	$0	$82,476	1.88%	0.40%	2.28%
S.644LGA/398VC	$25,266,200	$26,363,700	$0	$1,297,000	$1,297,000	5.13%	-0.79%	4.34%
Total All Classes	**$6,247,623,332**	**$7,168,553,730**	**$33,181,021**	**$65,495,274**	**$98,676,295**	**1.58%**	**13.16%**	**14.74%**

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2018 TAXABLE VALUES

Revised Roll

Assessment Area: 17 Penticton
Jurisdiction: 222 City of Penticton

Property Class	Occurrence		TAXABLE VALUE TOTALS - GENERAL Land	Improvements		Land	Improvements
Residential Vacant	313	Gross Exempt	196,514,212 85,584,400		Net	110,929,812	
Residential Single Family	8,896	Gross Exempt	1,897,045,700	2,209,796,600	Net	1,897,045,700	2,209,796,600
Residential ALR	163	Gross Exempt	40,286,100		Net	40,286,100	
Residential Farm	9	Gross Exempt		1,789,100 1,688,739	Net		100,361
Residential Strata	4,527	Gross Exempt	661,462,300	628,546,400	Net	661,462,300	628,546,400
Residential Other	420	Gross Exempt	178,933,102 19,091,900	342,505,702 70,189,900	Net	159,841,202	272,315,802
1 - *Total Residential *		**Gross Exempt**	**2,974,241,414 104,676,300**	**3,182,637,802 71,878,639**	**Net**	**2,869,565,114**	**3,110,759,163**
2 - Utilities	30	Gross Exempt	6,234,235 288,000	13,188,896 1,100,100	Net	5,946,235	12,088,796
3 - Supportive Housing	5	Gross Exempt	5	5	Net	5	5
5 - Light Industry	85	Gross Exempt	45,326,700 343,000	60,700,500 8,947,400	Net	44,983,700	51,753,100
6 - Business And Other	910	Gross Exempt	743,714,996 258,936,216	1,051,016,972 505,072,465	Net	484,778,780	545,944,507
8 - Rec/Non Profit	17	Gross Exempt	114,106,200 102,370,200	57,363,700 57,214,700	Net	11,736,000	149,000
9 - Farm	275	Gross Exempt	4,485,625		Net	4,485,625	
S.644LGA/398VC	16	Gross Exempt		26,363,700	Net		26,363,700
Totals for 222 - City of Penticton		**Gross Exempt**	**3,888,109,175 466,613,716**	**4,391,271,575 644,213,304**	**Net Total**	**3,421,495,459 7,168,553,730**	**3,747,058,271**

Folio Count: 15,005

Net Taxable Assessment:

General:	7,168,553,730
Less S.644LGA/398VC:	26,363,700
Total:	**7,142,190,030**

- 86 -

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2018 TAXABLE VALUES

Revised Roll

Assessment Area: 17 Penticton
Jurisdiction: 222 City of Penticton

		TAXABLE VALUE TOTALS - SCHOOL					
Property Class	Occurrence		Land	Improvements		Land	Improvements
Residential Vacant	313	Gross Exempt	196,514,212 85,584,400		Net	110,929,812	
Residential Single Family	8,896	Gross Exempt	1,897,045,700	2,209,796,600	Net	1,897,045,700	2,209,796,600
Residential ALR	163	Gross Exempt	40,286,100 20,143,050		Net	20,143,050	
Residential Farm	9	Gross Exempt		1,789,100 1,688,739	Net		100,361
Residential Strata	4,527	Gross Exempt	661,462,300	628,546,400	Net	661,462,300	628,546,400
Residential Other	420	Gross Exempt	178,933,102 19,091,900	342,505,702 43,959,100	Net	159,841,202	298,546,602
1 - *Total Residential *		**Gross Exempt**	**2,974,241,414 124,819,350**	**3,182,637,802 45,647,839**	**Net**	**2,849,422,064**	**3,136,989,963**
2 - Utilities	36	Gross Exempt	6,234,235 288,000	39,552,596 1,100,100	Net	5,946,235	38,452,496
3 - Supportive Housing	5	Gross Exempt	5	5	Net	5	5
5 - Light Industry	85	Gross Exempt	45,326,700 343,000	60,700,500 804,900	Net	44,983,700	59,895,600
6 - Business And Other	911	Gross Exempt	743,714,996 256,345,216	1,051,016,972 472,077,965	Net	487,369,780	578,939,007
8 - Rec/Non Profit	17	Gross Exempt	114,106,200 102,370,200	57,363,700 57,214,700	Net	11,736,000	149,000
9 - Farm	275	Gross Exempt	4,485,625 2,242,862		Net	2,242,763	
S.644LGA/398VC		Gross Exempt			Net		
Totals for 222 - City of Penticton		**Gross Exempt**	**3,888,109,175 486,408,628**	**4,391,271,575 576,845,504**	**Net Total**	**3,401,700,547 7,216,126,618**	**3,814,426,071**

Folio Count: 15,006

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2018 TAXABLE VALUES

Revised Roll

Assessment Area: 17 Penticton
Jurisdiction: 222 City of Penticton

		TAXABLE VALUE TOTALS - HOSPITAL					
Property Class	Occurrence		Land	Improvements		Land	Improvements
Residential Vacant	313	Gross Exempt	196,281,212 85,351,400		Net	110,929,812	
Residential Single Family	8,896	Gross Exempt	1,897,045,700	2,209,796,600	Net	1,897,045,700	2,209,796,600
Residential ALR	163	Gross Exempt	40,286,100 20,143,050		Net	20,143,050	
Residential Farm	9	Gross Exempt		1,789,100 1,688,739	Net		100,361
Residential Strata	4,527	Gross Exempt	661,462,300	628,546,400	Net	661,462,300	628,546,400
Residential Other	420	Gross Exempt	178,933,102 19,091,900	342,505,702 43,959,100	Net	159,841,202	298,546,602
1 - *Total Residential *		**Gross Exempt**	**2,974,008,414 124,586,350**	**3,182,637,802 45,647,839**	**Net**	**2,849,422,064**	**3,136,989,963**
2 - Utilities	36	Gross Exempt	6,234,235 288,000	39,552,596 1,100,100	Net	5,946,235	38,452,496
3 - Supportive Housing	5	Gross Exempt	5	5	Net	5	5
5 - Light Industry	85	Gross Exempt	45,326,700 343,000	60,700,500 804,900	Net	44,983,700	59,895,600
6 - Business And Other	911	Gross Exempt	743,714,996 256,345,216	1,051,016,972 472,077,965	Net	487,369,780	578,939,007
8 - Rec/Non Profit	17	Gross Exempt	114,106,200 102,370,200	57,363,700 57,214,700	Net	11,736,000	149,000
9 - Farm	275	Gross Exempt	4,485,625 2,242,862		Net	2,242,763	
S.644LGA/398VC		Gross Exempt			Net		
Totals for 222 - City of Penticton		**Gross Exempt**	**3,887,876,175 486,175,628**	**4,391,271,575 576,845,504**	**Net Total**	**3,401,700,547 7,216,126,618**	**3,814,426,071**

Folio Count: 15,006

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2018 TAXABLE VALUES

Revised Roll

Assessment Area: 17 Penticton
Jurisdiction: 222 City of Penticton

Property Class		NET TAXABLE VALUE TOTALS					
		Occurrence	General	Occurrence	Hospital	Occurrence	School
Residential Vacant	Net	313	110,929,812	313	110,929,812	313	110,929,812
Residential Single Family	Net	8,896	4,106,842,300	8,896	4,106,842,300	8,896	4,106,842,300
Residential ALR	Net	163	40,286,100	163	20,143,050	163	20,143,050
Residential Farm	Net	9	100,361	9	100,361	9	100,361
Residential Strata	Net	4,527	1,290,008,700	4,527	1,290,008,700	4,527	1,290,008,700
Residential Other	Net	420	432,157,004	420	458,387,804	420	458,387,804
1 - *Total Residential *	**Net**		**5,980,324,277**		**5,986,412,027**		**5,986,412,027**
2 - Utilities	Net	30	18,035,031	36	44,398,731	36	44,398,731
3 - Supportive Housing	Net	5	10	5	10	5	10
5 - Light Industry	Net	85	96,736,800	85	104,879,300	85	104,879,300
6 - Business And Other	Net	910	1,030,723,287	911	1,066,308,787	911	1,066,308,787
8 - Rec/Non Profit	Net	17	11,885,000	17	11,885,000	17	11,885,000
9 - Farm	Net	275	4,485,625	275	2,242,763	275	2,242,763
S.644LGA/398VC	Net	16	26,363,700				
Totals for 222 - City of Penticton	**Net**		**7,168,553,730**		**7,216,126,618**		**7,216,126,618**

Folio Count:
General: 15,005
School: 15,006
Hospital: 15,006

Net Taxable Assessment:
General: 7,168,553,730
Less S.644LGA/398VC: 26,363,700
Total: 7,142,190,030

Net Taxable Assessment:
School Residential: 5,986,412,027
School Non-Residential: 1,229,714,591
School Total: 7,216,126,618

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The Corporation of the City of Penticton

Bylaw No. 2018-25

A Bylaw for the levying of property tax rates for the year 2018

WHEREAS pursuant to the *Community Charter,* Council is empowered to impose property value taxes by establishing tax rates within the City of Penticton;

AND WHEREAS it is deemed expedient to establish tax rates for the municipal revenue proposed to be raised from property value taxes and the amounts to be collected by means of rates established to meet the City's taxing obligation in relation to another local government or other public body;

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

1. This Bylaw may be cited for all purposes as "Tax Rates Bylaw No. 2018-25".

2. The following rates are hereby imposed and levied for the year 2018.

    2.1 For lawful general purposes of the municipality on the value of land and improvements taxable for general Municipal purposes, rates appearing on Column "A" of the Schedule 'A' attached hereto and forming part hereof;

    2.2 For hospital purposes on the value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "B" of the Schedule 'A' attached hereto and forming a part hereof;

    2.3 For purposes of the Regional District of Okanagan-Similkameen on the value of land and improvements taxable for Regional Hospital District purposes, rates appearing in Column "C" of the Schedule 'A' attached hereto and forming a part hereof;

    2.4 For purposes of the Regional District of Okanagan-Similkameen 9-1-1 Emergency Telephone Service and Mosquito Control, on the assessed value of improvements taxable for Regional Hospital District purposes, rates appearing in Column "D" of the Schedule 'A' attached and forming a part thereof;

    2.5 For purposes of Regional District of Okanagan-Similkameen Sterile Insect Release Program, on the assessed value of land taxable for Regional Hospital District purposes, rates appearing in Column "E" of the Schedule 'A' attached and forming a part hereof.

3. There shall be added to the current year's taxes unpaid on each parcel of land and improvements upon the Collector's Roll the 1st day of August, 2018, ten percent (10%) of the amount thereof, which shall from the 1st day of August, 2018, be deemed to be the amount of the current year's taxes unpaid upon such lands and improvements and the date upon which such percentage shall be added as provided by the said *Community Charter* shall be and the same is hereby set accordingly.

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

_____
Andrew Jakubeit, Mayor

_____
Dana Schmidt, Corporate Officer

The Corporation of The City of Penticton

Schedule 'A'

Tax Rates (dollars of tax per $1,000 taxable assessment)

2018	A	B	C	D	E
Property Class	**General Municipal**	**Regional Hospital District**	**RDOS**	**RDOS 911 Emergency Telephone Service & Mosquito Control**	**RDOS Sterile Insect Release Program**
1 Residential	3.9255	0.2850	0.1496	0.0738	0.0422
2 Utilities	28.7747	0.9974	0.5235	0.2582	0.1478
3 Supportive Housing	3.9255	0.2850	0.1496	0.0738	0.0422
4 Major Industry	6.5551	0.9689	0.5085	0.2508	0.1435
5 Light Industry	6.5551	0.9689	0.5085	0.2508	0.1435
6 Business & Other	6.5324	0.6982	0.3664	0.1807	0.1034
7 Managed Forest Land	6.5324	0.8550	0.4487	0.2213	0.1266
8 Recreation/Non-Profit	5.5713	0.2850	0.1496	0.0738	0.0422
9 Farm	12.8080	0.2850	0.1496	0.0738	0.0422

Council Report

penticton.ca

Date: May 8, 2018 File No: 5225-05
To: Peter Weeber, Chief Administrative Officer
From: Ian Chapman, City Engineer

Subject: **Kiwanis Pier Repairs**

Staff Recommendation

THAT Council approve proceeding with Option 1, Storm Damage with Additional Structural Repairs, as described in this Council Report dated May 8, 2018 as part of the Tender to repair the Kiwanis Pier;

AND THAT the 2018 Budget be amended to increase CAP10118-003 by $278,000 for the Kiwanis Pier repairs with an estimated $78,000 funding coming from insurance coverage and the remainder coming from the Asset Emergency Reserve.

Strategic priority objective

This project supports two Council Priorities:

- The Community Building Priority by investing in the attractiveness, streetscape and beautification of the community; and
- The Fiscal Sustainability Priority by undertaking asset management.

Background

During the 2017 Flood the Kiwanis Pier at the foot of Martin Street was damaged by high water and wave action. The damage to the pier consisted of: Pile cap damage, broken stringers and cross bracing, missing shims; loose deck boards and damaged piles. The City insurer had Integrated Planning Consulting inspect the pier and prepare a condition report. The findings were that some of the damage was related to the flood and wave action and other damage was not related to flood conditions. The Insurance provider will only cover flood and wave action damage.

The City of Penticton engaged Watson Engineering to look at the Kiwanis Pier as well. The findings were that the Kiwanis Pier is in poor structural condition after suffering some damage due to combined 2017 high water and storm events combined with ongoing aging and deterioration of many timber components.

The Insurance Company payout is the best estimate and cannot be confirmed under this project is tendered. The insurance company has confirmed the full amount, once determined, will be paid out as long as the City

replaces the pier in some manner. Should the City demolish and not replace the pier the insurance payout will be a lessor figure.

Watson Engineering developed two options to address the damage:

Option 1: Repair of Storm Damage with Additional Structural Repairs

Option 1 would see minimal repairs completed to bring the pier back into service safely without attempting to extend the service life beyond that dictated by its condition prior to the current high water and storm events. This Option includes repairs to address storm damage and additional recommended structural repairs to address other damaged and missing components.

The estimated cost for Option 1 includes $78,000 for repairs to address storm damage, covered by the City's property insurance policy, and $200,000 for repairs to address the additional recommended structural repairs for a total estimated construction cost of $278,000 including engineering, contingencies, taxes and a premium as a market adjustment to account for the volume of dock work occurring in the Okanagan Valley this year.

Option 1 is the least cost option but the structure will be subject to continued aging and deterioration of those components which are not renewed. Option 1 will be vulnerable to damage from similar high water and storm events in the future. Option 1 will require annual monitoring and some additional structural repairs will be required within 5 years.

Option 2: Full Replacement of Structure with Repair to Approach Paving

Option 2 would renew deteriorated components of the pier structure to bring it back into service safely while maximizing the future service life. This Option includes demolition and full replacement of the existing pier structure.

The estimated cost for Option 2 including engineering, contingencies, taxes and a premium as a market adjustment to account for the volume of dock work occurring in the Okanagan Valley this year is $1,080,000 for a new treated timber structure and $1,535,000 for a new concrete and steel structure. Both figures include $235,000 for demolition of the existing structure.

Option 2 has a greater cost than Option 1 but will also have a service life on the order of 30-75 years depending on replacement materials selected. While some ongoing monitoring of the structure is recommended, it is anticipated that significant repairs will not be required for 15-20 years. In addition a replacement structure would be better designed to withstand high water and storm events.

Option 3: Demolition of Pier and future development determined at a later date

A third option exists to remove the pier and consider development of this site at a later date.

Financial implication

Option 1 Cost - $278,000 with an estimated $78,000 funded by insurance and the remaining $200,000 funded by the City.

Option 2 Cost - $1,080,000 to $1,535,000 with an estimated $78,000, funded by insurance, and the remaining $1,002,000- $1,457,000 funded by the City.

Option 3 Cost - $235,000 with an estimated $51,000 funded by insurance, and the remaining $184,000 funded by the City.

Analysis

The recommended Option would see the Kiwanis Pier being made safe and serviceable for public use for up to 5 years at a modest cost. This would provide a period of time to fully consider the long term plans for the pier. Alternative 1 (Option 2 of the Watson report) is significantly more expensive and would be best left for consideration during an annual budget process and after public engagement on the pier. Alternative 2 would be the least costly alternative but the repair work would only address flood damage, would not address additional structural repairs contained in the Watson Engineering Report and would provide a limited life span to the pier. Alternative 3 (Option 3 of the Watson report) would see a well-used asset removed from the City of Penticton and would incur removal cost. This would be best considered over a longer time period with full public engagement.

Alternate recommendations

Alternative 1

THAT Council approve proceeding with Option 2, Full Replacement of Structure with Repair to Approach Paving, as described in this Council Report dated May 8, 2018 as part of the Tender to repair the Kiwanis Pier;

AND THAT the 2018 Budget be amended to increase CAP10118-003 by $1,080,000 to $1,535,000 for the Kiwanis Pier repairs with estimated funding of $78,000 from insurance coverage $117,000 funding coming from the Asset Emergency Reserve, and the balance coming from the capital reserve.

Alternative 2

THAT Council approve proceeding with a reduced version of Option 1, and only undertake the repair work related to the flood and wave damage covered by insurance valued at $78,000;

AND THAT the 2018 Budget be amended to increase CAP10118-003 by $78,000 for the Kiwanis Pier repairs funded from insurance coverage.

Alternative 3

THAT Council instruct staff not to repair the Kiwanis Pier and take steps to remove it from service;

AND THAT the 2018 Budget be amended to increase CAP101118-003 by $235,000 for the Kiwanis Pier repairs with an estimated $51,000 from insurance coverage and the remainder coming from the Asset Emergency Reserve.

Respectfully submitted,

Ian Chapman P.Eng.
City Engineer

Approvals

General Manager of Infrastructure	CFO	Chief Administrative Officer
	JWB	PW

Council Report

penticton.ca

Date: May 8, 2018 File No: 8500-05
To: Peter Weeber, Chief Administrative Officer
From: Mitch Moroziuk, General Manager of Infrastructure

Subject: **BC Transit City of Penticton Annual Operating Agreement**

Staff Recommendation

THAT Council authorize the Mayor and Corporate Officer to execute the 2018 2019 Annual Operating Agreement Conventional and Custom Transit as contained in Attachment "A".

Strategic priority objective

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

Background

On April 13, 2018 BC Transit sent the 2018 2019 Annual Operating Agreement. This agreement sets how BC Transit and the City of Penticton will work together to provide Conventional and Custom Transit services to the citizens of Penticton.

The Main points of the agreement are:

1. Transit Service Area: These are defined as the boundaries of the City of Penticton;
2. Term: The Term of the Agreement is from April 1, 2018 until March 31, 2019;
3. Termination: Either party to the agreement can terminate it with 180 days' notice;
4. Freedom of Information: The parties are subject to the provisions of the *Freedom of Information and Protection of Privacy Act;*
5. Dispute Resolution: Mediation then arbitration;
6. Eligible Expenses: Operating costs, Lease costs and Municipal Administration costs;
7. Service Area: The Corporate boundary of the City of Penticton;
8. Fares: These are consistent with Fees and Charges Bylaw 2014-07;
9. Conventional Transit Annual Service Hours and exception days: 23,400 hours, statutory holiday service is Sunday Service except for Easter Monday which is Regular Service and Christmas Day which is No Service;
10. Custom Transit Annual Service Hours and exception days: 4,100 hours, statutory holiday service is No Service except for Easter Monday which is Regular Service;

11. Conventional Transit Budget: Net Local Government Share $1,004,910; and
12. Custom Transit Budget: Net Local Government Share $129,122.
13. New Operator Agreement: The costs contained in the agreement reflect those contained in the New Operator Agreement.

The agreement was reviewed by the General Manager of Infrastructure and is now ready for the consideration of Council.

Financial implication

The 2018 Net Local Government Share for Conventional Transit is $1,024,892 which is slightly more than the Annual Operating Agreement amount of $1,004,910.

The 2018 Net Local Government Share for Custom Transit is $130,795 which is also slightly more than the Annual Operating Agreement amount of $129,122.

Analysis

Entering into the Annual Operating Agreement with BC Transit will ensure that the public is provided with the same level of transit service they currently enjoy.

Should Council wish they could instruct staff to explore cost or service level reductions with BC Transit.

Alternate recommendations

THAT Council instruct staff to explore cost or service level reductions with BC Transit.

Attachments

Attachment A – 2018 2019 Annual Operating Agreement Conventional and Custom Transit

Respectfully submitted,

Mitch Moroziuk P.Eng. MBA
General Manager of Infrastructure

Approvals

CFO	Chief Administrative Officer
LWB	PW

Attachment A – 2018 2019 Annual Operating Agreement Conventional and Custom Transit

PENTICTON

ANNUAL OPERATING AGREEMENT

between

CITY OF PENTICTON

and

BRITISH COLUMBIA TRANSIT

Effective

April 1, 2018

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

ANNUAL OPERATING AGREEMENT

BETWEEN:

CITY OF PENTICTON

(the "Municipality")

AND:

BRITISH COLUMBIA TRANSIT

(the "Authority")

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

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

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

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

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

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

Contents

SECTION 1: DEFINITIONS 4
SECTION 2: INCORPORATION OF SCHEDULES 4
SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT 4
SECTION 4: TERM AND RENEWAL 4
SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT 4
SECTION 6: SETTLEMENT OF DISPUTES 5
SECTION 7: MISCELLANEOUS PROVISIONS 5
SECTION 8: GOVERNING LAW 6
SECTION 9: COUNTERPARTS 6
SECTION 10: NOTICES AND COMMUNICATIONS 7
SCHEDULE "A": TARIFF AND FARES 9
SCHEDULE "B": SERVICE SPECIFICATIONS 10
SCHEDULE "C": BUDGET 11

SECTION 1: DEFINITIONS

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

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

SECTION 2: INCORPORATION OF SCHEDULES

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

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

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

SECTION 4: TERM AND RENEWAL

a) The parties agree that the effective date of this agreement is to be April 1, 2018, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2019 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
c) Either party may terminate this agreement as follows:
    a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least ninety (180) days prior written notice. Such notice to be provided in accordance with Section 10.
    b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

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

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

SECTION 6: SETTLEMENT OF DISPUTES

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

SECTION 7: MISCELLANEOUS PROVISIONS

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

3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and,
4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;

d. Eligible Expenses exclude the costs of providing third-party 100%-funded services; and,
e. BC Transit will provide an annual statement of account of the reserves received and utilized, including any interest earned for each local government.

e) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: GOVERNING LAW

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

SECTION 9: COUNTERPARTS

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

SECTION 10: NOTICES AND COMMUNICATIONS

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

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

and to the Municipality at:

CITY OF PENTICTON
c/o General Manager of Infrastructure
616 Okanagan Avenue East
Penticton, BC V2A 3K6

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

IN WITNESS WHEREOF, the parties have hereunto set their hand this ___ day of _____, 2018.

CITY OF PENTICTON

_____

_____

BRITISH COLUMBIA TRANSIT

_____
CHIEF OPERATING OFFICER

_____
CHIEF FINANCIAL OFFICER

SCHEDULE "A": TARIFF AND FARES

Effective as of July 1, 2017

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

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

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

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

H) **BC Transit Employee** Bus Pass

* Local refers to trips within the community
* Regional refers to trips between larger communities. Route numbers end in "0"
** Discounted Fares apply to: Seniors over 65 years of age with valid ID, Students 20 or under in full-time attendance to Grade 12 with valid ID, Post-Secondary with proof of attendance. Post-Secondary institution refers to univiersiites, vocational universities, community colleges, liberal arts colleges, institutes of technology and other collegiate leve institution, such as vocational schools and career colleges that award academic degrees or professional certifications.

SCHEDULE "B": SERVICE SPECIFICATIONS

Conventional Transit Service

Transit Service Area: The boundaries of the Penticton Transit Service Area shall be the municipal boundaries of the Corporation of the City of Penticton.

Annual Service Level: for City of Penticton shall be **23,400** Revenue Service Hours

Exception Days reconizged annually for City of Penticton are:

Exception Days	Service Level
Easter Monday	Regular Service
Victoria Day	Sunday Service
Canada Day	Sunday Service
BC Day	Sunday Service
Labour Day	Sunday Service
Thanksgiving Day	Sunday Service
Remembrance Day	Sunday Service
Christmas Day	No Service
Boxing Day	Sunday Service
New Years Day	Sunday Service
Family Day (2019)	Sunday Service

Custom Transit Service

Transit Service Area: The boundaries of the Penticton Transit Service Area shall be the municipal boundaries of the Corporation of the City of Penticton.

Annual Service Level: for the City of Penticton shall be **4,100** Revenue Service Hours

Exception Days reconizged annually for the City of Penticton are:

Exception Days	Service Level
Easter Monday	Regular Service
Victoria Day	No Service
Canada Day	No Service
BC Day	No Service
Labour Day	No Service
Thanksgiving Day	No Service
Remembrance Day	No Service
Christmas Day	No Service
Boxing Day	No Service
New Years Day	No Service
Family Day (2019)	No Service

SCHEDULE "C": BUDGET

Penticton Conventional Transit

	Base Budget 2018/2019
Total Revenue	$575,778
Total Direct Operating Costs	$2,355,053
Total Operating Costs	$2,595,731
Total Costs (including Local Government Share of Lease Fees)	$2,917,899
Net Local Government Share of Costs	**$1,004,910**

Penticton Custom Transit

	Base Budget 2018/2019
Total Revenue	$19,449
Total Direct Operating Costs	$355,212
Total Operating Costs	$375,418
Total Costs (including Local Government Share of Lease Fees)	$410,842
Net Local Government Share of Costs	**$129,122**

Council Report

penticton.ca

Date: May 8, 2018 File No: PRJ2018-026
To: Peter Weeber, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: **657 Churchill Avenue**
Subject: **"Zoning Amendment Bylaw No. 2018-18" and "Development Variance Permit PL2018-8178"**

Staff Recommendation

THAT Council remove the condition of registering a 1.9m road dedication along the frontage of Churchill Avenue prior to adoption of Zoning Amendment Bylaw No. 2018-18;

AND THAT Council adopt "Zoning Amendment Bylaw No. 2018-18".

THAT Council approve "Development Variance Permit PL2018-8178" for 657 Churchill Avenue.

Background

At the March 20, 2018 Regular Council Meeting, staff presented a report with a recommendation to rezone 657 Churchill Avenue, subject to the applicant registering a 1.9 meter road dedication along Churchill Avenue with the Land Title Office. After further review, Staff have determined that the road dedication will more efficiently dealt with at the subdivision stage of the development. As such staff are recommending adoption of the zoning amendment bylaw at this time.

Financial Implications

Generally the City will pay for survey and registration costs of a road dedication. In the case that a road dedication happens through the subdivision process, the road dedication can happen simultaneously to the registration of the new legal lot layout, saving the additional survey and registration costs. In this case, support for staff's recommendation will save the City the costs of survey and registration (~$2,000).

Alternate Recommendations

1. THAT Council keep the requirement for road dedication prior to bylaw adoption.

Respectfully submitted,

Nicole Capewell
Planner 1

Acting Director Development Services	Chief Administrative Officer
BL	PW

The Corporation of the City of Penticton

Bylaw No. 2018-18

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. 2018-18".

2. **Amendment:**

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

Rezone Lot 22, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 4075, located at 657 Churchill Avenue, from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

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

READ A FIRST time this	20	day of	March, 2018
A PUBLIC HEARING was held this	3	day of	April, 2018
READ A SECOND time this	3	day of	April, 2018
READ A THIRD time this	3	day of	April, 2018
RECEIVED the approval of the Ministry of Transportation on the	5	day of	April, 2018
ADOPTED this		day of	, 2018

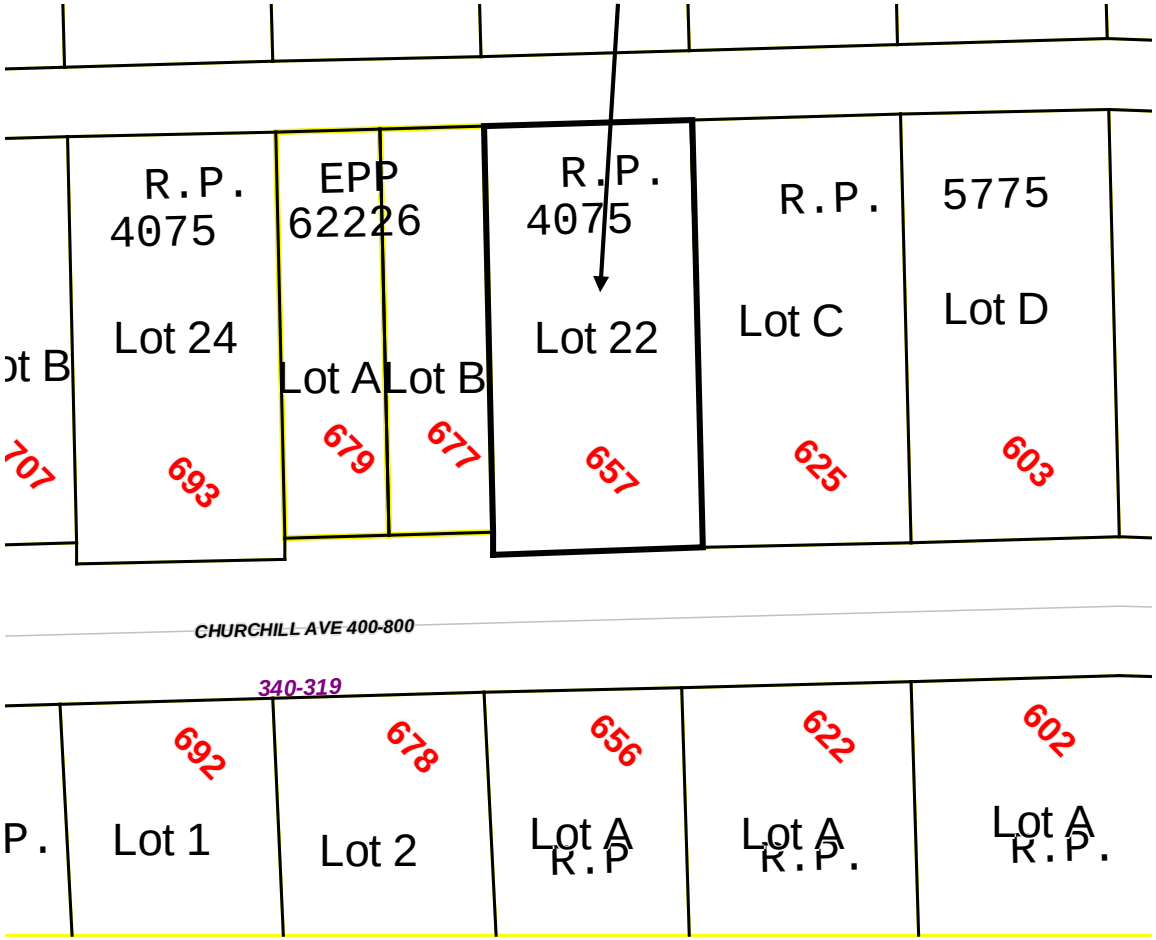
Notice of intention to proceed with this bylaw was published on the 23 day of March, 2018 and the 28 day of March, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this 5th day of April, 2018
for Minister of Transportation & Infrastructure

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 657 Churchill Ave.
From R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-18

Date: _____ **Corporate Officer:** _____

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

Development Variance Permit

Permit Number: DVP PL2018-8168

Name
Address I
Address II

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 22, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan 4075
   Civic: 657 Churchill Avenue
   PID: 010-584-528

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 10.6.2.3 of Zoning Bylaw 2017-08 to allow for an increase to the maximum lot coverage from 40% to 43%, as shown in the plans attached in Schedule 'A'.

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

Development Variance Permit PL
Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer

Council Report

penticton.ca

Date: May 8, 2018 File No: PRJ2018-052
To: Peter Weeber, Chief Administrative Officer
From: Nicole Capewell, Planner 1
Address: 500 & 512 Gahan Avenue
Subject: **Zoning Amendment Bylaw No. 2018-26 and Development Permit PL2018-8194**

Staff Recommendation

Zoning Amendment Bylaw

THAT "Zoning Amendment Bylaw No. 2018-26", a bylaw to rezone Lot 30, District Lot 202, Similkameen Division Yale District Plan 1122, and Lot 31, District Lot 202, Similkameen Division Yale District Plan 1122, located at 500 & 512 Gahan Avenue, from R2 (Small Lot Residential) to RM5 (Urban Residential), be given first reading and be forwarded to the May 22, 2018 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2018-26", the owner be required to consolidate both lots.

Development Permit

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2018-26", approve Development Permit PL2018-8194, for the consolidated parcel of Lot 30, District Lot 202, Similkameen Division Yale District Plan 1122, and Lot 31, District Lot 202, Similkameen Division Yale District Plan 1122, located at 500 & 512 Gahan Avenue, a permit that allows for the construction of a townhouse with 4 units and 4 suites.

Excess and Extended Service

THAT Council, in accordance with Section 507 of the *Local Government Act*, require the full construction of the lane along the rear of the property and the rear of 490 Gahan Avenue tying into the works into the existing lane, representing an excess and extended service.

Strategic Objective

The subject application demonstrates that it is aligned with the Council Priorities of Community Building and Economic Vitality. The application represents smart growth by increasing density in areas where existing services are in place, and in areas close to transit, commercial and employment centers.

Background

The subject properties (Attachment 'A') are currently zoned R2 (Small Lot Residential), but are designated for medium density residential by the City's Official Community Plan. Currently, the site contains an older single family dwelling which straddles both lots and was constructed in approximately 1925. The properties are located along the KVR Trail within close proximity to Penticton Secondary School and the downtown.

The intention of the applicant is to demolish the existing house, consolidate the two properties, and construct a 4-unit townhouse with suites (total of 8 units). The units will front Gahan Avenue with vehicle access to enclosed garages from the lane. The Zoning Map of the neighbourhood (Attachment 'B') indicates that there is a mix of zones within the neighbourhood including R2 (Small Lot Residential), RD1 (Duplex Housing), RD2 (Duplex Housing: Lane), RM2 (Low Density Multiple Housing), RM3 (Medium Density Multiple Housing), P1 (Parks Assembly), and P2 (Parks and Recreation). The existing neighbourhood contains a mixture of single family homes, duplexes, and townhouses, but is undergoing transformation. There is currently a development occurring at 388 Eckhardt Ave E, where a 24-unit townhouse is being constructed. Other forms of urban residential infill can be seen on the neighbouring streets of Papineau Street and Bird Street.

The applicant is required to attain a Development Permit for the proposed development, as the property is located within the General Multiple Family Development Permit Area.

Proposal

The applicant is proposing that the subject property be rezoned from R2 (Small Lot Residential) to RM5 (Urban Residential), to facilitate the development of a 4-unit townhouse with suites (total 8 units). The applicant is intending to demolish the existing single family dwelling and consolidate the lots prior to construction.

The applicant is required to attain a Development Permit for the form and character of the building, as the properties are located within the General Multiple Family Development Permit Area.

Technical Review

This application was reviewed by the City's Technical Planning Committee on March 22, 2018. Upon consolidation of the lots, the applicant will be required to terminate one water service (there is currently two). There is also an existing sanitary service to the property. Any upgrades required will be at the applicant's expense. The proposed building is required to conform to the BC Building Code. These items have been communicated to the applicant.

Zoning Bylaw No. 2017-08 provides a provision that allows for developers to pay cash-in-lieu when reducing landscaping buffers, as permitted through Section 5.3.4 and Section 5.3.5 of the Zoning Bylaw No. 2017-08. This section allows for buffer widths for residential – multiple family developments to be reduced to the actual setback of the building. The applicant is required to pay $2,250.00 in lieu of 5 trees not being planted. These funds are deposited into the Urban Forest Reserve Fund to be used for tree infilling in the City. This has been communicated to the applicant.

Gahan Avenue is included in the 2018 Capital Works Plan. The construction is scheduled to start in May 2018 and be completed near the end of June. The upgrade will be a complete rebuild of the corridor including sidewalk on one side and new curb and gutter, new water mains, storm infrastructure and new asphalt. As these works are included in the Capital Plan and are to be completed in the next few months, the developer will not be required to contribute financially to the project.

Lane construction is not in the scope of the Capital project. Staff are recommending that the developer be responsible for the full width of the lane and to tie into the newly constructed works. The developer has no objection to this requirement, as this lane is the main vehicle access point to the development and is in poor condition. This represents an 'excess or extended service' as per Section 507 of the *Local Government Act*. Under that section of the Act, Council can require works beyond the bylaw requirement, but the developer

can then recoup any costs for the works from any neighbouring properties that develop over the next 15 years.

Financial Implication

The application does not pose any significant financial implications to the City. Development costs are the responsibility of the developer. The developer will be paying for the upgrade of a City lane that is deemed to be in poor condition at their cost. The developer will also be contributing over $2,000 towards improving the City's urban forest.

Development Statistics

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

	Requirement RD2 Zone	Provided on Plans
Minimum Lot Width:	10 m	24.38 m
Minimum Lot Area:	275 m^2	669 m^2
Maximum Lot Coverage:	100%	41.6%
Maximum Density:	2.0 Floor Area Ratio (FAR)	0.8 Floor Area Ratio (FAR)
Vehicle Parking:	5 (1 per unit, plus 0.25/unit for visitor parking) *RM5 does not require parking for flex units*	8
Required Setbacks Front Yard (Gahan Ave): Side Yard (east): Side Yard (west): Rear Yard (lane):	 2.5 m 0 m 0 m 0 m	 2.5 m 1.5 m 1.5 m 6.3 m
Maximum Building Height	15 m	10.1 m
Other Information:	• Property is located within the General Multiple Family DPA • The plans generally conform to the DPA guidelines	

Analysis

Support Zoning Amendment Bylaw

The subject property is designated as MR (Medium Density Residential) according to the City's Official Community Plan. The current R2 (Small Lot Residential) zone, does not achieve the full potential that the OCP envisions for medium density areas. The proposed RM5 (Urban Residential) zone is intended for areas that are designated as HR (High Density Residential) and MR (Medium Density Residential) and are located in

and around the downtown area. The subject development meets the general development regulations of the RM5 zone. The development also meets the following objectives of the OCP:

- New development should be accommodated through infill development.
- Encourage the intensification of the downtown.
- Encourage a diversified range of housing, types, tenures and densities.
- Support a mixture of multiple-family residential uses with commercial uses.

In addition to the properties being within the MR designation, the properties are also located within the General Multiple Family Development Permit Area (DPA). Prior to any development of the properties, the applicant will have to receive development permit approval. The Development Permit has been included for Council's consideration as part of this application.

Given the above, there is adequate policy to support the proposal to rezone from R2 (Small Lot Residential) to RM5 (Urban Residential) and support is recommended for First Reading of "Zoning Amendment Bylaw No. 2018-26".

Deny Zoning Amendment Bylaw

Council may consider that the proposed development is not appropriate for the subject properties. If this is the case, Council should deny First Reading of Zoning Amendment Bylaw No. 2018-26".

Development Permit

Approve Development Permit

The development lands are located within the 'General Multiple Family' Development Permit Area (DPA), as such, a Development Permit (DP) is required prior to being able to apply for a building permit. The development permit once approved, will be listed on title of the property and 'locks-in' the form and character of the building, giving some assurance that the building will look as was presented to Council.

The objective of the General Multiple Family Development Permit Area is to ensure that the siting, form, character and landscaping of new development and exterior renovations and additions to existing are compatible with the context of the surrounding neighbourhood and that site access, parking, storage and landscaping matters are satisfactorily resolved, and generally, development is of high aesthetic quality. New housing development should foster a sense of community, enhance the existing streetscape, and should maintain or enhance the area's livability. In this DPA, there is an emphasis on the following design considerations:

Townhouse and multi-family developments should front or appear to front onto adjacent roadways. This may be achieved through appropriate treatment of the building exteriors and through the provision of pedestrian entrance-ways and walkways to the street.

- To this guidelines, the applicant is proposing four townhouse units that front onto Gahan Ave. Primary pedestrian access is off of Gahan Avenue and each unit features a balcony at the front entrance.

Where townhouse units have attached garages or carports, the units should be wide enough to allow the creation of attractive entrances to the individual units between garages. The garage or carport should not dominate the dwelling unit.

- The applicant is proposing an attached garage for each of the four townhouse units located at the rear of the building. Each of the units also has a door entranceway on the rear of the building,

allowing for pedestrians to access the unit without passing through the garage. These entranceways help to break up the four garages at the rear of the building, so that the garages do not dominate the building.

Townhouse and four-plex developments are encouraged to use rear lane access where available.

- The proposed townhouse development has vehicle access primarily from the rear lane. All required parking for the development is accommodated off of the lane behind the building.
- Keeping all of the vehicles access in the rear lane, has provided for the opportunity to have parallel street parking.

Parking areas between the front of buildings and the street are discouraged.

- The proposed townhouse places all required parking at the rear of the building, accessed via lane. The front of the building (along Gahan Ave) does not provide for any parking spaces, but rather has pedestrian connections to the street.

Landscaping areas should include an underground irrigation system, which should be programmed to maximize efficient water use.

- The applicant has identified on the submitted landscape plan, that all landscaping will be serviced with a fully automatic irrigation system.

Pedestrian walkways to building entrances must be provided from parking areas, municipal sidewalks, storage, garbage and amenity areas.

- The proposed plans indicate each of the units fronting Gahan Avenue will have a porch with stairs connecting to the streetscape. There are also entrances at the rear of the building, with walkways connecting to both parking and garbage and recycling areas.

In parking areas, landscape islands of trees and shrubs should be used to visually break up large expanses of parking.

- Staff have worked with the applicant to incorporate a landscaping island in the middle of the parking area. Trees and landscaping improve the parking environment for people and visually softens the impact of asphalt. This landscaping will also contribute to storm water management in a sustainable way.

Combinations of groundcover, shrubs of various heights and trees shall be encouraged.

- The applicant has identified on both the renderings and landscape plan that they intend to plant trees and shrubs in the rear of the property. There is also landscaping identified in the front yard which will include shrubs.

The applicant will be utilizing the Zoning Bylaw provision that allows for cash-in-lieu of landscaping buffers along the side property lines. While the applicant will be utilizing this provision, they have still attempted to incorporate landscaping into the design of the property, as shown in the front and rear yards.

The design presented by the applicant has been created with street presentation and architectural interest in mind. The proposed development is supported through OCP Policy to increase density within established areas, where servicing exists. As such, Staff recommend that Council approve the Development Permit.

Deny Development Permit

Council may consider that the developer can change the design to more accurately reflect the current built form of the neighbourhood, or soften the impact of the development on neighbouring properties. If this is the case, Council should refer the permits back to staff to work with the developer as directed by Council.

Alternate Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2018-26" and deny support for DP PL2018-8194.
2. THAT Council give first reading to "Zoning Amendment Bylaw No. 2018-26", but deny support for DP PL2018-8194.
3. THAT Council give first reading to "Zoning Amendment Bylaw No. 2018-26", and give support for DP PL2018-8194 with conditions that Council feels are appropriate.

Attachments

Attachment A:	Subject Property Location Map
Attachment B:	Zoning Map of Subject Property
Attachment C:	Official Community Plan Map of Subject Property
Attachment D:	Images of Subject Property
Attachment E:	Letter of Intent
Attachment F:	Draft Development Permit (DP)
Attachment G:	Zoning Amendment Bylaw No. 2018-26

Respectfully submitted

Nicole Capewell
Planner 1

Approvals

Director Development Services	Chief Administrative Officer
AH	PW

Attachment A – Subject Property Location Map

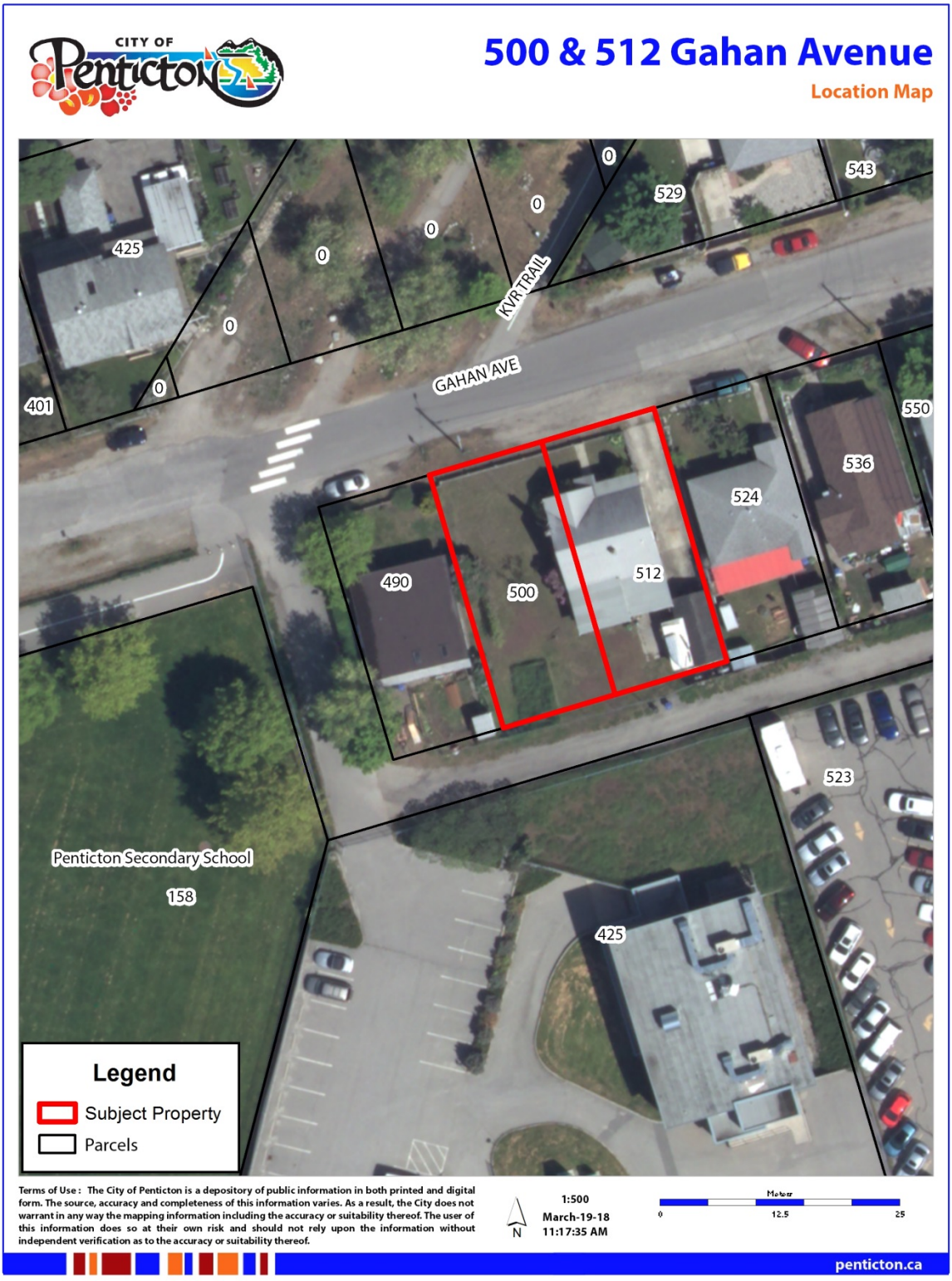


Figure 1 – Subject Properties Highlighted in Red

Attachment B – Zoning Map of Subject Property

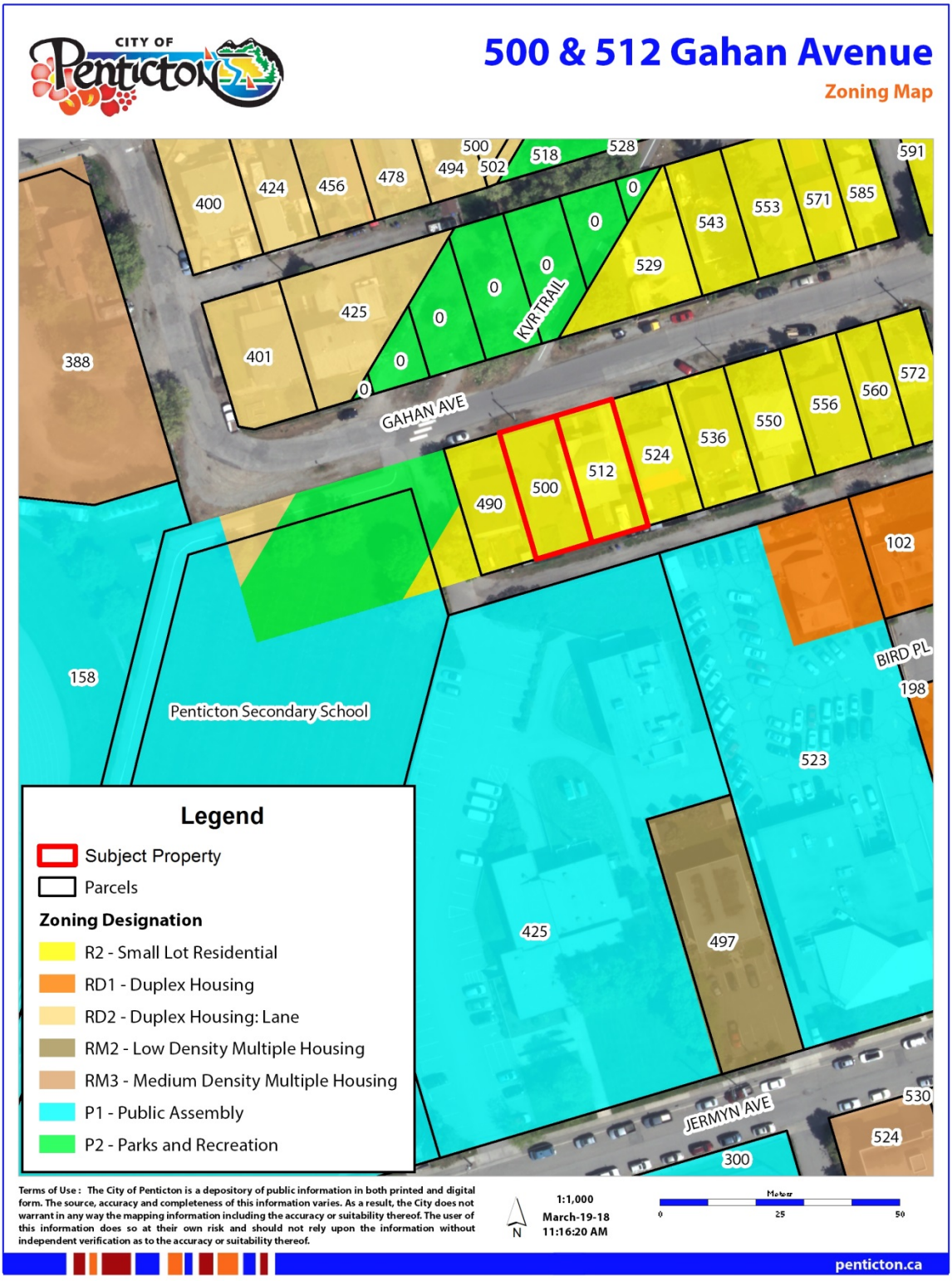


Figure 2 – Subject Properties Currently Zoned R2 (Small Lot Residential)

Attachment C – Official Community Plan Map of Subject Property

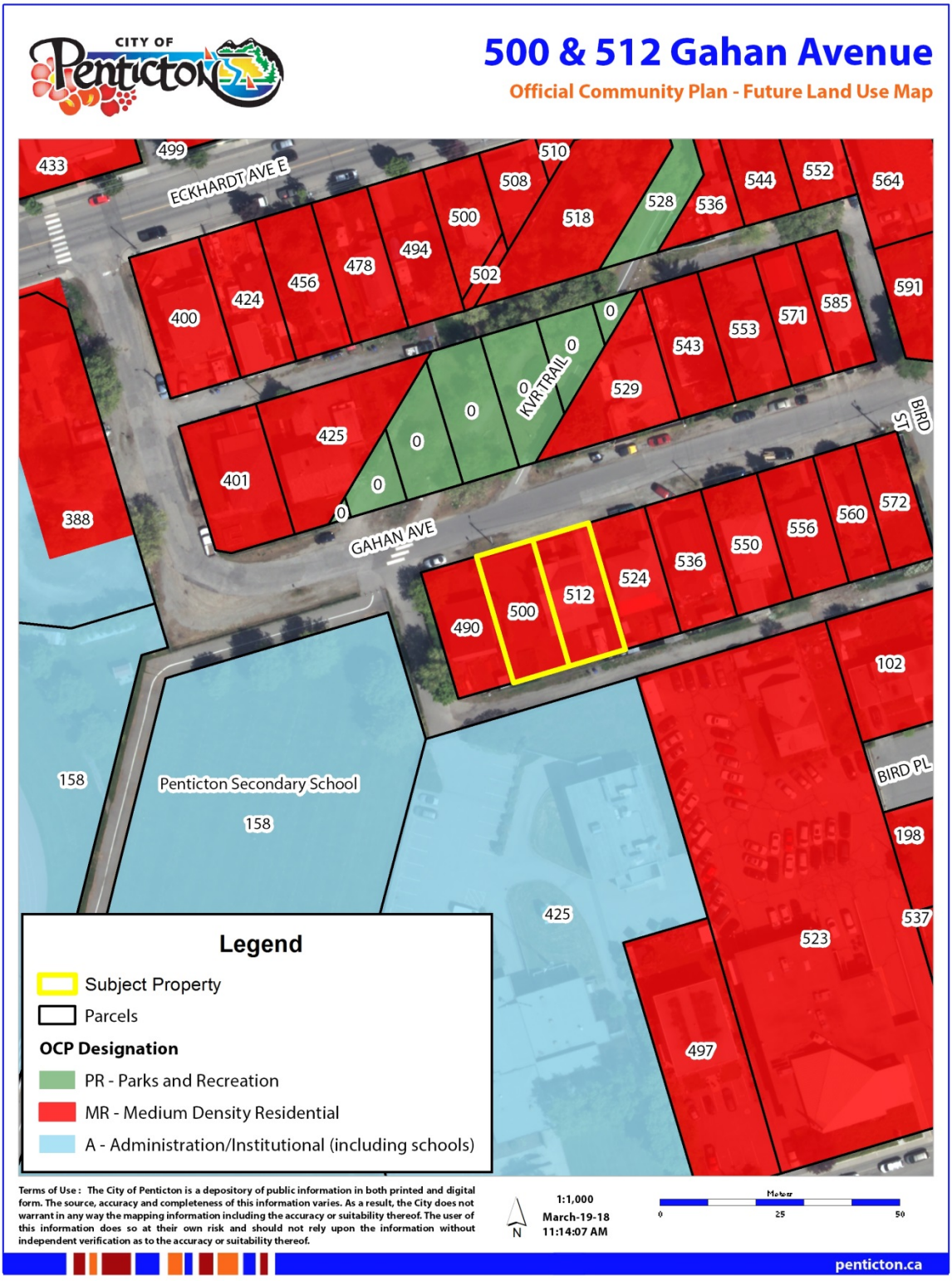


Figure 3 – Subject Properties Currently Designated as MR (Medium Density Residential) within Official Community Plan

Attachment D – Images of Subject Property

Figure 4 – Looking toward front of 500 & 512 Gahan Avenue from Gahan Avenue

Figure 5 – Looking toward front of 500 & 512 Gahan Avenue from Gahan Avenue

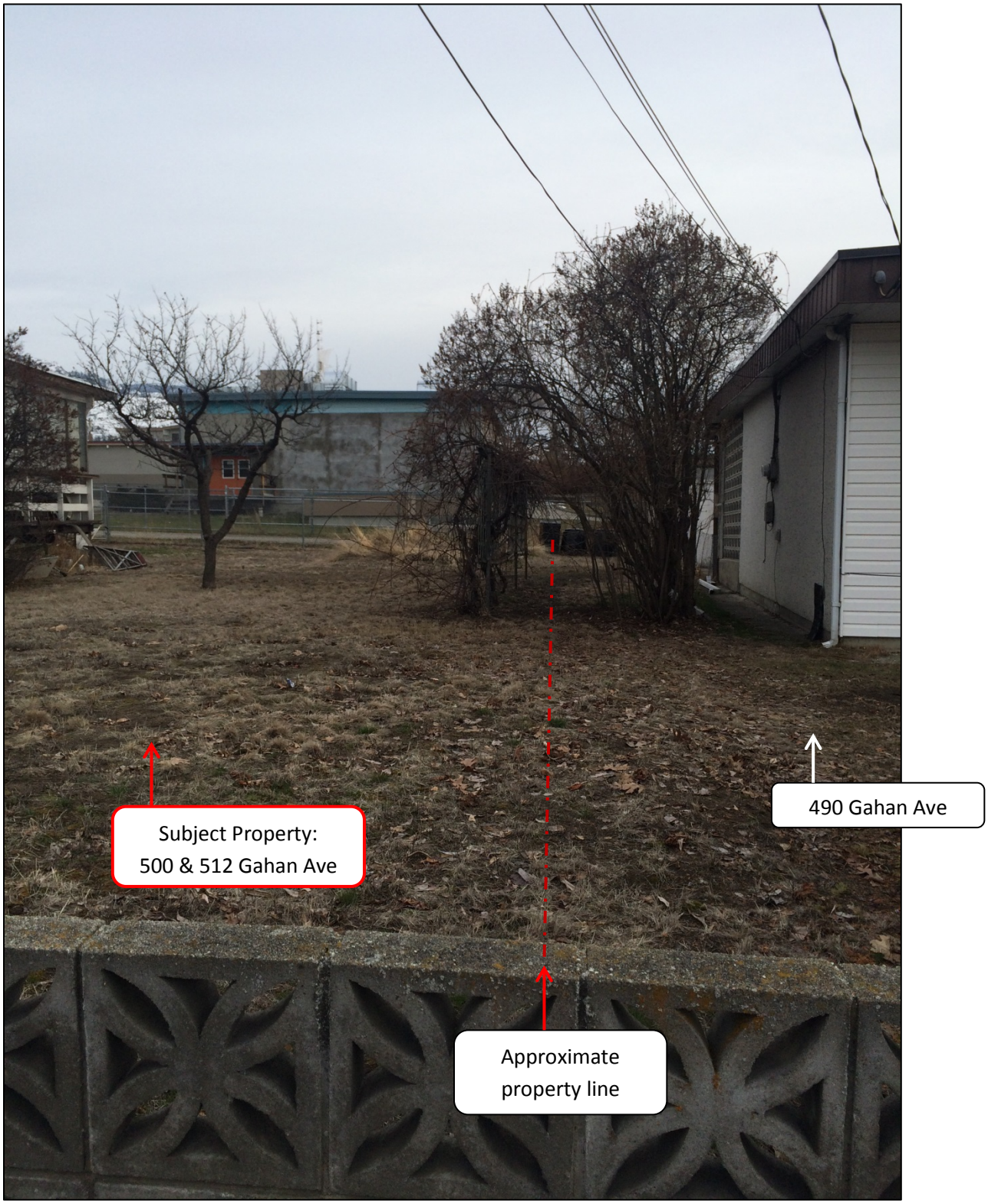


Figure 6 – Looking down the western property line of 500 & 512 Gahan Avenue from Gahan Avenue

Figure 7 – Looking down the eastern property line of 500 & 512 Gahan Avenue from Gahan Avenue

Figure 8 – Looking at 500 & 512 Gahan Avenue from the lane

Figure 9 – Looking down the eastern property line of 500 & 512 Gahan Avenue from the lane

Attachment E – Letter of Intent

512 Gahan Avenue

Re-zoning, development variance permit and development permit.

April 17, 2018

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

Dear Blake Laven:

We are proposing to construct a fourplex building at 512 Gahan Avenue which will require a re-zone to allow for townhouses.

The goal of the project is to deliver 4x three-bedroom townhouses with one-bedroom rental suites on the ground floor. From our understanding, and what has been voiced from current public OCP engagement, is that Penticton is in need of more affordable infill projects such as this to accommodate the increase in population that is expected, and to help the younger generation get in the market. Penticton also has a shortage of rental inventory, so by adding a ground floor rental suite to each unit this will function as a mortgage helper for the owner and also provide additional rental opportunities in the city.

The lot is currently zoned as R2- Small Lot Residential, which we propose to re-zone to *RM5- Urban Residential* to allow for townhouses at a higher density. Under the Official Community Plan the lot is designated as *MR- Medium Density Residential*. To make the project marketable to the typical Okanagan buyer we'd like to include a single-car garage in the back, with additional surface parking in front of the garage. All off-street parking is accessed from the rear lane, providing an opportunity to offer some curb appeal to the front of the building and enhance street interaction. By incorporating patios for each unit, with steps down to the street, we create a nice transitional area between the road and house, which we hope will lead to a positive interaction between pedestrians and neighbors.

In conclusion, please accept the enclosed application package for 512 Gahan Avenue. We believe this is a suitable and desirable project for this location. We would greatly appreciate your consideration in granting the request to re-zone.

Sincerely,

Jim Gallagher

Figure 10 – Letter of Intent

Attachment F – Draft Development Permit (DP)
Consolidated Lot

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

Development Permit

Permit Number: DP PL2018-8194

Owner Name
Owner Address
Owner Email 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: New legal to be inserted after consolidation of lots
   Civic: New Civic to be inserted after consolidation of lots
   PID: New PID to be inserted after consolidation of lots

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 4 unit townhouse with suites (total 8 units) as shown in the plans attached in Schedule A and in accordance with the Environmentally Sensitive Area Assessment in Schedule C.

4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of $_____ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) of the *Local Government Act*, to undertake works or other activities required to:

   a. correct an unsafe condition that has resulted from a contravention of this permit,
   b. satisfy the landscaping requirements of this permit as shown in Schedule A or otherwise required by this permit, or
   c. repair damage to the natural environment that has resulted from a contravention of this permit.

5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:

   a. the permit has lapsed as described under Condition 8, or
   b. a completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.

6. Upon completion of the development authorized by this permit, an application for release of securities, provided in Schedule B, must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met.

DRAFT

Inspection fees may be withheld from the security as follows:

1st Inspection	No fee
2nd Inspection	$50
3rd Inspection	$100
4th Inspection or additional inspections	$200

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

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

Authorized by City Council, the _____ day of _____, 2018

Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer

DRAFT

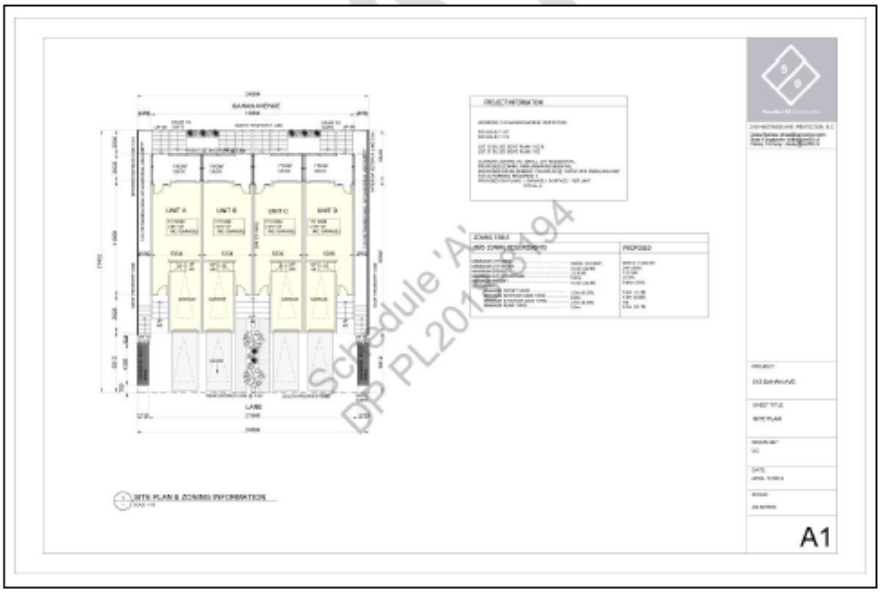
Schedule A: Plans

Page 3 of 6

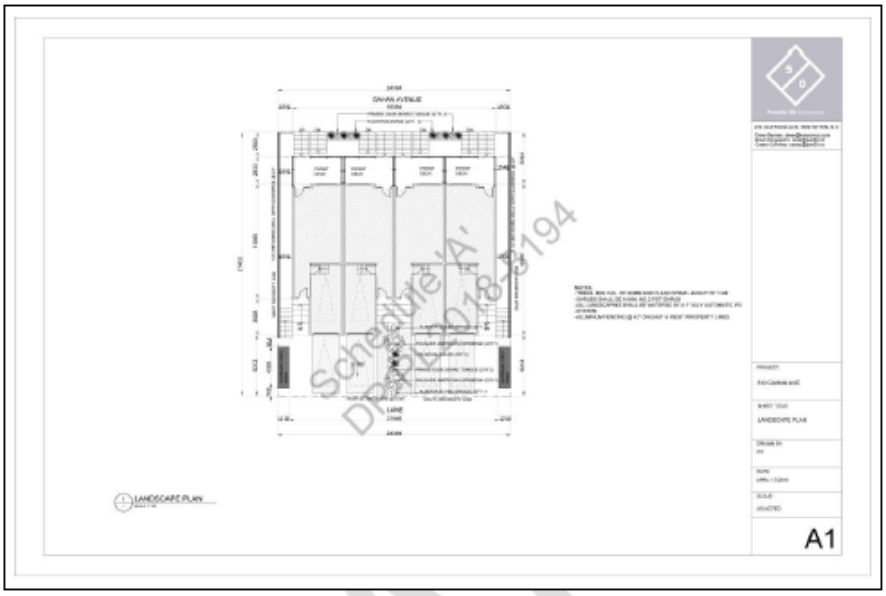
PRIVACY SCREEN
BOARD & BATTEN OR VERTICAL SIDING
2HR 10' WALL
LANE
RETAINING WALL
EAST ELEVATION
SCALE: 1/8" = 1'-0"
VIEW OF RETAINING WALL & GUARDRAIL
512 GAHAN AVE.

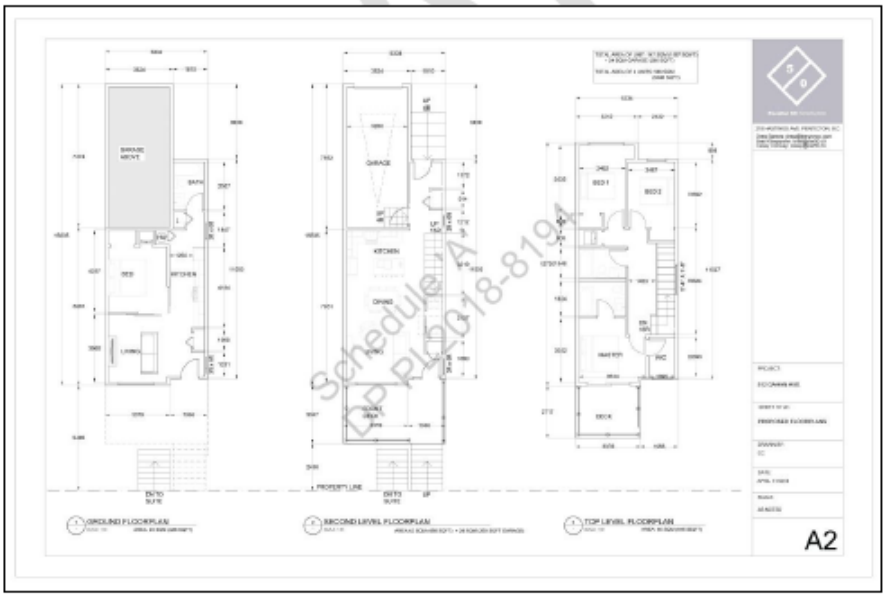
BOARD & BATTEN SIDING
WOOD SHAKE
SINGLE CAR GARAGES
LANE
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"
512 GAHAN AVE.

Page 4 of 6



Schedule 'A'
DP PL20[illegible]8194





Schedule 'A'
DP-RZ-2018-8194

Page 6 of 6

The Corporation of the City of Penticton

Bylaw No. 2018-26

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. 2018-26".

2. **Amendment:**

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

Rezone Lot 30, District Lot 202, Similkameen Division Yale District Plan 1122, and Lot 31, District Lot 202, Similkameen Division Yale District Plan 1122, located at 500 & 512 Gahan Avenue, from R2 (Small Lot Residential) to RM5 (Urban Residential).

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 __ day of ____, 2018 and the __ day of ____, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 500 and 512 Gahan Avenue
From R2 (Small Lot Residential) to RM5 (Urban Residential)

City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-26

Date: _____ **Corporate Officer:** _____

Council Report

penticton.ca

Date: May 8, 2018 File No: 2018 PRJ-036
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 201 Penticton Avenue

Subject: **Zoning Amendment Bylaw No. 2018-27**
Official Community Plan Amendment Bylaw No. 2018-28

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2018-27", a bylaw to Rezone Lot 31 Block 1 District Lot 250 Similkameen Division Yale District Plan 812, located at 201 Penticton Avenue from R2 (Small Lot Residential) to RD1 (Duplex Housing), be given first reading and be forwarded to the May 22, 2018 Public Hearing;

OCP Amendment

THAT prior to consideration of "OCP Amendment Bylaw No. 2018-28" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the public consultation conducted to date is sufficient;

AND THAT "Official Community Plan Amendment Bylaw No. 2018-28," a bylaw to amend Schedule 'H' Development Permit Area Map of the City's OCP, to include the subject property in the Downtown Multiple Family Development Permit Area; be introduced, given first reading and forwarded to the May 22, 2018 Public Hearing.

Background

The subject property (Attachment A) is zoned R2 (Small Lot Residential) and designated by the City's Official Community Plan (OCP) as LR (Low Density Residential). Photos of the site are included as Attachment D. The lot is 520.2m^2 (5,600ft^2) in area and features an older single family dwelling which is intended to be demolished. Surrounding properties are primarily zoned R2 (Small Lot Residential), P1 (Public Assembly) and

C2 (Neighbourhood Commercial). Surrounding properties are designated by the OCP as LR (Low Density Residential) and A (Administration/Institutional). The site is located at the periphery of the downtown, close to the Penticton Plaza, KVR trail and Pen-Hi school. The properties in this area are predominately single family. The close proximity to commercial and duplex-zoned properties creates the potential for more density.

Proposal

The applicant is proposing to construct a side-by-side duplex with suites in the basements for a total of four units. The main units in each duplex will be approximately 1400ft^2 over two storeys with living space and a flex room on the main level and three bedrooms upstairs. The basement suites will be approximately 900ft^2 each and have two bedrooms.

Since a duplex is not a permitted use in the current zone, an amendment is required to Zoning Bylaw 2017-08 to rezone the subject property from R2 (Small Lot Residential) to RD1 (Duplex Housing).

Strategic Priority Objective

The subject application demonstrates that it is aligned with the Council Priorities of Community Building and Economic Vitality. The application represents smart growth by increasing density in areas where existing services are in place, and in areas close to transit, commercial and employment centers.

Public consultation

The developers hosted a public information session on April 18, 2018 at the Shatford Centre. The developers sent invitations by mail to property owners and hand delivered them to tenants of the properties depicted on Attachment I. At the open house, the developers and consultants presented the plans and helped answer any questions. Eight neighbours attended the meeting along with two members of City staff. The main concern raised was in regards to the precedent setting that the rezoning may have on the rest of the street. Other concerns were around ensuring adequate screening measures are put in place and adequate outdoor space is provided for the future residents of the development. The public liked the design of the building and felt it would be an improvement to the neighbourhood. Staff consider that the plans submitted meet the general wishes of the neighbourhood.

Staff are not recommending any further consultation above and beyond what has occurred to date. The public hearing will allow for an additional opportunity for comment from the public.

Technical Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works departments. At the building permit stage, servicing requirements will be addressed and upgrades may be required given the density increase. As per City of Penticton Building Bylaw 94-95 section 7.1.5, storm water/drainage is to be maintained on site. If the request for the zoning amendment is supported, BC Building Code and City bylaw provisions, such as height restrictions, will apply.

Development Statistics

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

Item	Requirement RD1 zone	Proposed
Maximum Lot Coverage:	50%	32.6%
Maximum Density:	NA	0.84 FAR
Minimum Lot Width:	15.0m	15.24m
Minimum Lot Area:	540m^2	520.0m^{2*}
Vehicle Parking:	1 per unit (4 total)	4 spaces
Required Setbacks		
Front yard (south, Penticton Avenue):	4.5m	4.5m
Rear yard (north, lane):	6.0m	10.0m+
Interior yard (west):	1.5m	1.5m
Interior yard (east):	1.5m	1.5m
Maximum Building Height:	10.5m	9.3m
Other Information:	The subject property is not located in a Development Permit Area, but staff are recommending that the property be included in the Downtown Multiple Family DPA to ensure the form and character of the building and landscaping are of high quality. **The minimum parcel standards (in terms of width and area) only apply when a new parcel is being created, not through rezoning of an existing parcel.*	

Analysis

Zoning Amendment

Support "Zoning Amendment Bylaw No. 2018-27"

The subject lands are designated as Low Density (LR) Residential by the City's Official Community Plan. The OCP states that "when reviewing applications to allow duplexes within the LR designation, Council and staff should consider overall neighbourhood character and locating duplexes in areas that meet the following guidelines:"

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

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

- The surrounding neighbourhood features two duplex zoned properties to the east side of Manitoba Avenue and commercial zoned properties along Main Street as depicted in Attachment H.
- The renderings submitted with the application are of high aesthetic value with a peaked roof, picture windows and various building material types. Given the age of the building stock and the

size of the lots in this area, it is anticipated that re-development will occur in this area in some form or another in the next decade. The inclusion of the subject duplexes represents a gentle densification to respect the character of the exiting area.

Staff considers that it is reasonable to densify this property given the location`s proximity to commercial nodes as well as the KVR trail and other transit routes. A parking space is provided for each unit, accessed from the lane. With no driveways proposed in the front, three on-street parking spaces are retained. The plans show that a sizeable duplex can be built on the property with no variances. If the applicant does not follow through with the development, the existing dwelling will still conform to the RD1 (Duplex Housing) zone as a single family dwelling is a permitted use.

Given the information presented above, staff recommends that Council support "Zoning Amendment Bylaw No. 2018-27" and forward the application to the May 22, 2018 Public Hearing for comments from the public.

Deny/Refer Zoning Amendment

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

OCP Amendment

Support "OCP Amendment Bylaw No. 2018-28"

If the rezoning is approved by Council, the developer could completely change the design of the proposed duplex as long as it meets the zoning bylaw and building code requirements. Staff are recommending to include the property in the Downtown Multiple Family DP area to ensure the design is retained as proposed.

The Downtown Multiple Family Development Permit Area guidelines are intended to address the form and character of new multi-family buildings. The objective of these guidelines, according to the OCP, is to "ensure that the citing, form, character and landscaping of new multi-family development and exterior renovations and additions to existing buildings in the downtown area are compatible with the context of the traditional neighbourhood character in some downtown neighbourhoods."

Deny/Refer OCP Amendment

Council may feel that it is not necessary to include the subject property in a DP area. If this is the case, Council should deny the bylaw amendment.

Alternate Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2018-27" and deny first reading of "OCP Amendment Bylaw No. 2018-28."
2. THAT Council support first reading of "Zoning Amendment Bylaw No. 2018-27," but deny first reading of "OCP Amendment Bylaw No. 2018-28."
3. THAT Council support first reading of the bylaws with conditions.
4. THAT Council refer the bylaws back to staff.

Attachments

Attachment A:	Subject Property Location Map
Attachment B:	Zoning Map
Attachment C:	OCP Map
Attachment D:	Photos of Subject Property
Attachment E:	Site Plan
Attachment F:	Renderings
Attachment G:	Floor Plans
Attachment H:	Surrounding Commercial and Duplex Zoned Properties
Attachment I:	Consultation Area for Open House
Attachment J:	Open House Invitation
Attachment K:	Letter of Intent
Attachment L:	Zoning Amendment Bylaw No. 2018-27
Attachment M:	Official Community Plan Amendment Bylaw No. 2018-28

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS	CAO
	PW

Attachment A – Subject Property Location Map

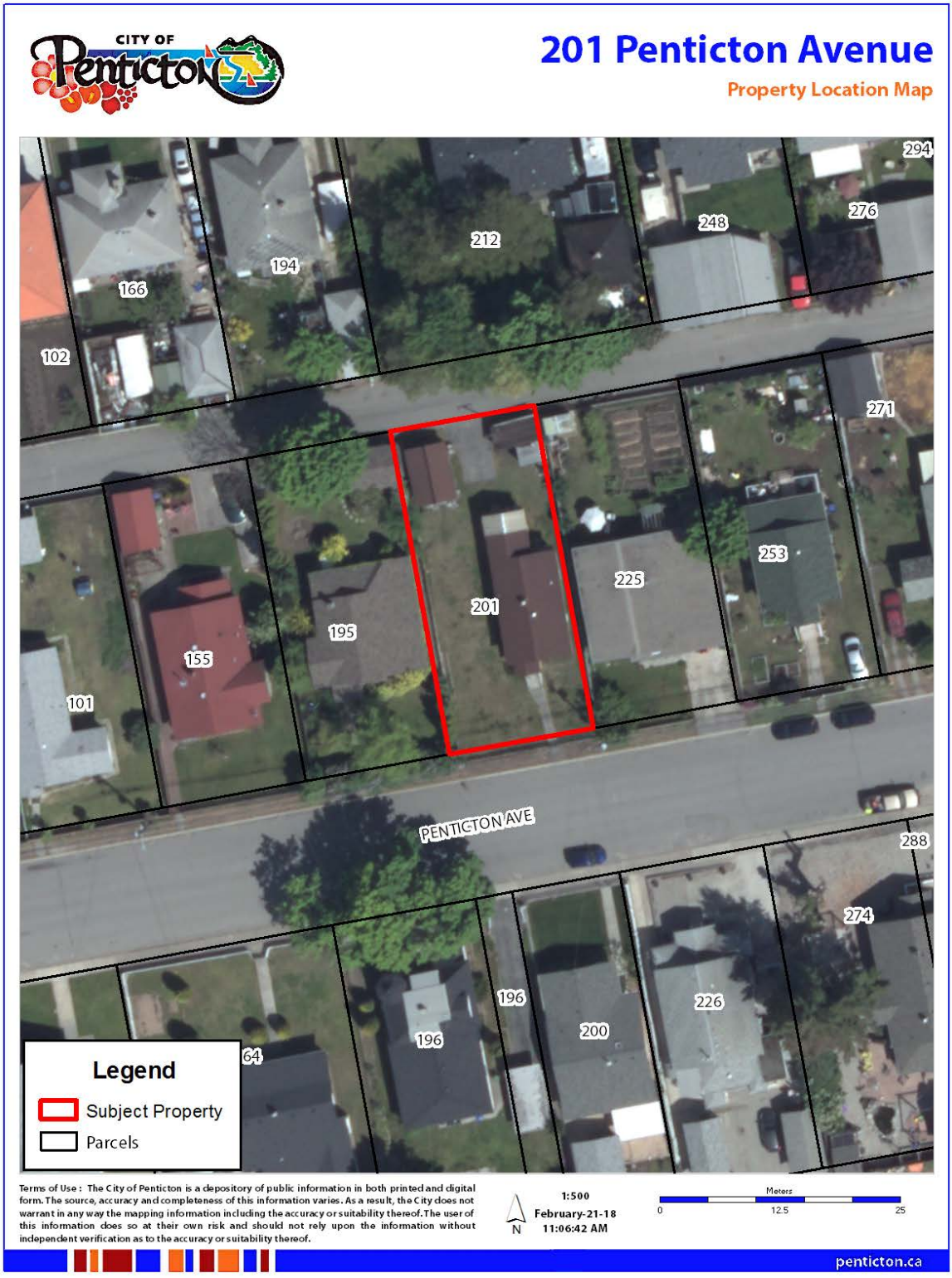


Figure 1: Subject Property Location Map

Attachment B – Zoning Map

Figure 2: Zoning Map

Attachment C- OCP Map

Figure 3: OCP Map

Attachment D – Photos of Subject Property

Figure 4: South View (from Penticton Avenue)

Figure 5: North View (from the lane)

Figure 6: South View showing proximity to west neighbour

Figure 7: South View showing proximity to east neighbour

Attachment E – Site Plan

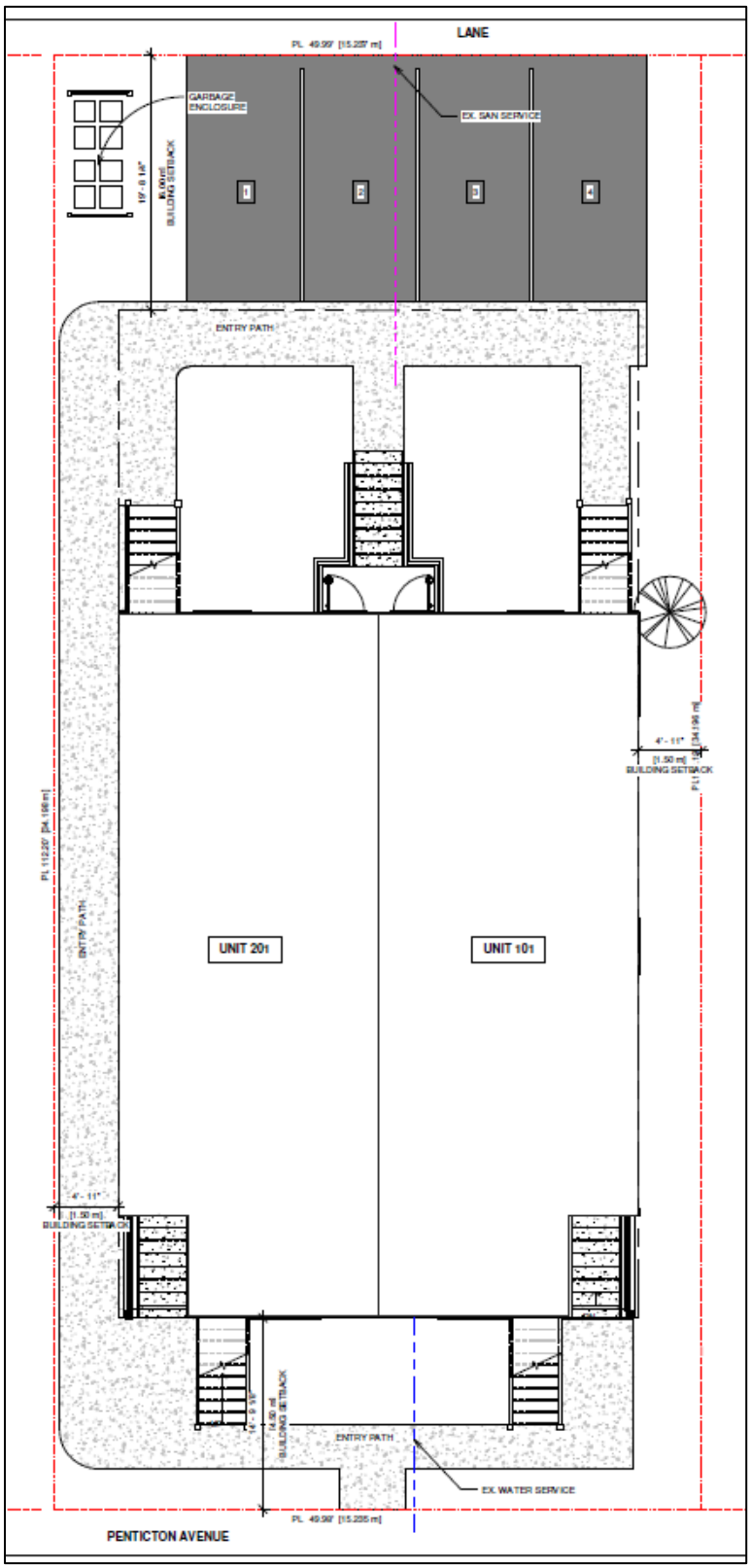


Figure 8: Site Plan

Attachment F – Renderings

Figure 9: Proposed Front Elevation

Figure 10: Proposed Rear Elevation

Attachment G –Floor Plans

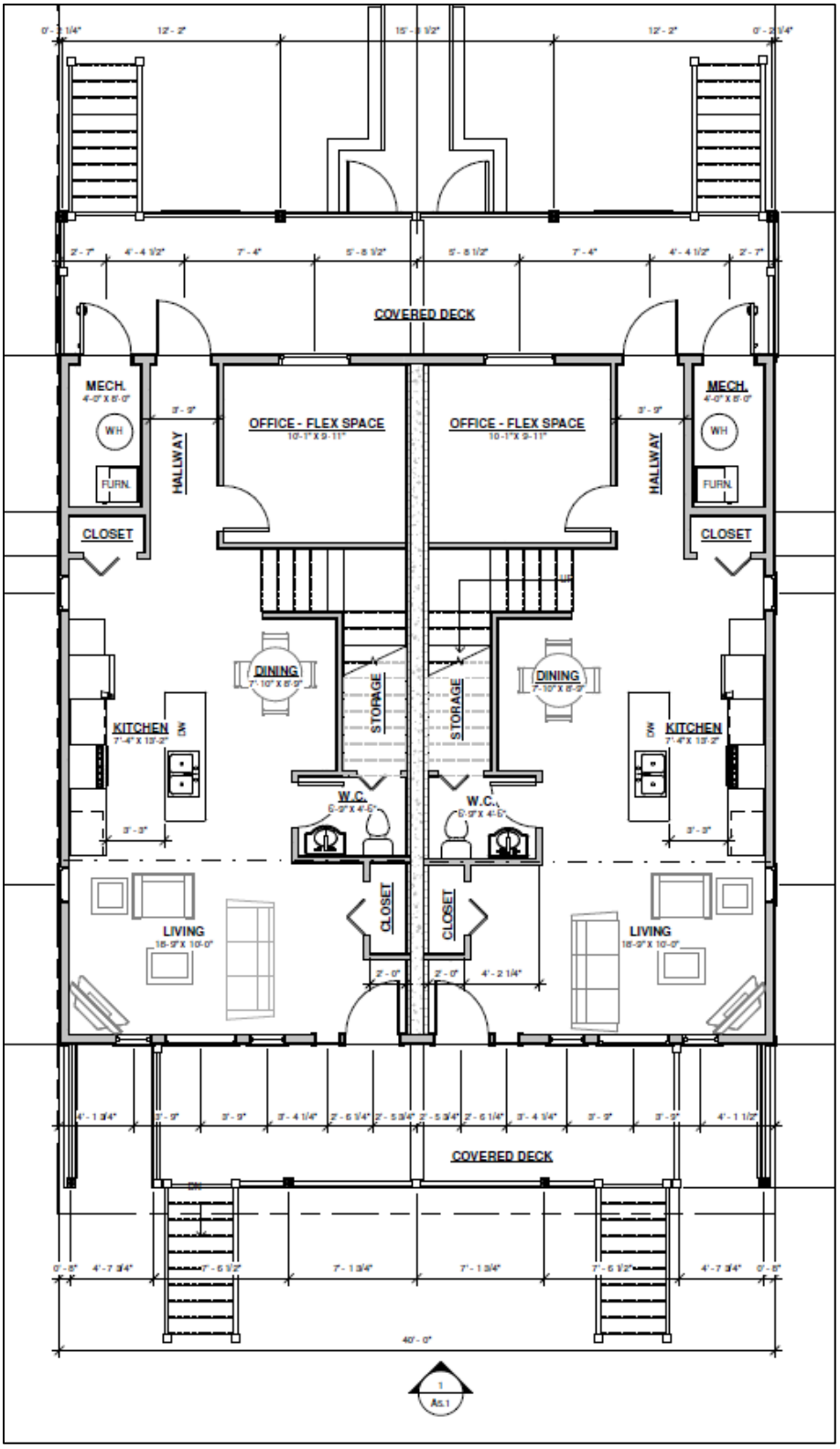


Figure 11: Main Floor Plan

Figure 12: Second Floor Plan

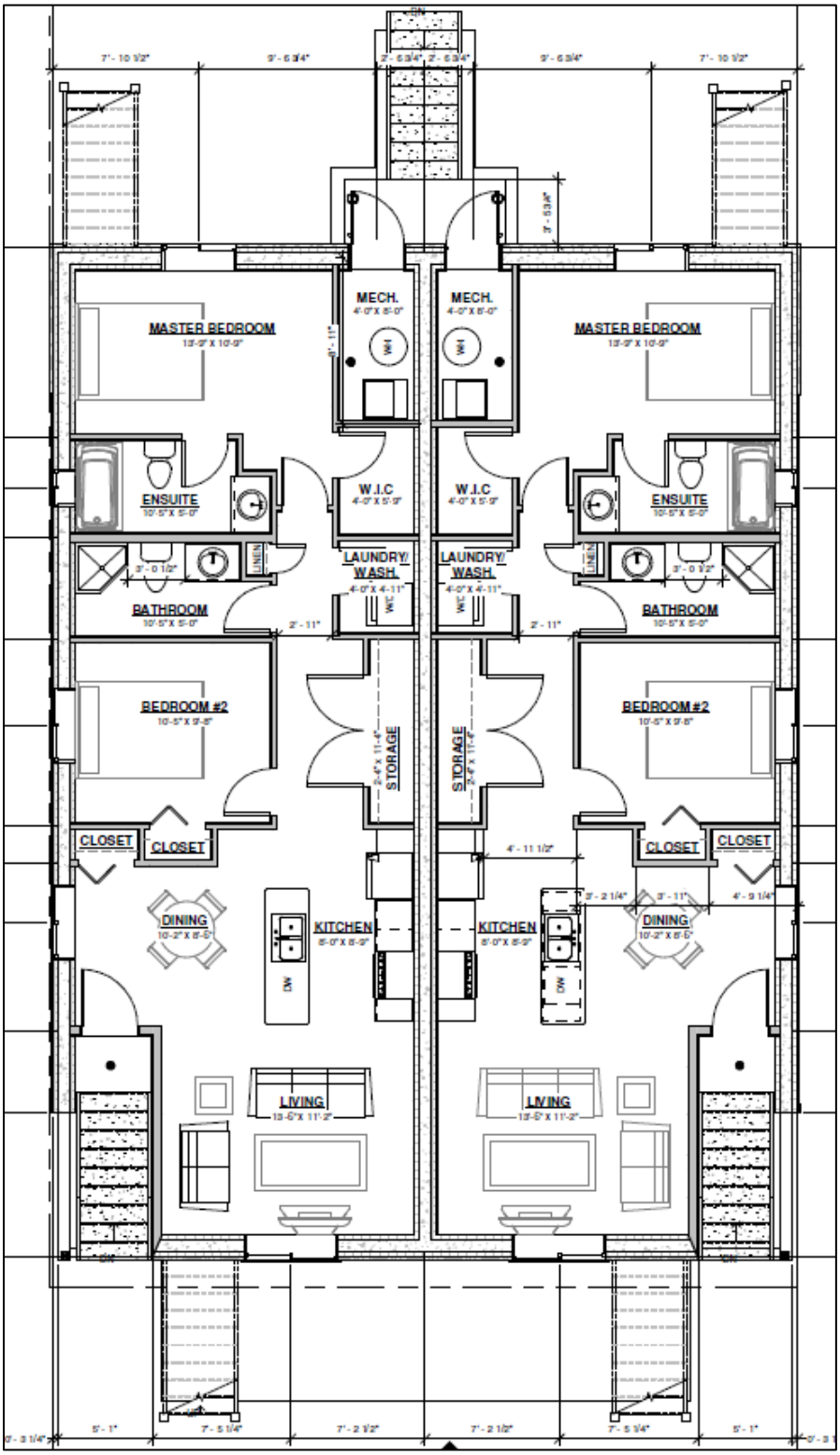


Figure 13: Basement Suites

Attachment H – Surrounding Commercial and Duplex Zoned Properties

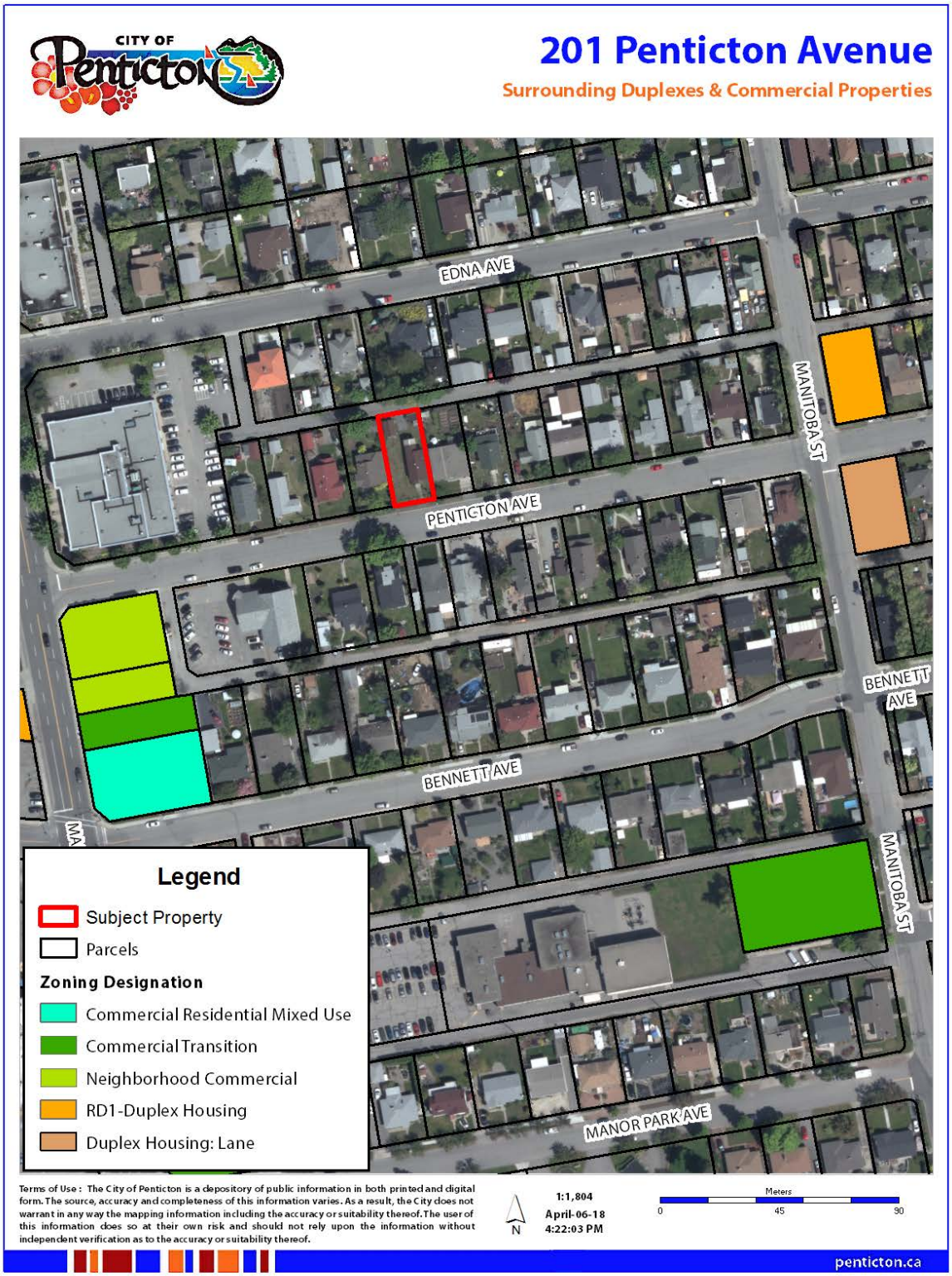


Figure 14: Surrounding Commercial & Duplex Zoned Properties

Attachment I - Consultation Area for Open House

Figure 15: Consultation Area

Attachment J - Open House Invitation

You are Invited to an

OPEN HOUSE

At the Shatford Centre, Galleria Room - 760 Main Street

April 18, 2018

from 4:30 to 6:30 p.m.

The new owners of the lot at 201 Penticton Avenue are proposing to demolish the existing old house and rebuild a new duplex. A rezoning application for the duplex has been submitted to the City of Penticton. As part of that process, a public Open House is required to provide an opportunity for neighbours to view the plans and provide comments before the application is received by City Council.

The new duplex is a side-by-side design, with secondary suites in each. The design is a traditional style, consistent with the Penticton Avenue neighbourhood. Parking is provided off the rear lane.

Please drop by and meet with owners, consultant and City staff.

For further information contact:

Donna Butler, Ecora Engineering at 250 492-2227 or donna.butler@ecora.ca

Randy Houle, City of Penticton at 250 490-2507 or Randy.Houle@penticton.ca

Figure 16: Open House Invitation

Attachment K – Letter of Intent

ecora™
a resourceful company

April 19, 2018 Ecora File No.: CP-17-608-FOP

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

Attention: **Planning Department**

Reference: **Rezoning of 201 Penticton Avenue**

This letter is to accompany a rezoning application for the above property from RS2 to RD1. The subject site is located on Penticton Avenue in an established residential area located south of the Downtown and between Main and Government Streets. The Plaza Shopping Centre is nearby to the south.

The area is characterized by good sized lots, typically 50' x 110 with lane access. It is primarily a single family area, with 2 duplexes on Manitoba Street. 201 Penticton Avenue is located 5 lots from the RCMP Building to the west on Main Street and a few lots from a church at 74 Penticton Avenue.

Development Proposal

The proposed development is a side by side duplex with duplex suites under the RD1, Duplex Housing Zone. The building features a traditional design with sloping roof lines, front porches, front stairs, window and door trim and horizontal siding – in keeping with the character of the neighbourhood. Outdoor spaces are provided in the front and back yards for the residents and in response to comments at the Open House, the building will be moved forward 1.5m (5') closer to the street to enlarge the rear yard space. Four parking spaces are accessed off the lane in compliance with zoning requirements.

Neighbourhood Meeting

An Open House was held at the Shatford Centre on April 18 and 8 residents attended. There was some concern expressed about the amount of off-street parking provided and the precedent that this rezoning may result in more duplexes in this area in future. There was support for the rezoning of the subject site and for the traditional design of the development. It was also noted that the new duplex is a good replacement for the old house on the site. A report on this Open House is attached.

ENGINEERS & GEOSCIENTISTS BC OQM CERTIFIED

Select office location from dropdown | www.ecora.ca

Planning Considerations

This area of the City is designated as LR, Low Density Residential in the Community Plan and duplex development is consistent with this designation. The Community Plan supports infill housing within existing serviced areas as well a goal of fostering a variety of housing types, tenures and density. The OCP outlines guidelines of where duplex development is appropriate including in areas with existing duplexes, areas in close proximity to multiple family, commercial or institutional uses and predominately single family areas undergoing redevelopment.

The site at 201 Penticton Avenue is consistent with these guidelines for duplex development. The neighbourhood is generally of well-kept older homes, while the subject site is in poor repair and in need of redevelopment. The proposed duplex provides an opportunity for a new housing in an established area that is compatible with area character.

Sincerely

Ecora Engineering & Resource Group Ltd.

Donna M. Butler, MCIP, RPP

Senior Planner

Figure 17: Letter of Intent

The Corporation of the City of Penticton

Bylaw No. 2018-27

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. 2018-27".

2. **Amendment:**

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

Rezone Lot 31, Block 1 District Lot 250 Similkameen Division Yale District Plan 812, located at 201 Penticton Avenue from R2 (Small Lot Residential) to RD1 (Duplex Housing).

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

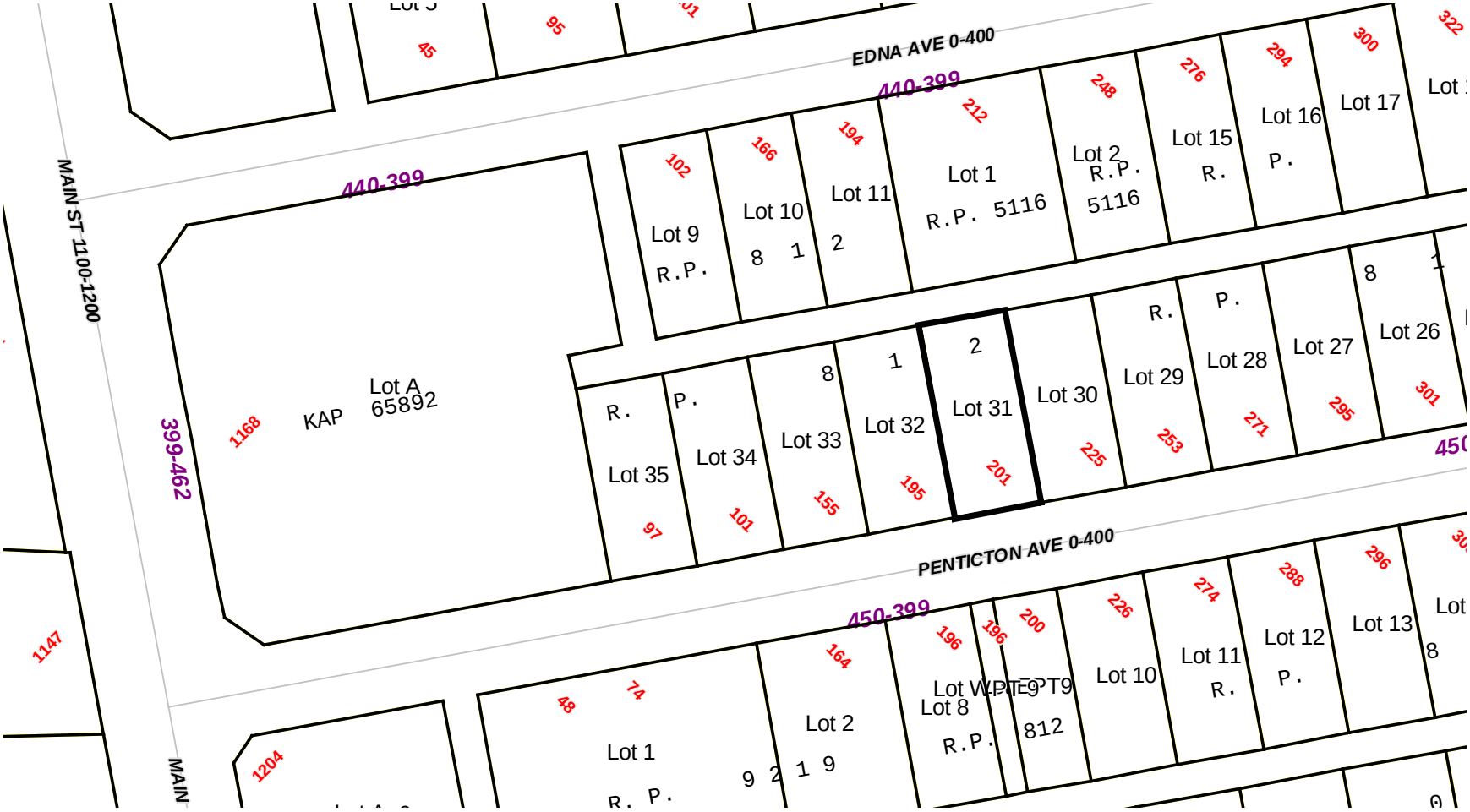
READ A FIRST time this	day of	, 2018
A PUBLIC HEARING was held this	day of	, 2018
READ A SECOND time this	day of	, 2018
READ A THIRD time this	day of	, 2018
ADOPTED this	day of	, 2018

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

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 201 Penticton Avenue
From R2 (Small Lot Residential) to RD1 (Duplex Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-27

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-28

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. 2018-28."

2. **Amendment:**

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

2.1 Amend Schedule 'H' Development Permit Area Map for Lot 31, Block 1, District Lot 250 Similkameen Division Yale District Plan 812, located at 201 Penticton Avenue, identified in Schedule A of this bylaw, and include as Downtown Multiple Family Development Permit Area.

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

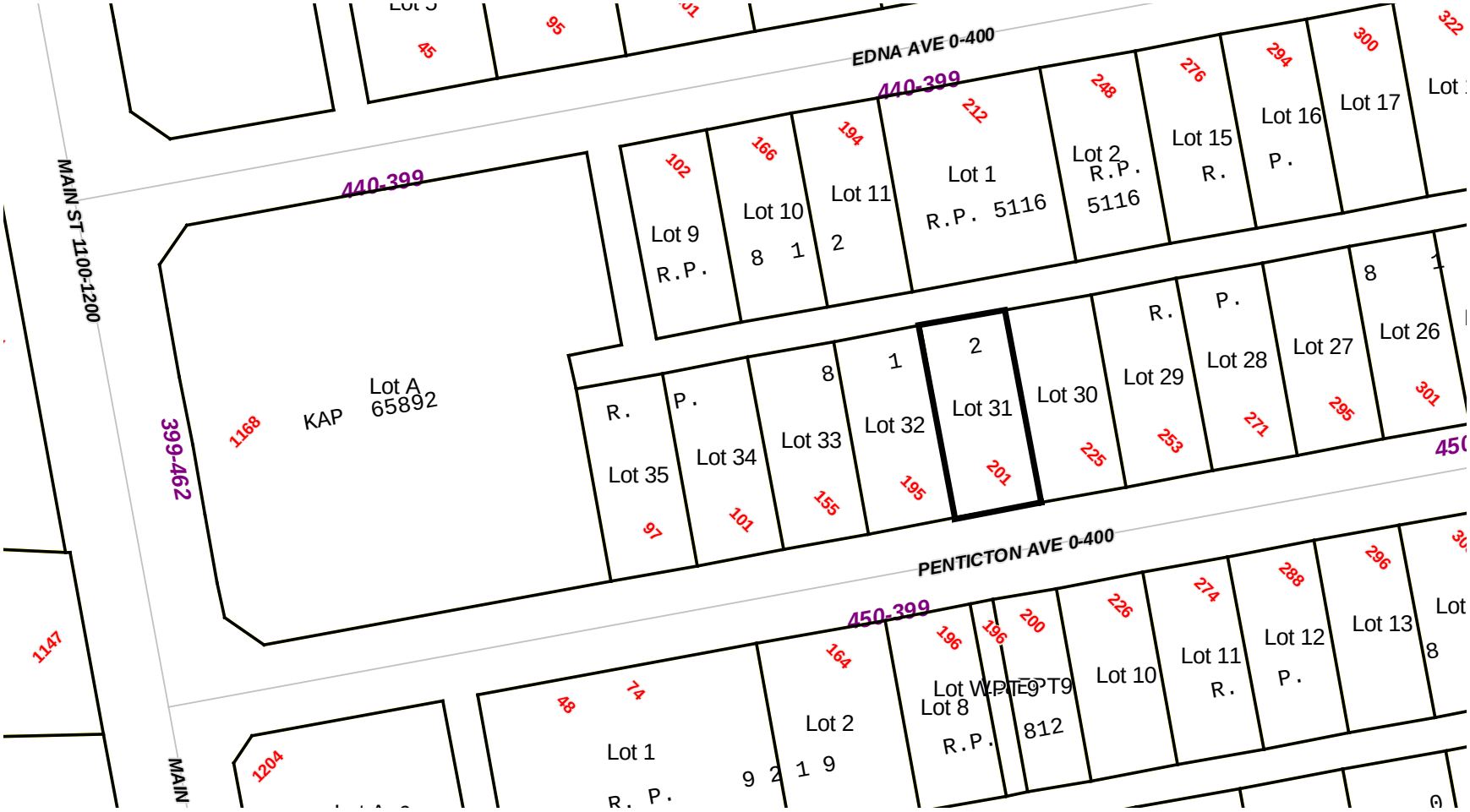
READ A FIRST time this	day of	, 2018
A PUBLIC HEARING was held this	day of	, 2018
READ A SECOND time this	day of	, 2018
READ A THIRD time this	day of	, 2018
ADOPTED this	day of	, 2018

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 Schedule 'H' of OCP Bylaw 2002-20 to include 201 Penticton Avenue in the Downtown Multiple Family Development Permit Area



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2018-28

Date: _____ **Corporate Officer:** _____

Council Report

penticton.ca

Date: May 8, 2018 File No: MP2018-8238
To: Peter Weeber, Chief Administrative Officer
From: Blake Laven, Planning Manager
Address: **179 Green Avenue**
Subject: **"Zoning Amendment Bylaw No. 2018-29", "Development Variance Permit PL2018-8238", "Development Permit PL2018-8246"**

Staff Recommendation

Zoning Amendment

THAT "Zoning Amendment Bylaw No. 2018-29" a bylaw that changes the zoning designation of Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868 (179 Green Avenue), from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing), be given first reading and be forwarded to the May 22, 2018 Public Hearing.

Development Variance Permit

THAT delegations and submissions for "Development Variance Permit PL2018-8238", a permit that reduces a required exterior side yard from 4.5m to 3.0m for the consolidated parcels of Lot 1, District Lot 116, Similkameen Division Yale District, Plan KAP79498 (2872 Skaha Lake Road) and Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868 (179 Green Avenue), be heard at the May 22, 2018 Public Hearing;

AND THAT prior to issuance of, the two lots are consolidated.

Development Permit

THAT "Development Permit PL2018-8246", a permit for the construction of a three storey 50 unit congregate housing building for the consolidated parcels of Lot 1, District Lot 116, Similkameen Division Yale District, Plan KAP79498 (2872 Skaha Lake Road) and Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868 (179 Green Avenue), be approved, subject to issuance of "Development Variance Permit PL2018-8238".

Strategic priority objective

The subject proposal meets the Council priority of Social Development, by supporting and advocating for affordable housing, including housing for those at risk of homelessness and persons dealing with mental health and addictions.

Background

At their December 19, 2017 Regular meeting, Council supported entering into a memorandum of understanding (MOU) with BC Housing for the development of up to 52 units of supported housing in Penticton. This housing is part of the province's rapid response to homelessness program, which intends to build 2,000 units of supported housing in the province.

Entering into the MOU signified the City's willingness to work with the province "in a cooperative and collaborative manner" on creating this type of housing. BC Housing has now made a proposal on a location for this housing and produced plans for the location for a 50 unit congregate housing building. The property where the new housing is intended to be located is a vacant property on Green Avenue that is directly adjacent to the Skaha Sunrise development. Until two years ago the property featured a single family dwelling. The property was purchased by BC Housing in 2015 and the house was demolished shortly thereafter.

BC housing intends to consolidate the vacant site with the Skaha Sunrise property. Skaha Sunrise is a property that was originally a motel that was converted to social housing in 2010. Skaha Sunrise features 46 units of supported residential units as well as Unity House, a meeting place operated by the local chapter of the Canadian Mental Health Association (CMHA), which provides services to persons with mental health challenges. With the addition of the 52 units, there will be a total of 98 units of housing on the property and several supports in place to assist the residents.

The subject property is currently zoned as RD1 (Duplex Housing). The proposed congregate building does not conform to the RD1 zone. The property, however, is designated by the City's Official Community Plan as medium density residential, which envisions more density than a duplex. The Skaha Sunrise property is currently zoned RM2 (Low Density Multiple Housing) and the proponents are requesting that the zoning of the subject property match the zoning on the Skaha Sunrise property, so that when the two properties are consolidated they will have the same zoning.

The property is also located within a development permit area and a development permit will be required to be obtained prior to a building permit being issued or construction beginning. The development permit will ensure that the form and character of the building, including the look and feel, height and setbacks are all built to a standard set out in the OCP and in keeping with the scale of the neighbourhood.

According to the MOU signed with BC Housing, this project will be provided with ongoing financial commitments from the province to provide supports for the residents. Those supports will include, counselling, 24 /7 security, meals and other services intended to give opportunities for the residents to transition to more stable and permanent housing options. According to the letter of intent submitted with the zoning amendment application, 'Ask Wellness', an experienced social housing and supported housing management organization will manage the housing. Further details are contained in the letter of intent attached to this report.

Proposal

The applicants are proposing to amend Zoning Bylaw 2017-08, by rezoning 179 Green Avenue from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing) and requesting a development variance permit to

Section 10.8.2.8 to reduce a required exterior side yard (along Green Avenue) from 4.5m to 3.0m. The proponents are also requesting development permit approval for the three storey building.

Financial implication

As this project is intended to provide housing for those at risk of homelessness, BC Housing is eligible for a DCC waiver. Without the waiver, the DCC's would be approximately, $109,000. This is the City's contribution to the project. No City land or any other concessions are being provided.

Technical Review

This application was reviewed by the City's Technical Planning Committee. No issues were brought up as part of that review. The developers will be responsible for all standard costs of the project, including servicing of the new building and building permit fees. This building is unique in that it is intended to be factory built and assembled on site. This will be the first such building constructed in Penticton.

The following table outlines some of the development specifications of the proposed building:

Item	Requirement RM2 Zone	Proposed on Plans
Maximum Density	0.8 FAR	0.65 FAR
Maximum Lot Coverage:	40%	27.5%
Vehicle Parking:	29 Spaces	29 Spaces
Required Setbacks Front yard: Rear yard: Exterior yard (along Green Avenue)	 3.0m 6.0m 4.5m	 N/A N/A 3.0m (Variance required)
Maximum Building Height:	12m	10.6m
Amenity Space Required	20m2 per unit (1,960m2)	2,900 m2
Other Information:	The property is located in the General Multi Family Development Permit Area	

Consultation

BC Housing in conjunction with M'akola Development Consultants and Ask Wellness, hosted an open house on April 26, 2018, at the Johansen Robinson Centre at 2965 South Main Street to introduce the proposed project to the community. The open house was attended by approximately 45 people, the majority of which were residents of the area. There was a mixed response in the room, from people who really did not want to see the supportive housing in that location to people who were generally supportive of the proposal. The majority of the attendees though, had some reservations and anxieties about what impact the residents of the building would have on the larger neighbourhood, especially as the neighbourhood does feature a middle school and high school.

Prior to the open house, BC Housing and Ask Wellness staff went around the immediate neighbourhood introducing themselves and talking about the project. School District 67 and the Princess Margret Parent Advisory Committee have also been provided the opportunity to review the proposal and provide comments.

Zoning Amendment

The subject property is designated by the City's Official Community Plan as MR: Medium Density Residential, which envisions the development of multi-unit developments. The RM2 zone is a common zone within the MR designation as the RM2 zone provides the types of uses (apartments / townhouses etc) envisioned in the MR designation.

The proposal fits many objectives of the official community plan, including:

- Facilitating a variety of housing types that respond to the diverse needs of the community.
- Facilitating the development of affordable housing.
- Ensure residential intensification in areas where existing services can accommodate higher density.
- Encourage innovative forms of housing.
- Direct 'special needs' housing to areas identified as MR

Given the above, staff recommend that Council support the zoning amendment and forward the bylaw to the May 22, 2018 Public Hearing from comment from the public.

Support Development Permit

For lands within a development permit area (DPA), any proposed developments are reviewed against the applicable DPA guidelines contained in the Official Community Plan. In this case the lands are located in the General Multi Family DP area (DPA). The General Multi Family DPA objective is to ensure the siting, form, character and landscaping of new development are compatible with the context of the surrounding neighbourhood and that general development is of a high architectural quality.

The subject building is intended to be factory built modular construction, but has been designed by an architectural firm that has tried to reference some of the art-deco buildings in Penticton. The scale of the building at three storeys is in keeping with the character of the street, which has a mix of single, two storey and three storey buildings.

The General orientation of the building is inward facing and pushes pedestrian traffic out towards Skaha Lake Road rather than onto Green Avenue. Nevertheless, the elevation along Green Avenue addresses the street well. There is security fencing in place to again direct the residents to Skaha Lake Road, but the fencing is intended to be an attractive black faux-wrought iron with high transparence. There is also attractive landscaping proposed for in-between the building and Green Avenue. The intent is that the building will appear to be a well-designed residential building.

Crime Prevention through Environmental Design (CPTED) principles were incorporated into the site design. Items such as security fencing and lighting have been included to provide security and remove any spaces where negative activity can occur. The site is accessed using a fob system to deter unwanted guests and rules around a curfew and guests will be in place. The site is actually separated from the rest of the Skaha Sunrise building, in an attempt to keep the resident populations somewhat separated, for the benefit of both groups.

Attached to this Council report is a design package prepared by the architects that speaks to the details of the buildings design and the design of the site. In staff's review of the materials submitted, staff consider the building and site to meet the general intent of the development permit area guidelines and recommend

that Council support the permit issuance, subject to the below variance being issued and all zoning going through.

Support Development Variance Permit

Because the property is being consolidated, the yard designation will be shifting. Whereas the current front property line for 179 Green Avenue is along Green Avenue, when the zoning changes and the property is consolidated with 2872 Skaha Lake Road (Skaha Sunrise property), Skaha Lake Road will become the front property line and Green Avenue will become the exterior side yard. The implications of this are an increase in the require yard from 3.0m (required front yard in the RM2 zone) to 4.5m (current exterior side yard in the RM2 zone). The building and site were designed with the 3.0m front yard, so part of the request to Council is to vary this requirement.

No other variances are being requested.

BC Housing and the architects did look at shifting the building further back from Green Avenue to avoid the requirement for a variance. While this was technically possible, it would have resulted in moving the seating / amenity area to the front of the building instead of the more private and screened area at the rear. It is not as desirable to have this outdoor seating area on Green Avenue.

Furthermore, while the yard is technically an exterior side yard according to the bylaw, in all practical ways, it really is the front of the building and should be subject to the reduced yard.

For these reasons, staff consider the request reasonable and recommend that Council support the variance, subject to adoption of the zoning bylaw.

Alternate recommendations

1. THAT Council deny first reading of the Bylaw.
2. THAT Council give first reading to the bylaw, but direct staff to work with the architects on improvements to the design of the building.

Attachments

Attachment A – Subject Property Location Map
Attachment B – Images of subject properties
Attachment C - Letter of intent from proponent
Attachment D – Design Package
Attachment E – Draft DP
Attachment F – Draft DVP
Attachment G – Zoning Amendment Bylaw No. 2018-29

Respectfully submitted,

Blake Laven, MCIP, RPP
Planning Manager

Director	Chief Administrative Officer
BL	PW

Attachment A
Subject Property Location Map

Attachment B
Images of Subject Property

Figure 1: Aerial image of portion of subject property where the proposed building will be located

Figure 2: Image of subject property looking north from Green Avenue

Figure 3: Image of subject property from Green Avenue looking north

Attachment C
Letter of intent from Proponent

M'AKOLA DEVELOPMENT SERVICES

April 11, 2018
Updated Letter: April 17, 2018

VIA ELECTRONIC DELIVERY

Planning Department – Development Services Division
171 Main St.
Penticton, BC V2A 5A9
development@penticton.ca

RE: APPLICATION FOR REZONING – 179 GREEN AVE

Dear Mr. Laven,

On behalf of Provincial Rental Housing Corporation (PRHC) and BC Housing (BCH), we are pleased to submit the attached application for Zoning Bylaw Amendment for the property located at 179 Green Ave.

PROPOSAL

BC Housing is proposing to rezone the property at 179 Green Avenue and consolidate with the adjacent 2872 Skaha Lake Road in order to develop a 52-unit supportive housing building on the subject properties. This letter refers to the consolidated property as the "subject property". There are currently 46 residential units on the subject property, the proposed development will add an additional 52 units. The proposed units would be in a new modular building located on the 179 Green Avenue portion of the subject property (east side of property). The proposed building will be operated by ASK Wellness Society (ASK) and will provide 24/7 supports for residents who are vulnerable to homelessness. The target tenant for the proposed housing will be low-income individuals over the age of 19 with a history of homelessness who require additional support services in order to maintain housing.

The proposed building would be located on the same property as the existing supportive housing units, but separated by landscaping and fencing to function as its own site. A site layout plan has been attached to this proposal. Detailed drawings will be submitted under a future Development Permit application (anticipated for submission in late April).

The application as presented proposes to amend the zoning on 179 Green Avenue from RD1: Duplex Housing to RM2: Low Density Multiple Housing to facilitate the construction of a three-storey, 52-unit supporting housing development. 179 Green Avenue and 2872 Skaha Lake Road are anticipated to be consolidated imminently to facilitate the proposed building.

In order to develop the proposed 52-unit supporting housing project, we are proposing:

- An amendment to the Zoning bylaw from RD1 to RM2, and
- A reduction in parking to 6 stalls.

This letter will serve as an introduction to the application package provided. Please see below for additional information.

LOCATION

The subject property is located near the intersection of Skaha Lake Road and Green Avenue and is approximately 500 m from Provincial Highway 97 (Channel Parkway). The property is surrounded by commercial uses to the west, monthly rental properties to the north and a mix of low and medium density housing to the south and east.

The proposed new building will be located at east end of the consolidated property (as shown on the attached site plan).

OFFICIAL COMMUNITY PLAN

The subject property is designated as Medium Density Residential under Future Land Use of the Official Community Plan (OCP). The medium density residential designation supports the development of apartment housing and special needs housing. The proposed development meets a number of goals of the OCP including:

- Facilitating the provision of a new housing type and tenure which will respond to the diverse needs, including income levels, of individuals and families in Penticton at varying stages in their life.
- Achieve a housing form which satisfies the requirements of the diverse population including residents with special needs, including those who are physically or mentally disabled.
- Facilitates the development of affordable housing in Penticton.
- Incorporates a new housing type into an existing neighbourhood adding to the "community" feeling of having a diversity of elements in each area including; elementary schools, commercial facilities, greenspace, recreational facilities, and a mix of housing types.
- Provide residential intensification within the Peach Tree Urban Village.
- Provide multiple family development within lands designated Multiple Family on the east side of Skaha Lake Road between Green Avenue and Galt Avenue.
- Facilitates programs and opportunities which enhance the physical, social and psychological well-being of Penticton residents.

The City of Penticton OCP is based on the principles of sustainability, which seek to manage natural, economic, and social systems and resources in a fashion that enhances quality of life, yet does not diminish the ability of future generations to also meet their needs. Ten goals are identified in the OCP including adherence to the principles of sustainability which include urban infill, urban villages, affordable housing and livable communities.

The proposed project aligns with OCP policy direction and the principles of sustainability as outlined in the OCP.

CITY OF PENTICTON HOUSING NEEDS ASSESSMENT

The City of Penticton Housing Needs Assessment conducted in 2016 identifies that the City of Penticton is facing an extremely tight rental housing market. The study identifies that both market and non-market housing is lacking in availability and affordability. As of October 2017, the vacancy rate was 0.9% and only 37% of the current housing inventory was within the affordable standard. The City of Penticton has taken great strides to respond to the housing affordability issues in the community.

The proposed 52-unit supportive housing project will inject an additional 52 units of affordable supportive housing into the community, filling a much-needed housing gap in Penticton.

ZONING RATIONALE

As identified above, the subject properties are currently in the process of being consolidated into one property. The properties are zoned RD1: Duplex Housing and RM2: Low Density Multiple Housing. We proposes to rezone the subject properties to RM2: Low Density Multiple Housing. Please see below Zoning Analysis comparing the proposed zone to the proposed 52-unit development.

	RM2 Zone	Proposed Building
Permitted Use	Apartment Housing Congregate Housing	Congregate Housing
Maximum Lot Coverage	40%	27.5%
Maximum Density	0.8 FAR	0.65 FAR
Maximum Height	12 m	10.6 m
Minimum Front Yard	3.0 m	3.0 m
Minimum Interior Side Yard	3.0 m	4.5 m
Minimum Exterior Side Yard	4.5 m	3.0 m*
Minimum Rear Yard	6.0 m	9.0 m
Amenity Space Required	20 m^2 per dwelling unit (1,960 m^2)	2,900 m^2
Required Parking	29 Stalls	29 Stalls

The proposed consolidated property is located at the intersection of a major collector road and a minor collector road. Light pollution, higher traffic volumes and noise currently exist at the intersection due to large commercial uses (east) and short-term rentals (north). The proposal would see 179 Green Avenue rezoned to RM2 to permit the construction of a three storey building (approx. 10 to 12 m in height). The properties located directly north, east and west currently have RM2 zoning which permits the same scale of development. Landscaping considerations will be made to ensure a visual buffer for privacy is maintained from Green Avenue, the lane and the adjacent lot (west). Further, the proposed site is appropriate for the proposed land use due to its proximity to transit, health services and amenities (e.g. commercial uses).

Update: *As part of this application, a proposal to reduce the exterior side yard (along Green Avenue) is requested. The purpose of this amendment is to locate the proposed new building closer to Green Avenue and encourage gathering space to be located within the site, rather than along Green Avenue. The proposed new building's main entry will be along the east edge of the building near the lane. The intend of this location for the building entry is to ensure resident gathering space is kept to this area of the site so as to minimize potential impacts on neighbouring properties. Further, the landscape plan will likely have a protected gathering area (e.g. a gazebo) near the lane to further reinforce this area as the primary gather space rather than the Green Avenue frontage. By reducing the exterior side yard setback from 4.5 m to 3.0 m there will be less space for gathering along Green Avenue.

The proposed change is zoning is consistent with that of the zone located directly to the east and west (RM2) of the area proposed for zoning amendment. As such, the proposed development would be consistent with the permitted densities on adjacent parcels of land. Parcels to the south are zones for lower density housing, however Green Avenue acts as a visual separation, which will assist in mitigating any land use impacts.

HOUSING OPERATIONS

For Administrations consideration, the proposed 52 unit supportive housing development is part of the province's Rapid Response to Homelessness program. The proposed housing will feature 24/7 support services provided by ASK Wellness, an experienced operator in the Okanagan. Each of the 52 units will features a private bathroom and kitchen. There will be shared laundry and amenity spaces including programming space and laundry. 24/7 support services will include meal programs, life and employment skills training and health and wellness supports. Security features for the proposed building will include 24/7 staff support, fob systems for guests only, secure outdoor area for pets, lighting and fencing.

DEVELOPMENT PERMIT

Mobius Architecture will be submitting a Development Permit for the proposed development. It is anticipated that this Development Permit application will be received by the City in late April.

COMMUNITY OUTREACH

A neighbourhood open house is proposed on Thursday, April 26, 2018 at the Johansen Robinson Centre (2965 South Main Street) between 5:30 pm and 7:30 pm. BC Housing, ASK Wellness Society and M'akola Development Services will be in attendance to answer questions from the neighbourhood about the proposed supportive housing. Please advise if any City of Penticton Planning staff are able to be in attendance at this open house to discuss the municipal process.

CLOSURE

In conclusion, we look forward to the City's review of the proposed application. Should any further information or clarification be required, please feel free to contact the undersigned.

Sincerely,

Katy Fabris, MCIP, RPP
Project Planner
M'akola Development Services
Ph: 778.265.7489

Attachments: *As attached with original Letter dated April 11, 2017*

1. Application Form
2. Titles (179 Green Ave)
3. Site Profile (179 Green Ave)
4. Draft Consolidation Plan
5. Proposed Site Plan (identifying floor area of buildings on site)

M'AKOLA DEVELOPMENT SERVICES

April 20, 2018

VIA ELECTRONIC DELIVERY

Planning Department – Development Services Division
171 Main St.
Penticton, BC V2A 5A9
development@penticton.ca

RE: APPLICATION FOR DEVELOPMENT PERMIT – 179 GREEN AVE

Dear Mr. Laven,

On behalf of Provincial Rental Housing Corporation (PRHC) and BC Housing (BCH), we are pleased to submit the attached application for Development Permit for the property located at 179 Green Ave.

PROPOSAL

BC Housing has applied to rezone the property at 179 Green Avenue and consolidate with the adjacent 2872 Skaha Lake Road in order to develop a 52-unit supportive housing building on the subject properties. This letter refers to the consolidated property as the "subject property". Please see attached drawing package. There are currently 46 residential units on the subject property, the proposed development will add an additional 52 units.

Included within the attached drawing package are details related to the architectural features, cladding, site planning and landscaping of the site. Crime Prevention Through Environmental Design (CPTED) considerations have been identified through the choice and height of proposed fencing, landscaping materials, and space for resident gathering.

CLOSURE

In conclusion, we look forward to the City's review of the proposed application. Should any further information or clarification be required, please feel free to contact the undersigned.

Sincerely,

Katy Fabris, MCIP, RPP
Project Planner
M'akola Development Services
Ph: 778.265.7489

Attachments: Application Form

Attachment D
Building Design Package

2872 Skaha Lake Road
Development Permit Submission
April 20, 2018

BC HOUSING

Metric Modular
A Triple M Company

Mobius ARCHITECTURE

Existing Site Photo

Table of Contents

1. **Background**
   - Overview
   - Existing Site
2. **Design Rationale**
   - Site Planning
   - Architecture
   - Landscaping
3. **Attachments**
   - Architectural Drawings
   - Landscape Plan

1 Background

Overview

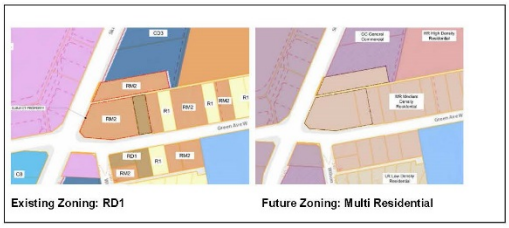
The site is undergoing a rezoning application following a consolidation with the lot to the west and north which fronts on Skaha Lake Rd, which would result in RM2 zoning. The lot forming consolidation is a former motel, currently used as housing for the homeless population, with 46 units (Buildings labelled D). The main floor of building C is Unity House – a property of the Canadian Mental Health Association which provides support for clients to pursue improvements in health, social functioning, and community involvement. To the east sits a multi family development (A).

The overall site is located at a busy intersection which borders largescale commercial use off of Skaha Lake Road, such as Walmart, strip malls, and motels. To the south, off of Green Avenue, commercial uses exist west of Wilson Street, and single and multifamily residential on the remainder of Green Avenue. It is an area in transition towards greater multi residential use.

View from Green Ave W

View from corner at Skaha Lake Rd

Aerial Photograph



Existing Zoning: RD1 Future Zoning: Multi Residential

2 Design Rationale

Site planning

The multifamily use is an appropriate transition between large scale commercial and single family residential, and also makes for easy access to transportation hubs and services. Access to parking is proposed off of the existing back lane, and pedestrian access is to be off of a gated walkway from Green Avenue. The proposed new building will sit on the east side of the consolidated site, with the entrance facing the existing buildings, arranged in a courtyard setting in which outdoor gathering spaces are internal to the project, fostering a sense of community. Landscaping will be provided on a once barren site to meet the current quality of Green Avenue residential developments, which have a variety of grass, shrubbery, and trees, thus enhancing the streetscape and the area's livability.

Architecture

Overall scheme

The proposed building is 3-Storeys, composed of 50 residential units with BC Housing services on the main floor. These comprise common kitchen and dining, laundry, and lounge, as well as administrative and health services. Exit stairs and mechanical and storage rooms flank the north and south portions of the building. This configuration is only one storey in height over the immediate context of the residential units directly to the east, as recommended in the Penticton Official Community Plan.

The units will come to site pre-fabricated ready for assembly. The nature of this type of assembly and the narrow buildable north-south axis of the lot preclude frontage directly onto Green Avenue. However, the pedestrian gated entry, stepping of the massing, and architectural definition provide a sense of scale in harmony with the existing context. The multi-unit residential complex directly to the east, as well as two others further east on the south side of Green Avenue also run north-south and do not front Green Avenue. Furthermore special treatment of the entrance cladding and landscaping pathways serve as visual cues for wayfinding to the main entrance.

Cladding

The nature of the cladding materials was chosen to correspond with the existing context – transitioning as it wraps around the building and providing sufficient variety to create visual interest. The Green Avenue context is composed of single and multifamily residences, generally with a lighter colour palette, ranging from stucco to horizontal siding to board and batten. In keeping, the proposed residential units are clad with a combination of cementitious lap siding and panels in a pastel blue/green, white, and a silvery grey. The light visual appearance is similar in nature to the white stucco buildings across Green. As the building turns to the north and its more commercial neighbours, the use inside turns to administrative and other services, and so the cladding changes its colour patterning. The patterning in colouration serves to break up the mass of the building and the impression of smaller units and less bulk, as well as increasing the horizontality. Feature patterning at the north and south ends of the building add to the street and laneway presence and anchor it on the site. Where the pre-manufactured units meet, the cladding reaches out in the form of pilasters, creating a rhythm to the building.

Site Planning Concept

Green Avenue View

Laneway View

2 Design Rationale (Continued)

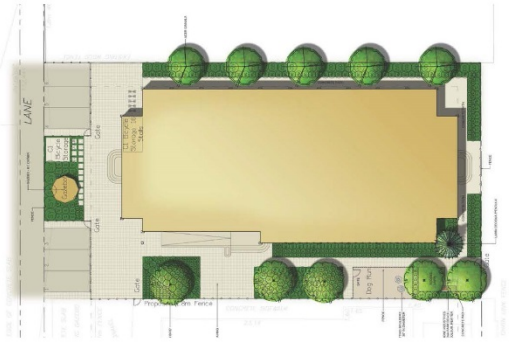
Landscaping

As previously mentioned, the proposed building will be combined with existing buildings arranged in a courtyard setting in which outdoor gathering spaces are internal to the project. A dog run, gathering spaces, passive green spaces, and hardscaped areas all provide amenities to enhance the livability of the dwelling units.

A proposed six foot decorative aluminum picket fence sits at the perimeter. This choice is in keeping with the existing context and practice of fencing in the neighbourhood and in keeping the rhythm and scale of the streetscape.

Waste bins are screened and located off of the existing laneway. Site parking stalls are kept away from Green Avenue frontage and located in the back, off the laneway.

The landscape has been designed to provide functional and aesthetic value. Continuous paths and walks are provided around the site. The vegetation proposed is combination of drought tolerant shrubs, ground covers and residential scale trees. Plantings are a mix of native and adapted plants. Trees and shrubs proved buffer to neighbours. Plantings frame walkways with flowering and other seasonal display. Small lawn areas are provided that can be used as play areas. A gazebo is tucked into a landscape area. An efficient irrigation system will be provided to plantings and small lawn areas.



Landscape Plan

Streetscape – Green Avenue – south side

4 Attachments

Architectural Drawings
Landscape Drawing

Penticton Transitional Housing
Rezoning and Development Permit Application - Architectural Drawings

April 20th, 2018

Mobius

Penticton
Transitional Housing
Development Permit
Application
April 20, 2018

Site Description

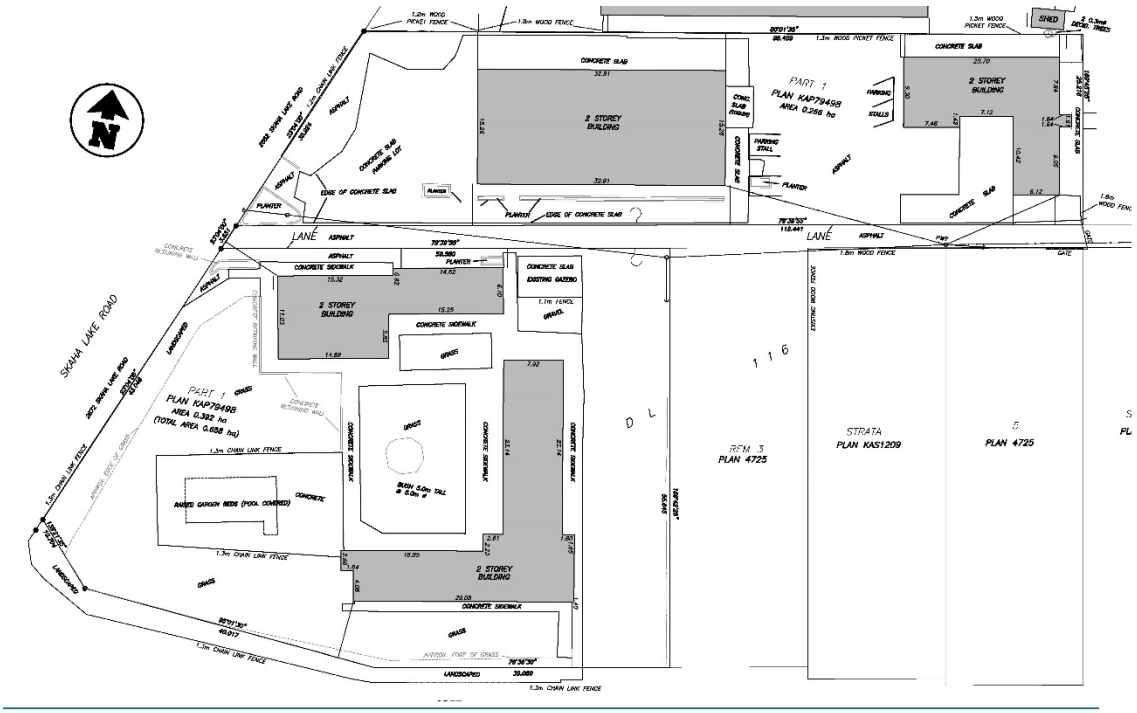
Address	2872 Skaha Lake Rd.
Legal Description	Lot 1, Plan KAP79496, DL 116, Land District 54

N

Mobius Date: April 11, 2018 Scale: 1/64" = 1'-0"

Aerial Photo

1



Date: April 20, 2018
Scale: 1/32" = 1'-0"

Site Survey 2

Penticton
Transitional Housing
Development Permit
Application
April 20, 2018

Date: April 20, 2018
Scale: NTS

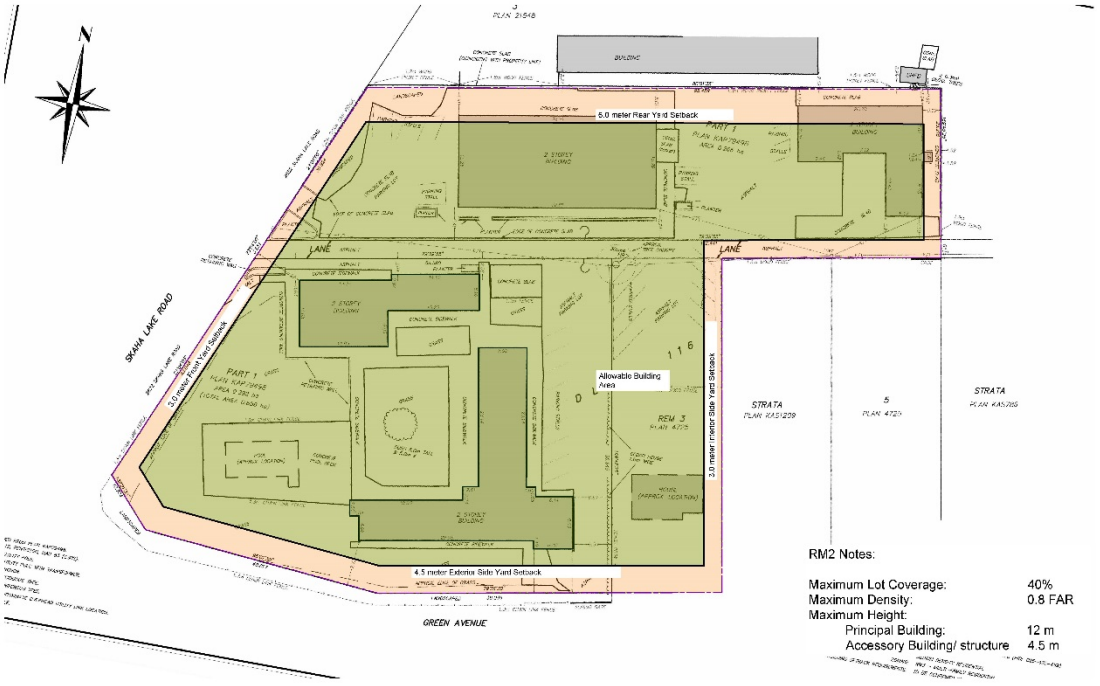
Current Zoning 3

Penticton
Transitional Housing
Development Permit
Application
April 20, 2018

Mobius Date: April 20, 2018
Scale: NTS

OCP Designation

4



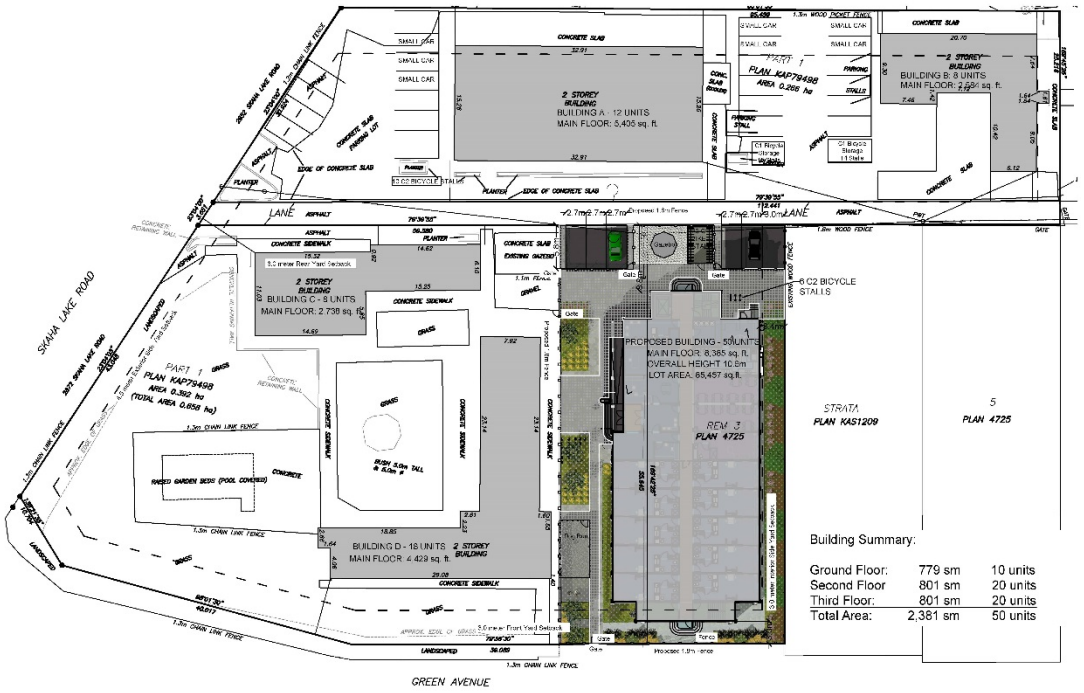
RM2 Notes:

Maximum Lot Coverage:	40%
Maximum Density:	0.8 FAR
Maximum Height:	
Principal Building:	12 m
Accessory Building/ structure	4.5 m

Mobius Date: April 20, 2018
Scale: Not to Scale

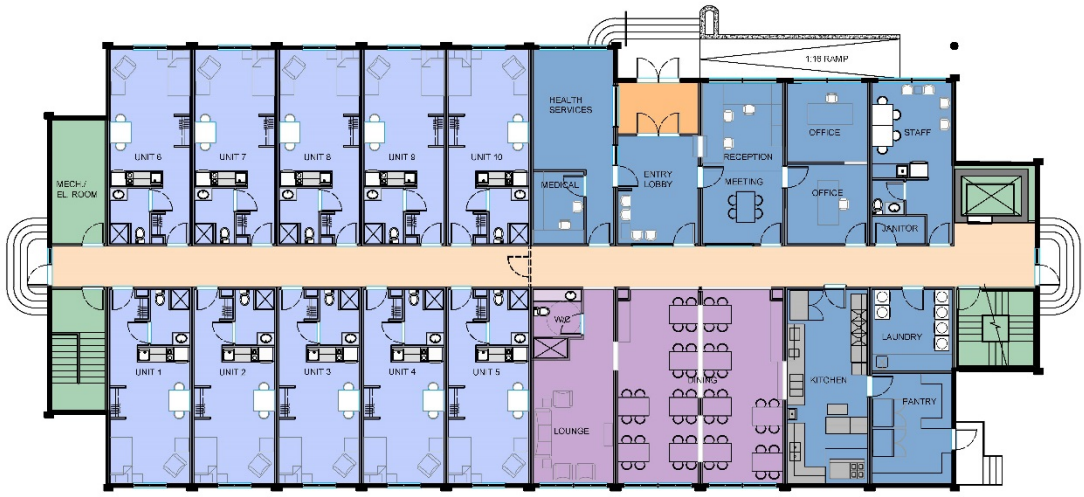
Penticton Transitional Housing **RM2 Zoning**

5



Date: April 20, 2018
Scale: 1/32" = 1'-0"

Penticton Transitional Housing **Site Planning Concept** **6**



Date: April 20, 2018
Scale: 3/32" = 1'-0"

Penticton Transitional Housing **Ground Floor Plan** **7**

GREEN AVENUE ELEVATION

FRONT ELEVATION

LANE ELEVATION

INTERIOR SIDE ELEVATION

Mobius Date: April 20, 2018 Scale: NTS

Penticton Transitional Housing **Conceptual Massing Study** **8**

VIEW FROM GREEN AVENUE

VIEW OF ENTRY FROM DOG RUN

VIEW OF LANDSCAPING FROM GREEN AVENUE

Mobius Date: April 20, 2018 Scale: NTS

Penticton Transitional Housing **THREE-DIMENSIONAL VIEWS** **9**

Mobius — Date: April 20, 2018 — Scale: NTS

Penticton Transitional Housing — **Exterior Finishes** — **10**

ZONING

CURRENT ZONE		RDI
PROPOSED ZONE		RM2
RESIDENTIAL SUPPORT SERVICES: - KITCHEN - OFFICES - COMMON FACILITIES		CONGREGATE HOUSING
LOT SIZE		EXISTING
	AREA	7939 M2
SETBACKS		
	FRONT	3.0M
	INTERIOR SIDE	3.0M
	EXTERIOR SIDE	4.5M
	REAR	6.0M
MAX. BUILDING HEIGHT		12.0M
	PROPOSED BUILDING HEIGHT	10.6M
MAX. LOT COVERAGE		40%
	PROPOSED LOT COVERAGE	27.5%
PARKING REQUIRED		
	UNITY HOUSE (1:50SM NFA)	10 STALLS
	EXISTING 46 UNITS (1:5)	9 STALLS
	PROPOSED 50 UNITS (1:5)	10 STALLS
	TOTAL:	29 STALLS
	PROPOSED PARKING:	29 STALLS
BICYCLE PARKING REQUIRED		
	CLASS 1 STALLS	48
	CLASS 2 STALLS	10
	PROPOSED C1 STALLS:	48
	PROPOSED C2 STALLS:	16
AMENITY REQUIRED (20SM / UNIT)		1920SM
	AMENITY PROVIDED:	2500SM

PROPOSED DENSITY AND BUILDING STATISTICS

SITE AREA		7939 SQUARE METERS	
PROPOSED # UNITS		96 TOTAL - 46 EXISTING ON SITE + 50 NEW	
ALLOWED DENSITY (0.8 F.A.R.)		6351.2M	
PROPOSED DENSITY		4861.6M (0.61 F.A.R.)	
GROUND FLOOR		NUMBER OF UNITS	AREA
	UNITS	10	334 M2
	COMMON AREAS		445 M2
	TOTAL		779 M2
SECOND FLOOR		NUMBER OF UNITS	AREA
	UNITS	20	668 M2
	COMMON AREAS		133 M2
	TOTAL		801 M2
THIRD FLOOR		NUMBER OF UNITS	AREA
	UNITS	20	668 M2
	COMMON AREAS		133 M2
	TOTAL		801 M2
BUILDING TOTAL		NUMBER OF UNITS	AREA
	UNITS	50	1670 M2
	COMMON AREAS		711 M2
	TOTAL		2381 M2

Mobius — Date: April 20, 2018 — Scale: NTS

Penticton Transitional Housing — **Project Statistics** — **11**

Attachment E
Draft Development Permit (Schedules not attached)

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

Development Permit

Permit Number: DP PL2018-8246

Owner Name
Owner Address
Owner Email 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:
   Civic:
   PID:

3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of 50 unit, three storey congregate housing facility, as shown in the plans attached in Schedule A.

4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of $100% of the estimated materials and installation cost of any landscaping must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502(2.1) of the *Local Government Act*, to undertake works or other activities required to:

   a. correct an unsafe condition that has resulted from a contravention of this permit,
   b. satisfy the landscaping requirements of this permit as shown in Schedule A or otherwise required by this permit, or
   c. repair damage to the natural environment that has resulted from a contravention of this permit.

5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:

   a. the permit has lapsed as described under Condition 8, or
   b. a completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.

6. Upon completion of the development authorized by this permit, an application for release of securities, must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be

withheld from the security as follows:

1st Inspection	No fee
2nd Inspection	$50
3rd Inspection	$100
4th Inspection or additional inspections	$200

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

9. This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.

10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

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

Authorized by City Council, the _____ day of _____, 2018

Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer

Attachment F
Draft Development Variance Permit (Schedules not attached)

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

Development Variance Permit

Permit Number: PL2018-8238

Name
Address I
Address II

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:
   Civic:
   PID:

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section Section 10.8.2.8 of Zoning Bylaw 2017-08 reducing the required exterior side yard, from 4.5m to 3.0m to allow for 52-unit congregate housing facility, as shown in the plans attached in Schedule A.

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

Development Variance Permit PL8238
Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer

The Corporation of the City of Penticton

Bylaw No. 2018-29

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. 2018-29".

2. **Amendment:**

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

Rezone Lot 3, District Lot 116, Similkameen Division Yale District, Plan 4725, Except Plan KAP78868, located at 179 Green Avenue, from RD1 (Duplex Housing) to RM2 (Low Density Multiple Housing).

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
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*.

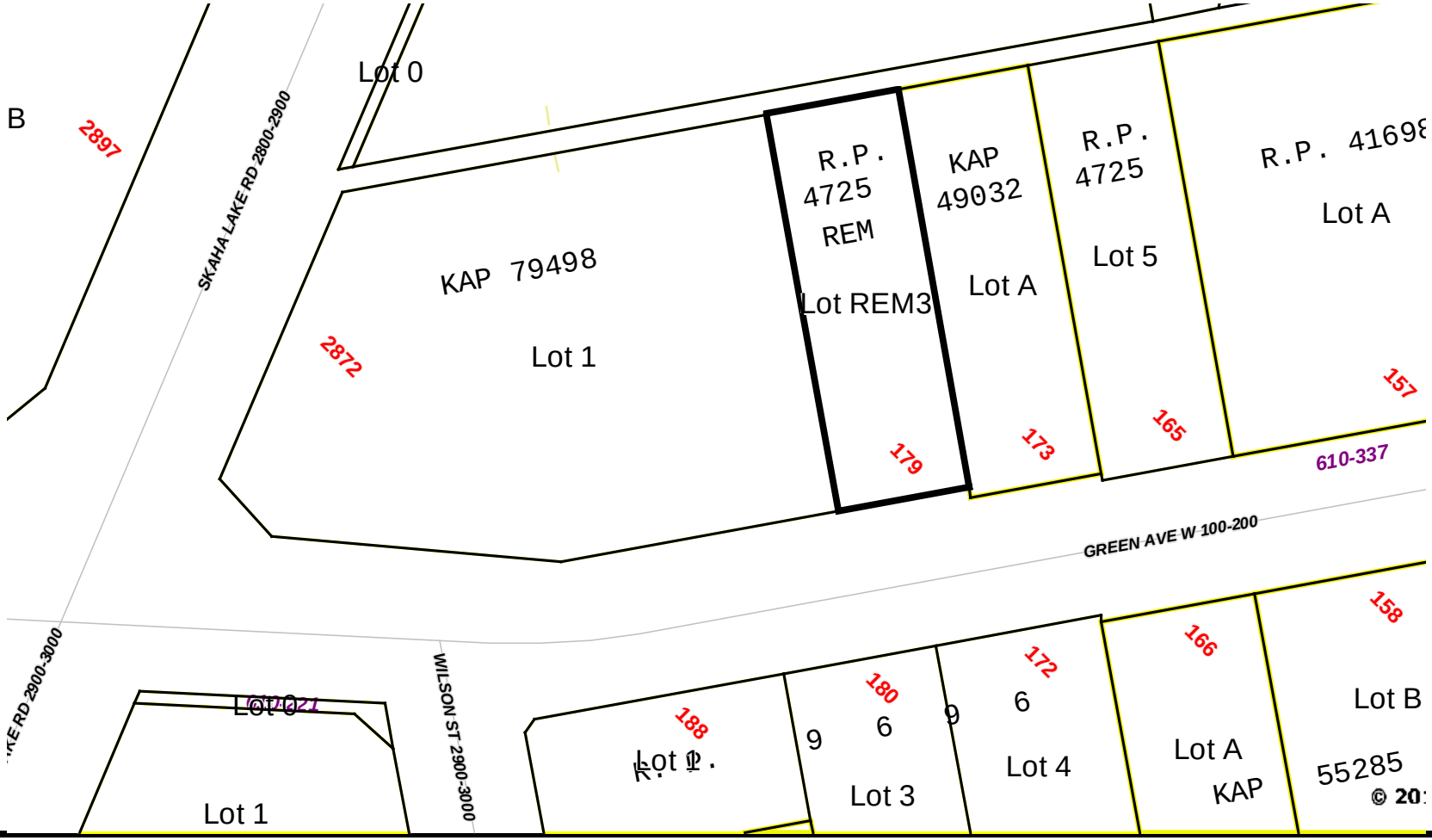
Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2018

_____
for Minister of Transportation & Infrastructure

_____
Andrew Jakubeit, Mayor

_____
Dana Schmidt, Corporate Officer

Rezone 179 Green Ave W
From RD2 (Duplex Housing) to RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-29

Date: _____ **Corporate Officer:** _____

Council Report

penticton.ca

Date: May 8, 2018 File No: PRJ-087
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 1273 Edgewood Drive

Subject: **Zoning Amendment Bylaw No. 2018-30**

Staff Recommendation

Zoning Bylaw Amendment

THAT "Zoning Amendment Bylaw No. 2018-30," a bylaw to amend Zoning Bylaw 2017-08 to rezone Lot 9, District Lot 250, Similkameen Division Yale District, Plan 6748, located at 1273 Edgewood Drive from R2 (Small Lot Residential) to R3 (Small Lot Residential: Lane) be given first reading and forwarded to the May 22, 2018 Public Hearing;

AND THAT, in accordance with section 507 of the *Local Government Act*, Council require the developer to construct the full width of the lane directly contiguous to the property including provisions for storm water management.

Strategic priority objective

The subject application is aligned with the Council Priorities of Community Building and Economic Vitality and Environmental Sustainability. The project represents smart growth by increasing density in areas where existing services already exist and in areas close to transit, commercial and employment centers.

Background

The subject property (Attachment 'A') is currently zoned R2 (Small lot Residential) and is designated by the City's Official Community Plan as LR (Low Density). Photos of the site are incorporated as Attachment 'D'. The site is 1,133m^2 (0.28 acre) in area and presently features a single detached dwelling. The surrounding area is predominantly single family dwellings. All the properties along Edgewood Drive are designated Low Density (LR) in the OCP.

The lot presently features a single family dwelling that will be demolished. The applicant intends to subdivide the lot and develop two small lots with a single detached dwelling on each lot with vehicular access only from the lane. A zoning amendment is required to accommodate the proposal.

Proposal

The applicant is requesting that the subject property be rezoned from R2 (Small Lot Residential) to R3 (Small Lot Residential: Lane), as identified in Zoning Bylaw 2017-08.

Financial Implication

Approval of the subject proposal will allow for the increase in property value substantially. This increase in land value will have a positive impact on the City's tax base.

Development Engineering Review

This application was forwarded to the City's Technical Planning Committee and reviewed by the Engineering and Public Works Departments. Frontage upgrades and servicing requirements have been identified and will be included in the subdivision approval. These items have been communicated to the applicant.

Excess Service Resolution

Under current Subdivision and Development Bylaw requirements, the developer is responsible to design and construct works to the centerline of existing roads adjacent to the development including upgrade to the lane. In cases where it is in the public interest, the *Local Government Act* gives authority to Council to formally require the developer to build beyond that requirement. In those cases, that developer is eligible for latecomer contributions from any landowner that later-on ties into the excess services constructed.

The applicant has applied to rezone the property to R3 (Small Lot Residential: Lane) where vehicular access is only allowed from the rear lane. The existing lane does not conform to the required 6m of the Subdivision and Development Bylaw. Staff proposed to upgrade the lane past the centre line of the property.

Project Specifications

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

Item	Requirement R3 Zone	Requirement R2 Zoning	Provided on Plans
Minimum Lot Size:	390m^2	275 m^2	544m^2
Minimum Lot Width	13m	9.1m	10.1m
Maximum Lot Coverage:	40%	50%	50%
Vehicle Parking:	2 stalls	2 stalls	2 stalls
Required Setbacks Front yard: Interior Side yard: Rear yard :	 4.5m 1.5m 6m	 4.5m 1.2m 6.0m	 4.5m 1.2m 6m
Maximum Building Height:	10.5m	10.5m	10.5

Analysis

Support Zoning amendment

The subject property is designated as LR (Low Density Residential) according to the City's OCP. The proposed R3 zone is consistent with this OCP designation. No development variance permit is necessary to accommodate the dimensions of the proposed lots and to construct two single detached homes. The proposed development meets several objectives of the OCP and will maintain the character of the existing single family neighbourhoods. The main differences between the R2 and R3 zone are the required lot width, lot coverage and the interior yard setback, which is 1.5m for an R2 zoned property and 1.2m for an R3 property.

The proposed lot width at 10.1m is considerably lower than the average lot width in the area. This is an older established neighborhood with lot widths ranging from 18m to 21m and slightly deeper lots. In the downtown area, smaller sized lots have been developed successfully with single family and duplex dwellings. The lot width being proposed is more common in the downtown area of Penticton. The site is located on the outer edges of the periphery of the downtown core and the proposed development will assist in achieving increased residential densities in a sustainable location, nearby downtown. Staff do not feel the zoning change will negatively affect the neighbourhood hence accommodating small infill development in areas where existing services can accommodate higher densities in keeping with the single-family character of the neighborhood.

Given that the proposed zone conforms to the OCP designation and that the development meets the objectives of the OCP, staff recommend that Council support the application and forward it to the May 22 2018 Public Hearing for neighbourhood and public comment.

Deny / Refer

Council may feel that the proposed zone is not appropriate for the area. If that is the case, Council should deny the rezoning application, or support the application with conditions that Council feels are appropriate. Alternatively, Council may refer the application back to staff with further instructions.

Alternate Recommendations

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2018-30".
2. THAT Council support Zoning Amendment Bylaw No. 2018-30 but deny excess or extended service.

Attachments

Attachment A: Subject Property Location Map
Attachment B: Zoning Map
Attachment C: OCP Map
Attachment D: Photos of Subject Property
Attachment E: Site Plan
Attachment F: Elevations
Attachment G: Subdivision Plan
Attachment H: Letter of Intent
Attachment I: Zoning Amendment Bylaw No. 2018-30

Respectfully submitted,

Senior Planner

Approvals

DDS	CAO
AH	PW

Attachment A – Subject Property Location Map

Figure 1: Subject Property Location Map

Attachment B – Zoning Map

Figure 2: Zoning Map

Attachment C- OCP Map

Figure 3: OCP Map

Attachment D – Photos of Subject Property

Figure 4: View on Edgewood Drive

Figure 5: View from the lane

Attachment E - Site Plan

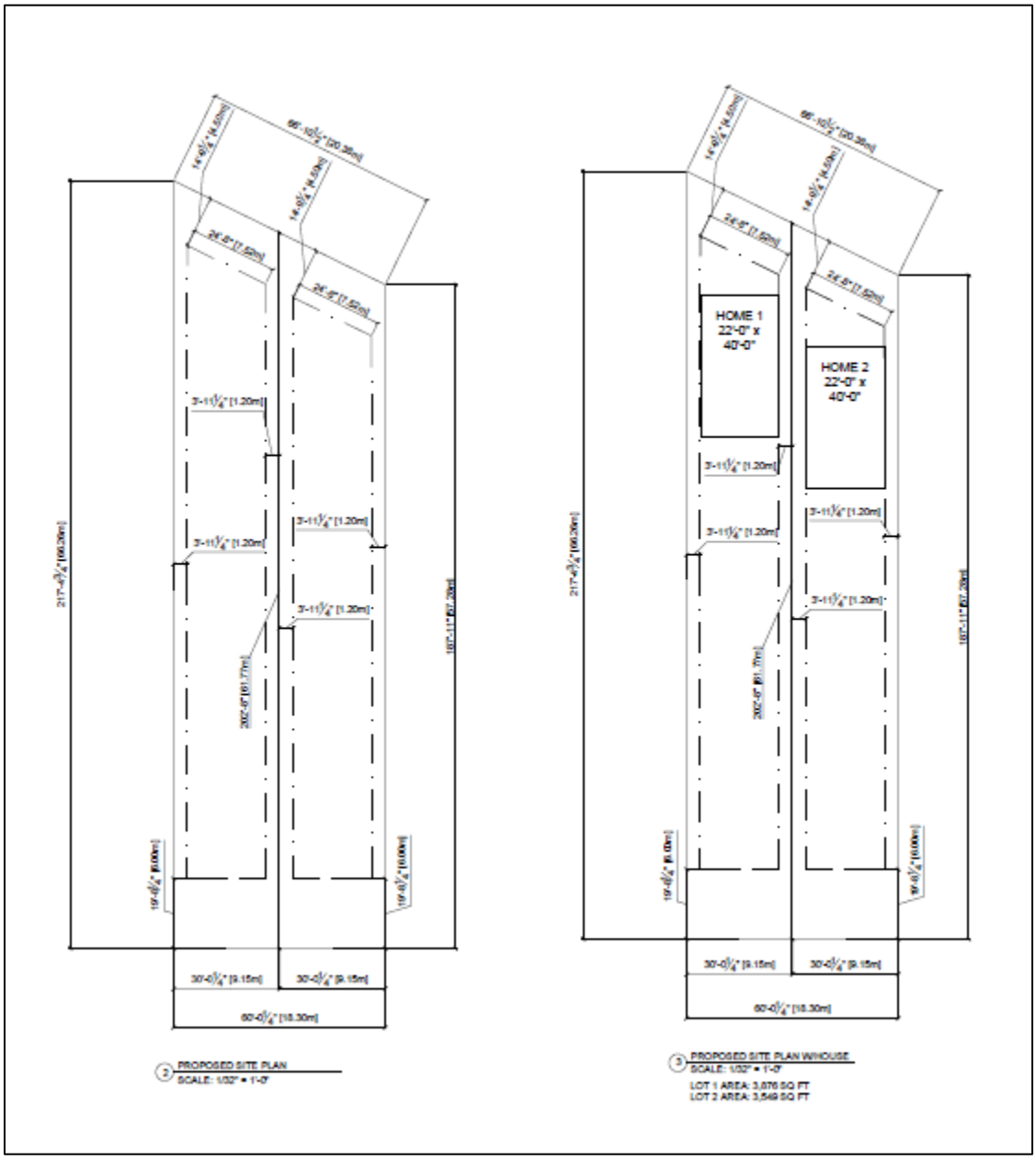


Figure 6: Site Plan

Attachment F – Proposed Subdivision

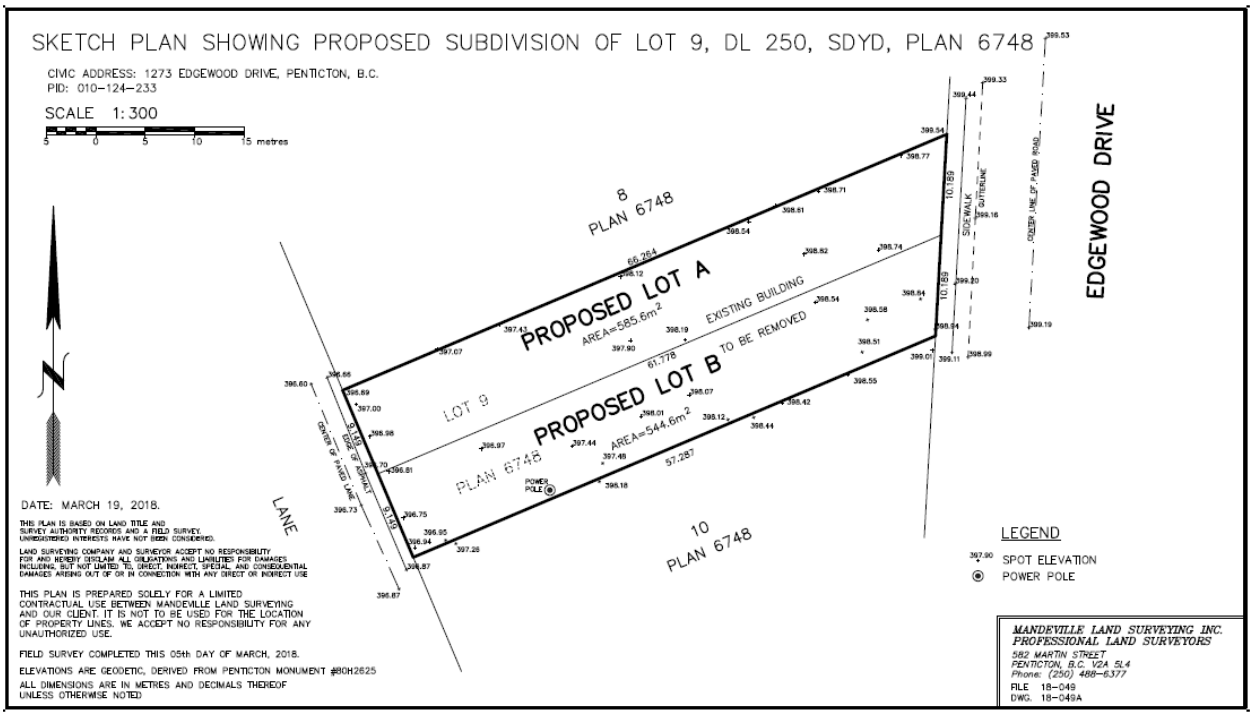


Figure 7: Proposed Subdivision

Attachment G – Elevations

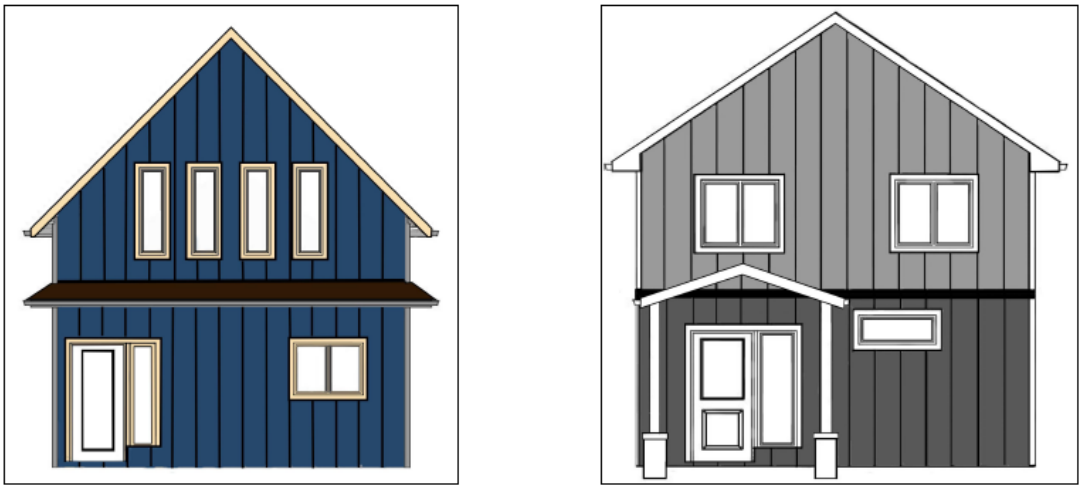


Figure 8: Proposed Elevations

Attachment H- Letter of Intent

Radec Group Inc.
955 Timmins St.
Penticton, BC V2A 5V3

Rezoning/Subdivision Letter of Intent

1273 Edgewood Dr. Penticton, BC

The attached application for Rezoning and Subdivision is being submitted by Radec Group Inc. on behalf of Dave Pascoe, owner of 1273 Edgewood Dr. in Penticton, BC. These proposed subdivision and rezoning plans are targeted to meet the growing demand for affordable, single family living in the Penticton market.

The subject property is zoned R2 (Small Lot Residential). Radec Group proposes to change this R2 zoned lot into a large R3 zoned lots. Radec intends to construct two single family homes (one per lot). Each property will have a large backyard for outdoor space and ample parking access in the back alley. These homes will be replacing one old run down single family home and is located in an area of low density residential homes. We feel that these single family homes will provide a much needed housing option for people looking for affordable housing with backyard space.

These single family homes will have two floor plan options. The first option will be a full, two storey home. The top floor will be a three bedroom, master ensuite and main bathroom with the main floor consisting of a modern, open concept living, kitchen and dining area. The second option will be a rancher style home with complete with an open storage loft. There are to be 3 bedrooms, a den and an open concept kitchen, living and dining area. Outdoor amenity space will be provided for each home to accommodate an outdoor seating/entertaining area as well as a spacious backyard.

Radec Group would like to thank the City of Penticton for the opportunity to add thoughtfully designed and well-constructed ground orientated family living into the Penticton housing market. We respectfully request a Rezoning/Subdivision for these beautiful new homes on Edgewood Dr.

Figure 9: Letter of Intent

The Corporation of the City of Penticton

Bylaw No. 2018-30

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. 2018-30".

2. **Amendment:**

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

Rezone Lot 9, District Lot 250, Similkameen Division Yale District, Plan 6748, located at 1273 Edgewood Drive from R2 (Small Lot Residential) to R3 (Small Lot Residential: Lane).

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 __ day of ____, 2018 and the __ day of ____, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 1273 Edgewood Drive
From R2 (Small Lot Residential) to R3 (Small Lot Residential)

City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-30

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-17

A Bylaw to authorize an agreement for rental housing for the lands known as 257 Scott Avenue

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of the City of Penticton enacts the following provisions:

1. Title

This Bylaw may be cited as the "Housing Agreement (257 Scott Avenue) Bylaw No. 2018-17".

2. Agreement authorized

The Mayor and the City's Corporate Officer are authorized to execute the Housing Agreement:

(a) substantially in the form attached to this Bylaw as Schedule A;

(b) between the City and 0968246 B.C. Ltd., or other registered owners from time to time of the lands described in subsection (c); and

(c) that applies to the lands with a civic address of 257 Scott Avenue, Penticton, British Columbia, and legally described as:

PID 030-401-038
Lot A, District Lot 250, Similkameen Division Yale District and of District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan EPP80623.

READ A FIRST time this	17	day of	April, 2018
READ A SECOND time this	17	day of	April, 2018
READ A THIRD time this	17	day of	April, 2018
ADOPTED this		day of	, 2018

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

HOUSING AGREEMENT- RENTAL UNITS
(Pursuant to Section 483 of the *Local Government Act*)

THIS AGREEMENT is made 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:

0968246 B.C. LTD.
1910 Naramata Road
Penticton, BC V2A 8T9

(collectively, the "**Owner**")

OF THE SECOND PART

WHEREAS:

A. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*;

B. The Owner is the registered owner in fee simple of lands in the City of Penticton, British Columbia, with a civic address of 257 Scott Avenue, Penticton, B.C. and legally described as:

PID: 030-401-038

Lot A, District Lot 250, Similkameen Division Yale District and of District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan EPP80623

(the "**Lands**");

C. The Owner has applied to the City for a reduction in development cost charges in respect of the Development on the Land;

D. The City and the Owner wish to enter into a Housing Agreement pursuant to section 483 of the *Local Government Act,* to secure the agreement of the Owner that, for the duration of the Term, four (4) Dwelling Units within the Development will be available for use by people on the City's "Supported Housing Registry".

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 Definitions

1.1 In this Agreement:

"**Development**" means the apartment building located at 257 Scott Avenue to which the four (4) units are being added as outlined in Development Permit PL2017-8116.

"**Dwelling Unit**" means any self-contained residential dwelling unit within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and

"Dwelling Units" means, collectively, all such dwelling units located within the Development or on the Lands.

"**Non-Owner**" means a person other than the Owner who occupies a Dwelling Unit for residential purposes.

"Occupancy Permit" has the same meaning as under the City of Penticton Building Bylaw 94-45 (1994), as amended or replaced from time to time.

"**Owner**" has the same meaning as under the *Community Charter*, and includes a person who acquires an interest in the Lands or any part of the Lands and is thereby bound by this Agreement.

"Statutory Notice" means notice that the Lands are subject to this Agreement, filed in the Land Title Office in accordance with section 483(5) of the *Local Government Act*.

"**Supported Housing Registry**" means the registry of persons experiencing or at risk of experiencing homelessness in Penticton currently kept by the organization '100 Homes Penticton' or an equivalent local agency. In the absence of an agency maintaining a registry, persons on a Supported Housing Registry will also mean persons referred by BC Housing who meet the definition of those experiencing or at risk of experiencing homelessness.

"Term" means the term of this Agreement as defined in section 2.1 of this Agreement.

1.2 In this Agreement:

(a) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment; and

(b) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

2.0 Term

2.1 This Agreement will commence and is effective on the date that the Statutory Notice is filed in the Land Title Office, and will remain in effect for a period of twenty (20) years from the date on which an Occupancy Permit is issued and is in effect for the four (4) Dwelling Units within the Development. For certainty, if the Development is constructed, and Occupancy Permits are issued, in stages, the Agreement will remain in effect for twenty (20) years from the date on which the last Occupancy Permit was issued.

3.0 Dwelling Units To Be Used For Persons on the Supported Housing Registry

3.1 The Owner covenants and agrees that during the Term, all four (4) Dwelling Units within the Development must only be used and occupied by people listed on the Supported Housing Registry.

4.0 Reporting

4.1 The Owner covenants and agrees that on February 1st of each year following execution of this Agreement, the Owner will provide the City's Planning Manager with a written report confirming that the Owner is in compliance with this Agreement.

4.2 The Owner hereby irrevocably authorizes the City to make all inquiries that it considers necessary to confirm that the Owner is complying with this Agreement.

5.0 Statutory Notice to be Registered in Land Title Office

The Statutory Notice will be filed by the City in the Land Title Office at the cost of the Owner and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Statutory Notice.

6.0 Liability

6.1 The Owner agrees to indemnify the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs (including on a solicitor and own – client basis) and liabilities, which all or any of them will or may be liable for, or suffer, incur, or be put to by reason of, or arising out of, failure of the Owner to comply with the terms and conditions of this Agreement.

6.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs (including on a solicitor and own-client basis) and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

7.0 General Provisions

Notice

7.1 If sent as follows, notice under this Agreement is considered to be received

(a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and

(b) on the date of delivery if hand-delivered,

to the City:

City of Penticton
171 Main Street
Penticton, BC V2A 5A9
Attention: Corporate Officer

to the Owner:

at such address as is recorded from time to time in the records of the Land Title Office.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail service or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

(a) notice sent by the impaired service is considered to be received on the date of delivery, and

(b) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

Time

7.2 Time is of the essence of this Agreement.

Binding Effect

7.3 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

Waiver

7.4 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

Headings

7.5 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

Language

7.6 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

Equitable Remedies

7.7 The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

Cumulative Remedies

7.8 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

Entire Agreement

7.9 This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

Further Assurances

7.10 Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

Amendment

7.11 This Agreement may be amended by written agreement of the parties, if authorized by a bylaw duly adopted by the Council of the City.

Law Applicable

7.12 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

No Derogation from Statutory Authority

7.13 Nothing in this Agreement shall:

(a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or

(b) relieves the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

Joint and Several

7.14 The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

Counterpart

7.15 This Agreement may be executed in counterparts, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

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

_____
Andrew Jakubeit, Mayor

_____
Dana Schmidt, Corporate Officer

SIGNED SEALED AND DELIVERED by the authorized signatory of 0968246 BC Ltd. in the presence of:

_____
Witness Signature

_____
Name

_____
Address

_____

_____
Occupation

_____
Jeff McFarland

The Corporation of the City of Penticton

Bylaw No. 2018-20

A bylaw to amend the Fire and Life Safety Bylaw

WHEREAS the City of Penticton has enacted a Fire and Life Safety Bylaw pursuant to the *Fire Services Act* for the purposes of providing fire and life safety to the citizens of Penticton;

AND WHEREAS the Council of the City of Penticton wishes to amend "Fire and Life Safety Bylaw No. 2004-57";

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

1. Title

This bylaw may be cited as "Fire and Life Safety Amendment Bylaw No. 2018-20".

2. Purpose

Fire and Life Safety Bylaw No. 2004-57 is hereby amended as follows:

1. Add the following to Part III DEFINITIONS:

"COMBUSTIBLE WOOD DUST" means the fine, dry wood particles that are by-products of milling wood.

2. Add the following to PART VI FIRE PROTECTION AND LIFE SAFETY:

6.29 Wood Dust Producing Operations

Wood dust producing operations must meet the fire safety planning requirements of the BC Fire Code.

Prior to a new business license being issued and/or upon inspection and request of the Fire Department or Business Licence Inspector, wood dust producing operations must provide a Fire Safety Plan that is acceptable to the Fire Department.

The fire safety plan will reflect the unique characteristics of the building and the wood dust producing operation it contains and will also consider the available firefighting services such as hydrant, sprinkler and access route.

READ A FIRST time this	17	day of	April, 2018
READ A SECOND time this	17	day of	April, 2018
READ A THIRD time this	17	day of	April, 2018
ADOPTED this		day of	, 2018

_____

Andrew Jakubeit, Mayor

_____

Dana Schmidt, Corporate Officer

The Corporation of the City of Penticton

Bylaw No. 2018-22

A Bylaw to Amend Zoning Bylaw 2017-08

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2018-22".

2. **Amendment:**

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

Rezone Lot 5 District Lot 1, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3223, located at 175 Cossar Avenue 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	April, 2018
A PUBLIC HEARING was held this	17	day of	April, 2018
READ A SECOND time this	17	day of	April, 2018
READ A THIRD time this	17	day of	April, 2018
RECEIVED the approval of the Ministry of Transportation on the	18	day of	April, 2018
ADOPTED this		day of	, 2018

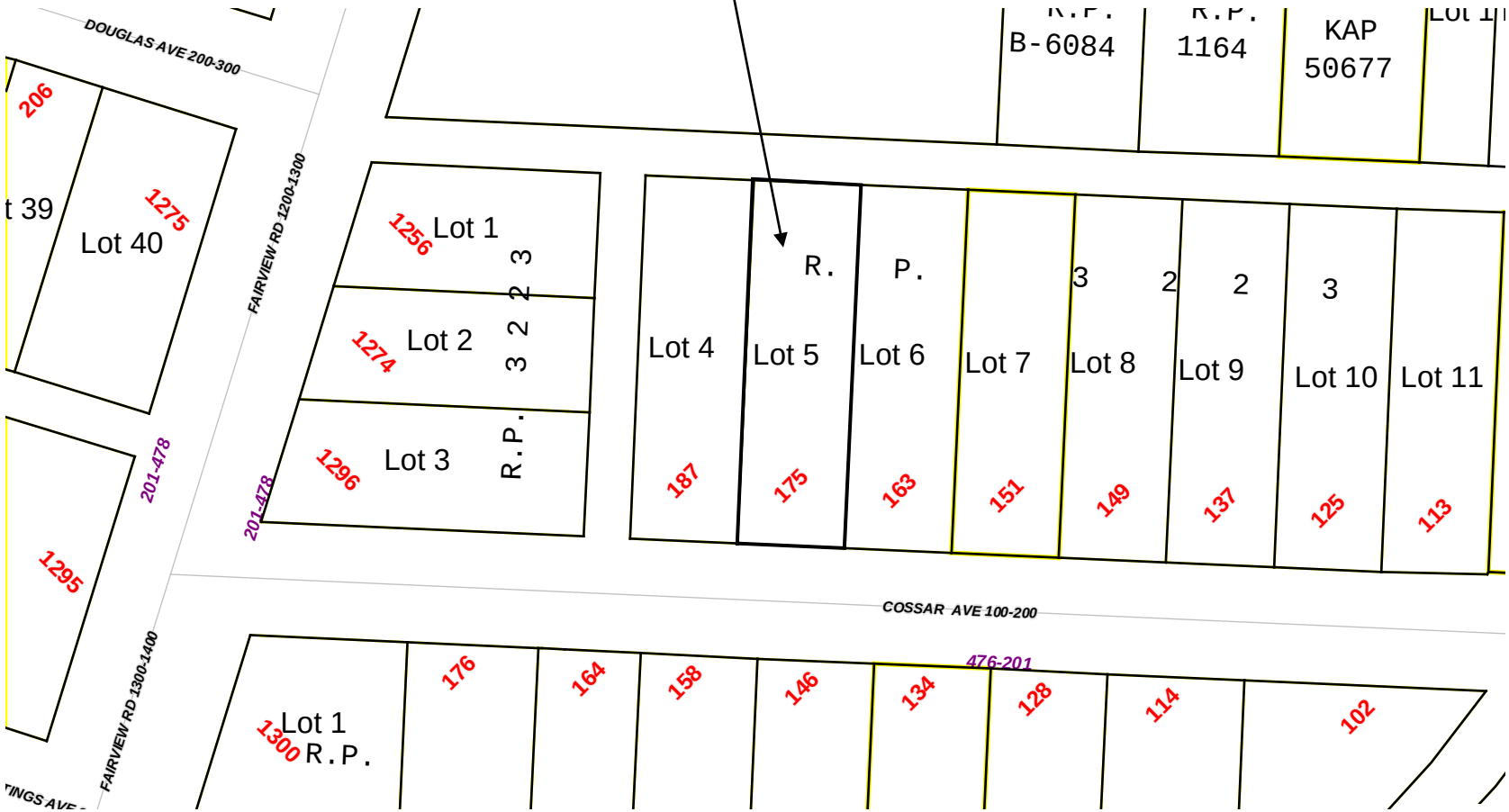
Notice of intention to proceed with this bylaw was published on the 6 day of April, 2018 and the 11 day of April, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this 18th day of April, 2018
for Minister of Transportation & Infrastructure

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 175 Cossar Avenue
From RD2 (Duplex Housing: Lane) to RM2 (Low Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-22

Date: _____ **Corporate Officer:** _____

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

Development Variance Permit

Permit Number: DVP PL2018-8184

Harry Howard Mortgages Inc., Inc. No. BC0659007
103 383 Ellis Street
Penticton BC, V2A 4L7

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 5 District Lot 1 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3223
   Civic: 175 Cossar Ave
   PID: 010-875-433

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary Section 10.8.2.7.i of Zoning Bylaw 2017-08 to allow for a reduction to the minimum interior side yard from 3.0m to 1.5m, as shown in the plans attached in Schedule 'A'.

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

The Corporation of the City of Penticton

Bylaw No. 2018-23

A Bylaw to Amend Zoning Bylaw 2017-08

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2018-23".

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 Plan KAP92015, located at 249 Westminster Avenue West from CD4 (Comprehensive Development) to C5 (Urban Centre Commercial).

2.2 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 11.5.4:

.8 In the case of Lot A, DL 4, Group 7, SDYD (Formerly Yale Lytton), Plan KAP92015, located at 249 Westminster Avenue West, a craft brewery/distillery and cidery shall be permitted.

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

READ A FIRST time this	17	day of	April, 2018
A PUBLIC HEARING was held this	8	day of	May, 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 27 day of April, 2018 and the 2 day of May, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

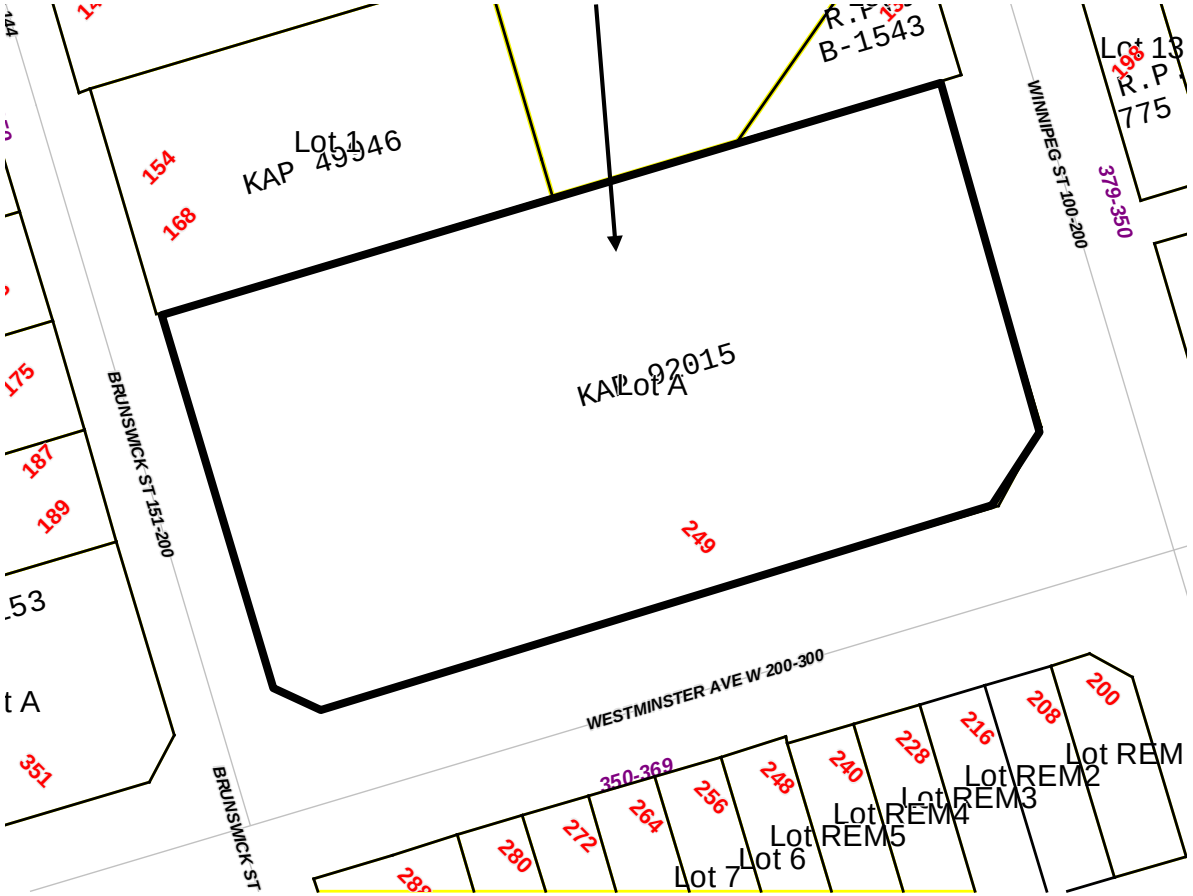
Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2018

_____
for Minister of Transportation & Infrastructure

_____
Andrew Jakubeit, Mayor

_____
Dana Schmidt, Corporate Officer

Rezone 249 Westminster Ave W
From CD4 (Comprehensive Development Zone) to C5 (Urban Centre Commercial) and add "craft brewery/distillery and cidery" as a permitted use at this site



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-23

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-24

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. 2018-24".

2. **Amendment:**

2.1 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 9.2.6:

.10 In the case of Lot 3, District Lot 187, Similkameen Division Yale District, Plan 23377, located at 468 Lower Bench Road, a 20 suite hotel and operator dwelling unit shall be permitted and, notwithstanding section 9.2.2 Subdivision and Development Regulations, a maximum parcel coverage of 35% for all buildings is permitted.

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

READ A FIRST time this	17	day of	April, 2018
A PUBLIC HEARING was held this	8	day of	May, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
ADOPTED this		day of	, 2018

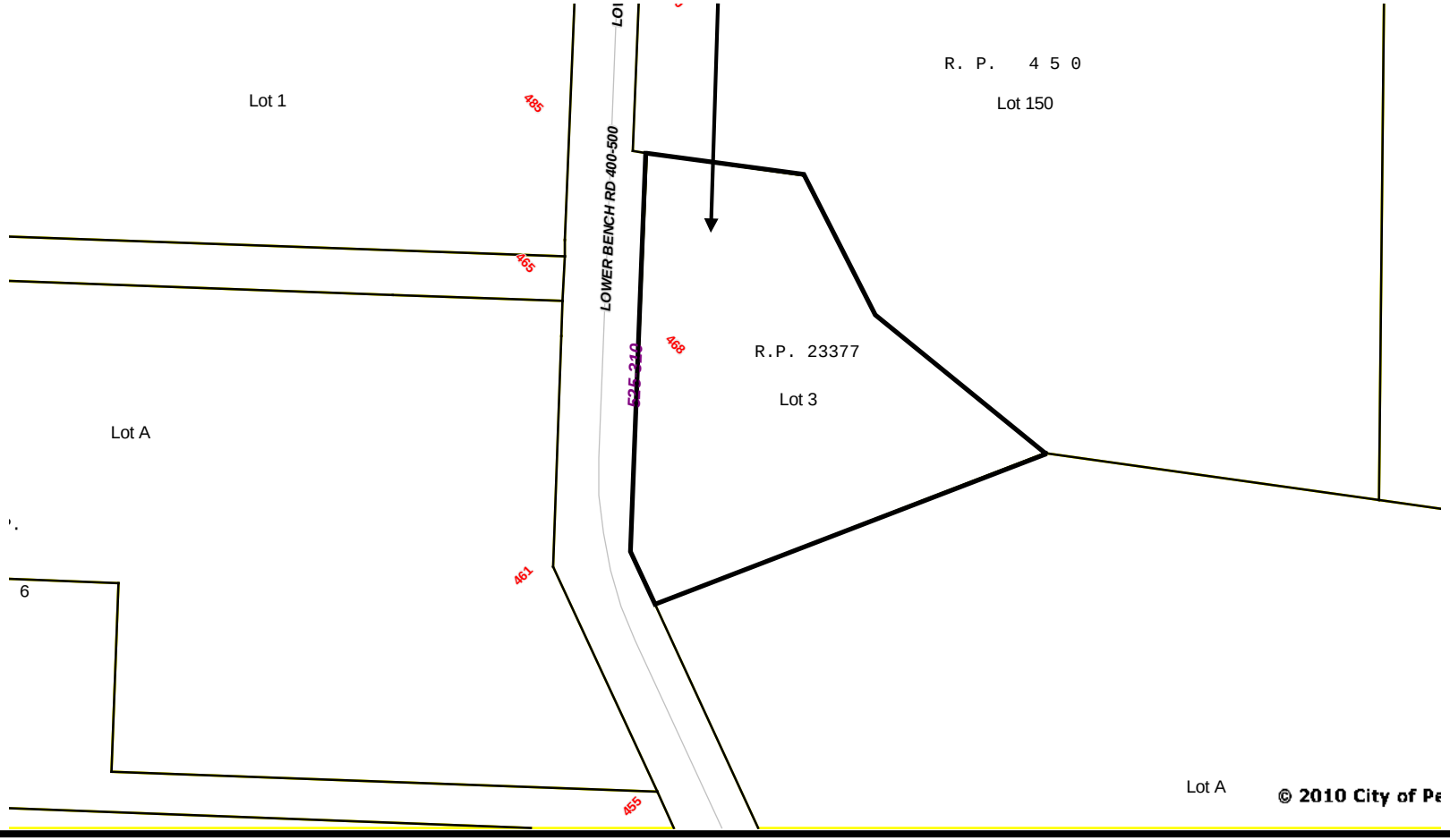
Notice of intention to proceed with this bylaw was published on the 27 day of April, 2018 and the 2 day of May, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

468 Lower Bench Road - Site Specific Zoning Amendment

To permit a 20 unit hotel and operator dwelling unit, and notwithstanding Section 9.2.2 of Subdivision and Development Regulations, a parcel coverage of 35% for all buildings is permitted



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-24

Date: _____ **Corporate Officer:** _____

Council Report

penticton.ca

Date: May 8, 2018 File No: Civic
To: Peter Weeber, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Address: 1865 Naramata Road
Subject: **Application for Structural Change and Winery Lounge Endorsement for Moraine Estate Winery**

Staff Recommendation

THAT Council recommend to the Liquor Control and Licensing Branch (LCLB) that it support the application from Moraine Estate Winery for the proposed Structural Change and Winery Lounge Endorsement with:

- Interior lounge hours from 10:00am to 10:00pm, and
- Exterior lounge hours10:00am to 10:00pm (9:00pm - service closure), with no amplified music on patio.

Background

On March 20, 2018 Council resolved:

120/2018 It was MOVED and SECONDED

THAT Council direct staff to commence public notification of the proposed Structural Change and Winery Lounge Endorsement for Moraine Estate Winery;

AND THAT staff report back to Council at their regular meeting on April 17, 2018 with the results of the public consultation for Council's consideration.

CARRIED UNANIMOUSLY

Subsequently staff received a request from the applicant to alter the Lounge hours from 10:00am to 10:00pm and eliminated the request for an additional Special Event Area (SEA), which was outlined in the original March 20th report. Staff revised the public notices to the local residents and site signage and deferred the final consideration by Council until May 8, 2018.

The Structural Change request is required as the winery is constructing a new manufacturing facility, which will include a retail, tasting, and residence with a total from 30 persons to 83 persons interior occupant load.

Site Context

The property is zoned A (Agricultural) with an OCP designation of Agricultural Use. The property is located in a mixed rural area of single family, farming and winery commercial uses. There are 5 wineries within 1.0km of this site.

There is only one winery within this area with a lounge endorsement, Bench 1775 Winery, which was recently provided City support (resolution 169/2018) for its request to the Liquor Control and Licensing Branch to extend its exterior Lounge service from 10:00am to 10:00pm (9:00pm - service closure), with no amplified music on patio.

Technical Review

Staff and the Liquor Licensing Technical Review Committee (LLTRC) have provided the following comments related to community impact and site safety:

- Noise: It was considered that the position of the patio in relation to the design of the building would not create adverse noise levels to the surrounding properties but it is recommended that hours of service do not exceed 10:00pm with no exterior amplified music permitted, which is consistent with other recent winery lounge endorsements in the Naramata Bench.

- Traffic: At this time there appears to be no issues with winery traffic flows.

The LLTRC supported the application to move to public consultation but it is suggested that continued monitoring of the winery traffic flows as well as further proposed residential development be considered within the Official Community Plan (OCP) and further Zoning amendments. Traffic: At this time there appears to be no issues with winery traffic flows and noise.

Financial implication

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

Analysis

Public Consultation

As per the *Liquor Control and Licensing Act*, the City is required to gather comments or concerns of the residents with the area of the proposal, to be considered in concert with the proposal. As such, a notice of application and request for comment was mailed out to the residents within 500m of the subject property (Attachment A) and a public notice sign was erected on site. Two ads were also placed in the local newspapers.

As a result, no letters specific to this application have been received at the time of preparing this report. However, two letters had been provided during the April 17th, 2018 Council presentation for Bench1775 Winery outlining concerns with potential noise impact with the combined operations of Moraine Estate Winery and Bench 1775 Winery.

In recognition of the staff review and public consultation, the Liquor Licensing Technical Review Committee (LLRTC) supports the application with similar exterior Lounge hours of operation to Bench 1775 Winery.

Council can deny the application or support the Structural change or Interior Lounge Endorsement request or place further license conditions of the operation.

Alternate recommendations

1. THAT Council allow support of the Structural change request and deny support of Moraine Estate Winery application Lounge hour's endorsement.

2. Refer application for Moraine Estate Winery back to staff for further review.

Attachments

Attachment A – Public Consultation map & site signage
Attachment B – Public Comment

Respectfully submitted,

Ken Kunka, AScT RBO
Building and Permitting Manager

Approvals

Director	Chief Administrative Officer
AH	PW

Attachment A
Public Consultation Map

Site Sign

corpadmin

From: office@8thgeneration.com
Sent: April-15-18 4:39 PM
To: corpadmin
Subject: Re: Moraine Estate Winery application

April 13, 2018

Attention: Corporate Officer
171 Main Street
Penticton, BC
V2A 5A9

Dear Sir or Madame;

I am writing to express my concern of the application of Moraine Estate Winery to change the hours of operation of the proposed Lounge areas from 7:00pm to 10:00pm and to expand the new facility increasing occupant loads from 30 persons to 83 persons.

With the longer hours combined with the increased number of people allowed in the lounge, it will significantly increase the noise factor to the neighbouring residential homes. Specifically, to my home and my family's ability to enjoy our home, deck and yard in a quiet peaceful manor.

We have concerns with the noise factor of the applications for both Moraine Estate Winery and Bench 1775 to expand capacity and hours of operation in their respective outdoor locations.

We hope that Counsel with fully take under advisement the concerns of the residents surrounding Bench 1775 Winery and Moraine Estate Winery.

Regards,

Bernd Schales
1675 Midland Rd.
Penticton, BC

Council Report

penticton.ca

Date: May 8, 2018 File No: 2018 PRJ-073
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 147 Bankview Road

Subject: **Development Variance Permit PL2018-8208**

Staff Recommendation

THAT Council approve "Development Variance Permit PL2018-8208" for Lot 1 District Lot 188 Similkameen Division Yale District Plan 9342, located at 147 Bankview Road, a permit to decrease the minimum front yard from 6.0m to 3.5m;

AND THAT staff be directed to issue "Development Variance Permit PL2018-8208."

Background

The subject property (Attachment A) is zoned R1 (Large Lot Residential) and designated by the City's Official Community Plan as LR (Low Density Residential). Photos of the site are included as Attachment D. The property currently has a single family dwelling built on it with an attached garage. The surrounding properties are primarily zoned R1 (Large Lot Residential) and P2 (Parks and Recreation). The property is adjacent to the Kettle Valley Railway trail and in close proximity to Vancouver Hill.

Proposal

The applicant is proposing to convert the existing double car garage into living space and construct a new 67.6m^2 (728ft^2) garage on the northeast corner of the property. A breezeway will connect the proposed garage and principal building. The existing driveway will be utilized and the garage doors will face south, away from the street. To facilitate the construction, the applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

- Section 10.1.2.5: to decrease the minimum front yard from 6.0m to 3.5m

Financial implication

N/A

Technical Review

This application was forwarded to the City's Technical Planning Committee (TPC) and reviewed by the Engineering and Public Works Departments. Technical requirements have been identified and will be addressed as part of the building permit process. If the request for the variance is supported, BC Building Code and City bylaw provisions will apply.

Development Statistics

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

Item	Requirement R1 zone	Proposed
Required Setbacks		
Front yard (east):	6.0m	3.58m (variance required)
Rear yard (west)	6.0m	6.0m+
Interior yard (north):	1.5m	2.366m
Interior yard (south):	1.5m	10.0m+
Maximum height for accessory building:	4.5m	4.26m
Maximum size of all accessory buildings:	75m^2	67.6m^2

Analysis

Development Variance Permit

Support Variance

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

Section 10.1.2.5: to decrease the minimum front yard from 6.0m to 3.0m.

- Since R1 (Large Lot Residential) zoned properties don't typically have lanes, a 6.0m minimum front yard setback is required to ensure vehicles have enough space to park in the driveway without hanging onto the street. In the current proposal, the driveway access will remain as is and the garage doors will face south, away from the street. This will ensure that a car does not park in front of the garage doors and hang out onto the street. The grade of the proposed garage is 6-8 feet lower than the street and there is adequate landscaping along the street frontage of the property acting as a buffer. The height of the garage will be one storey and match the rest of the dwelling, thus reducing the negative impacts on the surrounding neighbourhood. Given the above, it is reasonable to support the variance.

Deny/Refer Variance

Council may consider that the proposed variance will negatively affect the neighborhood. If this is the case, Council should deny the variance.

Alternate Recommendations

1. THAT Council support DVP PL2018-8208 with conditions.
2. THAT DVP PL2018-8208 be referred back to staff.

Attachments

Attachment A:	Subject Property Location Map
Attachment B:	Zoning Map
Attachment C:	OCP Map
Attachment D:	Photos of Subject Property
Attachment E:	Site Plan
Attachment F:	Elevations
Attachment G:	Letter of Intent
Attachment H:	Development Variance Permit PL2018-8208

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS	CAO
AH	PW

Attachment A – Subject Property Location Map

Figure 1: Subject Property Location Map

Attachment B – Zoning Map

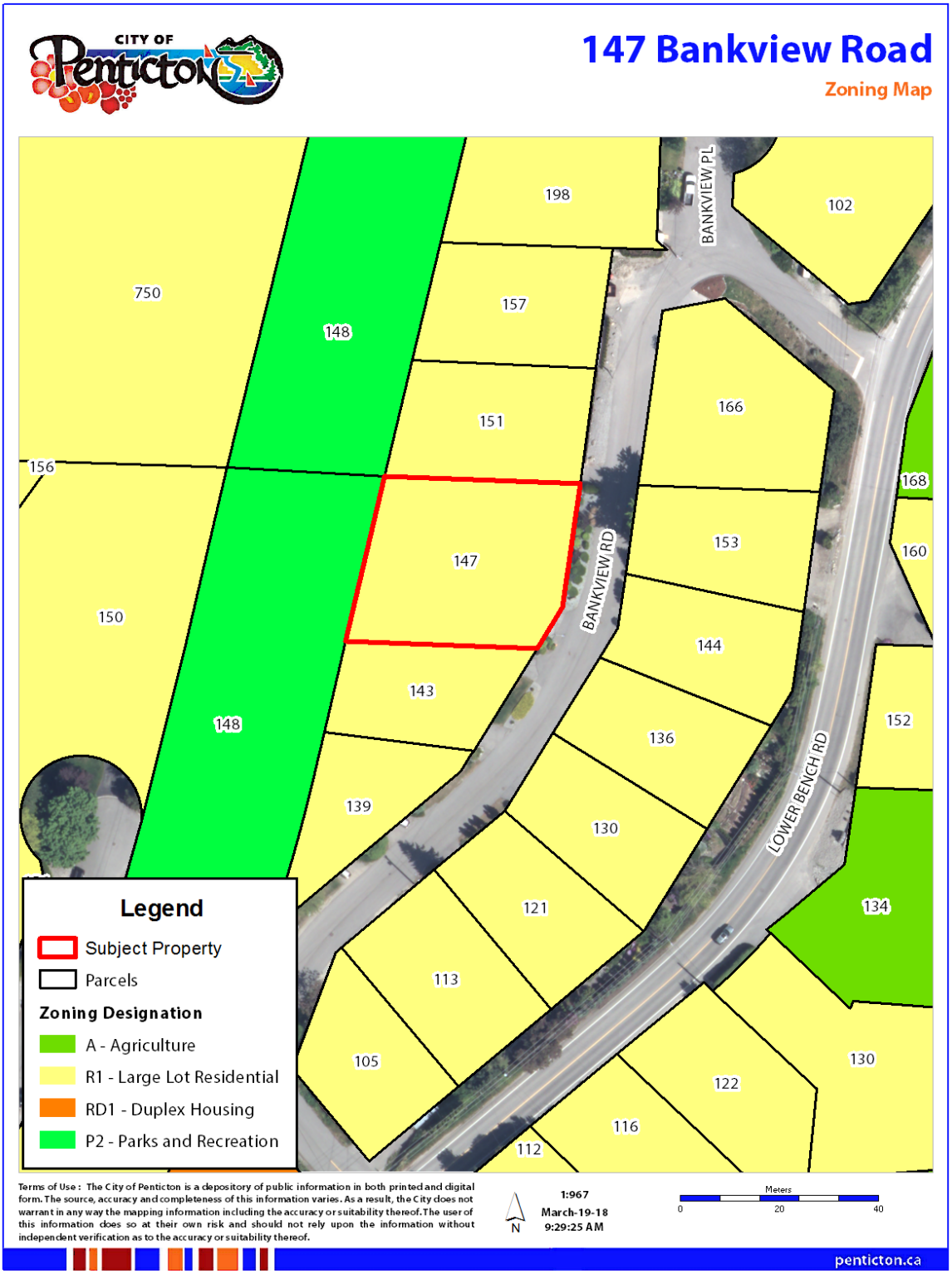


Figure 2: Zoning Map

Attachment C- OCP Map

Figure 3: OCP Map

Attachment D – Photos of Subject Property

Figure 4: Street View of Subject Property

Figure 5: South View showing proposed garage location

Figure 6: Existing Driveway Access

Figure 7: Additional Street View of Subject Property

Attachment E – Site Plan

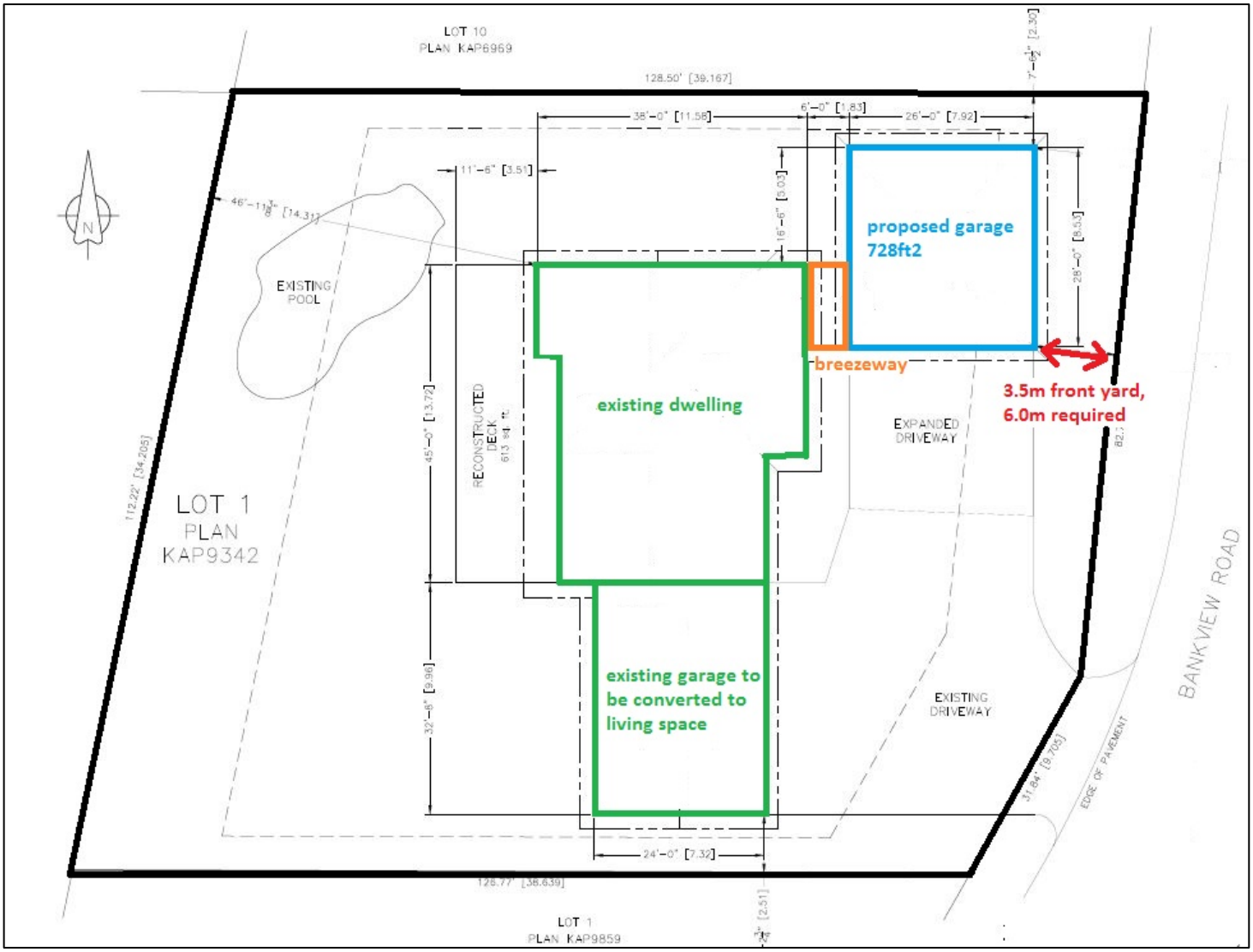


Figure 8: Site Plan

Attachment F- Elevations

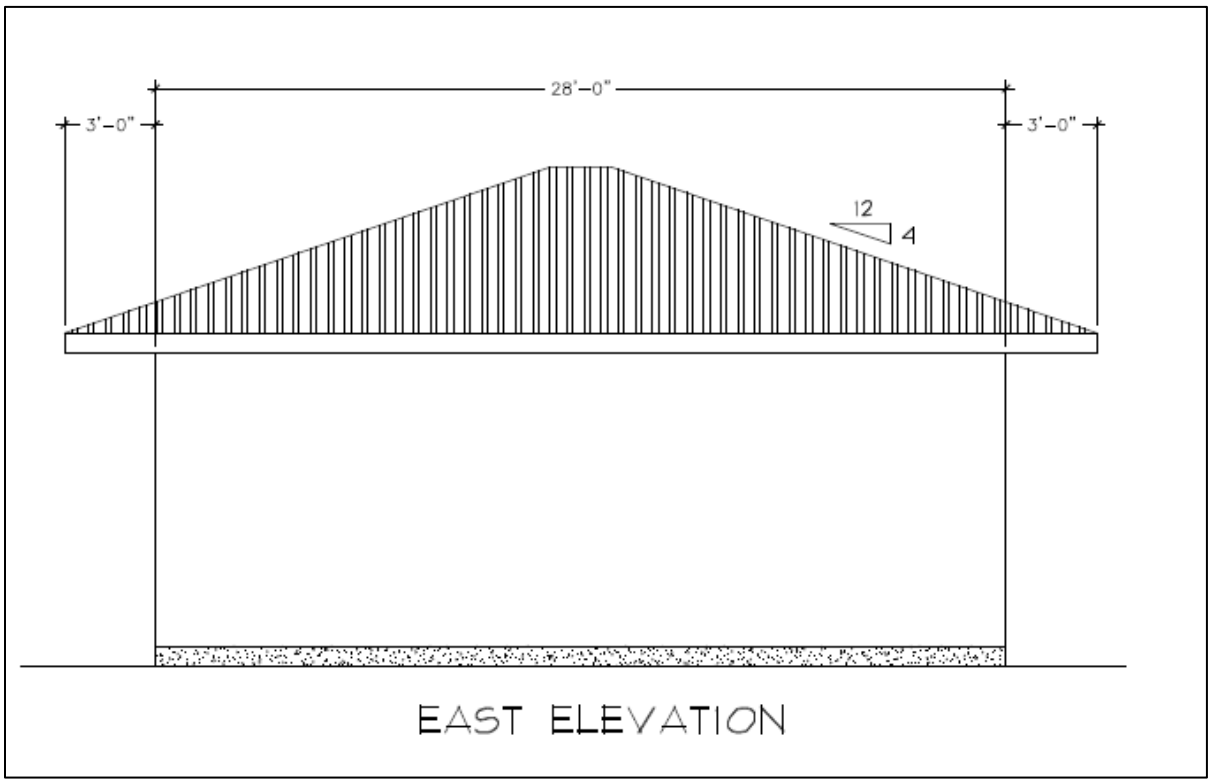


Figure 9: East Elevation (from Bankview Road)

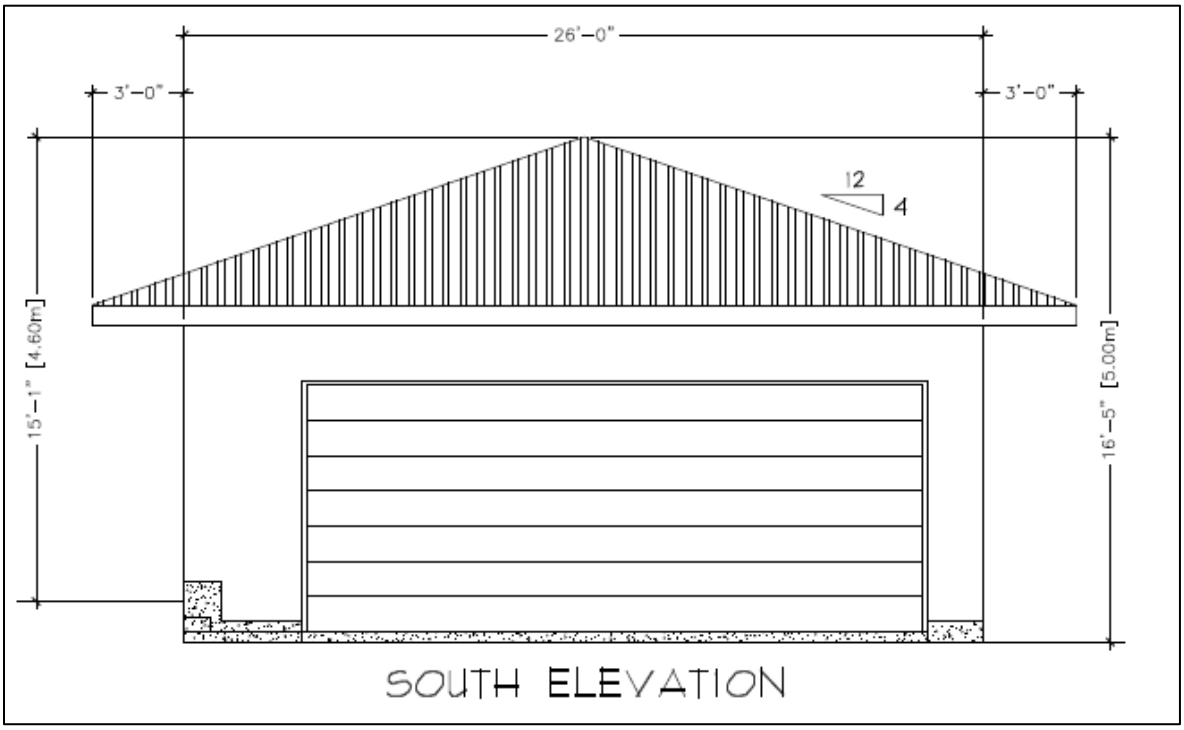


Figure 10: South Elevation

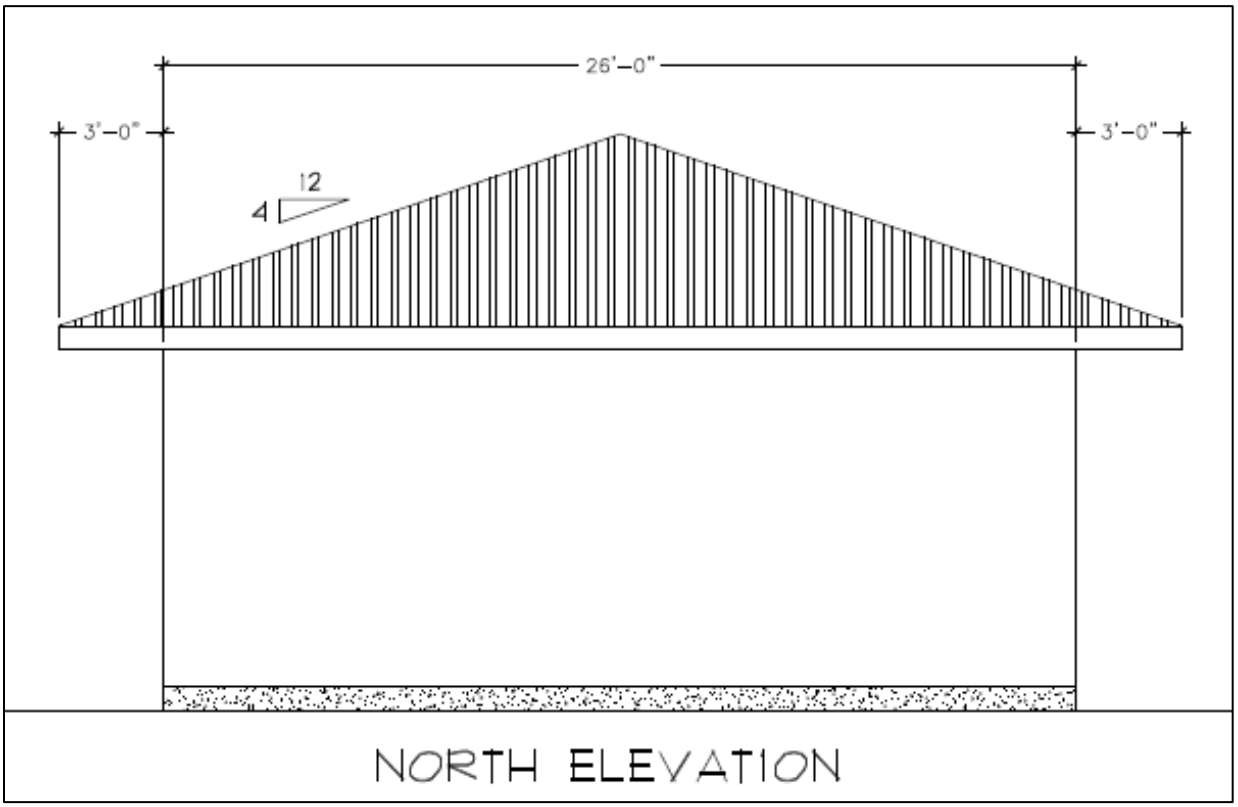


Figure 11: North Elevation

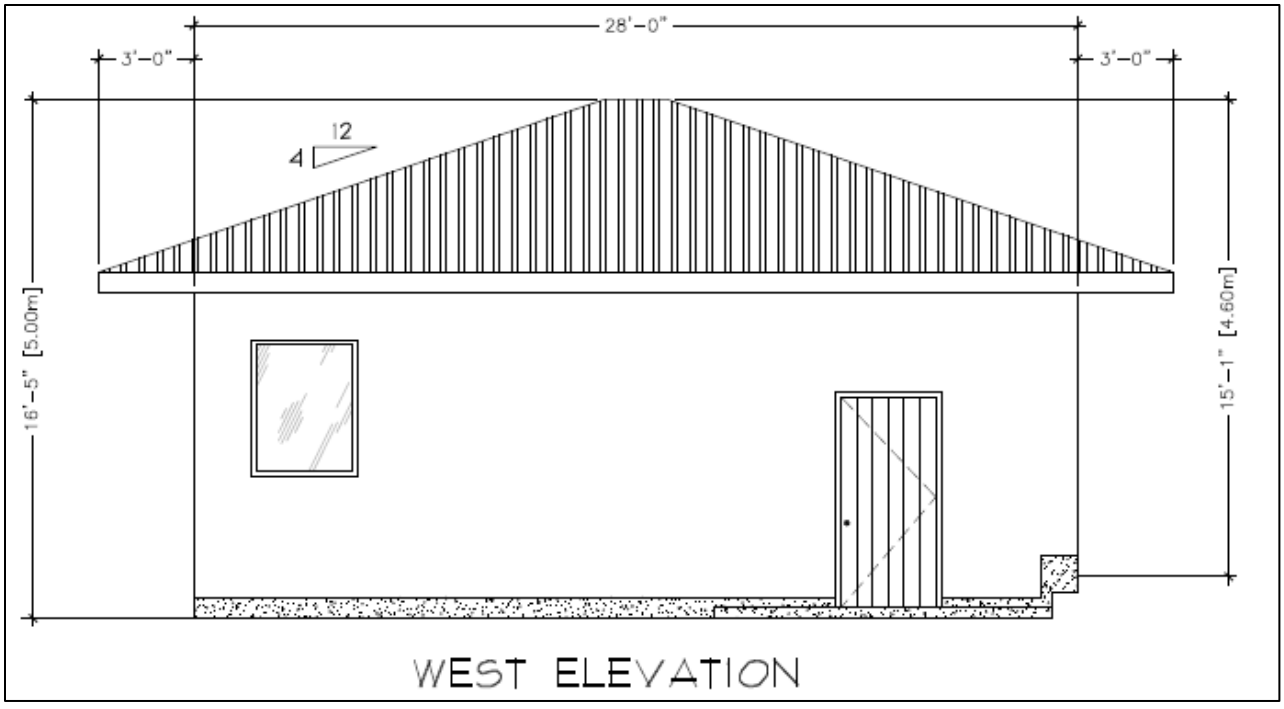


Figure 12: West Elevation

Attachment G- Letter of Intent

March 9, 2018

RE: Application for Development Variance Permit (147 Bankview Road, Penticton)

Dear Council,

We moved to Penticton in 2016 for the purpose of starting a new job at Penticton Regional hospital, and purchased a great home in a great neighborhood at that time. Having lived here for just over 2 years, we are now planning a renovation project to increase our livable interior space to better accommodate our growing family and out of town visitors, as well as make some much needed updates to the current layout and dated kitchen, etc.

As part of our plan we would like to repurpose the current attached garage by renovating it into new usable living space. Subsequently we would like to build a new garage in the North East corner of our property, which is the purpose of the variance permit application. We are hoping to have the new garage set 3 meters from the East property line rather than the current bylaw of a 6-meter setback.

The Northeast side of our property is nicely landscaped, which would remain in place, and the proposed garage would be a single story structure in line with the bungalow style of our house and would be designed in a fashion to appropriately fit in with surrounding home sizes and designs. Additionally, in consideration of our neighbours, we have purposely made our renovation plans so as not to build higher than the current roof line or impede upon any potential views that our neighbours may have.

Thank you for your consideration.

Paul and Jen Sanders

Figure 13: Letter of Intent

Attachment H - Development Variance Permit PL2018-8208

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

Development Variance Permit

Permit Number: DVP PL2018-8208

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 1 District Lot 188 Similkameen Division Yale District Plan 9342
   Civic: 147 Bankview Road
   PID: 009-709-266

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following section of Zoning Bylaw 2017-08 to allow for the construction of an attached garage.

   - Section 10.1.2.5: to decrease the minimum front yard from 6.0m to 3.5m.

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule A.

5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.

6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**

7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.

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

Authorized by City Council, the 8 day of May, 2018

Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer

Council Report

penticton.ca

Date: May 8, 2018 File No: 2018 PRJ-098
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 160 Evergreen Crescent

Subject: **Temporary Use Permit PL2018-8229**

Staff Recommendation

THAT Council approve "Temporary Use Permit PL2018-8229", a permit to allow the use of "a swimming pool" on Proposed Lot A, created by the subdivision of Lot A, District Lot 2710, Similkameen Division Yale District, Plan 34460, located at160 Evergreen Crescent;

AND THAT "Temporary Use Permit PL2018-8229" be valid for a period of three years.

Background

The subject property (Attachment 'A') is a large lot, zoned R1 (Large Lot Residential) and is designated in the City's OCP as 'LR' (Low Density Residential). The property currently features a single detached dwelling and in-ground swimming pool. The owners have applied to subdivide the property creating two R1 (Large Lot Residential) lots, with the house on one lot and the swimming pool on an otherwise vacant lot. The proposed lots will both meet the minimum lot size and width requirement of Zoning Bylaw 2017-28.

Nevertheless, in creating the additional lot, the existing pool will be situated on a different lot than the main house. A swimming pool is considered an accessory building by the Zoning Bylaw and an accessory building is defined as "ancillary to, incidental, subordinate to, dedicated exclusively to, and located on the same lot as the main building or structure". A swimming pool is not listed as a 'standalone' permitted use on the property and as such cannot be located on a lot without a *main* or *principal* building. As a condition of the subdivision, the swimming pool is required to be removed, prior to final subdivision approval. Rather than remove the pool, the owner of the property wishes to apply for a temporary use permit, which will allow the pool to remain on the vacant lot as a permitted use for a temporary period of time. As a result, a temporary use permit is required to allow the pool to remain, under the anticipation that once a new home is built on the new lot, the swimming pool will return to its "accessory" nature.

Proposal

The applicant is requesting that Council grant a temporary use permit (TUP) to permit the use of "swimming pool" for a three year period on Proposed Lot A, created by the subdivision of 160 Evergreen Crescent.

Financial Implication

N/A

Technical Review

Comments from the Technical Planning Committee's review process centered on servicing for the new lot. No concerns have been raised regarding the temporary use permit. The swimming pool currently has an electrical and water service which will need to be altered to be separated from the remainder lot.

Support

When considering an application for a temporary use permit, the OCP has established a set of guidelines for Council and staff to follow. The OCP states that temporary use permits may only be issued provided that the proposed use:

- is not noxious or undesirable;
- does not have a negative impact on adjacent lands;
- does not create a significant increase in demand for City services or infrastructures; and
- will not permanently alter the site

Staff do not feel that the proposal is in conflict with any of the guidelines listed above.

Further, staff consider the request reasonable and sensible, given that the new lot will likely reuse the swimming pool for the same purpose, thereby eliminating unnecessary waste.

For the reasons listed above it is recommended that Council support the issuance of a permit for a 3 year period. After the three years period, it is anticipated that a new house will be constructed on the lot. In the case that it is not, the property owners will either have to remove the swimming pool or apply for an extension to the permit.

Deny

Council may disagree with the staff recommendation and feel that a swimming pool should only be located on the property at such a time when there is a main house.

Alternate Recommendation

THAT Council approve "Temporary Use Permit PL2018-8229" with conditions.

Attachments

Attachment A : Subject Property Location Map
Attachment B : Zoning Map
Attachment C: OCP Map
Attachment D: Site Plan
Attachment E: Proposed Subdivision
Attachment F: Draft Temporary Use Permit

Respectfully submitted,

Audrey Tanguay
Senior Planner

Approvals

DDS	CAO
AH	PW

Attachment A – Subject Property Location Map

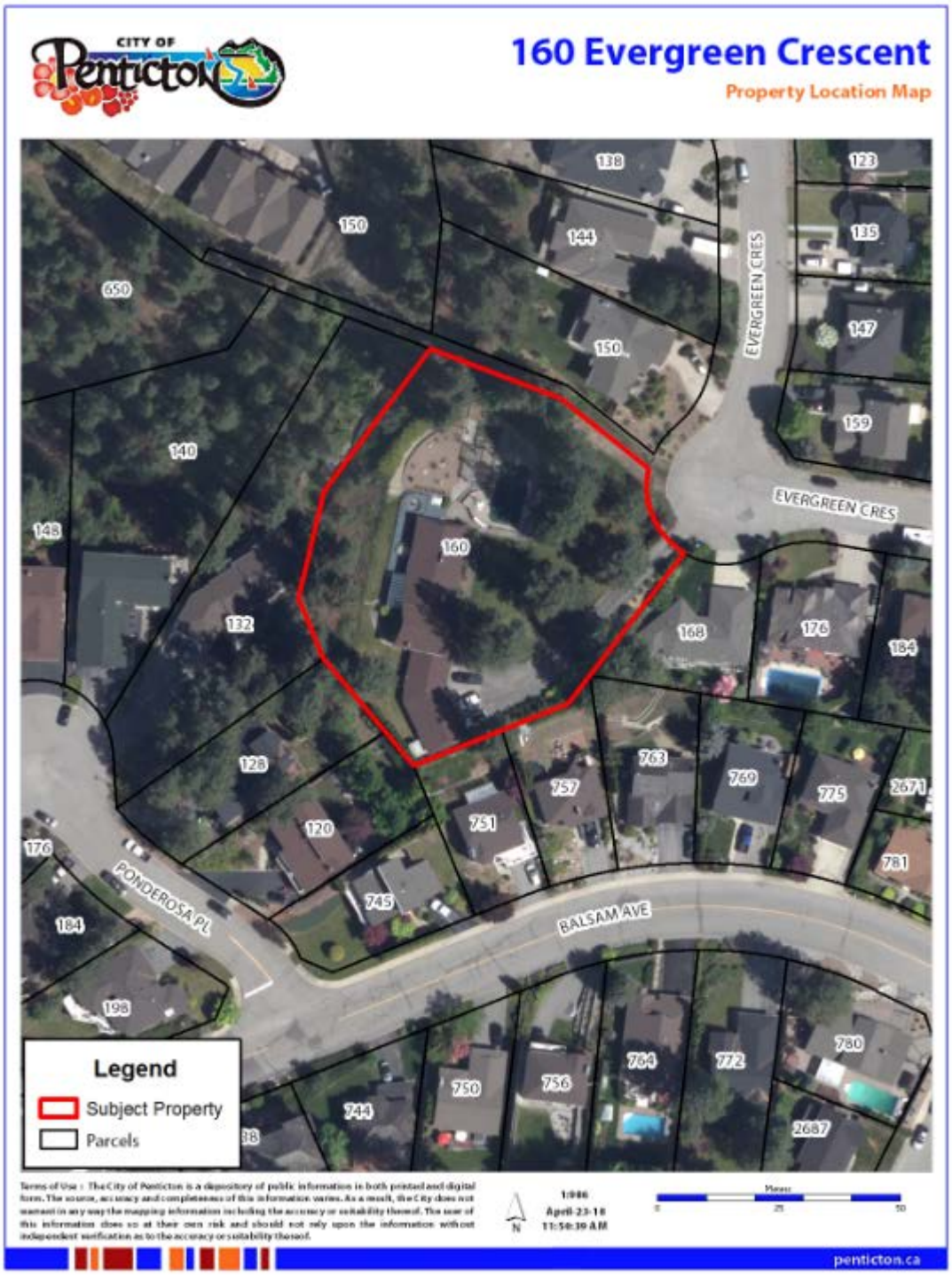


Figure 1: Subject Property Location Map

Attachment B – Zoning Map

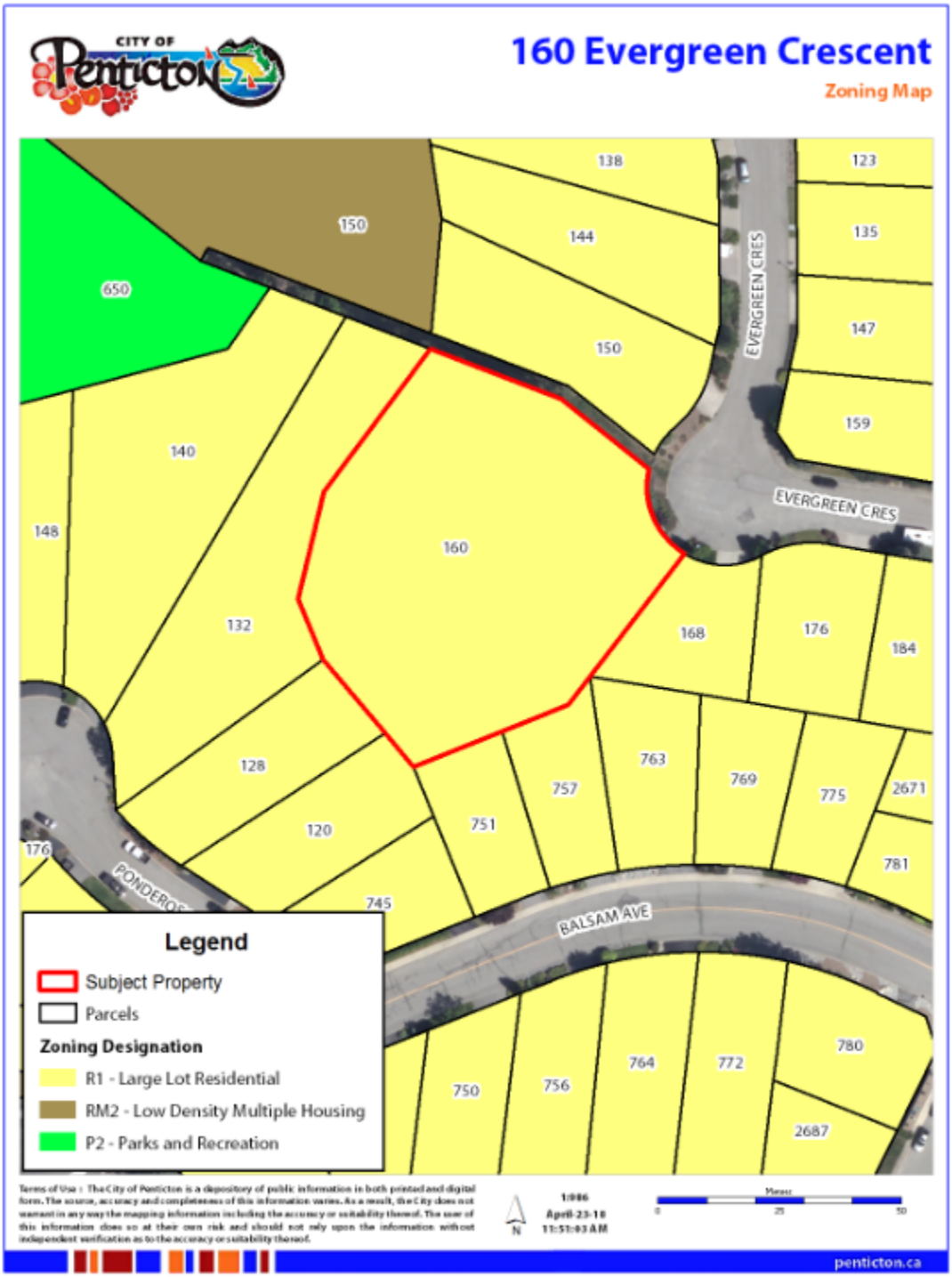


Figure 2: Zoning Map

Attachment C- OCP Map

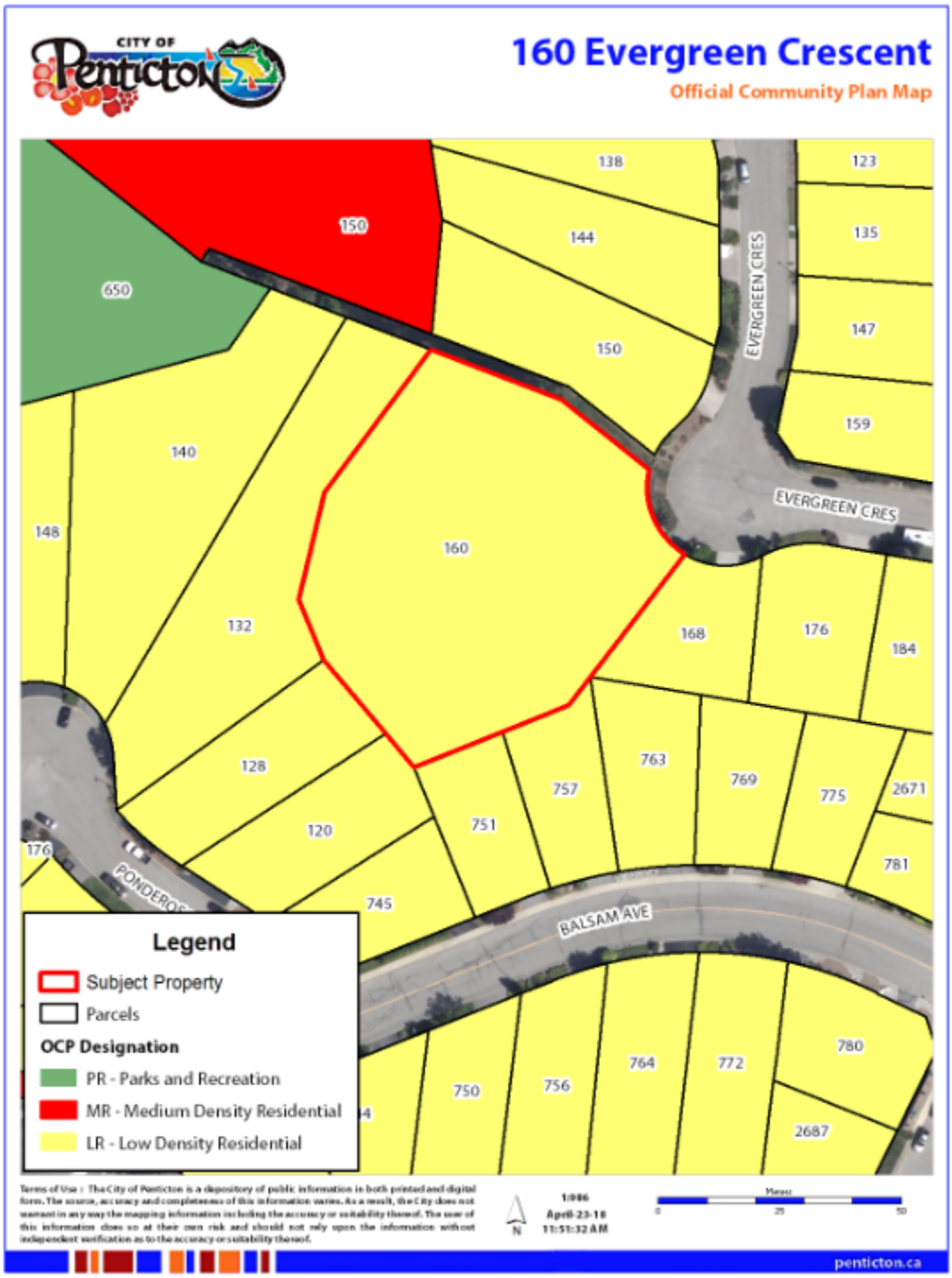
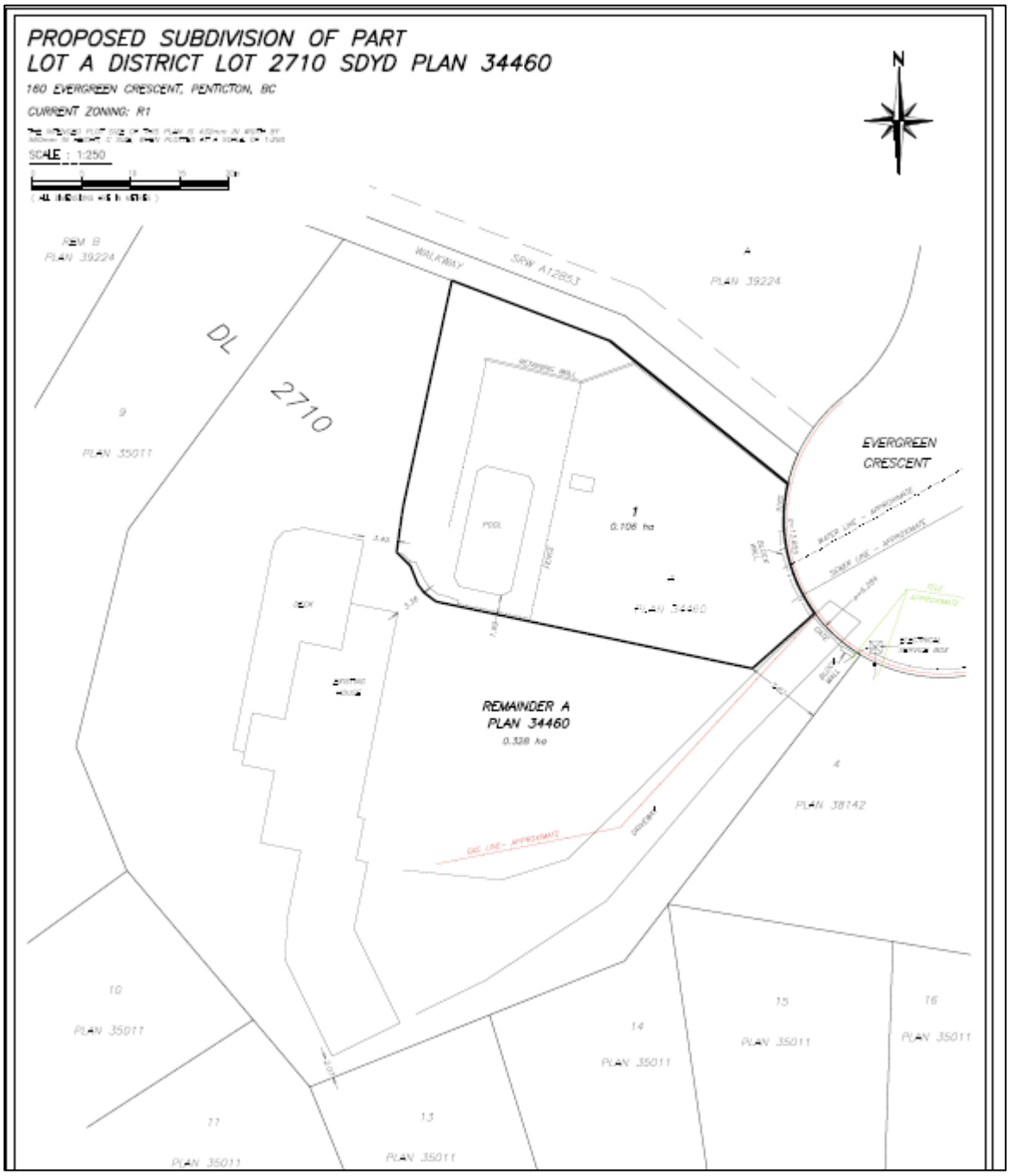
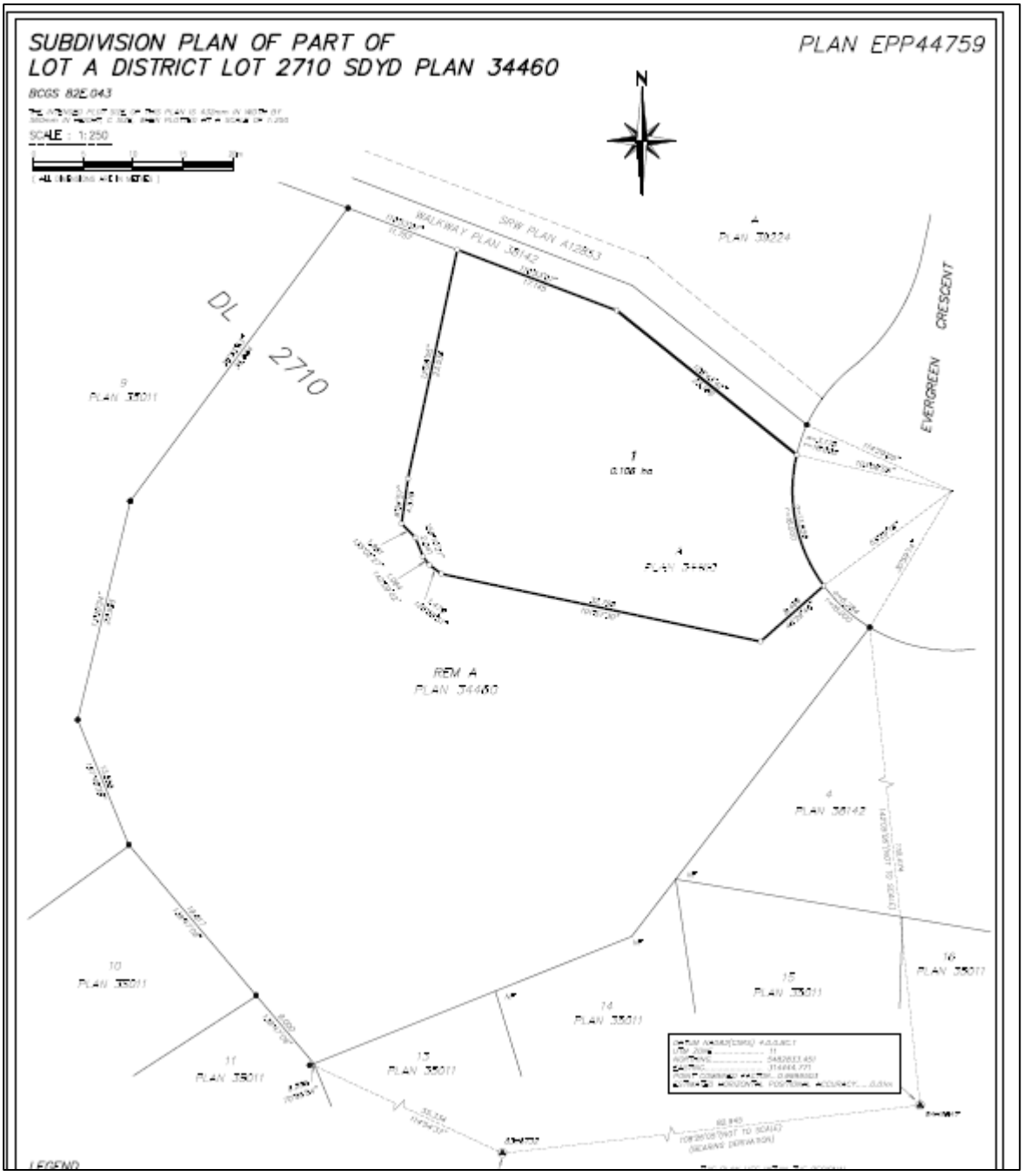


Figure 3: OCP Map

Attachment D- Site Plan



Attachment E- Proposed Subdivision



Attachment F- Temporary Use Permit

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

Temporary Use Permit

Permit Number: TUP PL2016-7707

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 A, District Lot 2710, Similkameen Division Yale District, Plan EPP44759
   Civic: 160 Evergreen Crescent
   PID:

3. This permit has been issued in accordance with Section 493 of the *Local Government Act*, to allow for the temporary use of the above noted lands for an 'accessory use' (swimming pool), with no principal use on the property, as shown in the plans attached in Schedule A.

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 497 of the *Local Government Act*, this permit shall expire on **May 8, 2021.**

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 8th day of May, 2018

Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer

Page 2 of 2