Agenda

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

Tuesday, August 21, 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 August 7, 2018 Committee of the Whole	1-2	Receive
6.2	Minutes of the August 7, 2018 Public Hearing	3-5	Receive
6.3	Minutes of the August 7, 2018 Regular Council Meeting	6-12	Adopt

7. **Consent Agenda**

7.1 Release of Items from Closed Meeting:

- THAT Council direct staff to pursue an amendment to Crown Lease 334320 to include an area of land around the CN Tug; AND THAT the Mayor and Corporate Officer be authorized to execute any of the lease documents.

Staff Recommendation: THAT Council approve the Consent Agenda.

8. **Committee and Board Reports:**

8.1 Transportation Advisory Committee Minutes of August 9, 2018 13-16

Recommendation: THAT Council receive the draft minutes of the Transportation Advisory Committee meeting of August 9, 2018.

Committee Recommendation: THAT the City of Penticton send a letter to Interior Health with an invitation to initiate discussions on developing alternative modes of transportation, promoting a healthy community and to address traffic and parking concerns arising from the construction of the new patient tower at the Penticton Regional Hospital.

Committee Recommendation:THAT Council support the prioritization of bike lane improvements for Penticton AND THAT the Committee support staff proposing sufficient funds for a bike lane project to proceed in 2019 through the budget process.

9. **Correspondence:**

9.1 Ridgedale Avenue/Kendall Crescent Neighbourhood Committee 17-24
Re: Carriage Houses

10. **Staff Reports:**

Haddad 10.1 Penticton Economic Development Partnership 25-30

Staff Recommendation: THAT Council support the creation of the Penticton Economic Development Partnership between the following organizations:

- *City of Penticton*
- *Community Futures Okanagan Similkameen*
- *Downtown Penticton Association*
- *Okanagan College*
- *Penticton Indian Band*
- *Penticton Indian Band Development Corporation*
- *Penticton & Wine Country Chamber of Commerce*
- *Penticton Industrial Development Association*
- *Transport Canada – Penticton Airport*
- *Travel Penticton*
- *SOS Local Immigration Partnership*
- *South Okanagan Immigrant & Community Services*
- *University of British Columbia / Mitacs*

Kunka 10.2 Building Bylaw No. 2018-01 31-97

Staff Recommendation: THAT Council give first reading to "Building Bylaw No. 2018-01", a bylaw for the administration of the Building Code and regulation of construction; AND THAT staff be directed to engage in final public and industry stakeholder consultation and report back to Council at their regular meeting on September 18, 2018 with the results of the consultation for Council's consideration.

Moroziuk 10.3 Green Infrastructure – Environmental Quality Program Grant 98-106
Water Conservation Plan

Staff Recommendation: THAT Council adopt the Draft City of Penticton Ridgedale Reservoir Grant Water Conservation Plan prepared by AECOM dated August 15, 2018 as contained in Attachment "A" of this Council Report, as a document to be submitted as part of our Grant Application for the Ridgedale Reservoir Expansion grant; AND THAT staff plan and undertake public consultation on the Draft City of Penticton Water Conservation Plan prior to finalizing it and bringing it back to Council for adoption.

Renaud 10.4 Fees and Charges Amendment Bylaw No. 2018-59 107-196

Staff Recommendation: THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2018-59".

Haddad 10.5 Official Community Plan Amendment Bylaw No. 2018-60 197-394
Zoning Amendment Bylaw No. 2018-61
Development Cost Charges Amendment Bylaw No. 2018-62
Re: 3200 Evergreen Drive (Bluffs at Skaha)

Staff Recommendation: THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2018-60" and in accordance with Section 475 of Local Government Act, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "Official Community Plan Amendment Bylaw No. 2018-60", a bylaw amends OCP Bylaw 2002-20 to include 3200 Evergreen Drive (Bluffs at Skaha) by:

- *Amending Schedule "B" Future Land Use;*
- *Amending Schedule "H"' Development Permit Areas";*
- *Replaces in its entirety: Schedule "M" Wiltse Area Structure Plan and Schedule "E" Hazard Lands;*

be given first reading and be forwarded to the September 4, 2018 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2018-61", a bylaw that:

- *Adds the following zones to Lot 1, District Lot 190 and 2710, Similkameen Division Yale District Plan KAP7449 located at 3200 Evergreen Drive: R1 (Large Lot Residential), RM1 (Bareland Strata Housing), FG (Forestry Grazing) and P2 (Parks and Recreation);*
- *Adds as a site specific zoning amendment to the FG (Forestry Grazing) zone on 3200 Evergreen Drive to allow for two single family residences and a 20 room tourist accommodation resort with a maximum floor area of 1850 m^2*

be given first reading and be forwarded to the September 4, 2018 Public Hearing.

THAT "Development Cost Charges Amendment Bylaw No. 2018-62", a bylaw to amend 'Sector Map A' of "Development Cost Charges Bylaw 2007-79", to include 3200 Evergreen Drive in the Periphery DCC Area, be given first, second and third reading and, in accordance with Section 560 of the Local Government Act, the bylaw be forwarded to the Inspector of Municipalities for approval prior to adoption.

11. **Public Question Period**

12. **Recess Meeting**

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

14. **Bylaws and Permits:**

14.1	2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-54	395-397	Adopt
14.2	Zoning Amendment Bylaw No. 2018-55	398-399	2nd/3rd/Adopt
	Official Community Plan Amendment Bylaw No. 2018-56 Re: 241 Nelson Avenue	400-401	2nd/3rd/Adopt
14.3	Official Community Plan Amendment Bylaw No. 2018-57	402-403	2nd/3rd/Adopt
	Zoning Amendment Bylaw No. 2018-58 Re: 1830 Ridgedale Avenue	404-405	2nd/3rd/Adopt
14.4	Zoning Amendment Bylaw No. 2018-48 Re: 1449 Government Street	406-407	Adopt

15. **Land Matters:**

Haddad	15.1	Development Variance Permit PL2018-8327 Re: 1049 Antler Drive	408-422	Del/Sub

<u>Staff Recommendation:</u> THAT Council approve "Development Variance Permit PL2018-8327" for Lot 32 District Lot 2710 Similkameen Division Yale District Plan EPP74844, located at 1049 Antler Drive, a permit to increase the maximum height of a retaining wall within a required yard from 1.2m to 2.5m; AND THAT staff be directed to issue "Development Variance Permit PL2018-8327."

16. **Notice of Motion**

17. **Business Arising**

18. **Council Round Table**

19. **Public Question Period**

20. **Adjournment**

Minutes

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

Tuesday, August 7, 2018
Recessed from the Regular Council Meeting at 1:00 p.m.

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

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

1. **Call to order**

The Mayor called the Committee of the Whole meeting to order at 1:00 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED
THAT the agenda for the Committee of the Whole meeting held on August 7, 2018 be adopted as presented.

CARRIED UNANIMOUSLY

3. **Delegations and Community Recognition**

3.1 Sovereign's Medal for Volunteers – Brigid Kemp

Mayor Jakubeit presented Brigid Kemp with the Sovereign's Medal for Volunteers, an official honour created by the Crown that recognizes Canadians who have made a significant, sustained and unpaid contribution to their community.

3.2 Q2 Economic Development Update

Jennifer Vincent, Economic Development Specialist, provided Council with the Q2 Economic Development update and introduced local business owners: Dennis Jacobsen, Windward Software; Russ Turner, Skaha Rock Adventures; Joe Chwachka, Pro Builders Supply.

4. **Adjourn to Regular Meeting**

It was MOVED and SECONDED
THAT Council adjourn the Committee of the Whole meeting held August 7, 2018 at 2:14 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, August 7, 2018
at 6:00 p.m.

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

Absent: Councillor Sayeed

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

1. Call to order

Mayor Jakubeit called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw No. 2018-50 and Zoning Amendment Bylaw No. 2018-53. He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaws 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>"Zoning Amendment Bylaw No. 2018-50" (190 Vancouver Avenue)</u>

The purpose of "Zoning Amendment Bylaw No. 2018-50" is to amend Zoning Bylaw No. 2017-08 as follows:

> Rezone Lot 1, District Lot 202, Similkameen Division Yale District Plan 5429, located at 190 Vancouver Avenue, from RD2 (Duplex Housing: Lane) to RM5 (Urban Residential).

The applicant is proposing to construct a four-unit townhouse with two flex units.

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

DELEGATIONS

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

- No one spoke.

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

- No one spoke.

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

- Lynn Kelsey, Oakville Street, what is a flex unit? What is it used for? Secondary suite or small commercial space.

The public hearing for "Zoning Amendment Bylaw No. 2018-50" was terminated at 6:05 p.m. and no new information can be received on this matter.

3. "Zoning Amendment Bylaw No. 2018-53" (2250 Camrose Street)

The purpose of "Zoning Amendment Bylaw No. 2018-53" is to amend Zoning Bylaw No. 2017-08 as follows:

Add the following site specific provisions to section 12.1.4:

.4 In the case of Lot 1, District Lot 251 Similkameen Division Yale District Plan 12353, located at 2250 Camrose Street, the use of the premises by a non-profit society:
- Providing family service operations to include life skills training (may include cooking, budgeting, first aid), employment skills training, and work experience facilitation; and
- Operating a second hand store which primarily sells donated used merchandise; and
- Operating a food bank for the purposes of storing and distributing food products for non-profit and charitable purposes; and
- Operating administrative offices shall be permitted.

The applicant is proposing to rezone the property to provide the Salvation Army with a new location for their operations.

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

DELEGATIONS

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

- Elvena Slump, Alberta Avenue, spoke to the human aspect of the application.

- Daryl Clark, Power Street, losing a part of the industrial area but support the Salvation Army. Careful with pedestrian traffic in industrial area.

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

- Lynn Kelsey, Oakville Street, spoke in support of the application.

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

- No one spoke.

The public hearing for "Zoning Amendment Bylaw No. 2018-53" was terminated at 6:15 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, August 7, 2018
at 1:00 p.m.

Present: Mayor Jakubeit
Councillor Picton
Councillor Sentes
Councillor Konanz
Councillor Watt
Councillor Sayeed (left the meeting at 2:40 p.m.)
Councillor Martin

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

1. Call to Order

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

2. Introduction of Late Items

3. Adoption of Agenda

348/2018 **It was MOVED and SECONDED**
THAT Council adopt the agenda for the Regular Council meeting held on August 7, 2018 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:00 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 2:14 p.m.

6. Adoption of Minutes:

6.1 Minutes of the July 17, 2018 Committee of the Whole

349/2018 **It was MOVED and SECONDED**
THAT Council receive the minutes of the July 17, 2018 Committee of the Whole as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the July 17, 2018 Public Hearing

350/2018 **It was MOVED and SECONDED**
THAT Council receive the minutes of the July 17, 2018 Public Hearing as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the July 17, 2018 Regular Meeting of Council

351/2018 **It was MOVED and SECONDED**
THAT Council adopt the minutes of the July 17, 2018 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.4 Minutes of the July 24, 2018 Special Meeting of Council

352/2018 **It was MOVED and SECONDED**
THAT Council adopt the minutes of the July 24, 2018 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda

353/2018 **It was MOVED and SECONDED**
THAT Council approve the Consent Agenda.

CARRIED UNANIMOUSLY

8. Committee and Board Reports:

8.1 Penticton Creek and Ellis Creek Restoration Committee Minutes of July 18, 2018

354/2018 **It was MOVED and SECONDED**
THAT Council receive the draft minutes of the Penticton Creek and Ellis Creek Restoration Committee meeting of July 18, 2018.

CARRIED UNANIMOUSLY

355/2018 **It was MOVED and SECONDED**
THAT Council amend the Terms and Reference for the Penticton Creek & Ellis Creek Restoration Committee to include a member of the Penticton Industrial Development Association; AND THAT staff take steps to fill the position.

CARRIED UNANIMOUSLY

8.2 Arts, Creative and Cultural Innovations Committee Minutes of July 27, 2018

356/2018 **It was MOVED and SECONDED**
THAT Council receive the draft minutes of the Arts, Creative and Cultural Innovations Committee meeting of July 27, 2018.

CARRIED UNANIMOUSLY

357/2018 **It was MOVED and SECONDED**
THAT Council refer to staff the recommendation from the Arts, Creative and Cultural Innovations Committee to consider contributing towards an Arts Officer, a position that would facilitate the collaboration of all Arts organizations and promote arts, culture and creativity in the City of Penticton; AND THAT the Committee provide a job description prior to budget deliberations.

CARRIED UNANIMOUSLY

9. Correspondence

10. Staff Reports:

10.1 2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-54

358/2018 **It was MOVED and SECONDED**
THAT Council give first, second and third reading to the "2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-54".

CARRIED UNANIMOUSLY

10.2 Zoning Amendment Bylaw No. 2018-55
Official Community Plan Amendment Bylaw No. 2018-56
Re: 241 Nelson Avenue

359/2018 **It was MOVED and SECONDED**
THAT "Zoning Amendment Bylaw No. 2018-55", a bylaw to rezone Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) and to add Section 10.6.4.7: "In the case of Lot 2, DL 250, SDYD, Plan 4654, located at 241 Nelson Avenue, if the property is subdivided into two lots, a maximum of two dwelling units are permitted per lot, while allowing vehicular access from the street," be given first reading and forwarded to the August 21, 2018 Public Hearing;
AND THAT prior to consideration of "OCP Amendment Bylaw No. 2018-56" 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. 2018-56," 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 August 21, 2018 Public Hearing.

CARRIED UNANIMOUSLY

10.3 Official Community Plan Amendment Bylaw No. 2018-57
Zoning Amendment Bylaw No. 2018-58
Re: 1830 Ridgedale Avenue

360/2018 **It was MOVED and SECONDED**

THAT prior to consideration of "OCP Amendment Bylaw No. 2018-57" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:
1. One or more persons, organizations or authorities;
2. The Regional District of Okanagan Similkameen;
3. Local First Nations;
4. School District #67; and
5. The provincial or federal government and their agencies;

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "OCP Bylaw No. 2002-20" be amended by changing the OCP designation on portion of Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103 Except Plan EPP74844 as shown on Attachment "D", located at 1830 Ridgedale Avenue from LR (Low Density Residential) to MR (Medium Density Residential), and amends Schedule 'H' of the bylaw, including the subject lands in the General Multiple Family Development Permit Area;

AND THAT "Official Community Plan Amendment Bylaw No. 2018-57" be introduced, read a first time and forwarded to the August 21, 2018 Public Hearing.

THAT "Zoning Amendment Bylaw No. 2018-58", a bylaw to rezone on portion of Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103 Except Plan EPP74844, located at 1830 Ridgedale Avenue be rezoned from RD1(Duplex Housing) to RM3 (Medium Density Multiple Housing) as shown on Attachment "D", be given first reading and be forwarded to the August 21, 2018 Public Hearing.

CARRIED UNANIMOUSLY

10.4 Zoning Amendment Bylaw No. 2018-49
Re: 236 Marina Way, 201, 203, 225, 247 Vancouver Avenue

Zoning Amendment Bylaw No. 2018-49 will be brought back to Council August 21, 2018 or September 4, 2018.

11. Public Question Period

12. Recess to Closed Meeting

361/2018 **It was MOVED and SECONDED**

THAT Council recess at 2:40 p.m. 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 expected to harm the interest of the municipality.

CARRIED UNANIMOUSLY

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

Council reconvened the Regular Council Meeting at 6:15 p.m.

14. Bylaws and Permits:

14.1 Bylaw Notice Enforcement Amendment Bylaw No. 2018-52
Re:Business Licence

362/2018 **It was MOVED and SECONDED**
THAT Council adopt "Bylaw Notice Enforcement Amendment Bylaw No. 2018-52".

CARRIED UNANIMOUSLY

14.2 Zoning Amendment Bylaw No. 2017-67
Development Variance Permit PL20187-8041
Re:641 Winnipeg Street

363/2018 **It was MOVED and SECONDED**
THAT Council adopt "Zoning Amendment Bylaw No. 2017-67";
AND THAT Council approve "Development Variance Permit PL2017-8041".

CARRIED UNANIMOUSLY

14.3 Zoning Amendment Bylaw No. 2018-26
Re:500/512 Gahan Avenue

364/2018 **It was MOVED and SECONDED**
THAT Council adopt "Zoning Amendment Bylaw No. 2018-26".

CARRIED UNANIMOUSLY

14.4 Zoning Amendment Bylaw No. 2018-50
Development Variance Permit PL2018-8288
Re:190 Vancouver Avenue

365/2018 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-50";
AND THAT Council adopt "Zoning Amendment Bylaw No. 2018-50";
AND THAT Council approve "Development Variance Permit PL2018-8288".

CARRIED UNANIMOUSLY

14.5 Zoning Amendment Bylaw No. 2018-53
Re:2250 Camrose Street

366/2018 **It was MOVED and SECONDED**
THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2018-53";
AND THAT Council adopt "Zoning Amendment Bylaw No. 2018-53".

CARRIED UNANIMOUSLY

15. Land Matters:

15.1 Development Variance Permit PL2018-8249
Re: 142 Kendall Crescent

Delegations/Submissions:

- George Giannotti, Okanagan Development Consultants Inc, designer of project, explained the need for the variance. Support from neighbours for deck variance.
- Kim Lyster, Kendall Crescent, submitted letter, concerned about height, size, and intrusion of privacy to property next door. No support from neighbourhood.
- Gary Denton, Kendall Crescent, good looking house in wrong place, not in support of the variances. Requested Council deny the application and review the zoning bylaw.

- Doug Ewasiuk, Kendall Crescent, spoke against the variance. Proposed deck will face property.
- Jennifer Parker, Kendall Crescent, spoke against the variance, no trees to prevent views into yard, large structure, will impact neighbourhood.
- Peter Dewdney, spoke against the application, destroy character of well established neighbourhood. Don't think the City has properly notified the area.
- Dean Wells, Kendall Crescent, spoke in support of the application.

367/2018 **It was MOVED and SECONDED**
THAT Council deny "Development Variance Permit PL2018-8249" for Lot A, District Lot 2710 Similkameen Division Yale District Plan 22535, located at 142 Kendall Crescent, a permit to vary the following sections of Zoning Bylaw 2017-08: Section 8.2.3.2: to increase the maximum building footprint, in the R1 (Large Lot Residential) zone, from 90m2, or 15% lot coverage, not including the principal residence, whichever is less, to 107.7m2; and Section 8.2.3.3: to increase the maximum building height from 7.0m to 7.33m.

CARRIED UNANIMOUSLY

15.2 Development Variance Permit PL2018-8277
Re: 525 Vancouver Avenue

Delegations/Submissions: Alan Kerr, Vancouver Avenue, had an engineer, geo tech, architect, didn't know we couldn't build the wall. No boarders between lots, hard to build on. Wall controls water and soil irrosion.

368/2018 **It was MOVED and SECONDED**
THAT Council approve "Development Variance Permit PL2018-8277" for Lot 2 Block 4 District Lot 202 Similkameen Division Yale District Plan 479, located at 525 Vancouver Avenue, a permit to increase the maximum height of a retaining wall within a required yard from 1.2m to 2.85m;
AND THAT prior to issuance of "Development Variance Permit PL2018-8277," the following conditions are met: • Landscape screening measures are put in place with underground irrigation as per Attachment G of this report;
AND THAT staff be directed to issue "Development Variance Permit PL2018-8277."

CARRIED
Councillor Watt, Opposed

16. Notice of Motion

17. Business Arising

18. Council Round Table

19. Public Question Period

20. Adjournment

369/2018 **It was MOVED and SECONDED**
THAT Council adjourn the Regular Council meeting held on Tuesday, August 7, 2018 at 7:46 p.m.

CARRIED UNANIMOUSLY

Certified correct:

_____
Dana Schmidt
Corporate Officer

Confirmed:

_____
Andrew Jakubeit
Mayor

Minutes

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Transportation Advisory Committee Meeting

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

Thursday August 9, 2018
at 3:00 p.m.

Present: Tarik Sayeed, Councillor – via phone
Tracy Van Raes, Chair
Connie Sahlmark, Vice-Chair
Daryl Clarke, Penticton Industrial Development Association Representative
Karina Chambers, Member at Large
Brigid Kemp, Member at Large
Kona Lynn Sankey, Member at Large
Matt Hopkins, Member at Large

Staff: Ian Chapman, City Engineer
Tyler Figgitt, Design Supervisor
Jo Benson, Committee Clerk

Guests: James Donnelly, Urban Systems Representative
Ian Roth, Urban Systems Representative
Dave Bullock
Frank Conci
Brian Hughes

1. **Call to Order**

The Transportation Advisory Committee was called to order by the Chair at 3:02 p.m.

2. **Adoption of Agenda**

Add: Item 5.1 Bike Lane and Cycling in the City – Brian Hughes, Delegate
Renumber New Business Items

It was MOVED and SECONDED
THAT the Transportation Advisory Committee adopt the agenda for the meeting held on August 9, 2018 as amended.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

Add: Councillor Tarik Sayeed to be added to those present via phone

It was MOVED and SECONDED
THAT the Transportation Advisory Committee adopt the minutes of the June 27, 2018 meeting as amended.

CARRIED UNANIMOUSLY

4. **Business Arising from Prior Meetings**

4.1 Proposed Locations for New Bike Racks Update

The Committee discussed bike rack locations within the city and reviewed the pictures of 3 of 4 locations where racks had been recently installed. The City Engineer will follow up at the next meeting about additional locations that had been previously identified by the Committee and Mr. Hopkins.

4.2 Letter to Interior Health – Committee Recommendation

The Committee discussed the present parking issues surrounding the Penticton Regional Hospital area and what Interior Health is doing to promote, encourage or support employees to seek alternative transportation. The Committee, via recommendation wants to send an Invitation to Interior Health to initiate discussions about partnering with the City.

Recommendation:

THAT the Transportation Advisory Committee recommend:

THAT the City of Penticton send a letter to Interior Health with an invitation to initiate discussions on developing alternative modes of transportation, promoting a healthy community and to address traffic and parking concerns arising from the construction of the new patient tower at the Penticton Regional Hospital.

CARRIED
Matt Hopkins, Opposed

5. **New Business**

5.1 **Bike Lanes**

Brian Hughes presented his idea of a new bike corridor along Atkinson Street. Mr. Hughes talked about the need to make the City of Penticton more accessible and bike friendly. He suggested the Committee look at attracting funders for cycling infrastructures to support new bike corridors. In addition to being safe, biking corridors need to be well lit and roomy enough to allow for pedal taxis. Mr. Hughes proposed Atkinson Street as a safe road of travel that could link to Winnipeg Street and thru to the downtown area, and that a link from the Okanagan College via Hastings to Moosejaw as an effective way to direct bikers to the South Okanagan Events Centre. Further discussion by the Committee included; current bike lanes, risks to bikers

on garbage and recycling days, delineation of commuter vs recreational bikers and how to reduce the demand for parking to mitigate parking issues. The City Engineer spoke about how project funding is advanced via staff proposal and recommendation in the budget process. The City Engineer also advised that there was already a plan in place for a separated bike lane that would link Fairview/Winnipeg to Atkinson Street and a corridor to Skaha Lake. However, if the Committee had other suggestions they could identify these options.

Recommendation:

THAT the Transportation Advisory Committee recommend:

THAT Council supports the prioritization of bike lane improvements for Penticton AND THAT the Committee support staff proposing sufficient funds for a bike lane project to proceed in 2019 through the budget process.

CARRIED UNANIMOUSLY

5.2 Intersection of Dartmouth Road and Okanagan Avenue East

Urban Systems Representatives were introduced to the Committee by the City Engineer. Urban Systems is the consulting group hired by the city to analyze the intersection to address concerns of several accidents and many more and frequent reports of near misses. A history of the studies and investigation of existing conditions were presented for this intersection citing observed; traffic volumes, heavy vehicle percentages, unbalanced traffic turning movements and somewhat compromised sight lines. In addition the impacts of the installation of an all-way stop at the Warren/Dartmouth intersection were also presented.

Options to address the unbalanced traffic movements through the intersection were discussed:

1. Install traffic full signal – discounted due to not meeting warrant recommendations.
2. Reversing the existing east/west one way priority to north/south one way priority to match recorded traffic flows but with a transition period as a temporary all-way stop – discounted due to the disruption and confusion imposed on drivers by transitioning through two configurations and in the reversed configuration the concern of adding delays to east/west traffic on Okanagan Avenue East trying to cross the higher volume traffic on Dartmouth.
3. Install an All-Way Stop intersection - recommended by Urban Systems as being the most cost effective way to address volumes, slow traffic, provide improved safety for cyclist and pedestrian movements and reduce delays. These were discussed by the Committee and;

It was MOVED and SECONDED
THAT the Transportation Advisory Committee accept the change to a temporary 4 way stop sign with the intentions of reversing the 2 way stop.

DEFEATED

It was MOVED and SECONDED
THAT the Transportation Advisory Committee accept the recommendation made by Urban Systems to put in an all way stop.

CARRIED UNANIMOUSLY

Councillor Tarik Sayeed left the meeting at 4:04 p.m.

Urban systems representatives left the meeting at 4:14 p.m.

5.3 Sidewalk Prioritization Mapping

Due to time constraints, Tyler Figgitt, Design Supervisor to present at next meeting.

5.4 Temporary Sidewalks

A member at large wanted to know the City Policy for closure of sidewalks for construction projects. The City Engineer discussed sidewalk closures due to Capitol Works Projects but stated closures due to building construction in the city is handled by the Building Department and suggested the member seek further clarification with the Building Department.

6. **Next Meeting**

The next scheduled meeting of the Transportation Advisory Committee is Wednesday September 19, 2018.

7. **Adjournment**

It was MOVED and SECONDED
THAT the Transportation Advisory Committee adjourn the meeting held on Thursday, August 9, 2018 at 4:17 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

_____
Jo Benson - Committee Clerk

RECEIVED
AUG 16 2018
11:32am

Ridgedale Avenue / Kendall Crescent Neighbourhood Committee
1309 Ridgedale Avenue

August 15, 2018

Penticton City Council
171 Main Street
Penticton, BC
V2A 5A9

Re: Carriage houses

Dear Mayor & Council,

Subsequent to our attendance at the City Council meeting of August 7, 2018 and a survey of residents, **we request that the City of Penticton exclude the approval of Carriage Houses as a permitted use in this neighbourhood (see attached map). We further request an immediate moratorium on carriage houses in this neighbourhood.**

The application submitted by the owners of 142 Kendall Crescent has highlighted several issues with the current carriage house bylaws.

Given the range of concerns arising from this proposal, a moratorium would provide time to assess and consider the following pertaining to future planning for the entire City:

- Zoning confusion whereby secondary detached dwellings contradict the stated purpose of single family residential zoning.
- Replace terms such as "subordinate" (as in the staff report) with meaningful rules (standards) regarding height in relation to the existing primary dwelling.
- Review setback and height requirements with the objective of avoiding the construction of imposing structures affecting the privacy, quiet enjoyment, and use of neighbouring properties.
- As much as possible, support the creating of draft design criteria.
- Improve bylaw enforceability and penalties for existing short-term rental / vacation-rental of carriage houses.
- Require meaningful neighbourhood input and require neighbourhood consensus in the approval process.

- Parking and/or many additional driveways on Ridgedale Ave. and Kendall Cr. will pose a hazard, possibly even requiring traffic-calming measures.

- Designate Kendall Crescent and adjacent Ridgedale Avenue as "carriage house free" zones.

With respect to the latter point, the majority of residents are in favour.

Our group of neighbours has engaged in considerable discussion about the impact of carriage houses on one of the few unique neighbourhoods within the city. The unique character of the neighbourhood is one of mixed lot sizes, extensive mature trees, and a variety of dwelling types.

The residents believe that maintaining the character of this neighbourhood also retains the value of the properties, offsetting potential increases in values from additional dwellings. These characteristics support the intent of the OCP which includes the objectives:

- Facilitate the provision of a variety of housing types, tenures, and densities that will continue to respond to the diverse needs, including income levels, of individuals and families in Penticton at varying stages of their life;

- Maintain the character of existing single-family neighbourhoods in Penticton.

These factors and the loss of mature trees in the event of further carriage-house / secondary dwelling construction do not favour further development.

The members of our neighbourhood planning group are keenly interested in participating in the process of discussing our request with designated City representative.

Sincerely,



Residents of Ridgedale Ave. and Kendall Cr.

As per Shari and Brad Russell
1309 Ridgedale Ave.

Area Covered by Petition of 2018 Aug.



RESIDENT SURVEY - KENDALL CRES. & RIDGEDALE AVE.

2018 August

We request that the City of Penticton exclude the approval of Carriage Houses as a permitted use in this neighbourhood (see attached map). We further request an immediate moratorium on carriage houses in this neighbourhood as per the attached letter.

ADDRESS	OWNER (S)	SIGNATURES	DATE	
1299 Ridgedale Ave.				
1309 Ridgedale Ave.	Brad + Shari Russell		Aug 15/18	24
1331 Ridgedale Ave.	NORMAN FILIPENKO		Aug 15/18	14
1337 Ridgedale Ave.	GARY ELLIS		AUG 15/18	27
1343 Ridgedale Ave.	ASHLEY TYNDALL		AUG 15/18	1
1353 Ridgedale Ave.	Pat Jagodics		Aug 15/18	28
1365 Ridgedale Ave.				
1375 Ridgedale Ave.				

					years occupancy
	102 Kendall Cres.	Pat Fugeta	Fugeta	Aug 15/18	40 yrs
	105 Kendall Cres.	CAM + CAROLA ESSERY	Essery	Aug 15/18	8 years
	109 Kendall Cres.	Peter & Elaine Dewdney		Aug 14/2018	31 years
x	112 Kendall Cres.	Gregg + Shelley Lefran		AUG 15/18	24 yrs.
	122 Kendall Cres.	Helen + Richard Terry	Helen Terry	Aug 15/2018	22 yrs
	125 Kendall Cres. Councillor	City Councillor			30 yrs
	132 Kendall Cres.	DEWASIUK	D Ewasiuk	Aug 15/18	2 yrs
	142 Kendall Cres.	Applicants			
	135 Kendall Cres.	Dawn Harper Gary Denton	Dawn Harper G Denton	Aug 15, 2018 Aug 14, 18	28 yrs
NIX	145 Kendall Cres.				
	148 Kendall Cres.	KIM LYSTER BARRY GRUNTMAN	K Lyster	aug 14/2018	9 years
x	149 Kendall Cres.	JOHN SURKAN VIVIAN Maier	John Surkan Vivian Maier	Aug 15, 2018 aug 15/18	32 years

	154 Kendall Cres.	C. SMITH	C Smith (K Harper proxy)	Aug 14/2018	29 9yrs
(X)	155 Kendall Cres.				X
	165 Kendall Cres.	DON CUMMINGS SANDI CUMMINGS	D Cummings A Cummings	AUG 14, 2018	16 yrs
X	170 Kendall Cres.	Rusty Gilchrist Bob Gilchrist		Aug 15/18	45 yrs
	175 Kendall Cres.	LEN KURODA BERVA KURODA		Aug 15, 2018	25 years
X	180 Kendall Cres.	Don Hector Anne Hector	Don Hector Anne Hector	Aug 15/2018	18 yrs
X	188 Kendall Cres.	Vacant For Sale			
[redacted]	189 Kendall Cres.				
x	195 Kendall Cres.	SUE BLANCHARD	S Blanchard	Aug. 15 '18	16 yrs
	199 Kendall Cres.	LAWRENCE PATTON ELEANOR PATTON.	L Patton	Aug 15/18 50 yrs.	50 years

C. Lynn and Jim O'Brien
155 Kendall Crescent
Penticton BC
V2A 2S9

August 15, 2018
Penticton City Council
171 Main Street
Penticton BC
V2A 5A9

RE: PROPOSED CARRIAGE HOUSE ON 142 KENDALL CRESCENT

Dear Councilors,

We, along with most of the property owners on Kendall Crescent continue to oppose the building of a carriage house on 142 Kendall Crescent and we propose a moratorium on this build until suitable language and guidelines can be established.

The entire neighbourhood is horrified that this two story building could go ahead in its currently proposed form. It will impact not only the look of this quiet old crescent, but will severely impact the privacy of the neighbours.

Many residents, in hopes of getting this current project stopped, are suggesting the city disallow any more carriage houses on Kendall Crescent. We believe there is opportunity to review and revise the wording and constraints pertaining to the construction of carriage houses that would allow such structures to be compatible with the character of our neighbourhood. Specifically, we expect that the following guideline be required:

- Any proposed carriage house must remain consistent with the existing dwelling on the property, in form and character, including height and design and *always* be subordinate to the existing residence.
- Limit carriage house height to one story
- Limit total building square footage of any carriage house to under 100 square meters.

The above noted changes would be consistent with the intent and objectives of the OCP while addressing some of the issues raised by the residents of our neighbourhood.

In summary, we are strongly opposed to the proposed Carriage House project at 142 Kendall Crescent in its current form. Our hope is that the City Council will take steps to improve this situation by stopping the current building project and making appropriate modifications to existing guidelines to prevent such inappropriate developments in the future.

Sincerely,



C. Lynn O'Brien and Jim O'Brien

Council Report

penticton.ca

Date: August 21, 2018 File No: 6520-20
To: Peter Weeber, Chief Administrative Officer
From: Anthony Haddad, Director of Development Services

Subject: Penticton Economic Development Partnership

Staff Recommendation

THAT Council support the creation of the Penticton Economic Development Partnership between the following organizations:

- City of Penticton
- Community Futures Okanagan Similkameen
- Downtown Penticton Association
- Okanagan College
- Penticton Indian Band
- Penticton Indian Band Development Corporation
- Penticton & Wine Country Chamber of Commerce
- Penticton Industrial Development Association
- Transport Canada – Penticton Airport
- Travel Penticton
- SOS Local Immigration Partnership
- South Okanagan Immigrant & Community Services
- University of British Columbia / Mitacs

Strategic Priority

Economic Vitality – Economic Development and Development Services supports the creation of a vibrant economy through:

- The development of business and investment friendly policies, processes and initiatives;
- Developing policy that supports business development, attracts investment and diversifies our economy; and
- Investing in the development of strategic partnerships locally, regionally with First Nations, governments, industry and the business community.

Background – Economic Development Strategic Plan

On February 6, 2018 Council endorsed the 2018-2022 Economic Development Strategic Plan. The plan set the framework for goals and actions to be created within annual operational plans under the guidance of five Key Result Areas (KRA's):

1. Communication – Developing key messaging and reporting to our internal and external stakeholders.
2. Collaboration – Identifying strategic partnerships and working towards common goals.
3. Retention and Expansion – Focusing on businesses currently within the community.
4. Attraction – Focusing on bringing businesses, investment and labour to Penticton.
5. Organizational Excellence – Continually improving the economic development department.

Collaboration is critical for success and this theme runs through all of the KRA's. The following goal was created to specifically deal with creating partnerships between local and regional organizations to better connect:

> Goal 2.5: Facilitate collaboration and knowledge – sharing with both external and internal stakeholders to foster economic vitality.

The intention of creating the Penticton Economic Development Partnership is to formalize how each of the partner organizations would meet as a group three-four times a year (or as needed) to get a better understanding of each parties initiatives, where they can help, avoid conflicting priorities, and ultimately to share the direction each organization is heading in. The opportunity to show the collaboration between our community leadership organizations is a priority for Economic Development to lead as it ultimately increases communications amongst these leadership organizations and improves opportunities for new partnerships to form.

On March 1st 2018, Economic Development led a meeting with twelve organizations in the community to discuss the potential for development of the partnership. The group identified a number of benefits coming from the partnership, to the community and to each organization. Discussion was also had around the better sharing of information between parties including the development of economic indicators to share with our community – identifying progress in a range of different areas of our economy.

On May 16th 2018, the second meeting of the partners was hosted by the Penticton Indian Band at the En'Owkin Centre and the group further flushed out each of their priorities and began to identify areas of common interest. Emerging from this meeting were many topic areas that require continual focus over the coming years. There was general agreement on the format and wording of the partnership, in its response to the ideas and issues coming out of the first meeting in March.

On July 26th 2018, the partners met to finalise the partnership document and commenced working towards initial opportunities. At this meeting, each organization confirmed agreement to move ahead with the Penticton Economic Development Partnership.

Staff are now please to present Council with the results of the process, the creation of Penticton's first Economic Development Partnership.

Penticton Economic Development Partnership

The organizations that have been involved in creating the Penticton Economic Development Partnership are as follows:

- City of Penticton
- Community Futures Okanagan Similkameen
- Downtown Penticton Association
- Okanagan College
- Penticton Indian Band
- Penticton Indian Band Development Corporation
- Penticton & Wine Country Chamber of Commerce
- Penticton Industrial Development Association

- Transport Canada – Penticton Airport
- Travel Penticton
- SOS Local Immigration Partnership
- South Okanagan Immigrant & Community Services
- University of British Columbia / Mitacs

This partnership recognizes that additional parties may join at a later date and staff are already in discussions with a number of other organizations that would contribute significantly to this initiative.

The partnership document, provided in Attachment A, provides **direction** and guidance around the format of the meetings and includes the following sections:

- **Intent of Partnership** to provide guidance around what is intended to be achieved through the work of the partners.
- **Community Benefit of the Partnership** ensuring that the community is at the forefront of benefits resulting from the work of the partners.
- **Benefits to Each Organization** will ensure each of the partners seek to derive benefits to each of their organizations through their involvement in the partnership.
- **Economic Indicators** will be shared amongst organizations, recognizing the economic impact that the work of each or the partners is responsible for.
- **Meeting Format and Schedule** to formally adopt a meeting schedule and ensure results are achieved from this partnership.

The creation of the partnership will formalize meetings between the operational staff within each organization to get a better understanding of each party's initiatives, where they can help, avoid conflicting priorities, and ultimately to share the direction each organization is heading in. Each of the members will report back on an ongoing basis to their respective Council's and Boards.

The opportunity to realise collaboration between our community leadership organizations is a priority for Economic Development and is clearly outlined as a deliverable within the 1st year operational plan of the new Economic Development Strategic Plan. Efficiencies will be gained, relationships will be built and long term partnership opportunities that benefit our community from an economic perspective and more will ultimately deliver positive results for our region.

Staff are recommending that Council support the proposed Penticton Economic Development Partnership and look forward to keeping Council and the community updated on future success.

Attachments

Attachment A – Penticton Economic Development Partnership

Concurrence:

Respectfully submitted,

Director	CAO
AH	LD per PW

Anthony Haddad

Director of Development Services

Attachment A - Penticton Economic Development Partnership



Penticton Economic Development Partnership (**'the Partnership'**)

The Penticton Economic Development Partnership is dated for reference the 21st day of August, 2018

PARTIES TO THE PENTICTON ECONOMIC DEVELOPMENT PARTNERSHIP: 'The Parties'

- City of Penticton
- Community Futures Okanagan Similkameen
- Downtown Penticton Association
- Okanagan College
- Penticton Indian Band
- Penticton Indian Band Development Corporation
- Penticton & Wine Country Chamber of Commerce
- Penticton Industrial Development Association
- SOS Local Immigration Partnership
- South Okanagan Immigrant & Community Services
- Transport Canada – Penticton Airport
- Travel Penticton
- University of British Columbia / Mitacs

This partnership recognizes that additional parties may join this partnership at a later date.

This is not a legally binding document. It is intended to guide the partners in their efforts and provide a framework to identify and pursue opportunities for collaboration

INTENT OF THE PENTICTON ECONOMIC DEVELOPMENT PARTNERSHIP

The intention of the Penticton Economic Development Partnership is to:

- Acknowledge that economic activities created, developed and pursued by this partnership are taking place on the traditional territory of the Syilx People
- Recognize the historical context and diverse cultural history that exists in our region
- Improve upon the understanding and knowledge of the priorities of each organization
- Increase awareness of organizational challenges
- Identify how each party can assist and support local and regional initiatives
- Identify joint areas of Interest
- Create new partnerships that will benefit our community

COMMUNITY BENEFIT OF THE PARTNERSHIP

Our communities will benefit with this partnership through:

- Improved accuracy of information around each organization priorities in the community
- Increased community awareness of organizational priorities and projects
- Building closer working relationships
- Increased awareness of economic activity and strengths within the City and region

BENEFITS TO EACH ORGANIZATION

Each organization that is party to this partnership see a benefit to this partnership by:

- Increasing opportunities for cost sharing on joint initiatives
- Improving awareness of partner priorities by informing the development of budgets and operational priorities for subsequent years
- Improving access to data from a wider source of partners to inform projects and initiatives

ECONOMIC INDICATORS

Recognizing the impact that each organization has on our local and regional economy and the unique insights into the economic climate in our communities:

- Each organization will work to develop and keep updated economic indicators showing their impact in the community
- By amalgamating these indicators into one communication, they will provide a valuable communications tool for the Partners.

MEETING FORMAT AND SCHEDULE

The parties agree to scheduling regular occurring meetings as follows:

- Quarterly meetings to be formally scheduled with a decision on the required number of meetings each organization must attend per year
- Agendas set 2-3 weeks in advance of meeting
- Presentation material distributed in advance
- Meetings will be initiated by the City of Penticton's Economic Development team

Council Report

penticton.ca

Date: August 21, 2018 File No: 3760
To: Peter Weeber, Chief Administrative Officer
From: Ken Kunka, Building and Permitting Manager
Subject: **Building Bylaw No. 2018-01**

Staff Recommendation

THAT Council give first reading to "Building Bylaw No. 2018-01", a bylaw for the administration of the Building Code and regulation of construction;

AND THAT staff be directed to engage in final public and industry stakeholder consultation and report back to Council at their regular meeting on September 18th, 2018 with the results of the consultation for Councils consideration.

Executive Summary

The purpose of this report is to present Building Bylaw No. 2018-01 with the necessary background information to facilitate first reading of the new bylaw. The proposed bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures. Changes to the Bylaw will also involve continued department efficiency improvements and modifications to fees and enforcement protocols.

Through the Building Department modernization project, staff have identified the redevelopment of the City's building bylaw as the cornerstone of further process improvements. The development of the bylaw took into account:

- enhancements to customer service,
- staff training and long term resource levels,
- mitigating the risk of liability,
- better protection of health and safety,
- the management and completion of permits,
- changes to code standards, such as the Energy Step Code,
- meeting new provincial standards such as the Building Act,
- recognizing specific matters unique to Penticton such as geological challenges, and
- the increasing complexity, costs and challenges related to construction.

These elements embodied in the building bylaw have been assessed and given careful consideration to its impact to the building industry, owners and long term effects on the City of Penticton. The preparation of the bylaw has been

developed in conjunction with consultation of industry stakeholders, City staff, other Okanagan jurisdictions, Building Standards and Municipal Insurers Association of BC (MIABC).

Strategic priority objective

In the development of the new bylaw staff have identified the following Council Priorities.

- Good Governance – Engaging with community in the development of major policy that will impact the interests of residents and building industry stakeholders.
- Fiscal Sustainability – Ensure City services are delivered in an economical and sustainable way assisting in the development of the city's tax base and reducing exposure to long term liability claims.
- Environmental Sustainability – Integration of environmental and socioeconomic values in the decision making process and incorporate strategies in line with the direction of the City's Corporate and Climate Action Plans

Background

Through authority from the Local Government Act & Community Charter, the City administers compliance of the BC Building & Plumbing Code and regulates other construction through the Building Bylaw. The City has been regulating construction through bylaws and permits since 1910. The permit process ensures minimum code in being reviewed as well as other internal and external referrals such as Zoning and Environment regulations are considered as well.

Since 2007 the Province has been reviewing construction and inspection practices and has consulted with industry stakeholders to modernize the building industry as a whole. This has resulted in changes to builder and building official education, building code requirements as well as the creation of the BC Building Act.

In 2015, the BC Building Act (the Act) was adopted into legislation by the Province. The Building Act is B.C.'s first act dedicated to building and construction with the intention to modernize and streamline the building regulatory system. As of December 15th, 2017 municipal regulations that do not conform to the Act would not be enforceable and in response the City began a review of the current Bylaw for housekeeping amendments to the City's Building Bylaw.

The main changes under the Act revolve around:

- Consistency - establishes the Province as the sole authority to set building requirements (that is, technical requirements for the construction, alteration, repair, and demolition of buildings) - the objective is to create more consistent building requirements across B.C., while still providing local governments with flexibility to meet their needs
- Competency - establishes qualification requirements for building officials to improve consistency in how the BC Building Code is interpreted, applied, and enforced
- Innovation - supports local governments and other local authorities through the implementation of a provincial review process to evaluate innovative building proposals.

In the development of the Act, the Province has listed a number of issues (known as "Permanently Unrestricted Matters") that will be exempted from the provisions of the Act. Similarly, there are a number of

items that the Province has said are "out of scope" of the provisions of the Building Act. The effect of this list is that any existing or future potential City bylaws would not be affected, as listed below:

1. Fire access route design;
2. Parking spaces for use by persons with disabilities;
3. Development permit requirements related to exterior design of buildings and other structures;
4. District energy systems and connections;
5. Protection of designated heritage properties;
6. Testing of backflow prevention devices;
7. Electric vehicle charging stations/plug-ins;
8. Screening of equipment on roofs or other structures.

The Province has also created a list of matters that will be Temporarily Unrestricted Matters. This temporary list has been created to allow time for further consideration of these matters, which includes:

1. Transmission of sound into a building from external sources (i.e., noise mitigation);
2. In-building radio repeaters;
3. Wildfire hazard requirements;
4. Firefighting water supply;
5. Flood construction level requirements;
6. Fire sprinklering;
7. Accessibility requirements above Code;
8. Adaptable design requirements.

It is anticipated that these matters will be studied by the Province in conjunction with local governments to determine to what extent local government authority may be granted to regulate.

With implementation of the Act, the following requirements have been eliminated from the Building Bylaw, until further consideration and consultation with the Province in 2018/19:

1. Mandatory Fire Flow calculations for Part 9 (Simple) buildings unless triggered as part of a subdivision review or site servicing for works in excess of $150,000.
2. Sprinklering Part 9 (Simple) apartment buildings greater than two stories in height, beyond the prescribed requirements within the BC Building Code.
3. Climatic data as this is prescribed with the BC Building Code.

Staff consider the following unrestricted matters of importance and will be recommending further consideration with other local governments and by the Province to request the creation of best practices opt-in regulations for:

1. Wildfire hazard requirements;
2. Firefighting water supply;
3. Flood construction level requirements;
4. Fire sprinklering for simple buildings.

Redevelopment of the Building Bylaw

The existing Building Bylaw 94-45, which was adopted in 1994 has undergone some amendments but has been identified as having significant gaps in concurrency with changes to other enactments the BC Code and current construction methods, which has created inefficiencies and increased liability exposure.

During this initial review process in 2016 with consultation with the Province and legal counsel, staff decided a repeal of the existing Bylaw No. 94-45 was required. This would allow for a complete update to modernize the City's processes, enforcement and laying the group to allow for greater innovation within the construction sector. This matter was included in the 2017 Operating Budget proposal.

In February of 2017 the City entered into a contract with Lidstone & Company to deliver an assessment of the City's existing construction related bylaws and deliver a new Building Bylaw. Lidstone & Company where also contracted by the Municipal Insurers Association of BC (MIABC) to update the existing MIA model core bylaw developed in 2004, which was originally created in the aftermath of the leaky condo crisis. The benefit in working in conjunction with development of the MIABC core model bylaw was that consultation with the Province's Building Standards branch as well as others jurisdiction would be involved in the development of best practices and consistency.

Overall changes to the Bylaw:

Changes within the new bylaw are intended to clarify and clearly communicate building permit requirements and conditions; enhance enforcement tools and permitting options to mitigate adverse construction impacts; and allow for better alignment with other civic bylaws, construction practices and the BC Building Code. The Bylaw has been reformatted to:

- make it easier to read in simpler language and broken into four major categories
    - Administration
    - Permits
    - Design Criteria, and
    - Compliance.
- provide clearer expectations from the City, owners, agents, professionals, designers and trades people,
- better outline for permit application, inspection and occupancy process,
- outline design elements and stand-alone permits within the scope of the Building Act, and
- provide increased consistency to improve customer service and enforcement to reduce liability exposure to the City.

New Building Bylaw Overview

Administration

Administration, authority and responsibilities are outlined within Parts 1 through Part 11.

Major Highlights

The following matters have been added or modified:

- Part 4 – Interpretation: the scope of defined terms have been expanded and clarified into defined terms within the code and other enactments.

- Part 5 – Purpose of Bylaw: outlines that the City of Penticton is not responsible, protects against economic loss or warranties the design and workmanship with respect to any building or structure.

- Part 6 – Scope and Exemptions: expanded outline of when permit are not required and when new code would apply to existing building exemptions for buildings and structures.

  Modifications include:
  - Clarification of retaining walls that would not typically trigger building permits. This would include works within environmentally sensitive and development permit areas, create a negative impact, such as undermining an adjacent structure or City property.
  - Accessory buildings under 10 sqm used for habitation such as a sleeping cabin or office, which typically incorporates electrical or plumbing systems could be considered unsafe and require a permit
  - Clarification where only repairs and maintenance to existing buildings do not trigger permits.

  Major change:

  Limited Applications to Existing Buildings: Penticton has many older buildings that were built to older codes or have had works completed without permits, resulting in non-compliance with current life safety and energy efficiency requirements. Inconsistency has occurred where works are completed in older buildings and the affect it may have on the remainder of the building, which could add time delay and significant costs to a project. This section will allow for better clarity on what new code would apply to the additions and renovations to older buildings.

  New construction will be required to meet substantial compliance with current codes regardless of size or complexity but only the areas directly affected by the addition or renovation will require code compliance. For example if a mezzanine was added into an old commercial unit, the mezzanine would be required to meet code for structure and exiting. In some cases this may require an additional exit or improvements to an exit route within the building to ensure the new works substantial complies. However, works done without permits will be required to be remediated for substantial compliance or removed.

  Buildings that are re-purposed with a change in occupancy classification, such as commercial to residential units, will be required to substantially code compliance and other City Bylaws such as Zoning.

- Part 8 – Powers of a Building Official

  Modifications include:
  - Chief Building & Building Inspectors will now be defined as Building Official to provide consistency with the Building Act,
  - Clarification to right to enter onto a property to ascertain compliance with the bylaw, and
  - Clarification of refusal and revocation of permits

- Part 9 – Owners Responsibilities

  Modifications include:

- Expansion and clarification of when permits are required,
- Requirements for requesting inspections and notifying the city of changes to the project or ownership, and
- Obtaining occupancy approvals.

- Part 10 – Obligations of Owner's Constructor

  This is a new requirement recommended by the consultant to further clarify the responsibility and role of the person(s) involved in the construction of a building or structure. Constructor is defined within the BC Building Code meaning a person who contracts with an owner or their authorized agent to undertake a project, and includes an owner who contracts with more than one person for the work on a project or undertakes the work on a project or any part thereof.

  Although emphasis is placed on the owner and or agent in responsibility to meeting code, city regulations and other enactments, it has been recommended that all contractor/trades must also be included in taking responsibility under the code. Currently only Registered Builders under the HPO Act are tied to the building of residential homes through warranty, however this does not relate to aspects such as site development issues, renovations or commercial projects. This new regulation would encompass all general contractors and specialty trades to ensure compliance with City regulations and in particularly potential damage to City property.

  Consultation with other jurisdictions shows that this may add another level of administration or confusion and may not be incorporated in other local government bylaws. However, staff believe that identifying the constructors role within the project is a more realistic and timely approach in dealing with on-site conditions.

- Part 11 – Registered Professional's Responsibilities

  This area has been expanded under the recommendation of MIABC and our consultant for alignment with the Building Act and reducing exposure to liability claims. It outlines when registered professionals will be required, particularly for simple buildings such as single family homes or small commercial projects.

  Major changes:

  - Increased reliance on registered professionals for structural design of Simple Buildings, as most buildings are increasing in complexity and using building materials and methods outside the scope of the building official. Increasing complexity has also increased staff resources during plan reviews and on-site inspections.
  - Increased reliance on geotechnical assessments due to increasing infill and steep slope assessment as well as the many geological challenges within Penticton to silt banks and high water tables. Issued related to foundation and drainage are one of the most costly claims to MIA.
  - Request for professional involvement for the design and field review of building envelopes for all multi-family residential projects. This is a result in increasing repairs required to poorly detailed buildings constructed over the last 15 years.

    Staff will continue to work with industry stakeholders to create policy and checklists that will outline when registered professionals would be required.

Permit Requirements

Parts 12 through Part 23 of the bylaw outlines the permit requirements related to buildings and other structures and systems, such as plumbing and retaining walls. The permit process has been expanded at each level of the permit process from application requirements, permit issuance, on-site reviews, as well as Occupancy and Partial Occupancies.

Major changes include:

- Increasing application standards as poor quality submissions where identified during permit process enhancement consultation as creating the most significant slowdown of processing permits and future liability to the city.
- Increased design requirements for steep slope development to the manage impact on neighbouring properties,
- Clarifying submission requirements for Simple and Complex building projects and the role of registered professionals,
- Requirements for hazardous material assessments and remediation for alternations to buildings built prior to 1992. This measure is to ensure the City is in compliance with WorkSafe BC standards to protect its employees,
- Clarification of owners responsibility to protect adjacent properties under Part 8 of the BC Building Code related to construction safety,
- Provision of fire safety plans for larger developments as well as trucking routes to reduce nuisances,
- Increased requirements for survey documents to ensure correct placement of buildings and structures and to better identify potential issues with building heights and underground flooding,
- Provision for a registered professional to request the building official to place a stop work on a project if works are not in accordance with issued permits.
- Addition of a permit reduction fee where initial permit reviews are not completed within a set time limit,
- Additional permit securities for temporary building permits, building moves and where building projects will be in close proximity to city infrastructure,
- Clarification on permit processes related conditions for issuing a permit, valuation of work, payment of fees and security, refunds and stop works and no-occupancy for works not in compliance with the bylaw,
- Decrease in time to complete permits for simple building projects from 24 months to 18 months,
- The change from Occupancy and Completion certificates to Partial occupancy and Occupancy approvals. This will provide further clarification on the role of the building official, owner and registered professionals for completing projects and will introduce a partial occupancy security to encourage the timely completion of projects.
- Clarification and addition of standalone permits types for systems and structures. This will provide a more prescriptive outline to enhance consistency for staff and to deal with recent challenges with retaining structures, commercial kitchen installations and spray booths and wood dust collection systems. This will also outline when a registered professional design and commissioning is required. The following permit types have either been expanded or added:

    - **Building Move (expanded)** to outline safety compliance, permit timelines and securities. Also, included prohibition of relocating a mobile home greater 30 years old. This is due to stakeholder input regarding the poor conditions of older units.

- **Demolitions (expanded)** to further outline the role of the owner and contractor in the safe removal of building or structures. It will also include provisions for delayed demolitions for landlords under the Residential Tenancy Act.

- **Fire Alarms (new)** added due to increased non-compliance identified by the city's fire department for existing buildings.

- **Mechanical & Plumbing and Sprinkler permits (expanded)** to ensure conformance with significant changes within the BC Building and Plumbing Code and allow the building department to take a more pro-active approach to plumbing and heating/ventilation systems for Part 9 buildings. This permit type will also include the design and oversite of commercial kitchens, spray booth and wood dust collection systems by registered professionals.

- **Pool Permits (expanded)** to overview potential risks associated with drainage and structural design of some pool structures.

- **Retaining Walls (expanded)** due to increased number of failures of existing walls and challenges with development infill and steep lots.

- **Solar Panels (new)** included due to increase in hot water and photovoltaic systems. Concerns have risen with structural loading on existing buildings and health concerns for domestic hot water systems. Staff also have concerns related to some photovoltaic systems incorporating ballast (weighted) systems and when tying back into the city's electrical system, requiring a net metering agreement.

- **Temporary Buildings (expanded)** to provide a better overview of minimum health and safety standards and will include time limits and security requirements.

  Staff will continue to work with stakeholders to develop policy and information guides to ensure an efficient permit process, with many to qualify under "fast track" contractor permits.

Design Criteria

The following items have been included or modified to address issues that have historically impacted the permit or inspection process, public safety, Code changes or has potential for exposure to liability claims. In the future this area of the bylaw will also be used for other measures such as wildfire interface and fire flow calculations, when resolved with the Province.

- **Part 24 - Access Route Design for Fire Department Access** will establish minimum on-site fire department access route requirements not specifically referenced in the code for simple buildings of multi-family and commercial use. With increasing multi-building and rural developments, challenges have arisen with ensuring minimum emergency response can be provided. This is further highlighted with challenges to water supply for firefighting and wildfire interface areas. The design requirements are taken from Part 3 of the code. It is not intended for individual single family dwellings, however some residential properties have been problematic for emergency responders.

- **Part 25 – Climatic Data** will only reference the BC Building Code as required within the Building Act.

- **Part 26 – Energy Conservation and GHG Emission Reduction** will introduce BC Energy Step Code requirements. On June 5th, City Council have provided initial support for implementing Step Code measures for new Part 9 residential construction with continued consultation through the summer and fall. The proposed implementation plan will be:

Building Type	January 15, 2019	January 01, 2020	January 2021
SFD/2/3/4 - plex	Step 01	Step 03	-
Carriage house	Step 01	-	Step 03
Townhouse/Low-rise apartments	Step 01	Step 03	-

- **Part 27 – Finished Grades and Slope Retention** outlines when retaining walls will be required, minimum standards for finished grades, residential driveway slopes and prohibition of stacked boulders or creosote timbers.

- **Part 28 – Numbering of Buildings** will require the numbering of building/units during the time of construction and at time of Occupancy in compliance with the City's Addressing Bylaw. This is to ensure that buildings and clearly identified for emergency services and building inspection reviews.

- **Part 29 – Temporary Residence during Construction** has been added to replace a department policy for retaining a residence while constructing a new home.

  Staff will continue to work with stakeholders to develop policy and information guides to an ensure an efficient permit process, with many to qualify under "fast track" contractor permits.

Compliance

- **Part 30 – Offences and Enforcement** will provide **c**larification on the sequence of identifying offences and the enforcement action. Outlines provisions for building officials to enforce the bylaw as it pertains to works requiring permits, commencing work without an issued permit, failure to call for required inspection or modify on-site works from the issued permit without city confirmation.

- **Part 31 – Unsafe Conditions** has been included to administer delegation to building officials to begin the sequence of placing a no-occupancy for occupied buildings with no services.

  Staff will be providing Bylaw Enforcement Policy & Procedures for Council consideration in conjunction with the adoption of the building bylaw.

Regional Stakeholder Engagement and Education

During the development of the new building bylaw, staff ensured a consultation of specific stakeholder and inter-department staff members. The following are highlights regarding the various stages of the bylaw review process:

- April 6, 2017 – Building Department hosted a Building Bylaw workshop for local building stakeholders with consultant Don Lidstone to overview the Building Act and potential changes in the City's Building Bylaw. This session had 30 participants representing local developers, builders, suppliers and designers.

- July 18, 2017 – staff and Don Lidstone provided an overview of building permit modernization process to Council in Committee of the Whole session. Includes development of a new Building Bylaw for 2018 with consultant Don Lidstone. At that time a general outline of possible step code provisions was discussed.

- December 17, 2017, Building and Permitting Manager reviews preliminary draft of Building Bylaw including the BC Energy Code with the Development Services Advisory Committee (DSAC).

- December 21, 2017, Building Department hosts a year end lunch and learn session, which was attended by 25 stakeholders, outlining progress of building permit process changes and building bylaw including a BC Energy Code outline.

- January 03, 2018 – Ken Kunka meets Ashley Lubyk, Community Energy Specialist, who was specifically hired to implement the BC Energy Code provisions as part of Kelowna's Climate Action plan.

- January 11, staff viewed BC Housing webinar on the BC Energy Step Code, which was open to building officials, designers and registered builders throughout BC.

- January 27 – City staff confirm with the Province that it will move forward with a review and consultation of the BC Energy Step Code.

- March 03 – City participated in South Okanagan Canadian Home Builders Association Step Code overview, which was attended by approximately 50 local developers, builders and designers.

- March 07, MIA model core bylaw released to participating jurisdictions and forwarded to staff for review.

- March 08 – City participates in Central Okanagan local government Step Code peer group session which outlined the City of Kelowna's research and action plan for Council introduction and ongoing stakeholder engagement

- April 03 – City participates in province wide webinar over of MIABC Model core bylaw

- April 06 – City hosts south Okanagan regional inspectors core Building Bylaw session including a review of implementation steps of the BC Energy Step Code.

- April 20 – City of Kelowna launches regional Energy Step Code stakeholder survey and Step Code webpage (survey closes May 23rd).

- April 22 – City launches building department process improvement survey to key industry stakeholders. Overall support of department changes and permit processing timelines. Comments for improvements were taken into consideration of the bylaw development.

- May 1 – MAIBC in house session with building staff to review core bylaw changes.

- May 11 – Building Permit Improvement workshop hosted by the Building Department with regional update from Ashley Lubyk of the City of Kelowna on the regional Step Code progress. This session had 52 participants representing local developers, builders, suppliers and designers.

- June 5 - BC Energy Step Code presentation to Council. Recommendation to proceed with Step 01 in January 2019 was supported

- June 8th – final draft of City of Penticton Building Bylaw provided by Don Lidstone and forwarded to staff,

Initial comments received concerning proposed changes

The following concerns were noted and have been considered as part of the development of the bylaw:

- Additional regulations could lead to delays and extra costs that are ultimately transferred to owners,
- Are there be enough professionals locally to administer new requirements – i.e. engineers and Energy Code Advisors,
- Will there be reduction in permit fees if more reliance professionals,
- Provide more consistency within the City as well as for regional interpretation

Financial implication

Fees collected as part of the permit process goes towards department staff resources, operating costs, builder and public education, file management and enforcement administration. Historically the building department cost center has had net positive operating budgets. Surplus fees contribute to the support funding of the Development Services division as a whole with additional surpluses contributing to the City's Financial Stabilization Reserve Fund.

The initial budget for redevelopment of the bylaw including communication and consultation was $10,000. It is estimated that the final development will be approximately $15,000, not including staff time. As part of the bylaw update staff have and will continue to update education materials and the website, which has been factored in to the 2018 Building permit modernization program.

Through the development of the bylaw, staff have been modernizing permit processing, resulting in quicker turn-around times to the benefit to owners and builders. Adoption of the bylaw will allow for the full implementation to other policy and procedures changes, increasing a higher level of professionalism for builders with staff.

For the building industry, changes in requiring more third party involvement such as Registered Professionals and surveys will add additional design and build out costs to most simple projects. Initial reviews are estimated to be up to a 5% increase in construction costs depending on the complexity and size of the project. As a result, staff are recommending an increase to the existing permit discount to help off-set the increase for projects that trigger additional third party review. As noted in previous Energy Step code reviews, a provincial stakeholder analysis of the impact of implementing the first 3 steps will result in minor costs (less than 1%) to new residential projects. Builders can already take advantage of step code rebates through Fortis and BC Hydro and staff are recommending an initial 5% permit reduction in new residential projects as a further incentive to encourage homes to be built to higher performance standards.

Staff are also recommending a permit fee discount of 5% where initial permit reviews exceed set limits as balanced and pro-active approach to continued commitments towards customer service levels.

Long term, the proposed changes to the bylaw will improve building permit processing and increase the expectation for a better performing building saving costs for the owner. It will also reduce potential deficiencies that could result in time delays during the building process or ultimately costly repairs after the completion of the project exposing the city to joint and severability claims.

It also suggested that increasing penalties and fines will assist in discouraging non-compliance and help keep a level playing field within the building industry.

Analysis

Building Bylaw No. 2018-01 will mark a significant change to the way construction is undertaken in the City of Penticton to meet the challenges with increased development and the complexity of projects, infill development, costs of construction projects and changes to provincial codes and regulations regarding the continued professional development of building officials, builders and professionals. The Bylaw will be the cornerstone for continued process improvements and ensure the long term viability of the built environment for the community at large.

The proposed Bylaw is modeled on the Municipal Insurers Association (MIABC) Core Bylaw, which was created to provide more modern and consistent approach across the province. Its development has taken into consideration and input from the Building Standards Branch for conformity with the Building Act and staff will continue to engage with other local jurisdiction to ensure consistency as they re-develop their bylaws. The proposed timelines for implementation also meets Provincial regulations to support energy conservation and greenhouse gas reduction objectives.

As outlined within the report, staff have taken into consideration all stakeholders (internal and external) and the community at large in the development of the new bylaw. Two case examples have been provided as Attachment A to outline the potential process changes and cost implications.

With support of first reading staff will be preparing to educate the general public as well as finalize specific stakeholder engagement and provide any further modifications or recommendations for 2nd and 3rd reading.

Proposed Bylaw Consultation & Implementation

Proposed next steps:

- August 2018
    - Staff consideration of Council feedback for further amendments or clarification,
    - Public and industry stakeholder consultation and open house,
        - Review with Development Services Advisory Committee (DSAC),
        - Workshops have been scheduled for both the building industry and the general public
    - Review and possible amendments to other Bylaws that will may be impacted by the Building Bylaw. These could include the Zoning Bylaw, Fees and Charges Bylaw, and Enforcement Bylaws.
- September 2018

  - Staff to provide final version of the Bylaw on September 18th in consideration of stakeholder consultation for Second, Third reading.
  - Introduction to changes to Fees & Charges and Enforcement Bylaws
  - Updating of application forms, guides and department website
- October 2018
  - October 3rd final reading and adoption
  - Continued education and completion of new application forms and checklists.
- November
  - November 01, 2018 – Building Bylaw comes into effect.
  - Education workshop on amendments to the BC Building Code effective December 15, 2018.
- January 01, 2019 – Step 01 of the BC Energy Code takes affect for all new simple residential applications.
- April, 2019 – staff will prepare an update to Council and provide any necessary housekeeping amendments for consideration.

Conclusion

Based on the research, legal consultation and stakeholder engagement completed to date, staff recommends that Council support 1st reading of Building Bylaw No. 2018-01 and direct staff to complete final stake holder consultation and concurrent reviews with association bylaws for amendments.

Alternate recommendations

1. THAT Council decline support of 1st reading of Building Bylaw No. 2018-01and refer back to staff for further consultation and amendments as directed.

Attachments

Attachment A – Case Examples
Attachment B - Building Bylaw No. 2018-01.

Respectfully submitted,

Ken Kunka
Building and Permitting Manager

Director	Chief Administrative Officer LD per PW

Attachment A
Case Examples

New Single Family home (Simple Building): large open house concept with large windows and a secondary suite situated on steep sloping lot. The lot is part of a subdivision in an existing neighbourhood.

Est. construction value of $600,000.

Permit fees:

- Existing = $ 6875 - 10% RP discount = $6187 , + other applicable charges
- Proposed = $ 6875 - 20% RP discount = $5500, + other applicable charges

Permit application stage: The design of the building will be required to involve a more holistic approach of site development and the coordination of the design in conjunction with builder, mechanical trades, energy code advisor and engineers. Drawings and submittals are to be substantially completed to ensure compliance with code and city regulations. As the department continues to reduce plan review timelines, having a complete submittal will be critical to ensure the goal for a maximum 2 week reviews.

Changes to current and proposed made or to be implemented:

- Prior to application the subdivision will be required to be registered with Land Titles and addressed to ensure all charges, such as easements and covenant limitations, that may be on title are identified on the drawings and reviewed by city staff,
- Prior to application the owner will be required to show proof of application of HPO builder registration,
- The steep lot and infill development will require additional information regarding site development to outline driveway slopes, retaining and drainage to avoid grading issues affecting subsurface drainage and impact to neighbouring properties.
- More specific detailing of thermal and building envelope assemblies to ensure compliance with energy code and reduce build-out errors in the field and reliance on building staff to explain code requirements,
- Plumbing and mechanical system design will also be require a more through design and coordination to ensure compliance with the Energy Code,
    - A geotechnical and structural engineer will be required to assess the infill development for bearing capacity, on-site storm water management and the aspects of the house design beyond the scope structural that Building Officials have the authority or expertise to review. Additional design costs could range 1% to 2% of construction value with a potential of an additional 2% to 4% in on-site measures unless significant site remediation is required.

Build-out stage:

- At the commencement of the project, a site assessment will be required to ensure the owner/builder has taken into account the protection of City property including boulevards, established trucking routes and site safety measures, and will not be creating a hazard or nuisance to adjoining property by containing site material and drainage.

- Prior to pouring concrete the builder will be required to show proof of building location, this will a require survey certificate for footing pin locations or a forms placement survey.
- Owner and builders will need to take a more proactive role in the coordination of their trades and field reviews. Where engineering and surveys are requested, those third party reviews and documents will be required to be provided to the City prior to inspections.
- On-site revisions to the issued construction drawings will be required to be identified to the city prior to field inspections completed to ensure compliance or site work may be stop worked,
- In order to meet the minimum requirements of the energy code, a third party assessment of the building assembly details and a final commissioning review including a physical air leakage test will be required.

Occupancy:

- Site works shall be substantially completed and permanent addressing in place,
- Partial occupancy review can be provided when all registered professional reviews completed and basic life safety provisions provided,
    - Partial occupancy security = $5500 original permit fee x 10% = $ 550 with 6 month maximum completion.
- Prior to requesting a final occupancy inspection, the owner/builder will be required to ensure all former deficiencies have been corrected and final documentation from third parties have been provided 48 hours in advance of a requested.
    - Permit fee discount for meeting provisions of Step 3 of the Energy code = $275 (5%) refund.

Case Example #2

Alteration & Addition to Apartment Building (Complex Building): interior renovation and 40 unit addition to original building constructed in 1985 requiring a lot consolidation and development permit. A project of this size and use will require the design and site review of registered professionals including a registered coordinating professional.

Est. construction value of $4,000,000.

Permit fee

- Existing = $40, 875 Permit Fee - 15% max Registered Professional discount = $34, 744 + foundation security & other applicable charges
    - There are no planned changes to existing permit fee reduction

Changes to current and proposed made or to be implemented:

Application stage:

As with Simple building projects the design of the building will be required to be more developed taking into consideration site development and the coordination of the design in conjunction with builder, mechanical trades, and engineers. Building envelope and Energy provisions are required under the design and supervision of the Architect. Drawings and submittals are to be substantially completed to ensure compliance with code and city

regulations. However, this project would qualify for phased permits such as foundation only as a coordinating registered professional will be involved by Code.

- Prior to permit application, owner will be required to arrange a pre-application meeting to overview project at final stages of planning permit process. Staff will evaluate if the project can apply for phased permit process and parallel permit application, however lot consolidation and legal addressing will be required to be completed to application.
- Prior to application the owner will be required to show proof of application of HPO builder registration,
- Higher level of scrutiny towards construction values will be administered,
- Fire and construction safety plans will be required plus proposed trucking routes to ensure public safety and reduce nuisances to surrounding neighbourhood,
- Hazardous materials assessment required prior to permit release,
    - Phased design drawings to be substantially completed to verify code compliance and other city regulation requirements.

Build-out stage:

- At the commencement of the project, a site assessment will be required to ensure the owner/builder has taken into account the protection of City property including boulevards, established trucking routes and site safety measures, and will not be creating a hazard or nuisance to adjoining property by containing site material and drainage,
- Complex projects will not require set inspections but staff will continue to monitor the project to ensure coordination of the project registered professional and other third party reviews,
- Forms survey certificates to be review by staff prior to pouring concrete,
- On-site revisions to the issued construction drawings will be required to be identified to the city prior to field inspections completed to ensure compliance or site work may be stop worked,
- Building official will coordinate site reviews by other city departments at critical junctions of the project to ensure compliance with other regulations such as the Development permit.

Occupancy:

- Site works shall be substantially completed and permanent addressing in place,
- Phased occupancies are permitted with the proper coordination of registered professional reviews and life safety commissioning and reviews by other city departments,
    - Partial occupancy security = 10% of original permit fee = $ 4087 with 6 month maximum completion.
- Prior to requesting a final occupancy inspection, the owner/builder will be required to ensure all former deficiencies have been corrected and final documentation from third parties have been provided 48 hours in advance of a requested.

Attachment C

Building Bylaw No.2018-01

The Corporation of the City of Penticton

Bylaw No. 2018-01

A Bylaw for the administration of the Building Code and the regulation of construction.

WHEREAS the Council of the City of Penticton may, by bylaw, regulate, prohibit and impose requirements in respect to buildings and structures for the following:

(a) the provision of access to a building or other structure, or to part of a building or other structure, for a person with disabilities;

(b) the conservation of energy or water;

(c) the reduction of greenhouse gas emissions;

(d) the health, safety or protection of persons or property;

AND WHEREAS the Council of the City of Penticton is enacting this bylaw to regulate construction and administer the British Columbia *Building Code* in Penticton in accordance with the *Community Charter* and the *Building Act*;

AND WHEREAS the Council of the City of Penticton has employed trained building officials for the purpose of this bylaw;

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

PART 1. TITLE

Citation

1.1. This bylaw may be cited as "Building Bylaw No. 2018-01".

PART 2. SEVERABILITY

2.1. If a section, subsection, paragraph, subparagraph or phrase in this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

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PART 4. INTERPRETATION

4.1. Every reference to this bylaw in this or another bylaw of the City is a reference to this bylaw as amended to the date of the reference.

4.2. Every reference to

(a) the Building Code is a reference to the current edition as of the date of application the building permit, and

(b) a section of the Building Code is a reference to the applicable successor sections, as the code or section may be amended or re-enacted from time to time.

4.3. Definitions of words and phrases used in this bylaw that are not included in the definitions in this part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

Definitions

4.4. In this bylaw the following words and terms have the meanings:

(a) set out in Section 1.4.1.2. of the Building Code as of the date of the adoption of this bylaw: accessible assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, treatment occupancy or unsafe condition;

(b) subject to this bylaw, set out in the Schedule to the *Community Charter*; assessed value, highway, land, occupier, parcel, public authority, service and soil; and

(c) subject to this bylaw, set out in Section 29 of the *Interpretation Act*: may, must obligation, person, property, writing, written and year.

4.5. In this bylaw, words and terms that appear in ***bold/italics*** shall be as follows:

"accepted" means reviewed by the building official under the applicable provisions of the Building Code and this bylaw;

"addition" means an alteration to any building which will increase the total aggregate floor area or the building height (in storeys), and includes the provision of two or more separate buildings with openings between each other for intercommunication;

"agent" includes a firm, corporation or other person representing the owner, by written designation or contract, and includes a hired tradesperson or constructor who may be granted a permit for work within the limitations of his or licence;

"alternative" solution means an alternative solution authorized under the Building Code;

"alteration" means a change, repair or modification of the construction or arrangement of or use of any building or structure, or to an occupancy regulated by this bylaw;

"Architects Act" means the Architects Act RSBC 1996, c. 17;

"building" means any construction used or intended for supporting or sheltering any use or occupancy and includes a mobile home;

"Building Act" means the Building Act RSBC 2015;

"Building Code" means the British Columbia Building Code as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

"building official" means the person designated in or appointed to that position by the City and other such person or persons as they may designate from time to time as their assistants;

"change of use or occupancy" means changing the use of a building, or portion of a building, to an alternative use, even if no construction or alterations are anticipated;

"complex building" means

(a) a building used for a major occupancy classified as
    (i) assembly occupancy;
    (ii) care or detention occupancy;
    (iii) high hazard industrial occupancy;
    (iv) treatment occupancy; or
    (v) post-disaster building;
(b) a building exceeding 600m^2 in building area or exceeding three storeys in building height used for a major occupancy classified as
    (i) residential occupancy;
    (ii) business and personal services occupancy;
    (iii) mercantile occupancy; or
    (iv) medium and low hazard industrial occupancy;

"coordinating registered professional" means a registered professional retained pursuant to the Building Code to coordinate all design work and field reviews of the registered professionals required for a development;

"construct" or "construction" includes to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore;

"constructor" means a person who constructs;

"City" means the City of Penticton;

"City Engineer" means the City of Penticton Engineer or designate;

"Engineers and Geoscientists Act" means the Engineers and Geoscientists Act RSBC 1996, c. 116;

"existing", in respect of a building, means the portion of a building constructed prior to the submission of a permit application required under this bylaw;

"foundation" means a system or arrangement of foundation units through which the loads from a building are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

"GHG" means greenhouse gas;

"health and safety aspects of the work" means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the Building Code; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;

"mobile home" means a manufactured home constructed to the requirements of the CSA National Standard CAN/CSA-Z240MH Series-09 or any preceding or replacement standard;

"modular home" means a manufactured home conforming to the requirements of the CSA National Standard CAN/CSA A277-08 or any preceding or replacement standard for certified factory-built homes;

"on-site services" means utilities and features which provide for servicing a project within the property on which it is located and includes water service piping and distribution systems, storm and sanitary sewer collection, access roads, natural gas, electric and cable;

"off-site services" means services required pursuant to the City Subdivision and Development Bylaw of the day, that are required to be located on public road, public land or statutory right-of-way at final approval of the subdivision or development as the case may be;

"owner" means the registered owner of an estate in fee simple of land, or an agent duly authorized by the owner in writing in the prescribed form, and also where the context or circumstances so require

(a) a tenant for life under a registered life estate;
(b) a registered holder of an agreement for sale;
(c) a holder or occupier of land held in the manner mentioned in Sections 228 and 229 of the *Community Charter*; or

(d) a lessee with authority to build on land;

"permit" means permission or authorization in writing by the building official to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a building or part of a building;

"pool" means a structure or constructed depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 600mm, including an in-ground pool and hot tub;

"professional design" means the plans and supporting documents bearing the date, seal or stamp, and signature of a registered professional;

"project" means any construction operation;

"qualified plumber" means a person who holds a current Certificate of Qualification issued by the Province of British Columbia as a journeyman plumber for which a statement of compliance and assurance is being provided pursuant to Certificate of Plumbing Test;

"retaining wall" means any structure other than a building that holds or retains soil or other earth material behind it;

"simple building" means a building of three storeys or less in building height, having a building area not exceeding 600m2 and used for a major occupancy classified as
(a) residential occupancy;
(b) business and personal services occupancy;
(c) mercantile occupancy; or
(d) medium and low hazard industrial occupancy;

"Step Code" means the Energy Step Code as references in the British Columbia Building Code Section 9.36.6 as amended from time to time.

"structure" means a construction or portion of construction, of any kind, whether fixed to, supported by or sunk into land, airspace or water, and includes foundations or supporting framework for exterior signs, equipment and machinery, interior storage racking greater than 2.6 m in height, retaining walls and pool fences, but specifically excludes paving, fences and landscaping;

"temporary building" includes a sales office, construction office or a structure in which tools are stored during construction of a building or other structure;

"work" means the same as construct as defined in this bylaw.

PART 5. PURPOSE OF THE BYLAW

5.1. Despite any other provisions in this bylaw, this bylaw must be interpreted in accordance with this part.

5.2. Every permit issued under this bylaw is issued expressly subject to the provisions of this part.

5.3. This bylaw is enacted to regulate, prohibit and impose requirements in regard to construction in the City in the public interest.

5.4. The purpose of this bylaw does not extend to

(a) the protection of owners, designers, constructors, or any other persons from economic loss;

(b) the assumption by the City or any building official of any responsibility for ensuring the compliance by any owner, his or her representatives or any employees, constructors or designers retained by the owner, with the Building Code, the requirements of this bylaw, or other applicable enactments, codes or standards;

(c) providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this bylaw;

(d) providing any person a warranty or assurance that construction undertaken under building permits issued by the City is free from latent, or any, defects; or

(e) the protection of adjacent real property from incidental damage or nuisance.

PART 6. SCOPE AND EXEMPTIONS

Application

6.1. This bylaw applies to the geographical area of the City and to land, the surface of water, air space, buildings or structures in the City.

6.2. This bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures~~,~~ including Farm Buildings as regulated by the National Farm Code.

6.3. This bylaw does not apply to

(a) except as set out in Part 21 of this bylaw, a fence;

(b) an accessory building with a floor area of less than $10m^2$, that does not constitute a potential unsafe condition;

(c) a trellis or arbour;

(d) a retaining wall supporting soil that is:

(i) less than 1.2m in height,

(ii) a sequence of retaining walls less than 1.2m in height spaced greater than two horizontal to one vertical, or

(iii) in the opinion of the building official does not constitute a potential unsafe condition;

(e) landscaping or other surfacing of land, except when creating a public parking lot;

(f) bridges other than pedestrian and vehicular bridges attached to buildings;

(g) docks or wharves;

(h) decks or patios which are less than 600mm from the ground or finished grade, which are not attached to a building and have no walls or roofs;

(i) factory built housing and components complying with CAN/CSA-Z240 MH Series standard, but this exemption does not extend to on site preparations (foundations, mountings), connection to services and installation of appliances;

(j) repair and maintenance of lawfully-conforming structures where the level of life safety and building performance shall not be decreased below a level that already exists;

(k) the cleaning or repair of mechanical heating and ventilation systems; and

(l) the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or the replacement of tubs, showers, toilets, lavatories or sinks if the work does not involve or require the rearrangement of valves, pipes or fixtures or hot water tanks.

Limited Application to Existing Buildings

6.4. Except as provided in the Building Code or to the extent an existing building is under construction or does not have an occupancy permit, when an existing building has been constructed before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the building must be reconstructed and altered, unless it is expressly so provided by this or another bylaw, regulation or statute.

6.5. This bylaw applies if the whole or any part of an existing building is moved either within or into the City, including relocation relative to parcel lines created by subdivision or consolidation. Part 15 applies to building moves.

6.6. If an alteration is made to an existing building the alteration must comply with this bylaw and the Building Code and the entire building must be made to comply with this bylaw and the Building Code, but only to the extent necessary to addresses any new infractions in the remainder of the building as a result of the alteration.

6.7. If an alteration creates an addition to an existing building, the alteration or addition must comply with this bylaw and the Building Code and the entire building must be made to comply with this bylaw and the Building Code, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the alteration or addition.

PART 7. PROHIBITIONS

7.1. A person must not commence or continue any construction, alteration, excavation, reconstruction, demolition, removal, relocation or change the use or occupancy of any building or structure, including other work related to construction

(a) except in conformity with the requirements of the Building Code and this bylaw; and

(b) unless a building official has issued a valid and subsisting permit for the work under this bylaw.

7.2. A person must not occupy or permit the occupancy of any building or structure or part of any building or structure

(a) unless a subsisting final inspection notice has been issued by a building official for the building or structure or the part of the building or structure; or

(b) contrary to the terms of any permit issued or any notice given by a building official.

7.3. A person must not knowingly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this bylaw.

7.4. Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the building official, or plans and supporting documents which have been filed for reference with the building official after a permit has been issued.

7.5. A person must not, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted or affixed to a building or structure pursuant to this bylaw.

7.6. A person must not do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been authorized in writing by a building official.

7.7. A person must not interfere with or obstruct the entry of a building official or other authorized official of the City on property in the administration of this bylaw.

7.8. A person must not construct on a parcel unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.

7.9. A person must not contravene an administrative requirement of a building official made under Section 8.6 or any other provision of this bylaw.

7.10. A person must not change the use, occupancy or both of a building or structure or a part of a building or structure without first applying for and obtaining a building permit under this bylaw.

PART 8. POWERS OF A BUILDING OFFICIAL

Administration

8.1. Words defining the authority of building officials are to be construed as internal administrative powers and not as creating a duty.

8.2. A building official may

(a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;

(b) keep records of applications received, permits, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;

(c) establish or require an owner to establish whether a method or type of construction or material used in the construction of a building or structure complies with the requirements and provisions of this bylaw and the Building Code; and

(d) direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundations be carried out, or that sufficient evidence or proof be submitted by the owner, or at the owner's sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation condition complies with this bylaw and the Building Code.

Refusal and Revocation of Permits

8.3. A building official may refuse to issue a permit where in their opinion

(a) the proposed work will contravene the requirements of the Building Code or the provisions of this or any other bylaw of the City, and must state the reasons in writing;

(b) the results of the tests on materials, devices, construction methods, structural assemblies or foundation conditions are not satisfactory to the building official; or

(c) the parcel referred to in the permit application does not

(i) have vehicular access; or

(ii) meet requirements of other City bylaws.

8.4. A building official may revoke a permit if, in their opinion,

(a) a condition under which the permit was issued;

(b) a requirement of the Building Code or of this or another bylaw of the City;

(c) the permit was issued in error;

(d) cancellation or termination of Homeowner Protection Office Registration occurs prior to finalization of permit;

(e) the permit was issued on the basis of false or incorrect information; or

(f) such permit revocation may be delivered by mail to the owner.

Right of Entry

8.5 Subject to Section 16 of the *Community Charter*, a building official may enter any property at any time to ascertain whether the requirements of this bylaw are being met, or if the building official has any reason to believe that an unsafe condition exists.

Powers

8.6 Subject to applicable enactments, a building official may, by notice in writing, require

a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;

b) an owner to stop work on a building or structure, or any part of a building or structure, if the work is proceeding in contravention of this bylaw, the Building Code, or any other enactment of the City or other applicable enactments, or if there is deemed to be an unsafe condition, and may enter any property to affix or post a stop work order in the prescribed form;

c) an owner to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;

d) an owner to remove any building or structure, or any part of a building or structure, constructed in contravention of a provision of this bylaw;

e) an owner to have work inspected by a building official prior to covering;

f) an owner to uncover and replace, at the owner's expense, any work that has been covered without inspection contrary to this bylaw or an order issued by a building official;

g) a person to cease any occupancy in contravention of a provision of this bylaw;

h) a person to cease any occupancy if any unsafe condition exists because of work being undertaken but not complete and where the building official has not issued a final inspection notice for the work;

i) an owner to correct any unsafe condition; and

j) an owner to correct any work that contravenes this bylaw, the Building Code, or any other enactment.

8.7 Every reference to "owner" in Section 8.6 includes a reference to the owner's agent or constructor.

8.8 Every person served with a notice under this part must comply with that notice

a) within the time ordered, or
b) if no time is ordered, immediately.

PART 9. OWNER'S RESPONSIBILITIES

Owner's Obligations

9.1. Every owner must

(a) comply with the Building Code, the requirements of this bylaw and the conditions of a permit, and must not omit any work required by the Building Code, this bylaw or the conditions of a permit;

(b) ensure that all permits, all plans and specifications and supporting documents on which a permit was based, all municipal inspection certificates, and all professional field reviews are available at the site of the work for inspection during working hours of the building official, and that all permits are posted conspicuously on the site during the entire execution of the work; and

(c) prior to the issuance of a building permit, execute and submit to the City an owner's undertaking in the prescribed form, where required by the building official.

9.2. Every owner and every owner's agent, must carry out construction or have the construction carried out in accordance with the requirements of the Building Code, this bylaw and other bylaws of the City and none of the issuance of a permit under this bylaw, the review of plans and supporting documents, or inspections made be a building official or a registered professional shall relieve the owner, or his or her agent, from full and sole responsibility to perform the work in strict accordance with this bylaw, the Building Code and all other applicable codes, standards and enactments.

9.3. Every owner must allow a building official to enter any building or premises at any reasonable time to administer and enforce this bylaw. Every owner to whom a permit is issued must, during construction,

(a) post a civic address on the property so that it may be easily read from the public highway from which the property takes its address;

(b) post the permit placard on the property so that it may be easily read from the public highway from which the property takes its address;

(c) provide building officials with safe access to the work site and all areas requiring inspection.

Damage to Municipal Works

9.4. Every owner to whom a permit is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the permit.

9.5. In addition to payment of the security deposit under City bylaws, every owner must pay to the City, within 30 days of receiving an invoice for same from the City, the cost to repair any damage to public property or works located on public property arising directly or indirectly for which a permit was issued.

Notice

9.6. Every owner must, at least 24 hours prior to commencing work at a building site, give written or online notice to a building official of the date on which the owner intends to begin such work.

9.7. Every owner must give written or online to a building official of any change in or termination of engagement of a registered professional, including coordinating registered professional, during construction, within 24 hours of when the change or termination occurs.

9.8. If an owner or a registered professional terminates the engagement of the registered professional, including a coordinating registered professional, the owner must terminate all work under a building permit until the owner has engaged a new registered professional, including a coordinating registered professional, and has delivered to a building official new letters of assurance in the form of a Schedule A and or B as outlined in the Building Code.

9.9. Without limiting Sections 14.45 to 14.50, every owner must give at least 24 hours' online or written notice to a building official

(a) of intent to do work that is required or ordered to be corrected during construction;

(b) of intent to cover work that is required under this bylaw to be, or has been ordered to be inspected prior to covering; and

(c) when work has been completed so that a final inspection can be made.

9.10. Every owner must give notice in writing to a building official and pay the non-refundable fee set out in the City's Fees & Charges Bylaw immediately upon any change in ownership or change in the address of the owner, which occurs prior to the issuance of an occupancy permit.

9.11. Every owner must give such other notice to a building official as may be required by the building official or by a provision of this bylaw.

9.12. Every owner shall obtain, prior to the occupancy of a building or part thereof, written permission from the building official to occupy the building or part thereof, pursuant to Part 14.

PART 10. OBLIGATIONS OF OWNER'S CONSTRUCTOR

10.1. Every constructor must ensure that all construction is done in compliance with all requirements of the Building Code, this bylaw and all other applicable codes, standards and enactments.

10.2. Every constructor must ensure that no excavation or other work is undertaken on public property, and that no public property is disturbed, no building or structure erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.

10.3. For the purposes of the administration and enforcement of this bylaw, every constructor is responsible jointly and severally with the owner for all work undertaken.

PART 11. REGISTERED PROFESSIONAL'S RESPONSIBILITIES

Professional Design and Field Review

11.1. The provision by the owner to the City of letters of assurance in accordance with the requirements of the Building Code shall occur prior to

(a) the pre-occupancy site review coordinated by the coordinating registered professional or other registered professional for a complex building; or

(b) a final inspection for a simple building in circumstances where letters of assurance have been required in accordance with the requirements of the Building Code, in which case the owner must provide the City with letters of assurance in the form of Schedules C-A or C-B, as appropriate, as outlined in the Building Code.

11.2. If a registered professional provides letters of assurance in accordance with the Building Code, they must also provide proof of professional liability insurance to the building official.

Requirement for a Registered Professional

11.3. The owner must retain a registered professional to provide a professional design and plan certification and letters of assurance in the form of Schedules A , B, C-A and C-B as referred to in the Building Code, in respect of a permit application

(a) prior to the pre-occupancy site review coordinated by the coordinating registered professional or other registered professional for a complex building; or

(b) prior to a final inspection for a simple building in circumstances where letters of assurance have been required in accordance with the requirements of the Building Code, in which case the owner must provide the City with letter of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in the Building Code;

(c) foundation and excavation components of new simple buildings and additions greater than 55m^2 to simple buildings in accordance with the Building Code; except where an unsafe condition may exist;

(d) a building that is designed with common egress systems for the occupants and requires the use of firewalls in accordance with the Building Code;

(e) prior to alterations to a building, or to structural component of a building described in paragraph (b);

(f) for a building in respect of which the building official determines that site conditions, size or complexity so warrant in the interests of safety or persons or protection of property under the Building Code;

(g) if the building envelope components of the building fall under Division B Part 3 of the Building Code, the building contains more than (four) dwellings, or if the building envelopes do not comply with the prescriptive requirements of Division B Part 9 of the Building Code; and

(h) for a parcel of land on which a building or structure is proposed if the building official believes the parcel is or is likely to be subject to flooding (including high ground water), mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirements for a professional design is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*

(i) for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended; and

(ii) that the plans submitted with the application comply with the relevant provisions of the Building Code and applicable bylaws of the City.

11.4. The building official may require any registered professional carrying out the professional design and field review required under Section 11.1 to 11.3 to provide evidence that they have experience and expertise in respect of the professional design and field review of the context and scope required and at the discretion of the building official, a peer review may be required prior to the acceptance of any design or field reviews conducted by a registered professional.

11.5. Any registered professional required by this bylaw to provide letters of assurance shall show proof of professional liability insurance at time of building permit application.

PART 12. REQUIRED PERMITS

12.1. Subject to Part 12 of this bylaw, every owner must apply for and obtain a permit, prior to:

(a) construction or placement of new buildings and structures;

(b) additions to buildings and structures;

(c) interior and exterior alterations of buildings and structures;

(d) construction of foundations for, and installation of manufactured homes;

(e) installation of plumbing systems;

(f) alterations and addition to plumbing systems including the installation of solar hot water systems;

(g) installation and alteration of fire protection sprinkler systems;

(h) installation and alteration of fire alarm systems;

(i) installation of temporary buildings; including fabric covered structures;

(j) installation or alteration of heating and ventilation systems for residential simple buildings;

(k) installation or alteration of mechanical exhaust and fire protection systems for commercial cooking equipment pursuant to NFPA 96 Ventilation Control and Fire Protection of Commercial Cooking Operations;

(l) installation or alteration of spray booths or spray room equipment pursuant to NFPA 33 and wood dust collection systems pursuant to NFPA 664;

(m) construction, installation or alteration of chimneys or fireplaces;

(n) installation of solid fuel burning appliances;

(o) construction of retaining walls

(i) over 1.2m in height,

(ii) a sequence of retaining walls less than 1.2m in height but spaced less than two horizontal to one vertical, or

(iii) in the opinion of the building official constitutes a potential unsafe condition;

(p) the moving or relocating of new or existing buildings, including site construction;

(q) construction or alteration of pools or pool fences;

(r) change of occupancy classification for a building or part of a building;

(s) construction of a new secondary or accessory suite;

(t) demolition of buildings or structures;

(u) installation of solar photovoltaic systems being connected into City of Penticton Electrical system, and for

(v) new or altered driveway access, sidewalk(s) and crossover(s) to a city highway.

unless the works are the subject of another valid and subsisting building permit.

PART 13. CONDITIONS OF PERMIT

13.1. A permit is required if work regulated under this bylaw is to be undertaken.

13.2. A building permit or an application for a building permit that is in process may not be transferred or assigned until the owner has notified the building official in writing, the building official has authorized the transfer or assignment in writing and the owner has paid the non-refundable fee required in the City's Fees and Charges Bylaw. The transfer or assignment of a building permit is not an extension of a building permit.

13.3. The review of plans and supporting documents and issuance of a building permit do not prevent the building official from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting building construction or occupancy being carried on when in violation of this or another bylaw.

13.4. Neither the issuance of a permit under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the City will in any way

(a) relieve the owner (and if the owner is acting through an agent, the agent of the owner) from full and sole responsibility to perform the work in respect of which the permit was issued in strict compliance with this bylaw, the Building Code, and all other applicable codes, standards and enactments;

(b) constitute a representation, warranty, assurance or statement that the Building Code, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with;

(c) or constitute a representation or warranty that the building or structure meets any standard of materials or workmanship.

PART 14. PERMIT APPLICATION REQUIREMENTS FOR SIMPLE AND COMPLEX BUILDINGS

14.1. Every owner shall apply for and obtain a permit before constructing, altering, repairing demolishing or moving a building or structure.

Forms and Schedules

14.2. The City shall provide application forms for all application processes required under this bylaw. Forms shall be adopted by the City through policy from time to time.

Additional Permits

14.3. Where required, separate permits and inspections may be required in the following cases:

(a) Building Move in accordance with Part 15;

(b) Demolition or partial demolition of buildings in accordance with Part 16;

(c) Fire Alarms in accordance with Part 17;

(d) Mechanical Ventilation or Heating Systems in accordance with Part 18;

(e) Plumbing and Fire Suppression Systems in accordance with Part 19;

(f) Pool Permit in accordance with Part 20;

(g) Retaining Walls in accordance with Part 21;

(h) Solar Panel Systems in accordance with Part 22;

(i) Temporary Buildings in accordance with Part 23.

14.4 Prior to an application of a building permit, the owner must satisfy the following requirements or conditions:

(a) the owner must apply for and obtain a development permit if the building or structure is in an area designated by the City's Official Community Plan as a development permit area;

(b) the owner must ensure the proposed building or structure complies with all bylaws of the City, except to the extent a variance of a bylaw is authorized by a development permit, development variance permit or order of the Board of Variance;

(c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed building or structure will be constructed, and the subdivision plan must have been registered in the Land Title Office;

(d) the owner must provide evidence to the building official showing that the person applying for the building permit is either the owner of the parcel that is the subject of the proposed building permit, or is the agent of the owner, in which case, the agent must provide the name and contact information of the owner;

(e) the subject property or building shall be addressed in accordance with City bylaws;

(f) the owner must show proof of application for registration or exemptions for home warranty for projects governed under the *Home Protection Act*;

(g) if the parcel that is the subject of the building permit application is not intended to be connected to the City's sewage disposal system, the owner must apply for and obtain approval from the City and other applicable public authorities for an alternate private sewage disposal system;

(h) if the parcel that is the subject of the building permit application is not intended to be connected to the City's water system, the owner must apply for and obtain approval from the City and other applicable public authorities for an alternate water supply system;

(i) if the parcel that is the subject of the building permit application must provide design for on-site storm water drainage system unless the owner applies for and obtains approval from the City to connect the City's storm water system;

(j) if all on-site and off-site works and services required by the City bylaws and other enactments have not been completed in accordance with the enactments, the owner must enter into a completion agreement with the City and deliver to the City letters of credit or cash security for completion of the works and service.

Building Permit Applications for Complex Buildings

14.5 An application for a building permit with respect to a complex building must:

a) be made in the prescribed form and signed by the owner, or a signing office if the owner is a corporation;

b) pay applicable application fee as prescribed with the City of Penticton Fees & Charges Bylaw;

c) be accompanied by the owner's acknowledgement of responsibility and undertaking in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

d) include a copy of a title search for the relevant property made within 30 days of the date of the permit application;

e) ensure that plans submitted with a permit application bear the name, phone number, address and email address of the designer of the building or structure;

f) include a Building Code compliance summary including the applicable edition of the Building Code, such as without limitation whether the building is designed under Part 3 or Part 9 of the Building Code, major occupancy classification(s) of the building, building area, and building height, number of streets the building faces, and accessible entrances, work areas, washrooms, firewalls and facilities;

g) include a copy of a survey plan prepared by a British Columbia Land Surveyor except that the building official may waive the requirement for a survey plan, in whole or in part, where conditions warrant;

h) include a construction fire safety plan, material staging and trucking route plan;

i) include a site plan prepared by a registered professional showing

i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
ii. the legal description and civic address of the parcel;
iii. the location and dimensions of existing and proposed statutory rights of way, easements and setback requirements, adjacent streets and lane names;
iv. the location and dimensions of existing and proposed buildings or structures on the parcel;
v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
vi. north arrow;
vii. if applicable, location of an approved existing or proposed private or other alternative sewage disposal system, water supply system, or storm water drainage system;
viii. zoning compliance summary;
ix. the location, dimensions and gradient of parking and parking access;
x. proposed and existing setbacks to property lines;
xi. natural and finished grades in geodetic elevations at building corners and significant breaks in the building plan and proposed grade around the building faces in order to ascertain foundation height;
xii. on-site storm water management plan;
xiii. first storey floor elevation in geodetic elevation;
xiv. location, setbacks and elevations of all retaining walls, steps, stairs and decks;

xv. line of upper floors and maximum building height in geodetic elevations;
xvi. location and geodetic elevations of curbs, driveways, sidewalks, manholes, and service poles;
xvii. location and depth of existing and proposed service connections;
xviii. location of top bank and water courses;
xix. access routes for firefighting;
xx. accessible paths of travel from the street to the building;
xxi. geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a building or structure where the City's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, and
xxii. Where the parcel of land contains slopes in excess of 15%, and upon the request of the Building Official, be accompanied by;
    1. 0.5 meter contours of the existing ground surface of the parcel;
    2. 0.5 meter contours of the proposed final grading
    3. The elevation of all floor areas of the building, the location of all retaining, driveways, parking areas and other structures on the parcel;
    4. The drainage provisions as outlined in the approved subdivision grading plans, if any, or the approved sedimentation control and storm water management plans.

except that the building official may waive, in whole or in part, the requirements for a site plan, if the permit is sought for repair or alteration of an existing building or structure;

j) include floor plans showing the dimensions and uses and occupancy classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;

k) include a minimum of two cross-sections through the building or structure in sufficient detail and locations to illustrate foundations, drainage, ceiling heights and constructions systems, including thermal and building envelope assemblies;

l) include elevations of all side of the building or structure showing finish details, roof slopes, windows, doors, natural and finished grade, spatial separations and ridge height to comply with the Building Code and to illustrate that the building or structure conforms with the City Zoning Bylaw and development permit area guidelines;

m) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building conforms to the Building Code;

n) include all other requirements of Sections 2.2.1., 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the Building Code;

o) include copies of approvals required under any enactment relating to health and safety, including, without limitations, sewage disposal permits, highway access permits and Ministry of Health approvals;

p) include a letter of assurance in the form of Schedule A referred to in the Building Code, signed by the owner, or a signing officer is the owner is a corporation, and the coordinating registered professional;

q) include letter of assurance in the form of Schedule B referred to in the Building Code, each signed by such registered professionals as the building official or Building Code may require to prepare the design for and conduct field reviews of the construction of the building;

r) include two sets of drawings at a suitable scale of the design prepared by each registered professional containing the information set out in (g) to (k) of this section;

s) include fire flow calculations confirming adequate water supply for firefighting;

t) include all documentation required by City procedure, as amended from time to time.

14.6 In addition to the requirements of Section 14.5 of this bylaw, a building official may require the following to be submitted with a permit application for the construction of a complex building if the complexity of the proposed building or structure or siting circumstances warrant

a) site servicing and on-site storm water management drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's Bylaws;

b) a section through the site showing grades, buildings, structures, parking areas and driveways where any slopes on the subject parcel exceed 10%; and

c) any other information required by the building official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.

Building Permit Applications for Simple Buildings

14.7 An application for a building permit with respect to a simple building must

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed with the City's Fees and Charges Bylaw;

c) be accompanied by the owner's acknowledgement of responsibility and undertaking in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

d) include a copy of a title search for the relevant property made within 30 days of the date of the permit application;

e) ensure that plans submitted with a permit application bear the name, phone number, address and email address of the designer of the building or structure;

f) include a copy of a survey plan prepared by a British Columbia Land Surveyor except that the building official may waive the requirement for a survey plan, in whole or in part, where conditions warrant;

g) include a site plan showing

i) the bearing and dimensions of the parcel taken from the registered subdivision plan;

ii) the legal description and civic address of the parcel;

iii) the location and dimensions of existing and proposed statutory rights of way, easements and setbacks requirements, adjacent streets and lane names;

iv) the location and dimensions of existing and proposed buildings or structures on the parcel;

v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;

vi) north arrow;

vii) if applicable, location of an approved existing or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;

viii) the location, dimensions and gradient of parking and parking access;

ix) proposed and existing setbacks to property lines;

x) natural and finished grades in geodetic elevations at building corners and datum determination points;

xi) on-site storm water management;

xii) first storey floor elevation in geodetic elevations;

xiii) location, setbacks and elevations of all retaining walls, steps, stairs and decks;

xiv) line of upper floors and maximum building height in geodetic elevations;

xv) location and geodetic elevation of curbs, driveways, sidewalks, manholes and service poles;

xvi) location and depth of existing and proposed service connections;

xvii) location of top bank and water courses;

xviii) access routes for firefighting;

xix) accessible paths of travel from the street to the building;

xx) zoning compliance summary; and

xxi) the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a building or structure where the City's land use regulations or provincial flooding mapping regulations establish siting requirements related to minimum floor elevation, and

xxii) Where the parcel of land contains slopes in excess of 15%, and upon the request of the Building Official, be accompanied by;

a. 0.5 meter contours of the existing ground surface of the parcel;

b. 0.5 meter contours of the proposed final grading;

c. The elevation of all floor areas of the building, the location of all retaining, driveways, parking areas and other structures on the parcel;

d. The drainage provisions as outlined in the approved subdivision grading plans, if any, or the approved sedimentation control and storm water management plans.

except that for a simple building the building official may waive, in whole or in part, the requirements for a site plan if the permit is sought for the repair or alteration of an existing building;

h) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;

i) include a minimum of two cross-sections through the building illustrating foundations, drainage, ceiling heights and construction systems, including thermal and building envelope assemblies;

j) include elevations of all sides of the building showing finish details, roof slopes, windows, doors, the grade, the maximum building height line, ridge height, spatial separations and natural and finished grade to comply with the Building Code and to illustrate that the building or structure conforms with the City of Penticton Zoning Bylaw and Official Community Plan;

k) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;

l) include copies of approvals required under any enactment relating to health and safety, including, without limitations, sewage disposal permits, highway access permits and Ministry of Health approvals;

m) include a foundation and excavation design prepared by a registered professional in accordance with the Building Code;

n) include geotechnical letters of assurance, in addition to a required geotechnical report, if the building official determines that the site conditions so warrant;

o) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section;

p) include a Building Code compliance summary including the applicable edition of the Building Code, such as, without limitation, whether the building is designed under Part 3 or Part 9 and compliance with article 2.2.2.1.(2), Division C of the Building Code; and

q) include all documentation required by City procedures, as amended from time to time.

14.8 In addition to the requirements of Section 14.7 of this part, if a project involves

a) two or more buildings, the gross floor areas of which in the aggregate total more than 1000m^2;

b) two or more buildings that will contain four or more dwelling units; or

c) otherwise if the complexity of the proposed building or structure or siting circumstances warrant,

d) a building official may require the following be submitted with a permit application for the construction of each simple building in the project:

i) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's Bylaws;

ii) a construction fire safety, material staging and trucking route plan;

iii) a section through the site showing grades, buildings, structures, parking areas and driveways;

iv) a roof plan and roof height calculations in geodetic elevations;

v) structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a registered professional;

vi) letters of assurance in the form of Schedule B referenced in the Building Code, signed by a registered professional;

vii) any other information required by the building official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure, and

Professional Plan Certification

14.9 The letters of assurance in the form of Schedules A and B as referred to in the Building Code referred to in Sections 11.1 and 11.3 are relied upon by the City and its building officials as certification that the design and plans to which the letters of assurance refer comply with the Building Code, this bylaw and other applicable enactment.

14.10 Letters of assurance must be in the form of Schedules A and B referred to in the Building Code.

14.11 For a building permit issued for the construction involving a registered professional, the building official shall provide the owner with a notice that the building permit is issued in reliance on the certification of the registered professional that the professional design and plans submitted in support of the application for the building permit comply with the Building Code and other applicable enactments. Any failure on the part of the building official to provide the owner with the notice will not diminish or invalidate the reliance by the City or its building officials on the registered professionals.

14.12 If a building permit is issued for a construction involving registered professionals, the permit fee is to be reduced as prescribed within the City's Fees and Charges Bylaw.

Alternate Solutions

14.13 An owner who wishes to provide alternative solutions to satisfy one or more of the requirements of the Building Code or this bylaw must submit sufficient evidence, certified by a professional engineer or architect, to demonstrate that the proposed alternative solutions will provide the level of performance required by the Building Code or this bylaw and pay the fee specified in City's Fees and Charges Bylaw.

Site and Location Information

14.14 Without limiting Sections 14.5(g) or 14.7 (g) of this part, the building official may in writing require an owner to submit an up-to-date plan or survey prepared by a registered British Columbia Land Surveyor which contains sufficient information respecting the site and location of any building to

a) establish, before construction begins, that all the provisions of this bylaw in relation to this information will be complied with;
b) verify, on completion of the construction, that all provisions of this and other applicable bylaw have been complied with;

c) in relation to an existing building, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and

d) in relation to construction of a new building, or addition to an existing building, prior to and after the placement of concrete for foundations and footings, show the elevation at proposed top of concrete on all building elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person served with a written requirement under this section must comply with this requirement.

Building Permit Fee

14.15 Before receiving a building permit for a building or structure, the owner must first pay to the City

a) the building permit fee prescribed in the City's Fees and Charges Bylaw; and

b) any fees, fines, charges, levies or taxes imposed by the City and payable under an enactment at the time of issuance of the building permit.

14.16 The application fee shall be credited against the permit fee when the permit is issued.

Valuation for Permit

14.17 The valuation of construction set out in the application for a permit shall be the total current monetary worth of all construction or work related to the building or structure, and shall include

a) site preparation and civil work including excavation and the use of hoisting, pile driving, compaction or erection devices;

b) all design documents, labour and fees involved in the design, investigative testing, consulting services, construction labour and management, even if provided by the owner, or donated voluntarily by others, contractor's profit and overhead, sales taxes and the construction insurance; and

c) all mechanical, electrical, plumbing, drainage and gas installations necessary for the carrying out of the construction to its completed form.

14.18 The building official may place a value on the construction or work for the purposes of determining applicable permit fees by using an appropriate method from the "Marshall Valuation Services" publications with the updated "current cost multipliers," or such universal source of calculating valuation, as the building official deems reasonable, practical and expedient.

Security Deposit with Building Permit Application

14.19 An applicant for a building permit must pay to the City, at the time of application, the following security deposit as prescribed within the City of Penticton Fees and Charges Bylaw for:

a) Building Moves;

b) Demolition permits,

c) Foundation only building permits for Complex projects; and

d) Temporary Building permits.

14.20 The security deposit sum set out in Section 14.19 of this part

a) covers the cost borne by the City to maintain, restore or replace any public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any building permit held by the applicant;

b) covers the cost borne by the City to make the site safe if the permit holder abandons or fails to complete the work as designated on the permit;

c) serves as a security deposit to effect compliance with any condition under which the permit was issued.

14.21 The security deposit or applicable portion must be returned to the applicant

a) when the City is satisfied that no further damage to public works or public lands will occur;

b) when the inspections required by this bylaw are complete and acceptable to the building official; and

c) when the conditions or provisions of a provisional certificate of occupancy are completed to the satisfaction of the building official;

only if the applicant has requested the return of the security.

14.22 Any credit greater than the amount of the security deposit used by the City for the purposes described in Part 14 will be returned to the permit holder unless otherwise so directed by the permit holder. Any amount in excess of the security deposit required by the City to complete corrective work to public lands, public works, or the site is recoverable by the City from the permit holder, the constructor or the owner of the property.

14.23 If the proposed work includes excavation or construction on lands within 3.0 meters of works or services owned by the City, the owner must deliver to the building official a signed agreement in a form prescribed by the City under which the owner acknowledges and agrees that any damage to municipal works or services arising from the construction associated with the building permit will be repaired by the owner at its expense and to the satisfaction of the City's Public Works Superintendent, and the owner must deposit with the City security in accordance with Sections 14.19 to 14.20.

Permit Fee Refunds

14.24 No fee or part of a fee paid to the City may be refunded if construction of the building has started.

14.25 The building official may approve a refund of an application fee or portion thereof only if plan checking has not commenced.

14.26 A building permit or other permit fee may be partially refunded as set out in the City bylaws, only if

a) the owner has submitted a written request for a refund;

b) the building official has certified a start has not been made on the construction of the building or structure; and

c) the permit has not expired.

14.27 A building permit or other permit fee is not refundable after the permit has been extended under Section 14.64 of this part.

14.28 Except as otherwise provided in this bylaw, all fees and charges paid or payable under this bylaw shall be non-refundable.

Design Modification

14.29 If an issued building permit or other permit is active and the owner proposed modification to the building design whereby the value of the work does not increase or the value of the work decreases, the owner must pay to the City a building permit fee based on the plan review hourly rate set out in City's Fees and Charges bylaw.

Construction Before Permit Issued

14.30 The building permit or other permit fee is doubled for every permit application if construction commenced before the building official issued a permit, to a maximum of $10, 000.

14.31 If construction has advanced without inspection to a stage where compliance with this bylaw or other applicable bylaws or enactments cannot be readily determined, the building official may require tests and investigations by an independent agency at the owner's expense to establish compliance or provide recommended remedial measures to be taken, prior to the issuance of a permit.

Expiration of Application for a Permit

14.32 A building permit or permit application expires 90 days from a date an application is received under this part if the building permit or permit is not issued by the application expiration date, unless the permit is not issued only due to delays caused by the City.

Cancellation of Application

14.33 When an application is cancelled

a) the application fee is forfeited to the City; and

b) the applicant will be notified in writing confirming cancellation of application and that plans and related documents submitted with the application will be held for a period of 30 days, then destroyed.

Confirmation of Permit Application Reviews

14.34 Upon receiving a completed permit application, the building official shall provide written confirmation that the city will either issue a permit, or refuse issuance with reasons for the denial within:

a) 21 days for Simple building permit applications; or

b) 45 days for Complex building permit applications.

14.35 If the denial notice is not provided within the timeframes outlined in Section 11.28 (a) and (b), the permit fee is to be reduced as prescribed within the City's Fees and Charges Bylaw.

Issuance of a Building Permit

14.36 Each building, structure or part thereof constructed on a site requires a separate permit and shall be assessed a separate permit fee based on the value of that building, structure or part thereof.

14.37 If

a) a completed application in compliance with Sections 14.4 to 14.6 or 14.7 to 14.8, including all required supporting documentation, has been submitted;

b) the owner has paid all applicable fees set out in Sections 14.15, 14.16 and 14.17 to 14.23 of the part and the City bylaws;

c) the owner or his representative has paid all charges and met all requirements imposed by any other statute or bylaw;

d) the owner has retained a professional engineer or geoscientist if required under this bylaw;

e) the owner has retained an architect if required under this bylaw;

f) no covenant, agreement, resolution or regulation of the City requires or authorizes the permit to be withheld; and

g) the owner has provided a hazardous materials assessment and remediation compliance letter for additions or alterations to buildings constructed prior to 1992.

the building official must issue the permit, in the prescribed form, for which the application is made, and the date of issuance is deemed to be the date the City gives written notice to the owner that the permit is ready to be picked up by the owner.

Compliance with the Homeowner Protection Act

14.38 If the application in respect of a building that includes, or will include, a residential occupancy governed by the *Homeowner Protection Act*, the building permit must not be issued unless the owner provides evidence under Section 30(1) of the *Homeowner Protection Act*, that the proposed building

a) is covered by home warranty insurance; and

b) the constructor is a licensed "residential builder" as defined in that Act.

14.39 Section 12.30 of this part does not apply if the owner is not required to be licensed and to obtain home warranty in accordance with Sections 20(1) or 30(1) of the *Homeowner Protection Act*.

14.40 Every permit is issued subject to the owner and constructor maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the permit.

Issuance of Partial Permits

14.41 The building official may issue a permit for a portion of a building or structure before the design, plans and supporting documents for the entire building or structure have been reviewed provided sufficient information has been provided to the City to demonstrate to the building official that the portion authorized to be constructed substantially complies with this and any other applicable City bylaws and the permit fee applicable to that portion of the building or structure has been paid. Notwithstanding the issuance of the permit, the requirements of this bylaw shall apply to the remainder of the building or structure as if the permit for the portion of the building or structure had not been issued.

14.42 If a site has been excavated under a building permit for excavation issued under this bylaw and a building permit is not subsequently issued or a subsisting building permit has expired under Section 12.41, but without the construction of the building or structure for which the building permit was issued having commenced, the owner must fill in the excavation to restore the original gradients to the site within 60 days of being served notice by the City to do so.

14.43 If a building permit has expired and partial construction has progressed, with no extension requested of the building official under Section 12.42, permanent type fencing with privacy screen complying with the City's Zoning Bylaw, must be erected around the building site for protection to the public.

Sanitary Facilities during construction

14.44 During the time a building permit has been issued and remains valid under this bylaw, the owner must provide on the parcel of land in respect of which the permit has been issued, sanitary facilities for the disposal of human waste from individual persons who enter on the parcel in relations to the work referred to in the permit, which facilities must be accessible and unlocked when not occupied while work is being carried out on the parcel under this bylaw, and every sanitary facility that is not connected to a

a) sanitary sewer; or

b) septic disposal system approved under the *Health Act*,

by plumbing that complies with the Building Code and this bylaw, must be provided, at all times the facility is required under this bylaw, with toilet paper, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking beyond the facility and without overflowing within the facility. Such facilities must be located so as not to create a nuisance to neighbouring parcels or highways.

Inspections for Simple Buildings

14.45 Despite the requirement for the building official's acceptance of the work outlined in Section 14.48, if a registered professional provides letters of assurance, the City will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the design, plans and specifications and that the construction complies with the Building Code, this bylaw and other applicable enactments respecting safety. Copies of all field reviews must be submitted to the City.

14.46 Despite Section 12.45 of this part, a building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.

14.47 A building official may attend periodically at the site of the construction of simple buildings or structures to ascertain whether the work is being carried out in substantial conformance with the Building Code, this bylaw and any other applicable enactments concerning safety.

14.48 For all work in respect of simple buildings the owner must give at least 24 hours' notice to the City when requesting an inspection and must obtain an inspection and receive a building official's written acceptance of the following aspects of the work prior to concealing them:

a) Pre-construction site review when required by the building official;

b) footings, after preparation for footings are complete, prior to placement of concrete;

c) foundation, after forms for foundation walls are completed, prior to placement of concrete;

d) after damp-proofing and foundation drainage are in place, prior to backfilling;

e) sanitary sewer service, after sewer line is in place and under test, prior to backfilling;

f) domestic water service, after the water service lines are in place and water has been turned on, prior to backfilling;

g) under-slab plumbing and underground fire suppression supply lines, prior to covering;

h) under-slab, after slab preparation for soil gas requirements, the preparation of ground, including ground cover when required, perimeter insulation of inside of concrete foundation walls are in place, prior to covering;

i) installation of rough-in plumbing, when complete and under test, prior to covering;

j) installation of mechanical ventilation and heating systems, prior to covering;

k) framing, sheathing, fire stopping, bracing, with installation of chimney and ductwork, rough wiring, rough plumbing, rough heating, gas venting, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;

l) insulation, air and vapour barrier, after all insulation and vapour barrier is in place but prior to interior finish being applied which conceal the work;

m) exterior sheathing membrane and flashing prior to exterior finishes being applied;

n) installation of required fire separations prior to completing;

o) on-site constructed tubs or showers and tub or shower trap tests; and

p) occupancy and final, after the health and safety aspects of the work and the conservation, GHG emissions reduction and accessibility aspects of the work when the building or structure is substantially complete, ready for occupancy but prior to occupancy.

14.49 A building official will only carry out an inspection under Section 14.48 if the owner or the owner's agent has requested the inspection online or in writing in accordance with this bylaw.

14.50 No person may conceal any aspect of the work referred to in Section 14.48 of this bylaw until a building official has accepted it in writing.

Complex Building Commissioning

14.51 For work in respect of complex buildings, the owner must

a) give at least 48 hours' online or written notice to the City when requesting a preconstruction meeting with the building official prior to the start of construction, and the owner or his or her representative must ensure that the coordinating registered professional, the constructor, as well as representatives of major trades, are in attendance;

b) give at least 48 hours' online or written notice to the City when requesting a pre-occupancy coordinated by the coordinating registered professional or other registered professional to have the owner, the constructor, and the registered professionals demonstrate to the building official and City Fire Department the compliance with the health and safety aspects of the work, the coordination and integration of the fire and life safety system, applicable City requirements and other enactments respecting safety and the conservation, GHG emissions and accessibility aspects of the work; and

c) cause the coordinating registered professional, at least 48 hours prior to the pre-occupancy coordinated site review coordinated by the coordinating registered professional, to deliver to the building official the Confirmation of Required Documentation described in the prescribed form, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick.

Stop Work Orders

14.52 The building official may direct the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a stop work order notice in the prescribed form on the premises when it is found that the work is not being performed in accordance with the requirements of the Building Code, any applicable bylaw of the City or the applicable provisions of the *Homeowner Protection Act*.

14.53 The coordinating registered professional may request, in writing, that the building official order the immediate suspension or correction of all of a portion of the construction on a building or structure by attaching a stop work order notice on the premises. The building official must consider such request and, if not acted upon, must respond, in writing, to the coordinating registered professional and give reasons.

14.54 If a registered professional's services are terminated, the owner must immediately stop any work that is subject to his or her design or field review and the building official is deemed to have issued a stop work order under Section 14.52.

14.55 The owner must immediately, after the posting of a notice under Section 14.52, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a Provincial agency and of every applicable bylaw of the City.

14.56 Subject to 14.52, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in Section 14.52 until the stop work order notice has been removed by the building official.

14.57 The notice referred to in Section 14.52 must remain posted on the premises until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

14.58 If a person occupies a building or structure or part of a building or structure in contravention of this bylaw, a building official may post a Do Not Occupy Notice in the prescribed form on the affected part of the building or structure.

14.59 If a notice is posted under Section 14.58, the owner of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease occupancy of the building or structure immediately and refrain from further occupancy until all applicable provisions of the Building Code and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a building official.

Inspection and Other Fees

14.60 In addition to the fees required under other provisions of this bylaw, the owner must pay the non-refundable fee set out in City bylaws for

a) a second and each subsequent re-inspection where it has been determined by the building official that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one visit is required for any required inspection;

b) a special inspection during the City's normal business hours to establish the condition of a building, or if an inspection requires special arrangements because of time, location, or construction techniques; and

c) an inspection required under this bylaw which cannot be carried out during the City's normal business hours.

Permit Expiration

14.61 Every permit is issued on the condition that the permit expires and the rights of the owner under the permit terminate if

a) the work authorized by the permit is not commenced within 180 days from the date of issuance of the permit unless extended under Part 12;

b) work is discontinued for a period of 180 days; or

c) the work is not completed within 18 months for Simple and 24 months for Complex projects, unless otherwise specified by the Building Official, of the date of issuance of the permit.

14.62 Where a permit has expired, the work shall cease and the construction shall be removed, unless a new permit application is made within 90 days of the expiry date of the permit.

14.63 Where a permit has expired, and a new permit application is made, all construction shall comply with this bylaw, the Building Code and any other City bylaws and enactments in force at the time of the new application.

Permit Extension

14.64 Where construction has not commenced within 180 days from the date the permit was issued, the building official may extend the permit for a period not more than 180 days from the date of expiry of the

original permit, but the permit shall then be void if construction has not started within 360 days from the original date of the issuance of the permit, if

a) application for the extension is made at least 30 days prior to the date of permit expiration, and

b) the non-refundable fee set out in the City's Fees and Charges Bylaw has been paid.

14.65 Where construction has commenced and has not been discontinued or suspended for a period of more than 180 days, the building official may extend the expiry date for the permit for such period of time as the building official considers reasonable, where the building official is satisfied that there exists a reasonable excuse for the delay in completing construction, if

a) application for the extension is made at least 30 days prior to the date of permit expiration; and

b) the non-refundable fee set out in the City's Fees and Charges Bylaw has been paid.

Building Permit Cancellation by Owner

14.66 A building permit, or a building permit application, may be cancelled by the owner, or his or her agent, on delivery of written notification of the cancellation to the building official.

14.67 On receipt of the written cancellation notice, the building official must mark on the application, and a permit if applicable, the date of cancellation and the word "cancelled".

14.68 If the owner, or his or her agent, submits changes to an application after a permit has been issued and the changes, in the opinion of the building official, substantially alter the scope of work, design or intent of the application in respect of which the permit was issued, the building official may cancel or amend the permit and mark on the permit the date of cancellation or amendment and the work "cancelled" or "amended".

14.69 If a building permit application or permit is cancelled, and construction has not commenced under the permit, the building official must return to the owner any fees deposited under the City's Fees and Charges Bylaw,

Partial Occupancy

14.70 A building official may issue a final inspection notice for partial occupancy of a portion of a building or structure under construction when

a) that portion of the building or structure is self-contained and provided with essential services respecting health and safety aspects of the work, and if applicable, accessibility, GHG emissions and conservation; and

b) the requirements set out in Section 14.75 have been met with respect to it, and

c) security deposit fees are paid as prescribed by the City of Penticton Fees and Charges Bylaw.

14.71 The owner, developer or builder shall ensure that no unsafe condition exists or will exist resulting from the work being undertaken or not completed.

14.72 The building official may withhold an occupancy permit until the building, structure or part thereof complies with this bylaw, the Building Code and any other applicable bylaws or enactments.

14.73 The building official may revoke an approval for occupancy for failure to comply with any conditions of the approval.

Occupancy

14.74 No person may occupy a building or structure or part of a building or structure until a final inspection notice has been issued by a building official for

a) the first occupancy of a building or structure or part thereof after completion of construction; or

b) any change of class of occupancy of any building or structure or part thereof.

14.75 A final inspection notice will not be issued unless

a) all letters of assurance have been submitted when required in accordance with this bylaw;

b) all aspects of the work requiring inspection and acceptance pursuant to Sections 14.48 to 14.49 and 14.51 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with this bylaw;

c) the owner has provided to the City a building survey prepared by a British Columbia Land Surveyor showing the building height, size, location and elevation determined in accordance with the City's land use regulations;

d) all other documentation required under applicable enactments has been delivered to the City;

e) where any of the requirements for life and fire safety have been deemed to be satisfied by an alternate solution pursuant to provisions of the Building Code, the owner shall submit to the building official, prior to use or occupancy of the building or structure, certification from the registered professional responsible for the equivalency, that the construction substantially complies with the requirements set out in the alternate solution report.

14.76 When a registered professional provides letters of assurance in accordance with this bylaw, the City will rely solely on the letters of assurance when issuing a final report authorizing occupancy as assurance that the items identified on the letters of assurance substantially comply with the design, the Building Code, this bylaw and other applicable enactments respecting safety.

PART 15. BUILDING MOVE PERMIT

15.1 Without limiting Section 6.3 of this bylaw, no person shall relocate a manufactured home, structure, building or part thereof into the City or from one property to another within the City unless the owner or agent has first obtained a building permit for that purpose as provided for in this bylaw.

15.2 Every application for a building move permit shall be accompanied by a plan showing:

a) the location of the proposed building and any accessory buildings in relation to existing buildings on the property in the form of a site plan drawn to scale;

b) distances from the proposed building and all existing buildings to the property boundaries;

c) construction details for on-site construction as outlined in Section 14.5 or 14.7; and

d) written confirmation from the manufactured home park owner or authorized representative.

15.3 The relocation of manufactured homes factory constructed and assembled more than 30 years prior to the date of permit application is prohibited. The year, make, model and serial numbers shall be determined by the CSA Rating Plate and/or the Province of British Columbia Mobile Home Registry.

15.4 A building official may require a report from an accredited restoration company or registered professional with experience in environmental engineering stating that there are no environmental issues or hazards regarding health and safety to occupants prior to issuing a building permit to relocate a manufactured home, mobile home or other building.

15.5 Where a manufactured home or mobile home is less than five years old, the building evaluation may be waived by the building official.

Permit Issuance

15.6 The building official may issue a permit for construction involved in the moving of any building, structure or part thereof into or within the City when the owner has

a) finalized disconnection of services,

b) finalized any outstanding taxes owing and utility billing accounts to the City;

c) have approval for safe route transport in the form of Schedule G as prescribed by the City's Public Works department;

d) provided a hazardous assessment and clearance letter for the demolition of any existing on-site construction for buildings constructed prior to 1992, and

e) deposited with the City a security deposit as prescribed within the City's Fees and Charges Bylaw.

Permit Completion Conditions

15.7 All construction including relocations, alterations and additions for relocated manufactured homes, mobile homes or other buildings shall be completed with 180 days of the date the permit was issued.

15.8 If the owner does not move the building, structure or part thereof for which a permit is issued and complete construction within the time specified in Section 15.7, the building official may notify the owner in writing and direct the owner to complete that work within 30 days from the date of the notice.

15.9 If the work is not completed within the 30 days, the City or its agent may enter, clean and tidy the site at the expense of the owner and the costs shall be deducted from the security deposit.

15.10 If the building, structure or part thereof to be moved is located on a property in the City, then the property must be returned to a safe, clean and tidy condition within 120 days from the date of issuance of the permit.

PART 16. DEMOLITION PERMITS

16.1 Without limiting Section 6.3 of this bylaw, a person must not demolish or partially demolish a building or structure without making application and receiving a valid building permit.

Application Requirements

16.2 An application for a building permit with respect to a demolition permit must

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City of Penticton Fees and Charges Bylaw;

c) provide a site plan showing all buildings and structures and servicing locations;

d) Provide vacancy date;

e) provide a hazardous materials assessment and remediation clearance letter for buildings constructed prior to 1992;

f) pay capping fees as set out in the City's bylaws governing water, electrical and sewer utilities; and

g) ensure that all municipal services and other services are capped and terminated at the property line in a City standards.

Demolition sites

16.3 The following items shall be required at demolition sites to the satisfaction of the building official:

a) The demolition of buildings and structures shall be in accordance with Part 8 of the Building Code "Safety Measures at Construction and Demolition Sites."

b) all construction material and debris, including concrete foundations and septic tanks are to be removed from the site;

c) all services and utilities are to be disconnected at the property lines;

d) the site shall be left in a clean and tidy condition within 90 days from the date of issuance of the demolition permit;

e) should demolition not have commenced by the 90 day expiry date the building official may at his or her discretion cancel the permit by written notification. There shall be no refund for the demolition inspection permit and where applicable the security deposit shall be returned;

f) any request to extend the 90 day time limit shall be received 30 days prior to the date of expiry. The request shall be in writing from the owner or their agent and approved in writing by the building official; and

g) where required for industrial and commercial demolition sites the *Environmental Management Act* shall apply.

Delayed Demolition Requests

16.4 Upon written request by the owner, a demolition permit may be issued without service disconnects or hazardous materials remediation for a period of up to 180 days.

Security for Demolitions

16.5 Security deposits for demolition permits shall be required for all demolitions of buildings or structure requiring a permit in an amount prescribed within the City of Penticton Fees and Charges Bylaw.

a) the security deposit shall be held by the City until the site is restored to a safe and tidy condition to the satisfaction of the building official;

b) if the owner fails to leave the site in a clean and tidy condition to the satisfaction of the building official with the 90 day time limit the City or its agent may enter, clean and tidy the site at the expense of the owner and costs shall be deducted from the security deposit;

c) if the security deposit is insufficient to cover the costs of tidying and cleaning the site the owner shall within 30 days of invoice from the City pay the balance of the costs over the amount of the security deposit; and

d) if the costs are unpaid on the 31st day of December in the year on which the demolition occurred the costs shall be added to and form part of the property taxes payable as taxes in arrears.

PART 17. FIRE ALARM PERMITS

17.1 Without limiting Section 6.3 of this bylaw, a person must not install, replace or alter a fire alarm system without making application and receiving a valid building permit.

17.2 An application for a mechanical permit with respect to a residential occupancy for Simple buildings must

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed with the City of Penticton Fees and Charges Bylaw, and

c) two (2) sets design drawings and specifications prepared by a registered professional along with letters of assurance.

Professional Design and Commissioning

17.3 The design, installation, commissioning and maintenance shall conform to:

a) the B.C. Building Code, and

b) all relevant standards of the National Fire Protection Agency, (NFPA), pertaining to fire suppression systems.

17.4 Where a permit is required, no engineered mechanical system shall be put into use until it has been tested and accepted by the registered professional who is responsible for its design, as applicable.

PART 18. MECHANICAL VENTILATION AND HEATING PERMITS

18.1 Without limiting Section 6.3 of this bylaw, a person must not install, replace or alter a mechanical ventilation or heating system without making application and receiving a valid building permit.

18.2 An application for a mechanical permit with respect to a residential occupancy for Simple buildings must

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City of Penticton Fees and Charges Bylaw;

c) provide heat load worksheet, appliance selection worksheet, and ventilation checklist.

18.3 An application for commercial cooking system, spray booth operation or wood dust collection system permit shall

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City of Penticton Fees and Charges Bylaw;

c) two (2) sets design drawings, prepared by a registered professional along with letters of assurance.

Design Standards

18.4 The design, installation and maintenance for commercial cooking system, spray booth operation or wood dust collection system shall conform to:

a) the B.C. Building Code, Division B, Part 6 Heating and Ventilation and Air-conditioning;

b) the B.C. Building Code, Division B, Part 3, Section 3.2.5 Provisions for Fire Fighting; and

c) all relevant standards of the National Fire Protection Agency, (NFPA), pertaining to fire suppression systems.

Inspections and Commissioning

18.5 Where a mechanical and ventilation system has been installed or altered under permit for simple buildings or residential use, an inspection shall be requested before:

a) the system is covered up; or

b) the system is used.

18.6 Where a mechanical system has installed or altered under permit for a commercial kitchen, spray booth or wood dust collection system, it shall not be put into use until it has been tested and accepted by the registered professional who is responsible for its design, as applicable.

PART 19. PLUMBING AND FIRE SUPPRESSION PERMITS

19.1 Without limiting Section 6.3 of this bylaw, a person must not install, replace or alter a plumbing or fire suppression system making application and receiving a valid building permit.

19.2 An application for a plumbing or fire suppression permit shall

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City of Penticton Fees and Charges Bylaw;

c) provide two (2) sets of isometric drawings where works are not performed by a qualified plumber for single family dwellings projects; or

d) provide two (2) sets drawings including design drawings, including storm water management systems, prepared by a registered professional along with letters of assurance.

19.3 The design, installation and maintenance of plumbing and fire suppression systems shall conform to:

a) the B.C. Plumbing Code;

b) the B.C. Building Code, Division B, Part 3, Section 3.2.5 Provisions for Fire Fighting; and

c) all relevant standards of the National Fire Protection Agency, (NFPA), pertaining to fire suppression systems.

Inspections and Commissioning

19.4 Where a plumbing system has been installed or altered under permit for a simple building, an inspection shall be requested before:

a) the system is covered up; or

b) the system is used.

19.5 Where a plumbing system or fire suppression system has been installed or altered under permit for a complex building it shall not be put into use until it has been tested and accepted by the registered professional who is responsible for its design, as applicable.

PART 20. POOL PERMITS

20.1 Without limiting Section 6.3 of this bylaw, a person must not construct, or structurally repair, a pool without making application and receiving a valid building permit.

20.2 An application for a building permit with respect to a pool permit must:

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City's Fees and Charges Bylaw;

c) provide a site plan showing the location and distances of the proposed pool and any accessory buildings in relation to existing buildings on the property;

d) construction details for the pool and the proposed method of enclosure of the pool area; and

e) approval of design from the Local Health Authority having jurisdiction, if the pool is accessible for public use.

Professional Design

20.3 In accordance with Section 11.3 of this Bylaw, professional design and field reviews may be required, subject to the complexity of the design and the condition of soils where the pool is to be located.

Fencing

20.4 A swimming pool, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.22m and no openings greater than 100mm at their greatest dimension. Where the access to the

swimming pool is from a dwelling located on the same property as the swimming pool, the access may be directly from the dwelling.

20.5 The fence or equivalent barrier referred to in Section 16.1 shall be of chain link type material, solid material with a flat vertical surface, or vertically oriented material.

20.6 A swimming pool fence or equivalent temporary barrier shall be in place, inspected and approved prior to placing the water in a pool.

Pool Gate

20.7 Access through a fence enclosing a swimming pool, spa or hot tub must be only through a self-closing and self-latching gate designed and constructed or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming pool, spa or hot tub side of the gate.

20.8 All openings or gates in the fence or barrier shall be locked closed when not in use.

Spa or Hot Tub Lid

20.9 In lieu of a fence, a spa or hot tub may be covered with a locking cover, which would prevent unauthorized access to the water.

Above Ground Pools

20.10 A swimming pool which is located above ground and has vertical sides of at least 1.2m may be protected from access by fencing the access ladder to limit access, with a child resistant self-closing and self-latching gate through the fence.

Maintenance

20.11 A person may not use or occupy a swimming pool, including a spa or hot tub unless the owner or occupier of property on or in which a pool, spa or hot tub is located maintains every fence or cover required under Sections 20.4 to 20.10 in good order, and without limitation maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

Leaks or Other Failures

20.12 A person may not obtain a valid and subsisting building permit for or use or occupy a pool without first delivering to the building official at the time of the building permit application an opinion of a registered professional that the design of the pool will not cause or result in leaks or other failures of the pool.

Drainage

20.13 Drainage from pools must be contained and disposed of on the same property as the pool is located and discharged to ground where practical to do so.

Public Pools

20.14 Pools intended for public use shall not be occupied until an Operating Permit for the pool has been issued by the Local Health Authority.

PART 21. RETAINING WALL PERMITS

21.1 Without limiting Section 6.3 of this bylaw, a person must not construct, or structurally repair, a retaining wall without a valid building permit.

21.2 An application for a building permit with respect to a retaining building permit must

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City of Penticton Fees and Charges Bylaw;

c) provide a site plan showing all buildings and structures and servicing locations.

21.3 A registered professional shall undertake the design and conduct field reviews of the construction and drainage of a retaining structure greater than 1.2m in height or where a sequence of walls are located closer than 2 horizontal to 1 vertical.

21.4 If a building official determines that an unsafe condition exists as the result of the construction of a retaining wall requiring a building permit, a guard or fence may be required.

PART 22. SOLAR PANEL PERMIT

22.1 Without limiting Section 4.3 of this bylaw, a person must not install or alter a solar panel system without making application and receiving a valid building permit.

22.2 An application for a building permit with respect to solar panel system must

a) be made in the prescribed form and signed by the owner, or a signing officer if the owner is a corporation;

b) pay applicable application fee as prescribed in the City's Fees and Charges Bylaw;

c) be accompanied by plans showing the location of the proposed solar panel location in relation to existing buildings on the property in the form of a site plan drawn to scale;

d) construction details for the attachment of the panels to the building and provide a sealed drawing by a registered professional to confirm loading on structural members of building are designed to accommodate the anticipated loads for hot water solar systems and where photo-voltaic systems incorporate a ballast system.

22.3 For hot water systems, compliance with CAN/CSA-F383-87, Installation Code for Solar Domestic Hot Water Systems, as referred to in the British Columbia Building Code.

22.4 Prior to obtaining a permit for a photovoltaic solar panel system with connection to the City's electric system shall enter into a net-metering agreement with the City.

PART 23. TEMPORARY BUILDING PERMIT

23.1 Subject to the bylaws of the City and order of Council, the building official may issue a building permit for the erection or placement of a temporary building or structure for occupancy if

a) the permit is for a period not exceeding one year; and

b) the building or structure is located in compliance with the City's Zoning Bylaw, built in compliance with the Building Code and this bylaw, and connected, as required by enactments, to City utility services.

Application requirements

23.2 An application for a building permit for the erection or placement of a temporary building or structure must be made in the form of a temporary permit application on the prescribed form, signed by the owner or agent, and must include:

a) plans and supporting documents showing the location and building height of the building or structure on the parcel;

b) plans and supporting documents showing construction details of the building or structure;

c) application fee as prescribed in the City's Fees and Charges Bylaw;

d) a statement by the owner indicating the intended use and duration of the use;

e) plans and supporting documents showing the proposed parking and loading space;

f) a written description of the project explaining why the building is temporary;

g) a copy of an issued development permit, if required;

h) in the case of a manufactured building, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel building must be certified in accordance with CSA Standard A660;

i) a report or drawing by an engineer, architect or designer confirming compliance with the Building Code, this bylaw, the City's Zoning Bylaw and other applicable bylaws;

j) security as prescribed in the City's Fees and Charges Bylaw, which security may be used by the City to remove the building after one year of the date of the final inspection required under this bylaw; or

k) must be returned to the owner if the owner removes the temporary building within one year of the date of the final inspection of the temporary building required under this bylaw; and

l) in the case of a temporary building, information to comply with article 1.1.1.1(2)(f), Division C of the Building Code.

23.3 Before receiving a building permit for a temporary building or structure for occupancy, the owner must pay to the City the applicable building permit fee set out in the City's Fees and Charges Bylaw.

A permit fee for a temporary building or structure is not refundable.

PART 24. ACCESS ROUTE FOR FIRE DEPARTMENT ACCESS

24.1 Prior to the issuance of a building permit for a Simple building of multi-family or commercial occupancy under Part 9 of the Building Code, the owner must satisfy the building official that the building or structure for which the permit is issued will be served by a fire access route that satisfies the following:

a) the width of an access route must be not less than 6.0 meters;

b) the centerline radius of an access route must be less than 12.0 meters;

c) the overhead clearance of an access route must be 5.0 meters;

d) the gradient of the access route must not change more than 1 in 12.5 over a minimum distance of 15.0 meters;

e) the access route must comply with the bearing load and surface material standards of the City's Subdivision and Servicing Bylaw, as amended or replaced from time to time; and

f) the length above which a dead-end portion of an access route requires turnaround facilities is 90.0 meters.

PART 25. CLIMATIC DATA

25.1 The climatic data for the design of buildings in the City shall be the date listed in the current edition of Division B Appendix C to the Building Code for Penticton, British Columbia.

PART 26. ENERGY CONSERVATION and GHG EMISSIONS REDUCTION

Step Code Requirements

26.1 In relation to the conservation of energy and the reduction of greenhouse gas emissions, the City incorporates by reference the Step Code as outlined in the Building Code in accordance with Sections 26.2 and 26.3.

26.2 A building regulated by Part 9 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in

a) Step 1 of the Step Code as of January 15, 2019 for all Part 9 buildings;

b) Step 3 of the Step Code as of January 01, 2020 for

i) Single Detached Housing;

ii) Duplex Housing;
iii) Three-plex Housing;
iv) Four-Plex Housing;
v) Rowhousing; and
vi) Low Rise Apartment Housing;

c) Step 3 of the Step Code as of January 1, 2021 for
   i) Accessory Suites.

26.3 Any dwelling which achieves a minimum of Step 3, of the Step Code , prior to January 1, 2020, will receive a building permit fee discount rebate as prescribed within City of Penticton Fees and Charges Bylaw for which the permit was authorized.

PART 27. FINISHED GRADES and SLOPE RETENTION

27.1 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the Province of British Columbia, fill material placed or excavation into natural grade on a parcel must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally, unless restrained by a permitted retaining wall.

27.2 Retaining walls are not permitted to be constructed of stacked un-cemented rock or boulders or creosoted timbers.

27.3 No person may occupy a building unless the finished grade complies with all applicable enactments.

27.4 The maximum grade for a residential driveway shall not exceed 20%.

PART 28. NUMBERING OF BUILDINGS

28.1 Immediately upon issuance of a building permit governing the construction, alteration or repair of a building, or prior to and during occupancy of a building, the owner or occupant must display the address number assigned to it by the City:

a) on or over the entrance to the building or where landscaping or structures obscure the visibility of a building entrance from the adjacent highway, on the building property within sight of the adjacent highway; and

b) until such time as the building is removed from the site or has been demolished.

28.2 Despite Section 28.1 the City's Engineer may renumber or alter the assigned numbers in respect of any building or any parcel, including those already in existence or numbered.

28.3 Without limiting Sections 28.1 or 28.2, a building official must, on the issuance of a building permit, designate a house number or set of house numbers related to the building authorized by the permit. The owner or occupier must post the number or numbers on the site immediately after obtaining the building permit and keep the numbers posted in a conspicuous location at all times during construction.

28.4 Without limiting Sections 28.1 through 28.3, on issuance of an occupancy permit, the owner or occupier of the parcel must affix the numbers permanently in a conspicuous place on the building such that the number is visible from an adjacent highway that is not a lane.

PART 29. TEMPORARY RESIDENCE DURING PERIOD OF CONSTRUCTION

29.1 Where a temporary residence is required during the period of construction of a new residence, the following conditions shall apply:

a) no more than one temporary residence shall be permitted on a lot and the lot shall be not smaller than 0.4ha (0.9884 acres);

b) the temporary residence may include a modular manufactured home or an existing single family dwelling legally sited on the subject property;

c) a manufactured home or modular manufactured home that is used for a temporary dwelling shall be sited in conformity with the regulations of this bylaw and the Provincial Health Act and shall not be sited on a permanent foundation with a basement excavation;

d) the temporary residence shall be removed from the owner's land within 30 days of the end of the period of construction of the new residence except that the temporary residence may be converted to any non-residential use permitted within the applicable zone subject to compliance with all other regulations of the applicable zone with respect to density and the siting, size, and dimensions of the building;

e) removal of all kitchen and bathroom cabinets, plumbing fixtures, hot water tanks, furnaces, and sewer connections except that some of said facilities may be retained for home occupation and workshop purposes as determined by the building official;

f) refinishing of the exterior of the building to portray a building intended for the proposed use; and

g) completion of the conversion within 30 days of the end of the period of construction of the new residence;

h) a covenant shall be registered pursuant to Section 219 of the Land Title Act to permit the temporary residence during the period of construction and to prohibit the temporary residential use from continuing after the period of construction ends. The covenant shall also include an agreement by the owner to indemnify and save harmless the City against all costs and expenses incurred by the City, in default by the owner, in the conversion, demolition, or removal of the temporary residence, and/or legal costs incurred in pursuing such legal remedies as the City sees fit. The covenant shall be registered as a condition precedent to the issuance of a building permit for the new residence;

i) a blanket statutory right-of-way shall be granted to the City permitting the City to enter onto the owner's land for the purpose of converting, demolishing, or removing the temporary residence in the event that the owner defaults. The statutory right-of-way plan shall be registered as a condition precedent to the issuance of a building permit for the new residence;

j) an irrevocable unconditional letter of credit shall be drafted in favour of the City, to be held as security for performance by the owner of his covenants and obligations with respect to the conversion, demolition or removal of the temporary residence. The amount of the letter of credit shall be 1.5 times the estimated cost of conversion, demolition, or removal of the temporary residence, which estimate shall be obtained from a qualified building, demolition, or moving contractor. The letter of credit shall be provided as a condition precedent to the issuance of a building permit for the new residence. Notwithstanding the

above provisions and where a manufactured home is intended to be used as the temporary residence, a letter of credit or certified cheque in the amount of $1,500.00 may be accepted by the Building Official. Where a modular manufactured home is intended to be used as the temporary residence, a letter of credit or certified cheque in the amount of $3,000.00 may be accepted by the building official; and

k) for the purposes of this section, "period of construction" shall mean the period of time commencing when a building permit is issued for the new residence and ending either one year from the date of issuance of the permit or when a notice of conversion, demolition, or removal is delivered to the owner, whichever event first occurs. The notice of conversion, demolition, or removal of the temporary residence shall be in writing and delivered from the office of the building official of the City.

PART 30. OFFENCES AND ENFORCEMENT

Violations

30.1 Without limiting Part 7 of this bylaw, every person who

a) violates a provision of this bylaw;

b) permits, suffers or allows any act to be done in violation of any provision of this bylaw; and

c) neglects to do anything required to be done under any provision of this bylaw;

commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than $10,000.00, a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

30.2 Every person who fails to comply with any order or notice issued by a building official, or who allows a violation of this bylaw to continue, contravenes this bylaw.

30.3 Every person who commences work requiring a building permit without first obtaining such a permit must, if a Stop Work Order is issued and remains outstanding for 30 days, pay an additional charge as outlined in the City bylaws.

Deemed Offence

30.4 An owner is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the owner owns and any change in the use, occupancy or both of a building or structure or part of a building or structure on that parcel.

30.5 No person is deemed liable under Section 30.4 who establishes, on a balance of probabilities, that the construction of change of use or occupancy occurred before they became the owner of the parcel.

30.6 Nothing in Section 30.5 affects

a) the City’s right to require and the owner’s obligation to obtain a permit; and

b) the obligation of the owner to comply with this bylaw.

Ticketing

30.7 The offences in the Bylaw Notice Enforcement Bylaw and Municipal Ticketing Information Bylaw are designated for enforcement under Section 264 of the *Community Charter*.

PART 31. UNSAFE CONDITIONS

31.1 If the supply of electricity or natural gas has been disconnected due to a hazardous or potentially hazardous situation existing in the building or structure or part thereof, the supply of electricity or natural gas to the building or structure shall not be reconnected, the building shall not be occupied until

a) the owner has applied to the building official for a special safety inspection pursuant to this part and has paid the required fees;

b) the building, structure or part thereof has been inspected by the building official and, if considered necessary by the building official, by the City Fire Chief for compliance with this bylaw and any other bylaws or Provincial statutes or regulations relating to building, electrical, gas or fire safety;

c) the owner has obtained permits required to carry out the works necessary to bring the building, structure or part thereof into compliance with the bylaws, statutes, and regulations; and

d) all of the works referred to in Section 25.1(c) have been completed and the building or structure has been brought into compliance with bylaws, statutes and regulations.

PART 32. REPEAL

32.1 "City of Penticton Building Bylaw No. 94-45 (1994)" and all amendments thereto are hereby repealed upon adoption of this bylaw.

PART 33. IN FORCE

33.1 This bylaw comes into force and takes effect on November 1, 2018.

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

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Council Report

penticton.ca

Date: August 21, 2018 File No: 1855-
To: Peter Weeber, Chief Administrative Officer
From: Mitch Moroziuk, General Manager of Infrastructure

Subject: **Green Infrastructure - Environmental Quality Program – Grant Water Conservation Plan**

Staff Recommendation

THAT Council adopt the Draft City of Penticton Ridgedale Reservoir Grant Water Conservation Plan prepared by AECOM dated August 15, 2018 as contained in Attachment "A" of this Council Report, as a document to be submitted as part of our Grant Application for the Ridgedale Reservoir Expansion grant;

AND THAT staff plan and undertake public consultation on the Draft City of Penticton Water Conservation Plan prior to finalizing it and bringing it back to Council for adoption.

Strategic priority objective

Financial Sustainability Priority:

- Undertaking asset management to ensure the sustainability of municipal infrastructure; and
- Identifying opportunities to increase revenues from non-taxpayer sources.

Environmental Sustainability Priority:

- Ensure the sustainability of the environment and the ecosystems within our community.

Background

On July 3, 2018 Council passed Resolution 315 / 2018 directing staff to submit an application for grant funding for the Ridgedale Reservoir Expansion and that funds for the City share be committed, see below.

315/2018 It was MOVED and SECONDED

THAT staff be directed to submit an application for grant funding for the Ridgedale Reservoir Expansion through the ICIP – Green Infrastructure: Environmental Quality Sub-stream;

AND THAT Council commit to its share, $1,200,150, of the project with funding coming from the water surplus reserve.

CARRIED UNANIMOUSLY

Staff have been working with AECOM and the grant writer to complete our submission. One of the required submission elements is a Council Resolution with respect to the adoption of a Water Conservation Plan. AECOM have prepared a Draft Water Conservation Plan for grant submission purposes. This plan requires further vetting and public engagement prior to bringing it back to Council for adoption.

A summary of the Draft Water Conservation Plan is as follows:

- Provides a background to why water conservation is important.
- Provides an overview of the three City of Penticton Water Systems.
- Sets out the benefits of water conservation.
- Sets out what the City currently does now for water conservation:
    - Restrictions to non treated water use for agricultural water users as set out in Irrigation Sewer and Water Bylaw 2005-02.
    - Restrictions to treated water use as set out in Irrigation Sewer and Water Bylaw 2005-02.
    - Meter all treated water connections, current practice.
    - Two component water rate, a basic rate based on water meter size and a variable rate based on metered water use for all treated water connections, the more you use the more you pay, as per Fees and Charges Bylaw 2017-07.
    - Two component sanitary sewer rate, a basic rate based on water meter size and a variable rate based on metered water use, the more water you use the more you pay for sanitary sewer, as per Fees and Charges Bylaw 2017-07.
    - 2018 – 2022 Capital Budget includes the installation of meters for non treated agricultural water.
    - Use treated effluent to water the golf course and some school yards and parks.
    - Use treated effluent as a heat source for Okanagan College.
    - Run a leak detection program for our water mains.
- Sets out suggested water conservation initiatives that the City should consider:
    - Move to an inclining block rate for water rates.
    - Undertake a water audit.
    - Put in place a rebate program to assist with people repairing or replacing leaking fixtures, installing low flow devices and purchasing low water use appliances.

Financial implication

Should the City be successful in its grant application it could receive 73.33%, $3,299,850 toward a project with a total cost of $4,500,000.

Analysis

The adoption of a Water Conservation Plan by Council by Resolution is one of the requirements of the grant submission. Without the resolution the grant will not be considered. The staff recommendation would adopt the Draft City of Penticton Water Conservation Plan for grant submission purposes with public engagement to be undertaken prior to bringing back the final plan for adoption.

Alternate recommendations

Alternative 1 - THAT Council provide other direction to staff.

Respectfully submitted,

Mitch Moroziuk P.Eng. MBA
General Manager of Infrastructure

Attachments:

Attachment "A" – Draft City of Penticton Ridgedale Reservoir Grant Water Conservation Plan

Approvals

CFO	CAO
JWB	LD per PW

Attachment "A" – Draft City of Penticton Ridgedale Reservoir Grant Water Conservation Plan

Water

City of Penticton

Ridgedale Reservoir Grant
Water Conservation Plan – DRAFT

Prepared by:
AECOM

Project Number:
60303523

Date:
August 15, 2018

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1. Introduction

1.1 Background

Water is a valuable resource that needs to be proactively managed and maintained to ensure there is sustainable access to water for our future generations. Availability of clean water may appear to be abundant in British Columbia, and specifically the Okanagan; however, the province is seeing marked reductions in the availability of source water and these are expected to worsen by population growth and changing climate conditions. According to the Okanagan Sustainable Water Strategy[1] the "annual Okanagan Lake inflow for all surface sources is projected to decline by up to 30 percent by 2080 due to longer, hotter and drier summers". Communities within the Okanagan will need to adapt in order to preserve our environment while meeting the growing demand for treated water.

Water conservation plans are a key component to water resource planning and are one way that a community can participate in preserving the affordability and accessibility of water in the future. Effective conservation strategies rely on identifying specific water use reduction targets through education and incentives for customers to adopt more efficient and cost effective water use habits. Strategies can include both permanent reductions, such as full cost billing, or short-term reductions, such as water use restrictions, that may be required in times of supply scarcity. Additionally, supply side management practices, such as improved leak detection and monitoring or effluent reuse, are other ways that a water utility can reduce potable water demands within a community.

By reducing consumption and sustaining unit water demands, a community can effectively plan, defer or eliminate the need for new capital works and preserve the integrity of their source water.

1.2 Purpose and Scope

The purpose of this Water Conservation Plan is to summarize the strategies used by the City of Penticton (the City) to maintain a reliable and sustainable water supply to meet demand into the future, and suggestions for additional conservation measures.

2. Water System Profile

2.1 Overview of Existing Water Systems

The City's treated water relies on two water sources to meet the treated water demands of residents and businesses: Okanagan Lake and Penticton Creek. Raw water is supplied from Okanagan Lake by the raw water pump station and from Penticton Creek by gravity. The water treatment plant (WTP) provides dissolved air floatation clarification, filtration, and chlorination. The water distribution system serves approximately 43,000 residents and generally consists of 230 km of watermain, 8 treated water reservoirs, and 8 pump stations.

The City also maintains and operates two non-potable irrigation water systems. The north irrigation system provides raw water to agricultural parcels in the north end of the City. The north irrigation system obtains its water from Penticton Creek and provides water to 308 lots irrigating 610.4 hectares. The south irrigation system provides raw water to agricultural parcels in the south end of the City. The south irrigation system obtains its water from Ellis Creek and provides water to 84 lots irrigating 122.5 hectares.

[1] *Okanagan Water Stewardship Council, "Okanagan Sustainable Water Strategy – Action Plan 1.0", 2008.*

2.2 City of Penticton Treated Water Consumption Patterns

Historically, the Okanagan has measured higher peak water demands than in other areas of Canada. These higher water demands are due in-part to the hot dry summers resulting in increased domestic and agricultural irrigation use. This highlights the variability and the many factors that influence water demand that are beyond the control of the City. The objective of a water conservation plan is to reduce total treated water use through effective demand side and supply side management practices and policies. It is worth noting that the Okanagan Basin has very low availability of fresh water per capita when compared to the rest of Canada (Statistics Canada, 2003).

For the purpose of water conservation it is useful to compare to the City with other communities in the Okanagan Comparison of communities is typically done using population as a benchmark. The peak demand recorded in Penticton was a maximum daily demand (MDD) of 55 ML/d in 2003 but since that time the total water demand has reduced while population has increased. **Table 1** presents recorded MDD demands for the City.

Table 1. City of Penticton – Recorded Maximum Daily Water Demands

Date	Maximum Day Water Demand (ML/d)
July, 2003	54.44
July 14, 2014	42.26
July 6, 2015	41.90
August 17, 2016	35.53
July 4, 2017	41.92
July 25, 2018	41.21

Table 2 presents demand and population statics from Okanagan communities comparable to Penticton.

Table 2. Statistics from Comparable Okanagan Communities

Community	Population within Utility	Winter Residential Demand (L/ca/d)	MDD Per Capita Demand (L/ca/d)	ADD Per Capita Demand (L/ca/d)	Current MDD (ML/d)	Total Demand (ML/y)
City of Penticton	43,000	295	980	540	42 (55 in 2003)	6,851 (2011)
City of Kelowna	74,000	210 (260 in 2003)	1210	590	89	15,800
West Kelowna	32,200	N/A	2,170	710	70	8,400
Greater Vernon	66,500	292	2,571	917	171	22,270 (2011)

**City of Penticton Population includes the West Bench Water System which is supplied by the City.*

According to Statistics Canada[2] the volume of drinking water treated across Canada in 2011 was an average of 251 L/capita/day. This would be more comparable to the winter demand show in the table. When compared with nearby communities, the data in **Table 2** indicates the City's current water conservation measures are effective.

2.3 City of Penticton Irrigation Water Consumption

The north irrigation system provides a recorded instantaneous peak flow of 317 L/s and is allocated to provide a peak flow of 533 L/s. The south irrigation system provides a recorded instantaneous peak flow of 126 L/s and is allocated to provide a peak flow of 107 L/s.

[2] *Statistics Canada, "Survey of Drinking Water Plant, 2011", 2011.*

3. Water Conservation Strategies

3.1 General

Water conservation policy should concentrate on reducing consumption practices within the community and minimizing waste through non-revenue uses. Many of the strategies are operationally focused and require budget and manpower to implement. Other policy targets require change to popular habits that can be encouraged through public education programs or land use regulations.

3.2 Benefits of Water Conservation

Water conservation offers many benefits to a water utility, including delaying or avoiding capital expenditure on source expansion, decreasing operating costs, reducing wastewater treatment volumes, avoiding environmental impacts, and obtaining public recognition and engagement. In addition, water conservation could present certain "co-benefits", such as reductions in the energy required to treat and distribute drinking water and to collect and treat wastewater. AWWA Manual No M52 on Water Conservation Programs[3] provides the following benefits of water conservation:

- Operations and maintenance cost savings by reducing the volume of water treated;
- Future cost savings through deferral of capital investment as a result of population growth and expansion;
- Environmental benefits: less water removed from the environment for human purposes, reduced impact to fish and wildlife;
- Competing beneficial uses: more water could be available for competing beneficial uses such as agriculture, or recreation;
- Stewardship: utilities that conserve water demonstrate leadership in resource management;
- Regulatory compliance: some governmental/regulatory agencies require water conservation plans to qualify for permits, grants and loans; and
- Public perception: demonstration of efficient use of existing water supplies before implementing expansion of supplies to meet new water needs.

4. Current Water Conservation Initiatives

The City currently has many effective water conservations strategies in-place as evidenced by the reduction in MDD from 55 ML/d in 2003 to approximately 42 ML/d in recent years. The City currently employs the following water conservation strategies:

1. Universal metering using a fixed rate based on water meter size and volumetric rate based on consumption to discourage excessive water use.
2. Monthly meter reading is recommended in the AWWA Manual No. M52 to gather accurate water consumption data and provide frequent reminder to customers of the cost of water. The City currently reads meters monthly.
3. Sanitary sewer charges are based on water meter size and water consumption meaning additional water use results in higher sanitary sewer fees.
4. Treated water restrictions: Stage 1 sprinkling restrictions effective annually May 1 to August 31; Stage 2 – 4 restrictions implemented for water shortages (Bylaw 2005-02[4]).

[3] *American Water Works Association, "Water Conservation Programs – A Planning Manual: AWWA Manual M52",2006.*
[4] *City of Penticton. Irrigation, Sewer and Water Bylaw No. 2005-02.*

5. Restriction of non-treated water use to agricultural water users (Bylaw 2005-02).
6. Educational information is available to water users on the Penticton website including tips for water use reduction.
7. The City has a leak detection program for the water system.
8. Treated effluent from the City of Penticton Advanced Wastewater Treatment Plant is used for irrigation of the golf course, and some school yards and parks.
9. Treated effluent is also used as a heat source for Okanagan College.
10. The City has budgeted to install meters in non-treated agricultural services from 2018 – 2022.
11. Partnership in Okanagan Basin Water Board's (OBWB) Waterwise Initiative.

5. Suggested Water Conservation Initiatives

The various water conservation strategies employed by the City constitute a well-rounded Water Conservation Program. The following are some suggested water conservation strategies the City could consider if it wishes to extend the Water Conservation Program.

Rate Structure: The City currently has universal metering and a volumetric water rate structure. This is typically one of the most effective water conservation strategies for most communities. The City currently a single volumetric charge and could consider implementing increasing block water rates that price incremental blocks of water at higher rates than previous blocks. This further encourages water conservation. Greater Vernon Water uses this billing structure, for example

Water Audit: Complete a Water Audit to assess leakage and non-revenue losses in the Water System (refer to AWWA Manual M36 – Water Audits and Loss Control Programs). To ensure the long term financial health of the utility the unaccounted for water, or non-revenue water, is recommended to be between 10 – 15 %.

Rebate Programs: A rebate program typically offers water users a one-time rebate for the implementation of a means to reduce water consumption. A one-time rebate is intended to provide incentive to a rate payer who otherwise may not install water saving fixtures. Some examples of rate programs are outlined below.

- Provide rebates for the installation of water-efficient retrofits in existing household. Examples include low-flow showers, faucets, and toilets;
- Provide rebates for water efficient appliances. Examples include laundry machines and dishwashers; and
- Provide rebates for outdoor water saving enhancements such as rain barrels or sprinkler rain sensors.

Council Report

penticton.ca

Date: August 21, 2018 File No: 1715-05
To: Peter Weeber, Chief Administrative Officer
From: Wesley Renaud, Budget Analyst
Subject: **Fees and Charges Amendment Bylaw No. 2018-59**

Staff Recommendation

THAT Council give first, second, and third reading to "Fees and Charges Amendment Bylaw No. 2018-59".

Background

On an annual basis, staff consider the following factors when setting fees and charges:

- Inflation
- Changes that bring the City's fees in line with other neighboring markets
- Changes that are intended to bring the City closer to full cost recovery
- New or Deleted Fees and Charges related to new services or billing methodologies

This report summarizes the proposed annual updates to the City of Penticton's 2019 Fees and Charges Amendment Bylaw.

Financial implication

As provided for in the *Community Charter*, fees and charges are used to recover the cost of services provided wherever possible, and as an alternative to property taxation. The fees and charges take into account market rates, cost recovery where possible, and any *Community Charter* restrictions. These revised rates will be used in developing the 2019-23 Financial Plan.

Analysis of changes

Appendix 1: Administrative Rates

- Updated rate for historical information searches from $35 to $37 to cover increased staff hourly wages. The last time this rate was changed was 2014.

Appendix 2: Animal Control

- Increased replacement tag fee from $5 to $10 to cover increased tag purchasing costs.
- Increased impoundment maintenance fees by $5 to cover the increased cost of food and supplies.

- Increased kennel operation permit fees from $10 to $25 to cover cost of processing the permit.

Appendix 3: Arena Rates

- Increased all fees by 2% to cover inflation.
- Removed adult noon hour skate fee as the adult drop in fee will be used moving forward.

Appendix 4: Building Department Fees

Staff are proposing the following fee and security deposit changes as part of the implementation of the new Building Bylaw No. 2018-01 this fall.

- Increase Registered Professional discount from 5% to 10% to maximum of 20% for Simple (Part 9 projects), to offset increased professional involvement.
- Energy Step Code incentive of 5% permit fee permit discount for new residential projects that achieve Level 3 or better. Currently BC Hydro and Fortis provide incentives to builders pro-rated by Step level achieved.
- Introduce security deposits for projects requesting partial occupancies. This will be set at the greater of $500 or 10% of original permit fee valuation. The security will be administered with a prescribed final occupancy date to ensure completion of the project.
- New fees for security deposits for temporary buildings and home relocations to ensure timely completion of projects and coverage of potential damage to city property. The proposed fee is the greater of $500.00 or 10% of the value of the temporary building.
- Permit fee discount of 5% where initial permit application reviews are not completed within 21 days for Simple projects and 45 days for Complex projects.
- Increase in Vacant Building Registration (VBR) permits from $1,500 to $2,500 for each building located on single and two-family zoned properties, and from $3,500 to $5,000 for each building located on other types of zoned property. The fee for subsequent VBR's is increased from $1,500 to $2,500. VBR permits were established to ensure property owners with vacant buildings were to remove, maintain or secure them so as not to create a nuisance or safety to the surrounding neighborhood. With increased property re-development, staff will be taking a more pro-active enforcement approach in 2019 to ensure compliance.

Appendix 5: Business Licensing

No changes are proposed at this time. Staff are currently evaluating the cost for services on all license types in conjunction with implementing continued efficiency improvements and modernizing the Business License program. Staff will be preparing changes to the Fees and Charges as part proposed Business License Bylaw amendments this November.

Appendix 6: Cemetery

- The 2013 Cemetery Master Plan recommended annual price increases of 3% to offset cost escalation due to inflation and changing demographic and disposition trends. Thus, staff have increased cemetery fees by 3% (rounded to the nearest dollar), with the exception of the below point.
- Last fall, Staff introduced new products such as upright marker plots and family estate plots. Prices were set at that time and these prices haven't been increased for 2019.

Appendix 7: Electric

- Increased administration rates by 3% to cover costs of performing service. Rates hadn't increased from 2010 to 2017, and were raised by 2.16% in 2017.
- Increased special electric meter reading and inspection fees by 14% to cover costs of performing service.
- Increased Automated Meter Read – Opt Out Fees by $8.25 to cover costs of performing service. The majority of these fees had not kept up with the associated cost increases over the years, requiring a larger than normal increase this year.
- Increased misc. electrical charges by an average of 8% to cover costs of performing service, including:
    - Utility application fees for same day or next day service
    - Site visits without a disconnect
    - Disconnects or reconnects
    - Illegal connection charges
- Electric Rates:
    - Energy (Variable) charge remains unchanged from last year. The 2015 InterGroup Utility Rate Review contemplated an increase in 2019, however, lower than expected price increases from our supplier allowed for the deferral of the increase.
- Increased other electrical service call fees by an average of 2% to cover inflation.

Appendix 9: Fire Department

A review was performed of 5 municipalities to ensure consistency as well as a level of reasonableness in considering changes and additions to fees and charges for services provided by the Penticton Fire Department (PFD):

- Fees for installation of compressed gas systems, gasoline tanks, oil tanks, diesel tanks and dispensing pumps or refueling stations have been replaced with a new methodology:
    - Staff are proposing to have separate fees for above ground tanks and below ground tanks. The fees will be the same for both in 2019 and will be reviewed again next year to determine if any adjustments are required.
    - Different fees are levied based on the volume of the tank. Staff are proposing to reduce the number of different fees to three levels of volume:
        - below 2500 liters (L),
        - between 2,500L and 5,000L, and
        - above 5,000L

      Previously there were nine different fees depending on the volume of the tank. The fees listed for the three items better reflect time involved in permit reviews and also aligns with current BC fire code regulations.
    - A $150 fee was added for tank removal or decommission. Fire code requirements mean that the City is responsible to record and manage the removal and decommissioning of the fuel tank.

    - Fee charged for inspecting fuel dispensing pumps increased to $50 due to the time involved in reviewing, inspecting, and managing the records of the pumps per COP Bylaws and BC fire code regulations.
- Increased fireworks display permit fees from $26.25 to $50 for low hazard fireworks and from $100 to $250 for high hazard fireworks to better reflect staff time in reviewing permits.
- Increased permanent outdoor fireplace fee from $26.25 to $50 to force proper installations and safer options such as propane.
- Increased Technician (Rehab/Fire Control/Pump Operator) fee from $236 to $300 to better reflect actual costs.
- New fees added include:
    - Mobile vending permit fee - $50 (waived if inspected on PFD designated inspection dates).
    - Failure of Property Owner or Agent to attend Emergency Incident Scene - $300
    - PFD control of life safety system until owner or agent takes responsibility – Actual Cost. Includes staffing an occupied building with PFD staff, including a fire watch.
    - Fire Smart Burning Permit – No Charge.
    - Fire Smart Home Assessment - $100. This fee is in line with what industry charges.

Appendix 10: Fitness

- Increased all rates by 5% as rates haven't changed since 2016. Rates are still very competitive with other municipalities.
- Added family rates for single admission, 10 tickets, 1/3/6/12 month memberships, and fitness room/public swimming day. The family rate allows one youth to enter at half price with the purchase of two adult fees.

Appendix 11: Garbage

- Increased the following fees based on an estimated 1.5% increase in contract rates for:
    - Annual Fee – Solid Waste Collection
    - Annual Fee – Recycling Collection
    - Annual Fee – Multi-Family Weekly Recycling Collection
    - Garbage Cart Upgrades
    - Yard Waste Cart Upgrades
- Minor increases (less than 1%) to application fees for multi-family dwelling garbage and recycling collection to account for union wage increases.

Appendix 13: Information Technology

- 2% inflationary increase to all fees.
- Removed fee for website hosting on City webserver as the service is no longer being offered.

Appendix 14: Liquor

- Fees have been restructured to reflect staff resources for different application types and have been modeled after planning permits, which have a similar review process.

Appendix 15: Marinas

- Applied a 2% inflationary increase to RV overnight parking permit rate.

Appendix 16: Meeting Rooms/Activity Spaces

- Applied a 2% inflationary increase to all fees.

Appendix 17: Museum

- Reduced School and Group visits from $50 to $25 in order to increase the number of visitors from schools. The museum director has heard from teachers that they would visit much more often if the rate was reduced, so there shouldn't be a major impact to revenues.
- Increased archival fees to align with what Kamloops and Vernon are charging. These rates haven't been increased in many years and are low volume activities.

Appendix 19: Parks & Sports Fields

- 2% inflationary increase on all rental fees.

Appendix 20: Planning

- OCP Amendment Fees: Increased an average of 3.79% to reflect Staff time and public engagement efforts required for OCP amendments
- Rezoning Fees:
    - Increased fee for stand-alone rezoning applications in country residential, low density residential and agricultural OCP designated areas by 2.88% to better reflect Staff processing time.
    - Increased fee for all other stand-alone rezoning applications by 5.11% to better reflect Staff processing time.
    - Increased fee for zoning bylaw text amendments by $125 to be the same fee as a typical rezoning application ($1,250), which has a similar Staff processing time.
    - Increased fee for comprehensive development zones to $5,000. This $2,750 increase is to reflect the administrative tasks associated with creating a new zone, legal review required, and the associated public outreach for such a purpose.
- Development Permit Application Fees:
    - Increased by an average of 4.07% (excluding the below item) to better reflect Staff processing times.
    - Riparian/environmental assessment development permit fee increased to $600 in order to bring the fee in line with other development permit application fees, which are similar in form and character.
- Development Variance Permit Application or Board of Variance Application Fees:
    - Increased by an average of 9.54% (excluding the below item) to better reflect Staff processing times, including additional consultation with neighboring properties prior to Council decision.

    - Increased fee for reissuance of an expired development variance permit to $600, as re-issuance requires review against the new policy to ensure intent of the original variance issues still remains.
- Subdivision Fees (Fee Simple & Bareland Strata):
    - 1-2 lots: Fee increased to $1,000. This increase is due to the complexity of the subdivision process and the staff time involved in the technical processing of subdivision applications from many city departments. Part of this increase is to include the 'plan signing fee' into the application fee. The plan signing fee is no longer separately required.
    - 3-41 lots or greater: Nominal changes to better reflect staff processing times. Discounts still exist for larger subdivisions (10+ lots).
- The following fees have been increased to better reflect Staff processing times:
    - Preliminary layout approval (PLA) renewal or amendment fees from $150 to $220.
    - Early registration agreement fees (applicable to fee simple subdivisions) from $750 to $800.
    - Strata conversion fee from $300 to $500 for the first lot.
    - Phased strata fees:
        - Phasing approval fee from $450 to $600.
        - Preliminary Layout Approval (PLA) Renewal or Amendment from $150 to $450.
    - File search or comfort letter initial fee for first hour (includes costs from other departments to perform the work) from $160 to $250.
    - Plotter printing fees for all documents over 11" X 17"/ per sq/m (A1 page = 0.5 sq/m) from $6 to $12.
    - Road closure permit fees from $96.6 to $135.
    - Variance to the Sign Bylaw (includes additional consultation with neighboring properties prior to Council decision) from $601 to $700.
- The following fees have been removed:
    - Legal plan approval fee
- The following refunds are new for 2019:
    - Development permit and variance permit application refunds:
        - Cancellation of a development variance permit application not reviewed at a Technical Planning Committee meeting: $500.
        - Cancellation of a development variance permit application, discussed at a Technical Planning Committee meeting but not scheduled for delegations and submissions at Council: $250.
    - Rezoning application fees and Official Community Plan (OCP) amendment application refunds:
        - Cancellation of an application not reviewed at a Technical Planning Committee meeting: $1,000 + associated public hearing signage fees.
        - Cancellation of an application discussed at a Technical Planning Committee meeting but has not considered by Council: $600 + associated public hearing signage fees.
    - Subdivision application fee refunds of 50% to 75% of original application fee depending on stage of application.
    - Landscaping security (bond) refund of the full amount less a $350 administration fee.
    - Agriculture Land Reserve (ALR) application fee of $1,200 for cancellations that have not been forwarded to the Agricultural Land Commission.

- The following fees are new for 2019:
    - Strata conversion report inspection fee of $250.
    - Staff are proposing fee changes for property file inquiries which require high staff resource levels. The proposed fee will include an increase to comfort letters requests and adding a minimum $25.00 fee for property file reviews requiring pulling of file records. These additional fees are proposed to help offset records management improvements.

Appendix 21: Pool

- With the exception of lane rentals (which are increasing by 2% this year), pool fees aren't increased for inflation annually in part due to the cost of replacing signage for the fees. The aquatics admission fees have not increased since April 1, 2015. This year, staff are proposing a 5% increase to cover inflationary increases from 2015 to 2018. The rates are still very competitive with neighboring municipalities.

Appendix 24: Recreation – Miscellaneous

- Increased gymnasium drop in rates by 5% to account for inflation from 2015-2018.
- Increased service fees (membership card replacement, etc.) by 5% to account for inflation from 2015-2018.
- McLaren Arena advertising fees are proposed to increase to $499, which is the same price that Penticton Minor Hockey charges.
- Removed fees for floor decals and ice resurfacing decals as they are no longer being offered.
- Increased all other fees by 2% for inflation.

Appendix 25: Sanitary Sewer

- Adjustment being made to the variable rate for residential parcels now implemented starting November instead of October to ensure lawn watering activities are completed prior to switching to variable rate. This change has resulted in a loss of revenue that must be recaptured by increasing fixed and variable rates elsewhere.
- Sewer rates adjusted per the Intergroup Utility Rate Review and to recoup lost revenue by changing from an October to November start date for the residential variable rate.
    - Increased residential fixed rates by 13%.
    - Increased residential variable rates by 27%.
    - Increased fixed and variable non-residential uses by 11%.
    - Increased sanitary sewer charges with no water meter or no water service by 11%.
- Increased the following fees by 2% to cover inflation:
    - Permit to discharge.
    - Tipping fee for receiving septic waste.
    - Sanitary or storm sewer service video inspection.
    - Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.

Appendix 28: Vending

- Increased all fees by 2% to cover inflationary increases. Okanagan and Skaha beach and park vending fees have not increased since 2015.

Appendix 29: Water

- Matched administration rates and connection fees with the electrical utility fees.
- Increased reclaimed water charges to 50% of the cost of treated water, which is the approach that Vernon uses and represents an average fee increase of 27.28%. This increase still doesn't cover the associated operating costs, however, the sale of reclaimed water does benefit the City by reducing demand on treated potable water and is environmentally good practice.
- Treated water rates increased by an average of 3.88% per the Intergroup Utility Rate Review that was done in November 2015.
- Non-treated irrigation rates increased by an average of 4% per the Urban Systems review that was conducted in November 2015.
- Treated and irrigation meter supply and installation rates have increased by an average of 6.39% as Staff's analysis of supply and install costs indicates that the City's costs are higher than is currently charged.
- There are several other nominal increases (0.5% to 1%) to bring fees in line with the City's costs.

Appendix 31: Storm Water

Fee increases average 106% for 2019 per rate review performed by InterGroup Consulting in 2017. While the percentage makes it appear to be a large increase, the Residential increase is between $11 and $16 per year; Farm/Recreational/Non Profit/Supportive Housing increase is $11 per year; and Business/Light Industry/Major Industry/Utilities is $21 to $48 per year.

The following appendices remain unchanged from the last fees & charges update:

- Appendix 12: Human Resources
- Appendix 18: Parking
- Appendix 22: Public Works
- Appendix 23: RCMP
- Appendix 26: Theatre
- Appendix 27: Transit
- Appendix 30: Nuisance

Attachment – Fees and Charges Amendment Bylaw No. 2018-59

Respectfully submitted,



Wes Renaud
Budget Analyst

Chief Financial Officer *JWEB*	CAO *LD* per PW

The Corporation of the City of Penticton

Bylaw No. 2018-59

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

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

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

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

1. **Title:**

This Bylaw may be cited as "Fees and Charges Amendment Bylaw No. 2018-59".

2. **Amendment:**

"Fees and Charges Bylaw No. 2014-07" is amended as follows:

2.1 Delete and replace Administration 2.1 with the following:

"Fees charged by the City of Penticton for applications received, services rendered and goods supplied shall be in accordance with the requirements of Schedule A – Appendices 1 – 31 as attached hereto and forming part of this bylaw."

2.2 Delete and replace the following appendices in their entirety:

- Appendix 1 – Administrative Rates
- Appendix 2 – Dog Control – Dog Kennel, Licence and Penalty Charges
- Appendix 3 – Arena Rates (McLaren)
- Appendix 4 – Building Department Fees
- Appendix 6 – Cemetery
- Appendix 7 – Electric
- Appendix 8 – Equipment Rates
- Appendix 9 – Fire Department
- Appendix 10 – Fitness Room
- Appendix 11 – Garbage Rates
- Appendix 13 – Information Technology
- Appendix 14 – Liquor Licences
- Appendix 15 – Marinas
- Appendix 16 – Meeting Rooms/Activity Spaces
- Appendix 17 – Museum
- Appendix 19 – Parks and Sports Fields
- Appendix 20 – Planning and Development
- Appendix 21 – Pool/Aquatics
- Appendix 24 – Recreation – Miscellaneous
- Appendix 25 – Sewer
- Appendix 28 – Vending Fees
- Appendix 29 – Water
- Appendix 31 – Storm Water Utility

2.3 Appendices 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 19, 20, 21, 24, 25, 28, 29, 31 attached hereto forms part of this bylaw.

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

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

SCHEDULE A

TABLE OF APPENDICES

Appendix 1 Administrative Rates

Appendix 2 Dog Control - Dog Kennel, Licence and Penalty Charges

Appendix 3 Arena Rates (McLaren)

Appendix 4 Building Department Fees

Appendix 5 Business Licence Fees

Appendix 6 Cemetery

Appendix 7 Electric

Appendix 8 Equipment Rates

Appendix 9 Fire Department

Appendix 10 Fitness Room

Appendix 11 Garbage Rates

Appendix 12 Human Resources

Appendix 13 Information Technology

Appendix 14 Liquor Licences

Appendix 15 Marinas

Appendix 16 Meeting Rooms/Activity Spaces

Appendix 17 Museum

Appendix 18 Parking

Appendix 19 Parks and Sports Fields

Appendix 20 Planning and Development

Appendix 21 Pool/Aquatics

Appendix 22 Public Works

Appendix 23 RCMP

Appendix 24 Recreation - Miscellaneous

Appendix 25 Sewer

Appendix 26 Theatre

Appendix 27 Transit

Appendix 28 Vending Fees

Appendix 29 Water

Appendix 30 Excessive Nuisance Abatement Fee

Appendix 31 Storm Water Utility

Appendix 1

ADMINISTRATIVE RATES	2018	2019
Historical Information Search (per hour, I hour minimum)	$35.00	$37.00
Mortgage Roll Register (hard or electronic copy) - price per folio*	$10.00	$10.00
N.S.F. Cheques	$30.00	$30.00
Manual Tax Search - written*	$30.00	$30.00
Manual Tax Search - verbal*	$10.00	$10.00
Online Tax Search - per tax roll*	$10.00	$10.00
Online Tax Search - per utility account*	$10.00	$10.00
Monthly Billing/Postage Fee for Electric and Water Bills*	$1.00	$1.00
Commercial Freedom of Information Request Minimum Fee (all commerial request except Media)	$20.00	$20.00
Interest rate on Accounts Receivable in arrears	2% per Month	2% per Month

Transferring payments

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

Photocopying (black and white) - per page (letter and legal)*	$0.30	$0.30
Photocopying (black and white) - per page (ledger)*	$0.50	$0.50
Photocopying (colour) - per page (letter and legal)*	$1.00	$1.00
Photocopying (colour) - per page (ledger)*	$1.25	$1.25

*** GST applicable**

Appendix 2

DOG CONTROL - DOG KENNEL, LICENCE AND PENALTY CHARGES	2018	2019
Licence Fee if purchased prior to January 31st		
Unspayed or Unneutered Dog	$62.00*	$62.00*
License fees for new dogs brought into the City after June 30th	50% off the licence fee	50% off the licence fee
Spayed or Neutered Dog (where proof from a veterinarian or sworn declaration is provided)	$31.00	$31.00
Foster Care Dog (where Foster Care Permit is provided)	No Charge	No Charge
Licence Fee Late Charge (puchased after January 31st)		
Unspayed or Unneutered Dog	$72.00	$72.00
Spayed or Neutered Dog (where proof from a veterinarian or sworn declaration is provided)	$41.00	$41.00
Service, Guide or RCMP Dog (where certification is provided)	No Charge	No Charge
Foster Care Dog (where Foster Care Permit is provided)	No Charge	No Charge
Replacement Tag		
Replacement for lost tag for the non-expired period of the current licence year	$5.00	$10.00
Owner holding a valid and current licence from another BC Local Government	$5.00	$10.00
Impoundment of a dog with a valid licence:		
First offence	$25.00	$25.00
Second offence	$50.00	$50.00
Third offence	$75.00	$75.00
Fourth and each subsequent offence	$100.00**	$100.00**
** increasing by $200.00 for each subsequent impoundment		
Impoundment of an aggressive or dangerous dog with a valid licence:		
First offence	$250.00	$250.00
Second offence	$350.00	$350.00
Third offence	$450.00	$450.00
Fourth and each subsequent offence	$500.00***	$500.00***
***increasing by $300.00 for each subsequent impoundment		
Impoundment Maintenance Fee		
Maintenance fee per day or part day of impoundment	$15.00	$20.00
Maintenance fee per day or part day for impoundment of a dangerous dog	$25.00	$30.00

Appendix 2

DOG CONTROL - DOG KENNEL, LICENCE AND PENALTY CHARGES	2018	2019
Disposal Fees		
Euthenasia	$50.00	$60.00
Disposal Fees	$30.00	$35.00
Pick up dog carcass	$25.00	$30.00
Veterinarian Exam/Treatment		
Examination or treatment by a licensed veterinarian	Actual Cost	Actual Cost
Kennel Operation Permits		
Commercial Kennel Operation Permit (includes 2 licence tags)	Requires Business Licence	Requires Business Licence
Hobby Kennel Operation Permit	$10.00	$25.00
Foster Care Permit (includes 2 dog tags)	$10.00	$25.00

Appendix 3

Arena Rates (McLaren)	Effective April 1, 2018	Effective April 1, 2019
Ice in		
Non Profit/Local		
Child/Youth	$87.00	$88.74
Adult	$160.00	$163.20
Non School District 67 Schools*	$43.50	$44.37
Local Private	$162.00	$165.24
Local Commercial	$176.00	$179.52
Non Resident	$165.00	$168.30
Ice Out (Dry Floor)		
Non Profit/Local		
Child/Youth	$35.26	$35.96
Adult	$52.85	$53.91
Non School District 67 Schools*	$17.63	$17.98
Commercial Day Rate (8 hours)	$800/day	$800/day
Local Private	$52.85	$53.91
Local Commercial	$136.98	$139.72
Non Resident	$55.45	$56.56

Appendix 3

Arena Rates (McLaren)	Effective April 1, 2018	Effective April 1, 2019
Admission Rates - Public Skating		
Single Admission		
Preschool	$1.67	$1.70
Child	$2.62	$2.67
Youth	$3.57	$3.64
Adult	$4.29	$4.38
Senior	$3.57	$3.64
Super Senior	$2.62	$2.67
Family	$10.95	$11.17
~~Adult Noon hour skate~~	~~$2.62~~	Remove
Parent & Tot -Adult	$2.62	$2.67
Parent & Tot -preschooler	$1.67	$1.70
Skate Rentals	$3.57	$3.64
Skate Rentals preschooler	$2.62	$2.67
Skate rentals - school	$2.62	$2.67

Appendix 3

Arena Rates (McLaren)	Effective April 1, 2018	Effective April 1, 2019
10 Tickets		
Preschool	$15.03	$15.33
Child	$23.58	$24.05
Youth	$32.13	$32.77
Adult	$38.61	$39.38
Senior	$32.13	$32.77
Super Senior	$23.58	$24.05
Family	$98.55	$100.52
Adult Noon hour skate	$23.58	$24.05
Parent & Tot -Adult	$23.58	$24.05
Parent & Tot -preschooler	$15.03	$15.33

Community Centre/McLaren Arena Meeting Room

Non Profit/Local

Child/Youth	$11.89	$12.13
Adult	$11.89	$12.13
Non School District 67 Schools*	$8.92	$9.10

Local Private	$15.05	$15.35
Local Commercial	$26.33	$26.86
Non-Resident	$37.61	$38.37

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

Appendix 4

BUILDING DEPARTMENT FEES	2018	2019
Building Application Fees		
A non-refundable deposit is required at time of building permit application (credited towards end of Building Permit Fee)	$175.00	$175.00
$1.00 - $25,000 (Flat Fee)	$175.00	$175.00
$25,000.01 - $500,000	$175.00 + $12.00 per $1,000 of Construction Value	$175.00 + $12.00 per $1,000 of Construction Value
$500,001 and above	$5,875 +$10.00 per $1,000 of Construction Value	$5,875 +$10.00 per $1,000 of Construction Value
Security Deposits		
Foundation Only Permit Security (Complex Buildings only)	$25,000.00	$25,000.00
Relocating a home, including a manufactured home	N/A	$500.00
Temporary Building Permit Security	N/A	the greater of $500.00 or 10% of the value of the temporary building.
Partial Occupancy security	N/A	the greater of $500.00 or 10% of the original value of the building permit fee.
Plumbing Fees		
Minimum application (up to 10 Fixtures - including water/sanitary/storm service replacement)	$75.00	$75.00
Per Fixture thereafter	$10.00	$10.00
For Alteration to an existing system where there are no fixture count changes	$75.00	$75.00
Site Plumbing		
Single and Two family dwellings		
Water service inspection fee per unit	$35.00	$35.00
Sanitary service inspection fee per unit	$35.00	$35.00
Storm service inspection fee per unit	$35.00	$35.00
Combined water and sewer service inspection fee per unit	NA	NA
Combined water, sewer and storm service inspection fee per unit	NA	NA
Water service inspection fee, except single and two family dwellings		
First 15 m, or part thereof, plus	$35.00	$35.00
Each additional 15 m, or part thereof	$25.00	$25.00
Sanitary service inspection fee, except single and two family dwellings		
First 15 m, or part thereof, plus	$35.00	$35.00
Each additional 15 m, or part thereof	$25.00	$25.00
Storm service inspection fee, except single and two family dwellings		
First 15 m, or part thereof, plus	$35.00	$35.00
Each additional 15 m, or part thereof	$25.00	$25.00
Each storm catch basin, sump or oil/grease interceptor	$25.00	$25.00

Appendix 4

BUILDING DEPARTMENT FEES	2018	2019
Sprinkler Permits (Including site works)		
For first ten (10) sprinkler heads	$175.00	$175.00
For each additional sprinkler head	$2.00	$2.00
For each Siamese connection, standpipe, hose cabinet, hose outlet	$25.00	$25.00
First 15 m of underground fire lines of portion thereof, plus	$75.00	$75.00
each additional 15 m of fire lines of portion thereof.	$25.00	$25.00
Each private fire hydrant on private property	$25.00	$25.00
Mechanical Permits (Building)		
New or Replacement of Mechanical System in a Single or Two Family Dwelling	$75.00	$75.00
New installation or replacement of a spray booth or commercial cooking ventilation system	$250.00	$250.00
Demolition Fees		
Removal of Building(s) on a property	$175.00	$175.00
Security Deposit - refunded upon completion of works and confirmation of hazardous material assessment and appropriate disposal of waste	$500.00	$500.00
Security Deposit - pre-utility disconnect agreement- refunded upon completion of works and confirmation of hazardous material assessment and appropriate disposal of waste	$1,000.00	$1,000.00
Locating/Relocating a Building or Structure		
Minimum Fee for relocating/placement of mobile home or accessory structure, plus	$250.00	$250.00
Minimum Fee for relocating/placement of an existing building or manufactured home, plus	$1,000.00	$1,000.00
Additional Building Permit Fee for new work on site for foundations, cribbing, etc.	Calculated as per building application fees above	Calculated as per building application fees above

Appendix 4		
BUILDING DEPARTMENT FEES	**2018**	**2019**
Permit Reductions and Additional Charges **Reductions**		
Building & Plumbing Permits - Registered Professionals (Complex Buildings)	5% for Registered Coordinating Professional 5% per Registered Professional discipline up to a maximum of 15% (including RPC if used as well as RP)	5% for Registered Coordinating Professional 5% per Registered Professional discipline up to a maximum of 15% (including RPC if used as well as RP)
Building Permits - Registered Professionals (Standard Buildings)	5% for every Registered Professional Discipline up to 10% maximum	10% for every Registered Professional Discipline up to 20% maximum
Plumbing Permit Homeowner Surcharge	$50 or 25% (whichever is greater) surcharge for Single Family new construction and renovation projects completed by home owners	
BC Energy Step Code reduction for residential projects designed and certified to Step 03.		5%
Additional Fees		
Plan Check Fee - For review of revised drawings where more than two plan checks have been submitted or substantial changes to the approved design during construction that requires additional Building Code or Zoning Reviews	$175.00	$100.00
Re-Inspection Penalty	$175.00 where more than two inspections have been called for. Fee must be paid in full prior to any additional inspections or completion certificate granted.	$175.00 where more than two inspections have been called for. Fee must be paid in full prior to any additional inspections or completion certificate granted.
Alternative Building Code Solutions Review	$200.00 per alternate solution or substantial revision to approved alternate solution	$200.00 per alternate solution or substantial revision to approved alternate solution
After hours inspections or permit application review (minimum one hour)	$175.00 for first hour and $75.00 for every subsequent hour	$175.00 for first hour and $75.00 for every subsequent hour
Preliminary Application Reviews - For Stratifications and potential change of use inquiries, file searches and / or site inspections prior to permit applications.	$250.00	$250.00
Earthworks	$250.00	$250.00
Annual Backflow test filing fee per device	$14.45	$14.45
Blasting Permit	$250.00	$250.00

Appendix 4

BUILDING DEPARTMENT FEES	2018	2019
Other Miscellaneous Building Permit Fees		
Permit to install a fireplace/stove or chimney	$175.00	$175.00
Swimming Pool Permit (Private)	$175.00	$175.00
Foundation Permit - Additional Application to above grade Building Permit, plus	$175.00	$176.00
Additional Fee shall be charged based on the estimated cost of construction	Calculated as per Section 1	Calculated as per Section 2
Secondary Suite	$300.00	$300.00
Crane Permits	$175.00	$175.00
Change of Use or Occupancy when a Building Permit is not required	$175.00	$175.00
Permit Extension Fee - when existing Building Permit has expired	$175 or 10% of original permit fee(s), whichever is greater	$100 or 10% of original permit fee(s), whichever is greater
Permit Transfer Fee	$175.00	$100.00
Development Application Refunds Refunds with respect to development application are to be addressed in the following manner: **Building and Plumbing Permit Fee Refund:** Building and or Plumbing Permit application submitted, permit not issued – Upon cancellation of the Building and or Plumbing Permit application, refund Building Permit and or Plumbing Permit fees less an administrative fee of:		
For Single Family, Duplex and smaller developments	$500.00 plus $200.00 for each Alternative Solution requested	$500.00 plus $200.00 for each Alternative Solution requested
For all other larger developments	$1000.00 plus $200.00 for each Alternative Solution Requested	$1000.00 plus $200.00 for each Alternative Solution Requested
Building and or Plumbing Permit issued, no construction started as determined by the Director of Development Services – Upon cancellation of the Building and or Plumbing Permit, refund Building Permit and or Plumbing Permit fees less an administrative fee of:		
For Single Family, Duplex and smaller developments	$750.00 plus $200.00 for each Alternative Solution Requested	$750.00 plus $200.00 for each Alternative Solution Requested
For all other larger developments	$1500.00 plus $200.00 for each Alternative Solution	$1500.00 plus $200.00 for each Alternative Solution
Building and or Plumbing Permit issued, construction started as determined by the Director of Development Services – No refund.		

Appendix 4

BUILDING DEPARTMENT FEES	2018	2019
City infrastructure[1] requirements as part of Building Permit:		
Building permit and/or plumbing permit application submitted, permit not issued – Upon cancellation of the building permit and/or plumbing permit application refund City infrastructure costs paid by the developer less an administrative fee of:		
For Single Family, Duplex and smaller developments	$470.00	$470.00
For all other larger developments	$990.00	$990.00
Building permit and/or plumbing permit issued, construction not started as determined by the Director of Development Services and the City infrastructure has not been installed – Upon cancellation of the building permit and or plumbing permit refund City infrastructure costs paid by the developer less an administrative fee of:		
For Single Family, Duplex Triplex and smaller developments	$470.00	$470.00
For all other larger developments	$990.00	$990.00
Building permit and/or plumbing permit issued, construction not started as determined by the Director of Development Services and the City infrastructure has been installed – No refund.	No Refund	No Refund
Building permit and/or plumbing permit issued, construction started as determined by the Director of Development Services and the City infrastructure has not been installed – The person seeking a refund must make a submission for a refund in the prescribed form to the Director of Development Services or the designate who will prepare a report for Council's consideration.	Council consideration	Council consideration
Council will consider the matter and may by resolution: a. authorize the density bonus refund subject to conditions as; or b. refuse the request for a density bonus refund; c. refer the matter to staff or a future Council meeting; or d. such other determination as Council may direct. As a requirement of any density bonus refund the development permit and building permit must be cancelled and the development Permit must be discharged from the title of the lands.		
Admin. Fee for Single Family, Duplex, Triplex and small Development	$470.00	$470.00
For all larger Developments will be held	$990.00	$990.00
Building permit and/or plumbing permit issued, construction started as determined by the Director of Development Services and the City infrastructure has been installed.	No Refund	No Refund

Notes:

1. City Infrastructure is defined as:

a. Any items related to the City of Penticton water, sanitary, storm system including main line pipe, appurtenances, services etc.
b. Any items related to roads, sidewalks, curb, gutter, signs etc.

Appendix 4

BUILDING DEPARTMENT FEES	2018	2019
Sidewalk Uses		
Type 1 Sidewalk Café- Annual Fee	$300.00	$300.00
Type 2 Sidewalk Café - Annual Fee	$300.00	$300.00
For each parking space or portion thereof occupied by a temporary sidewalk café - Annual Fee	$200.00	$200.00
Sidewalk Sales Area or sidewalk seating area - (maximum of 2 tables and 8 seats)	$100.00	$100.00
Martin Street and Westminster Avenue Revitalization Project Area - Storefront sales/seating	$100.00	$100.00
Martin Street and Westminster Avenue Revitalization Project Area - Storefront Café	$300.00	$300.00
Main Street Revitalization Project Area - Storefront Sales/Seating (100 & 200 blocks)	n/c to 2019	n/c to 2019
Main Street Revitalization Project Area - Storefront Café (100 and 200 blocks)	n/c to 2019	n/c to 2019
Main Street Revitalization Project Area - Storefront Sales/Seating (300 block)		n/c to 2022
Main Street Revitalization Project Area - Storefront Café (300 block)		n/c to 2022

VACANT BUILDING REGISTRATION FEES

Fee for special safety inspection prior to registration permit	$500.00	$500.00
Fee for subsequent inspections not related to Vacant Building Registration Permit	$175.00 per inspection	$175.00 per inspection
Fee for Vacant Building Registration Permit (12 months maximum) for each building or structure located on a single and two family zoned properties	$1,500.00	$2,500.00
Fee for Vacant Building Registration Permit (24 months maximum) for each building or structure located on all other zoned properties.	$3,500.00	$5,000.00
Fee for additional Vacant Building Registration (12 month maximum)	$1,500.00	$2,500.00
Attendance by City of Penticton Fire Services	Actual costs incurred by the City for related labour, materials and equipment	Actual costs incurred by the City for related labour, materials and equipment
Refund	75% of Vacant Building Permit Fee may be refunded if it is remediated or demolished within first six (6) months of registration.	75% of Vacant Building Permit Fee may be refunded if it is remediated or demolished within first six (6) months of registration.

Appendix 6

CEMETERY	Effective May 1, 2018	2019
Grave Space		
Standard Size Plot - Flat Marker Section		
Residents (including Care Fund contribution of 25%)	$1,352	$1,393
Non-Residents (including Care Fund contribution of 25%)	$1,825	$1,881
Standard Size Plot - Up-Right Marker Section		
Residents (including Care Fund contribution of 25%)	$2,028	$2,028
Non-Residents (including Care Fund contribution of 25%)	$2,738	$2,738
Small Size Plot (includes infants less than 2 years) - Flat Marker Section		
Residents (including Care Fund contribution of 25%)	$441	$454
Non-Residents (including Care Fund contribution of 25%)	$595	$613
Small Size Plot (includes infants less than 2 years) - Up-Right Marker Section		
Residents (including Care Fund contribution of 25%)	$662	$662
Non-Residents (including Care Fund contribution of 25%)	$893	$893
Cremation Size Plot - Flat Marker Section		
Residents (including Care Fund contribution of 25%)	$434	$447
Non-Residents (including Care Fund contribution of 25%)	$586	$603
Cremation Size Plot - Up-Right Marker Section		
Residents (including Care Fund contribution of 25%)	$651	$651
Non-Residents (including Care Fund contribution of 25%)	$879	$879
Green Burial Plot		
Residents (including Care Fund contribution of 25%)	$1,352	$1,393
Non-Residents (including Care Fund contribution of 25%)	$1,825	$1,881
Family Estate Plot - Traditional In-ground		
Residents (including Care Fund contribution of 25%)	$29,000	$29,000
Non-Residents (including Care Fund contribution of 25%)	$39,150	$39,150
Family Estate Plot - Cremation		
Residents (including Care Fund contribution of 25%)	$2,300	$2,300

Appendix 6		
CEMETERY	**Effective May 1, 2018**	**2019**
Non-Residents (including Care Fund contribution of 25%)	$3,105	$3,105

Any plots reserved as per The Corporation of the City of Penticton Cemetery Management Bylaw No. 2010-09, may be bought back by the Corporation at 80% of the purchase price.

Services Internment

Standard size - Traditional In-ground or Green Burial - First Interment per Plot	$1,386	$1,428
Standard size - Traditional In-ground or Green Burial - Second Interment	$947	$975
Small size	$470	$484
Infant under 2 years	$470	$484
Cremation size	$294	$303
Green Burial - Memorialization - Name and Dates etched into communal marker stone (optional)	$225	$225

Opening and Closing Grave for Exhumation

Standard size	$1,797	$1,851
Small size	$723	$745
Infant under 2 years	$723	$745
Cremation size	$381	$392

~~Extra Deep to Permit Second Burial in Same Grave~~	~~N/A~~	

Less than 24 Hours Notice – Charge	$240	$240

Installation of Memorials (each time) - including care fund contribution of 25%	$272	$280
Reset Fee	$184	$190

Reservation of Side by Side Graves for Extended Family

One time Administration Fee	$73	$75
Annual Reservation Fee	$27	$28

Fairview Internment

Fairview Cemetery Fee	$366	$377

Goods

Grave Liners – Regular	$490	$490
Grave Liners – Child	$207	$207
Concrete Slab for Lanterns	$207	$207

Appendix 6

CEMETERY	Effective May 1, 2018	2019

Columbarium

Resident

Level I	$3,150	$3,150
Level II	$3,045	$3,045
Level III	$2,940	$2,940

Non-Resident

Level I	$4,253	$4,253
Level II	$4,111	$4,111
Level III	$3,969	$3,969

The rates include a one-time opening/closing rate, and initial engraving

Care Fund Per Niche Sold

Columbarium	$368	$379
Marker	$26	$26

Other Charges

Additional Opening/closing (includes 2nd engraving)	$293	$302
Niche Flower Vase	$81	$81
Exhumation	$322	$332
Overtime	$424	$424

Mausoleum

Basic Rate per unit

Resident

Level I	$19,110	$19,110
Level II	$18,375	$18,375
Level III	$17,640	$17,640

Non-Resident

Level I	$25,799	$25,799
Level II	$24,806	$24,806
Level III	$23,814	$23,814

The rates include a one-time opening/closing rate, and initial engraving

Appendix 6

CEMETERY	Effective May 1, 2018	2019
Care Fund Per Unit Sold		
Columbarium	$368	$379
Marker	$26	$26
Opening and Closing for Exhumation		
Level I , II and III	$1,758	$1,758
Ossuary / Scattering Garden and Memorial		
Basic Rate per Unit:		
Ossuary - Resident	$439	$439
Ossuary - Non-resident	$593	$593
Bronze Memorial Wall Name Plaque	$325	$325

Lakeview Cemetery – Cost of Saturday burials is the same as on weekdays

Fairview Cemetery – cost of Saturday burials is subject to additional labour charges

No Sunday or Statutory Holiday Burials

Appendix 7

ELECTRIC	2018	2019
Utility Administration Rates		
Utility credit references (current or recent account)	$16.50	$17.00
Archived account	$29.00	$30.00
Utility account history	$16.50	$17.00
Interest rate on delinquent utility accounts	10% per annum	10% per annum
Special electric meter reading	$36.25	$41.50
Special electric meter inspection fee	$36.25	$41.50
~~Postage/Printing Fee (per invoice)~~	**Remove, in Appendix 1	
AMR OPT OUT		
AMR Opt Out manual electric meter reading for an individual meter	$19.25	$27.50
AMR Opt Out manual combined electric and water meter reading for an individual for an individual meter read	$20.25	$28.50
AMR Opt Out manual electric meter reading for a meter bank installation	$19.25 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter	$27.50 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	$20.25 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.	$29.50 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.
AMR Opt Out electric meter use of a digital non radio frequency electric meter	$153.00	$153.00
Utility application fee – next day service	$42.25	$47.50
Utility application fee – same day service (accounts with combined electric and water)	$94.50	$105.00
Utility application fee (electric only) same day service (accounts that only have electric services)	$54.25	$59.50
Non-Payment: Electric disconnect and re-connect(during City Hall hours only)	$72.50	$83.00

Appendix 7		
ELECTRIC	**2018**	**2019**
Non-Payment: Site visit without a disconnect (during City Hall hours only)	$36.25	$41.50
Electrical disconnect or re-connect or site visit (cost per visit after hours with call-out)	$423.50	$430.25
Electrical disconnect or reconnect or site visit (cost per visit during City Hall hours)	$36.25	$41.50
Electrical disconnect or reconnect or site visit (cost per visit after hours without call-out)	$72.50	$83.00
Illegal reconnection administration charge	$275.00	$280.00
Utility fee - Leave on Authorized	$12.00	$12.25
Electrical Disconnect and reconnect from pole	$355.00	$358.00
Special Administration charge per service	$27.50	$28.00

Electric Rates

Rate Code 10 - Residential

Basic Charge	$18.72 per billing plus	$18.72 per billing plus
Energy Charge	$0.1284 per kwh for all consumption during the billing period	$0.1284 per kwh for all consumption during the billing period

Rate Code 15 - Residential/Special Service

Basic Charge	$18.72 per billing plus	$18.72 per billing plus
Energy Charge	$0.1474 per kwh for all consumption during the billing period	$0.1474 per kwh for all consumption during the billing period

Rate Code 20 - General - Secondary metered and City owned Transformation

Basic Charge	$18.72 per billing plus	$18.72 per billing plus
Energy Charge: First 10,000 kwh per billing	$0.1429 per kwh	$0.1429per kwh
Next 90,000 kwh per billing	$0.1126 per kwh	$0.1126 per kwh
Additional kwh per billing	$0.0789 per kwh	$0.0789 per kwh

Appendix 7

ELECTRIC	2018	2019
Demand Charge	$10.09 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$10.09 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read

Rate Code - 25, 30 and 35

Are subject to the same base rates for consumption and demand as set out in Rate Code 20 with the following discounts:

Primary Metering	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only	1.5% discount on consumption and demand charges. Customer-owned transformation - 9.0% discount on demand charges only

Rate Code 25 - General - Primary metered and City owned Transformation

Basic Charge	$18.72 per billing plus	$18.72 per billing plus

Energy Charge

First 10,000 kwh per billing	$0.1408 per kwh	$0.1408 per kwh
Next 90,000 kwh per billing	$0.1109 per kwh	$0.1109 per kwh
Additional kwh per billing	$0.0777 per kwh	$0.0777 per kwh
Demand Charge	$9.93 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current bulling; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$9.93 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current bulling; or b) 75% of the maximum kVA billable demand in excess of 45kVA recorded during the previous 364 days to the current billable demand read

Rate Code 30 - General - Secondary metered and customer owned Transformation

Basic Charge	$18.72 per billing plus	$18.72 per billing plus

Appendix 7

ELECTRIC	2018	2019
Energy Charge		
First 10,000 kwh per billing	$0.1429 per kwh	$0.1429 per kwh
Next 90,000 kwh per billing	$0.1126 per kwh	$0.1126 per kwh
Additional kwh per billing	$0.0789 per kwh	$0.0789 per kwh
Demand Charge	$9.18 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$9.18 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months
Rate Code 35 - General - Primary metered and customer owned Transformation		
Basic Charge	$18.72 per billing plus	$18.72 per billing plus
Energy Charge		
First 10,000 kwh per billing	$0.1408 per kwh	$0.1408 per kwh
Next 90,000 kwh per billing	$0.1109 per kwh	$0.1109 per kwh
Additional kwh per billing	$0.0777 per kwh	$0.0777 per kwh
Demand Charge	$9.04 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months	$9.04 per KVA of billing demand which is the greater of a) the maximum KVA demand in excess of 45 KVA for the current billing; or b) 75% of the maximum KVA demand in excess of 45 KVA recorded during the previous eleven months
Rate Code 45 - General - City Accounts		
Energy Charge	$0.0953 per kwh for all consumption	$0.0953 per kwh for all consumption
Rate Code 55 - Street Lighting, Traffic Lights & Other Un-metered Loads		
Per fixture watt or volt ampere per billing subject to Section 3.b of Bylaw 2000-36 (Electrical Regulations)	$0.1071 per fixture watt or volt ampere per billing	$0.1071per fixture watt or volt ampere per billing

Appendix 7

ELECTRIC	2018	2019
Per watt or volt ampere per billing based on equipment name plate data or customer information, or where data is insufficient, the City will determine by appropriate measurement and calculation what equipment watt or volt ampere loading shall be used for billing purposes.	$0.2024 per watt	$0.2024 per watt
Monthly minimum charge per fixture or service connection	$18.14 per billing plus	$18.72 per billing plus

Net Metering

Energy Credit – The City will apply a credit for the purchase of power from all City customers generating and transmitting power into the City electrical grid at the appropriate rate code that the City charges for power for the class of the said customer. Furthermore no additional City Fees related to electrical will be applied for participating in the Net Metering program. Customers will be responsible for all on-site costs of their Distribution Generation system including, but not limited to, design, permits, installation, repairs and maintenance.

Electrical Service Calls

Service Call – 1 stop (1 hr. max)	$214.00	$217.25
Service Call – 2 stops (1.5 hr. max)	$321.00	$326.00
Electrical Service Connections		
Temporary Service Connection		
1 Phase up to 200 amps	$214.00	$217.25
all except 1 phase up to 200 amps	Actual Cost	Actual Cost
Service Relocate		
1 phase up to 200 amps	$347.00	$347.00
Service Upgrade		
1 phase over 200 amps	Actual Cost	Actual Cost
3 phase overhead (all)	Actual Cost	Actual Cost
Service Connection		
1 phase per unit (200 amps max -includes 1 meter) overhead and underground	$390.00	$393.25
Additional meters	Actual Cost	Actual Cost
1 phase overhead over 200 amps	Actual Cost	Actual Cost
3 phase overhead (all)	Actual Cost	Actual Cost
1 phase underground over 200 amps	Actual Cost	Actual Cost
3 phase underground (all)	Actual Cost	Actual Cost
Electrical Utility Ext. Agreement	Actual Cost	Actual Cost
Primary Underground Cable	Actual Cost	Actual Cost
Terminate and Energize underground - Per lot	Actual Cost	Actual Cost

Appendix 7		
ELECTRIC	**2018**	**2019**
Installation of electrical poles, vaults, road-crossings, etc	Actual Cost	Actual Cost
Electrical Call Out Rate	$423.50	$430.25

Electrical Pole Contacts

Telus	As per Contract	As per Contract
Telus per Power Point Contact + Energy as per rate code 55	As per Contract	As per Contract
Shaw Cable	As per Contract	As per Contract
Shaw Cable per Power Point Contact + Energy as per rate code 55	As per Contract	As per Contract
Shaw WiFi	As per Contract	As per Contract
Recoverable Sign Installations	Actual Cost	Actual Cost

City Electrical Infrastructure[2]:

Due to the nature and timing of the various process's involved with the installation of electrical infrastructure a request for refund will be entertained at any time and will require evaluation as to the customer's and/or the Electric Utility's involvement, investment to date and further investment required to complete the works to a stage where they are deemed, by the Operations Manager of the Electrical Utility, to be safe for the public and the customer and have no negative effect on the electrical systems integrity or configuration. Calculation or determination of refund amounts will be completed by the General Manager of the Electrical Utility.

Notes:

#1. Any applicable Federal or Provincial taxes are in addition to the above charges. A discount forfeit equal to 10% of the "current charges" (excluding Goods and Services Tax) will result if full payment of current charges is not received. a) on "residential and residential/special services" (rate codes 10 and 15), on or before the expiration of fifteen (15) days after the date of the mailingof the invoices therefore. b) on all other services not included in the definition of "residential or residential/special services" on or before the expiration of twenty-two (22) days after the date of the mailing of the invoices therefore, provided that when the said day falls on Saturday, Sunday, or holiday, the discount shall apply if payment is received on the next succeeding day which is not a holiday. In the event of a partial payment of the current charges on or before the discount date, a proportionate discount shall be allowed.

#2. Basic charges will be applicable to accounts that are disconnected from electric for seasonal or temporary purposes when the electric is being turned off at the account holders request but the account holder(s) is not altering.

#3. City Electrical Infrastructure is defined as: Any items related to the City of Penticton Electrical Utility distribution system including but not limited to primary duct and secondary duct, street lighting, power cables, transformers and associated appurtenances.

#4. All customers are eligible to access the "Electrical Service Payment Plan" for the installation of City Electrical Infrastructure that supplies power to their properties. The details of this program are summarized as follows:

- Payment Plan range: A customer can put a miminum amount of $5,000 up to a maximum amount of $50,000 on a Payment Plan;

- Payment Plan terms: 5 year payback in equal monthly amounts on the Electric Utility Bill plus interest calcualted at the Prime Interest Rate +0.5%; and

- The customer has the ability to end the Payment Plan at any time by repaying the balance owing in full at any time without penalty.

Appendix 7		
ELECTRIC	**2018**	**2019**

Eligibility requrements:

-Must be for a new or an upgrade to an Electrical Service;

-Must be a City of Penticton Electric Utility customer;

-Must have a credit score of: 650 or greater for an individual, or less than 25 for a business;

-Must have a maximum of 19 City of Penticton Utility Credit Points;

-The customer must own both the land and building where the service is required; and

-Protection: Any defaults on the Payment Plan will be subject to the normal City of Penticton utility collection procedures, including service disconnect and ultimately transfer of outstanding amount to taxes. Any outstanding payment plan amounts must be paid in full upon sale of the property.

Appendix 8

EQUIPMENT RATES	2018	2019
Passenger Vehicle (<5,500 kg)	$6.00	$6.50
Single / Tandem Dump	$36.00	$36.00
Trailers	$5.00	$5.00
Small Aerial	$25.00	$25.00
1 Ton Dump	$7.50	$7.50
1 Ton with Utility Box	$7.50	$7.50
Litter Truck	$18.85	$18.85
AWWTP - Crane Truck	$7.50	$7.50
parks Tractor	$18.75	$18.75
Electrical Line Truck	$34.00	$34.00
Grader	$75.00	$75.00
Back Hoe	$29.00	$29.00
Sewer Flush Truck	$53.00	$53.00
Street Sweeper	$50.00	$50.00
Wheel Loader	$38.00	$38.00
Rotary Mower - Large	$30.00	$30.00
Rotary Mower - Small	$16.50	$16.50
Chipper	$20.00	$20.00
Tractor	$13.00	$13.00
Fork Lift	$40.50	$40.50
Beach Cleaner	See Appendix 19 for Beach Cleaning Rates	$45.00
Air Compressor	$10.00	$10.00
Large Sander & Blade	$37.25	$37.25
Small Sander & Blade	$18.00	$18.00
Ice Resurfacer	$6.50	$6.50
Leaf Vac	$25.00	$25.00
utility Truck (Water/Sewer)	$12.00	$12.00

Appendix 8

EQUIPMENT RATES	2018	2019
Passenger Van (15 Passenger)	$8.00	$8.00
ATV	$6.00	$6.00
Compost Screener - Trommel	$100.00	$100.00
Small Equipment	$4.00	$4.00
Valve Machine	$10.00	$10.00
Flat Deck Crane Truck	$33.00	$33.00
Barge - Water Craft	$32.00	$32.00
Pick-Up Utility Box	$7.50	$7.50

Appendix 9

FIRE DEPARTMENT	2018	2019

The fees hereinafter specified shall be paid to the City by all applicants for any permit required by this bylaw, or under the Code adopted by this bylaw, or by the regulations passed pursuant to the provisions of the Fire Services Act, as amended from time to time, and for inspection of any work or thing for which the said permit is required:

Installation of compressed gas systems, gasoline tanks, oil tanks, diesel tanks and dispensing pumps or refueling station:

2,300L (500 I.G.)	$15.75	Replaced (see below)
2,301 to 4,600L (501-1,000 I.G.)	$21.00	Replaced (see below)
4,601 to 23,000L (1,001 to 5,000 I.G.)	$31.50	Replaced (see below)
23,001 to 46,000L (5,001 to 10,000 I.G)	$42.00	Replaced (see below)
46,001 to 115,000L (10,001 to 25,000 I.G.)	$63.00	Replaced (see below)
115,001 to 230,000L (25,001 to 50,000 I.G.)	$105.00	Replaced (see below)
230,001L to 460,000L (50,001 to 100,000 I.G.)	$157.50	Replaced (see below)
460,001 to 920,000L (100,001 to 200,000 I.G.)	$210.00	Replaced (see below)
920,001L to 2,300,000L (200,001 to 500,000 I.G.)	$262.50	Replaced (see below)
Aboveground Tank		
<2500L		$100.00
>2500L-<5000L		$250.00
>5000L		$350.00
Underground Tank		
<2500L		$100.00
>2500L-<5000L		$250.00
>5000L		$350.00
Each dispensing pump	$26.25	$50.00
Tank removal or decommission*		$150.00

* all installation and remival are subject to an emvironmental assessment to accompany application

Inspection and installation of domestic and commercial oil burners:

each domestic installation	$15.75	$15.75
each commercial installation	$26.25	$26.25

Permits

Public Fireworks Display permit

Low Hazard	$26.25	$50.00
High Hazard	$100.00	$250.00
Burning Permit as allowed by bylaw	$50.00	$50.00
Permanent Outdoor Fireplace	$26.25	$50.00

Appendix 9

FIRE DEPARTMENT	2018	2019
Emergency Assist Calls		
Charge for responding to Jaws of Life	as per Provincial Emergency Program Fee Schedule	as per Provincial Emergency Program Fee Schedule
Ambulance Assist	as per Provincial Emergency Program Fee Schedule	as per Provincial Emergency Program Fee Schedule
Public Service	Actual Cost	Actual Cost
False Alarms	1st - n/c 2nd - $200 3rd - $300 4th+ $400	1st - n/c 2nd - $200 3rd - $300 4th+ $400
Other Fees		
File Search for Building Deficiencies/Incident Reports/Investigations	$165.00	$165.00
Fire Investigation (for Fire Damage greater than $5,000.00)	$500.00	$500.00
Requested on-site inspection/consultation for commercial purposes	Actual Cost	Actual Cost
Fire Extinguisher Training (per person)	$5.00	$5.00
Failure to keep fire under control and Fire Dept must attend pursuant to Fire and Life Safety Bylaw 2004-57 Section 9.04(g) as amended or superceded	Rates are based on the Office of the Fire Commissioner inter agency reimbursement rates as it changes from time to time	Rates are based on the Office of the Fire Commissioner inter agency reimbursement rates as it changes from time to time
Drive over fire hose pursuant to Fire and Life Safety Bylaw 2004-57 Section 8.01 as amended or superceded	Actual cost to repair or replace damaged hose	Actual cost to repair or replace damaged hose
Flat rate per fill for both Self Contained Breathing Apparatus (SCBA) and Self Contained Underwater Breathing Apparatus (SCUBA)	$10.00	$10.00
Fire Flow Testing	Actual Cost	Actual Cost
Re-Inspection after Order	$100 / hour	**$100.00**
Fire Safety Plan Review - Initial	$100.00	$100.00
Fire Safety Plan Review - Subsequent	$50.00	$50.00

Appendix 9

FIRE DEPARTMENT	2018	2019
Training Centre Rental Rates		
Classroom (projector/screen/TV/sound/flipcharts) / day	$118	$118
Live Fire Burn Building / day	$531	$531
Search Building / day	$118	$118
Engine / day	$236	$236
Full Facility - one day (including Engine)	$826	$826
Full Facility - two days (including Engine)	$1,652	$1,652
Instructor	$354	$354
Safety Officer	$295	$300
Technician (Rehab/Fire Control/Pump Operator)	$236	$300
Consumables (artificial smoke, generator, pallets, propane)	Actual Cost	Actual Cost
SCBA Rental per pack/per day	$25	$25
Natural Gas/Fuels	Actual Cost	Actual Cost
Student User Fee (Consumable Supplies) / day / student	$6	$6
Bunker Gear Rental (per set per day)	$25	$25
Fog Machine / per day	$50	$50
Mobile Vending Permit (Annual)**		$50
Failure of Property Owner or Agent to attend Emergency Incident Scene		$300
Fire Department control of life safety system until Owner or Agent takes responsibility		Actual Cost
Fire Smart Burning Permit		No Charge
Fire Smart Home Assessment		$100

**Fee waived if inspected on Fire Department designated inspection dates

Appendix 10

FITNESS ROOM	Effective April 1, 2018	Effective April 1, 2019
Single Admission		
Youth	$4.29	$4.50
Adult	$6.19	$6.50
Senior	$4.29	$4.50
Super Senior	$3.33	$3.50
10 Tickets		
Youth	$38.10	$40.00
Adult	$55.24	$58.00
Senior	$38.10	$40.00
Super Senior	$29.52	$31.00
1 Month		
Youth	$38.10	$40.00
Adult	$55.24	$58.00
Senior	$38.10	$40.00
Super Senior	$29.52	$31.00
3 Months		
Youth	$102.86	$108.00
Adult	$144.76	$152.00
Senior	$102.86	$108.00
Super Senior	$81.90	$86.00

Appendix 10

FITNESS ROOM	Effective April 1, 2018	Effective April 1, 2019
6 Months		
Youth	$176.19	$185.00
Adult	$248.57	$261.00
Senior	$176.19	$185.00
Super Senior	$144.76	$152.00
12 Month Annual Pass		
Youth	$280.00	$294.00
Adult	$394.29	$414.00
Senior	$280.00	$294.00
Super Senior	$227.62	$239.00
Fitness Room/Pool Combined		
Single Admission		
Youth	$7.38	$7.75
Adult	$10.24	$10.75
Senior	$7.38	$7.75
Super Senior	$6.43	$6.75
Family	N/A	$25.36

Appendix 10

FITNESS ROOM	Effective April 1, 2018	Effective April 1, 2019
10 Tickets		
Youth	$65.71	$69.00
Adult	$91.43	$96.00
Senior	$65.71	$69.00
Super Senior	$57.14	$60.00
Family	N/A	$226.50
1 Month		
Youth	$65.71	$69.00
Adult	$91.43	$96.00
Senior	$65.71	$69.00
Super Senior	$57.14	$60.00
Family	N/A	$226.50
3 Months		
Youth	$173.33	$182.00
Adult	$234.29	$246.00
Senior	$173.33	$182.00
Super Senior	$141.90	$149.00
Family	N/A	$583.00

Appendix 10

FITNESS ROOM	Effective April 1, 2018	Effective April 1, 2019
6 Months		
Youth	$304.76	$320.00
Adult	$406.67	$427.00
Senior	$304.76	$320.00
Super Senior	$243.81	$256.00
Family	N/A	$1,014.00
12 Month Annual Pass		
Youth	$479.05	$503.00
Adult	$641.90	$674.00
Senior	$479.05	$503.00
Super Senior	$386.67	$406.00
Family	N/A	$1,599.50

FITNESS ROOM / PUBLIC SWIMMING DAY PASS - Admission Rates

Single Admission

Youth	$10.95	$11.50
Adult	$14.76	$15.50
Senior	$10.95	$11.50
Super Senior	$9.05	$9.50
Family	N/A	$36.75

Appendix 10

FITNESS ROOM	Effective April 1, 2018	Effective April 1, 2019
Clinic Rates		
Weekly Fitness		
Senior	$10.48	$11.00
Adult	$15.24	$16.00
Weekly Fitness/Pool		
Senior	$18.10	$19.01
Adult	$25.24	$26.50
Monthly Fitness		
Senior	$28.57	$30.00
Adult	$41.43	$43.50
Monthly Fitness/Pool		
Senior	$49.29	$51.75
Adult	$68.57	$72.00
Fitness 10 Ticket		
Senior	$30.48	$32.00
Adult	$43.81	$46.00
Fitness/Pool 10 Ticket		
Senior	$52.38	$55.00
Adult	$73.33	$77.00

Appendix 11

GARBAGE RATES	2018	2019
The scale of charges by The Corporation of the City of Penticton for the collection, removal and disposal of solid waste and recyclable materials as provided for in the City of Penticton Garbage "Solid Waste Collection and Recyclable Materials Disposal Bylaw", shall be as follows and will be billed by the City as current taxes on the property for which the premises were served by solid waste and recycling collection.		
Annual Fee - Solid Waste Collection Includes one (1) 120L Garbage Cart and one (1) 240L Yard Waste Cart	$140.00	$142.00
Annual Fee - Recycling Collection - Bi-Weekly Includes one (1) 240L Recyclable Cart	$31.00	$31.50
Annual Fee - Multi-Family Weekly Recycling Collection	$61.00/unit/year	$63.00/unit/year
Administration Fee for Sewer and Garbage Extension - for first unit	$15.75	$15.75
- Each Additional Unit in same complex	$5.00	$5.00
Tag a Bag - Additional Curb Side Collection bag - price per tag	$3.50	$3.50
25 Tag a Bag Coupons	$62.50	$62.50
Application for Curb Side Collection from a Multi-Family Dwelling	$79.50	$80.00
Application fee for Multi-Family Residential Weekly Recycle Collection	$79.50	$80.00
Base Cart Program		
Base Cart Program includes: one (1) 120 Litre Garbage Cart, one (1) 240 Litre Recyclables Cart, and one (1) 240 Litre Yard Waste Cart		
Cart Change Administration Fee Per property visit, any quantity of carts (Commences January 1, 2017)	$30.00	$30.00
Disability Exemption Application	No charge	No charge
Garbage Cart - upgrade to two (2) 120L Carts In addition to the Annual Fee - Solid Waste Collection	$119/year	$120/year
Garbage Cart - upgrade to a 240L Cart In addition to the Annual Fee - Solid Waste Collection	$119/year	$120/year
Recyclables Cart - upgrade to a 360L Cart	No charge, part of Annual Fee	No charge, part of Annual Fee
Recyclables Cart - upgrade to two (2) 240L Carts	No charge, part of Annual Fee	No charge, part of Annual Fee
Recyclables Cart - upgrade to two (2) 360L Carts	No charge, part of Annual Fee	No charge, part of Annual Fee
Recyclables Cart - downgrade to a 120L Cart	No charge, part of Annual Fee	No charge, part of Annual Fee
Yard Waste Cart - upgrade to 360L Cart In addition to the Annual Fee - Solid Waste Collection	$34.00/year	$34.50/year
Yard Waste Cart - upgrade to two (2) 240L Carts In addition to the Annual Fee - Solid Waste Collection (max 2 carts allowed)	$68.00/year	$69.00/year
Yard Waste Cart - upgrade to two (2) 360L Carts In addition to the Annual Fee - Solid Waste Collection (max 2 carts allowed)	$68.00/year	$69.00/year
Yard Waste Cart - downgrade to 120L Cart	No charge, part of Annual Fee	No charge, part of Annual Fee
Yard Waste Cart - opt out of Yard Waste Program	No charge, part of Annual Fee	No charge, part of Annual Fee
Wildlife Resistant Cart Upgrade - 120L Garbage Cart only (one time fee)	$75.00/Cart	$75.00/Cart
Repeated or willful damage to Carts will be charged to property owner	Actual Cost of replacement and Cart Change Administration Fee	Actual Cost of replacement and Cart Change Administration Fee

Appendix 11		
GARBAGE RATES	**2018**	**2019**

Screened Compost Sales

Bulk / Wholesale - (greater than 5 tonnes)	$12.50 / tonne	$12.50 / tonne
Less than 5 tonnes	$20.00 / tonne	$20.00 / tonne
Individual Bags	$2.50 / bag	$2.50 / bag

Appendix 13

INFORMATION TECHNOLOGY	2018	2019
Provision of Dark Fibre Services		
Dark Fibre - per fibre optic strand	$330/month	$336.60/month
Administration Fee	included	included
One Time Connection Fee	$815.00	$831.30
Physical Connection Costs	As quoted	As quoted
Co-location Services	$153/month	$156.06/month
Provison of Telephone and Internet Services		
High-end 8861 (Gigabit, Bluetooth, Wifi)	41.00	41.82
High-end 8851 (Gigabit, Bluetooth)	31.00	31.62
Mid-range 8841(Gigabit)	26.00	26.52
Low-end greyscale 8811 (Gigabit)	15.00	15.30
Wireless portable phone Model 8821 (Bluetooth)	46.00	46.92
Conference phone Model 8832	41.00	41.82
D-A Convertor Allows for analog devices on City digital phone network Model ATA 190	$10.00 per ATA device	$10.20 per ATA device
Extra DID external phone number added to existing hardware	5.00	5.10
Internet	41.00	41.82
Wireless Internet Services add-on (where available)	$10.00	10.20
Connection/Configuration Charge	$102.00	104.04
Website hosting on City webserver (monthly)	$31.00	Remove
Electronic Data Fees		
GIS Electronic Data	share data free of charge	share data free of charge

Appendix 14

LIQUOR LICENCES	2018	2019
New Liquor Primary Licence (Public Consultation)	$500.00	Replaced Below
Winery, Brewery, Distillery Licence Endorsement (Public Consultation)	$500.00	Replaced Below
New food primary with patron participation, late hours, etc. (Public Consultation)	$500.00	Replaced Below
New - Occupant Load Reviews (including picnic areas)	$175.00	Replaced Below
Special Occasion - late hours or high occupant load	$175.00	Replaced Below
Special Occasion - New or Altered Existing Beer and Wine special events	$175.00	Replaced Below

Liquor Licence Amendment		
New - Amended Liqour Review Application	$250.00	Replaced Below
Permanent Amendment (Public Consultation)	$500.00	Replaced Below
Food Primary Structural change (Public Consultation)	$500.00	Replaced Below
Temporary Amendment	$175.00	Replaced Below
Temporary Special Event	$175 + RCMP Costs	Replaced Below
Public consultation sign (per sign)	$250.00	Replaced Below

A non-refundable application review for Local Government confirmation for Receipt Application or Zoning Confirmation. (credited towards end of Liquor Licence Review Fee)	N/A	$175.00
New Food Primary review or Occupant load reviews	N/A	$175.00
New Liquor Primary Licence (Public Consultation)	N/A	$700.00 + public notice sign
Permanent Change including addition of a winery, brewery or distillery lounge or special event area.	N/A	$700.00 + public notice sign
Structural Change - with public consultation	N/A	$700.00 + public notice sign
Structural Change - no public consultation	N/A	$350.00
Structural Change - Zoning confirmation only	N/A	$175.00
Temporary Change or Request to extend hours for a Special Event Permit	N/A	$175.00
Appeal to Council of a Staff Decision on a Liquor Application Review	N/A	$350.00

Public Notice Signs		
Initial Public Consultation Notice Sign	N/A	$250 (plus GST)
Repair of Damaged Signs	N/A	$80 (plus GST)
Replacement of damaged signs	N/A	$80 (plus GST)

Appendix 15

MARINAS	2018	2019
Penticton Marina (Okanagan Lake)		
Moorage Fees – January 1st to December 31st	Moorage fees, land storage, and parking fee increases as per lease agreement	Moorage fees, land storage, and parking fee increases as per lease agreement
Skaha Lake Marina		
Moorage Fees	Moorage and land storage fees to be determined by the operator based on market value	Moorage and land storage fees to be determined by the operator based on market value

DEFINITIONS:

A. Moorage season – March 1 to November 30 inclusive (9 months)

B. Storage season – October 1 to March 31 inclusive (6 months)

C. Penticton residents and taxpayers acquire moorage on a first come first served basis until May 1st annually, after which any available moorage may be rented to non-resident or non-taxpayer.

Overnight Parking

A window permit is issued to those user groups requiring an RV on site for **special event security** – pending approval by the PRC Director or designate. Permit is issued through the RCMP.

RV Overnight Parking Permit	$29.10	$29.68

Appendix 16

Meeting Rooms/Activity Spaces	Effective April 1, 2018	Effective April 1, 2019
Community Centre/McLaren Arena Meeting Room		
Non Profit/Local/ Regular		
Child/Youth	$11.56	$11.79
Adult	$11.56	$11.79
Non School District 67 Schools*	$8.67	$8.84
Local Private	$14.61	$14.91
Local Commercial	$25.58	$26.09
Non-Resident	$36.54	$37.27
Community Centre Large Meeting Room		
Note: Meeting Room #4, Meeting Room #7, and Combined #2 & #3 Rate is 1.75X Meeting Room Rate		
Non Profit/Local/ Regular		
Child/Youth	$20.22	$20.63
Adult	$20.22	$20.63
Non School District 67 Schools*	$15.17	$15.47
Local Private	$25.74	$26.25
Local Commercial	$44.77	$45.66
Non-Resident	$63.94	$65.22
Community Centre Conference Room		
Note: Conference Room Rate is 75% X Meeting Room Rate		
Non Profit/Local/ Regular		
Child/Youth	$8.67	$8.84
Adult	$8.67	$8.84
Non School District 67 Schools*	$6.50	$6.63

Appendix 16

Meeting Rooms/Activity Spaces	Effective April 1, 2018	Effective April 1, 2019
Local Private	$10.96	$11.18
Local Commercial	$19.18	$19.57
Non-Resident	$27.40	$27.95

Library/Museum Auditorium

Non Profit/Local/ Regular

Child/Youth	$17.98	$18.34
Adult	$25.24	$25.74
Non School District 67 Schools*	$13.48	$13.75

Local Private	$29.30	$29.89
Local Commercial	$52.02	$53.06
Non-Resident	$74.32	$75.81

Activity Spaces

Community Centre Dance Studio

Non Profit/Local/ Regular

Child/Youth	$20.22	$20.63
Adult	$20.22	$20.63
Non School District 67 Schools*	$15.17	$15.47

Local Private	$25.58	$26.09
Local Commercial	$44.77	$45.66
Non-Resident	$63.94	$65.22

Appendix 16

Meeting Rooms/Activity Spaces	Effective April 1, 2018	Effective April 1, 2019
Community Centre Gymnasium		
Non Profit/Local/ Regular		
Child/Youth	$17.67	$18.02
Adult	$36.61	$37.35
Non School District 67 Schools*	$13.25	$13.51
Local Private	$48.82	$49.80
Local Commercial	$85.43	$87.14
Non-Resident	$122.05	$124.49
Community Centre 1/2 Gymnasium		
Note: 1/2 Gymnasium Rate 66.7% X Gymnasium Rate		
Non Profit/Local/ Regular		
Child/Youth	$11.79	$12.02
Adult	$24.43	$24.91
Non School District 67 Schools*	$8.85	$9.02
Local Private	$32.57	$33.22
Local Commercial	$56.98	$58.12
Non-Resident	$81.41	$83.04

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

NOTE: For all after hours bookings a security premium will be added to the base rate at actual cost

Appendix 17

MUSEUM	Effective April 1, 2018	2019
Museum Exhibits		
Entrance Fee	By Donation - suggested donations: Adult $2.00, Child $1.00	By Donation-suggested donations: Adult: $2.00 Child:$1:00
Exhibit Openings	By Donation - suggested donations: Adult $2.00, Child $1.00	By Donation-suggested donations: Adult: $2.00 Child:$1:00
Museum Programs		
School & group visits (guided)		
Public & Private schools - per student	$3.00	$3.00
- maximum per group	$50.00	$25.00
Service Groups, Clubs & Societies - per person	$3.00	$3.00
- maximum per group	$50.00	$50.00
School & group visits (self-guided) - per student	$1.00	$1.00
- per adult	$3.00	$3.00
Curator Kid Program		
Curator Kid Yearly Membership - individuals	$20.00	$20.00
- per family	$50.00	$50.00
Curator Kid Programs - drop-in; non-members - per child	$5.00	$5.00
- per family	$20.00	$20.00
Curator Kid Programs - offsite	Cost dependent on activities	Cost dependent on activities
Curator Kid Programs - summer specials - per child	$5.00	$5.00
- per family	$20.00	$20.00
Adult Programs		
Onsite - Museum	$25/per person + Supplies	$25/per person + supplies
	$25 min.; activity dependent	$25 min; activity dependent

Appendix 17

MUSEUM	Effective April 1, 2018	2019
Lectures		
Brown Bag - per person	admission by donation	admission by donation
Custom Guest	Cost dependent on lecture	Cost dependent on lecture
Archives		
Self-guided research	By donation - suggested min. $10/ph	By donation-suggested min. $10/ph
Staff-assisted research		
Non-commercial clients - first hour	Free	Free
- each additional hour	$25.00	$30.00
Commercial clients (first hour)	$50.00	$50.00
(every additional 60 minutes) - per hour	$30.00	$30.00
Photograph Reproductions (Print format)		
From existing digital file (up to 8x10 only)	$5.25	$16.00
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
~~From negative or print, requiring scanning (up to 8x10 only)~~	~~$9.40~~	Remove - no longer applicable
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
Photographic reproductions (digital format only - 1200 dpi jpg)		
By email	$10.50	$18.00
~~By mail (+ disc) plus postage~~	~~$15.75~~	Remove - no longer applicable
Non-photographic reproductions (maps, plans, manuscripts)		
From existing digital file - In House (up to 32" only)	$10.50	$16.00
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
~~From negative or print, requiring scanning - In House (up to 32" only)~~	~~$16.75~~	not used
Outsource (paper type and size dependent)	Actual Cost	Actual Cost
Publication & Commercial Fees (supplement)		
Fee for print, negative or digital copies for : Reports, calendars, brochures, magazines, newsletter, websites - per image	$10.00	$20.00
Fee for Print, negative or digital copies for : Books, films, videos - per image	$20.00	$50.00

Appendix 17

MUSEUM	Effective April 1, 2018	2019
Fee for Print, negative or digital copies for : Postcards, T-shirts, mugs etc. merchandise - per image	$50.00	$50.00
Photocopy Fees (black and white only)	see Administration services for fee	see Administration services for fee
Archival Supplies (boxes, tissue, encapsulation etc.)	Retail price plus 35%	Retail price plus 35%

Gift shop

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

Museum Curatorial Services & Presentations

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

After market research, all fees to stay the same except brown bag lectures and meeting room rental increase.

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Sports Fields		
Non Profit/Local		
Child/Youth	$3.75	$3.82
Adult	$11.23	$11.45
Non School District 67 Schools*	$2.81	$2.87
Non Profit/Local		
Local Private	$14.97	$15.27
Local Commercial	$26.20	$26.73
Non-Resident	$37.42	$38.17
Kings Park		
Non Profit/Local		
Child/Youth	$4.91	$5.01
Adult	$12.60	$12.85
Non School District 67 Schools*	$3.68	$3.76
Non Profit/Local		
Local Private	$18.92	$19.30
Local Commercial	$33.11	$33.77
Non-Resident	$47.31	$48.26
Major Event Park		
Non Profit/Local		
Child/Youth	$6.00	$6.12
Adult	$17.97	$18.33
Non School District 67 Schools*	$4.50	$4.59
Non Profit/Local		
Local Private	$23.96	$24.44
Local Commercial	$41.92	$42.76
Non-Resident	$59.89	$61.09

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Major Event Park (duplicate event - non prime - Before June 15 and After Sept 15)		
Non Profit/Local		
Child/Youth	$4.80	$4.89
Adult	$14.37	$14.66
Non School District 67 Schools*	$3.60	$3.67
Non Profit/Local		
Local Private	$19.17	$19.55
Local Commercial	$33.53	$34.20
Non-Resident	$47.92	$48.87

Major Event Parks: Okanagan Lake Park, Gyro Park/Bandshell, Rotary Park, Skaha East

Minor Event Park		
Non Profit/Local		
Child/Youth	$5.34	$5.44
Adult	$16.00	$16.32
Non School District 67 Schools*	$4.00	$4.08
Non Profit/Local		
Local Private	$21.33	$21.76
Local Commercial	$37.33	$38.08
Non-Resident	$53.34	$54.40
*Major event users	$22.53	$22.98

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Minor Event Park (additional/second event - non prime - Before June 15 and After Sept 15)		
Non Profit/Local		
Child/Youth	$4.27	$4.36
Adult	$12.80	$13.06
Non School District 67 Schools*	$3.20	$3.27
Non Profit/Local		
Local Private	$17.06	$17.41
Local Commercial	$29.87	$30.46
Non-Resident	$42.67	$43.52
*Major event users	$18.02	$18.38

Minor Event Parks: Penticton Youth Park, Lakawanna, Gyro South Lawn, Rose Garden and Marina Way

Wedding Ceremony Rate - Minimum 4 hour booking (additional hours subject to hourly park rates)	$220.82	$225.23
Passive Parks and Play Courts		
Passive Parks		
Non Profit/Local		
Child/Youth	$3.25	$3.31
Adult	$9.74	$9.94
Non School District 67 Schools*	$2.44	$2.48
Non Profit/Local		
Local Private	$12.97	$13.23
Local Commercial	$22.69	$23.14
Non-Resident	$32.43	$33.08
Admin Rate User	$8.86	$9.04

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Passive Parks (additional/second event - non prime - Before June 15 and After Sept 15)		
Non Profit/Local		
Child/Youth	$2.60	$2.65
Adult	$7.79	$7.95
Non School District 67 Schools*	$1.95	$1.99
Non Profit/Local		
Local Private	$10.37	$10.58
Local Commercial	$18.15	$18.51
Non-Resident	$25.94	$26.46
Admin Rate User	$7.09	$7.23
Passive Parks: Neighbourhood parks, Parking lots, Riverside and Beaches		
Play Courts		
Non Profit/Local		
Child/Youth	$1.70	$1.73
Adult	$5.09	$5.20
Non School District 67 Schools*	$1.27	$1.30
Non Profit/Local		
Local Private	$11.86	$12.10
Local Commercial	$13.57	$13.84
Non-Resident	$16.96	$17.30
Penticton Pickleball Society seasonal court usage	$14/player	14.25/player

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Play Courts (additional/second event - non prime - Before June 15 and After Sept 15)		
Non Profit/Local		
Child/Youth	$1.36	$1.39
Adult	$4.08	$4.16
Non School District 67 Schools*	$1.02	$1.04
Non Profit/Local		
Local Private	$9.49	$9.68
Local Commercial	$10.86	$11.08
Non-Resident	$13.57	$13.84

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

Parking Space Rental (per parking space/per day)	$5.52	$5.63
Specialty Vehicle Event Parking Permits (minimum 50 permits); per vehicle; per day	$2.00	$2.04

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Misc. Park Fees		
Garbage Removal	Actual Cost	Actual Cost
Beach Cleaning Services - Regular Working Hours - Min 4 Hour Charge (incl. admin fees)	$1,000.00	$1,020.00
Beach Cleaning Services - Regular Working Hours - Hourly Rate After 4 Hours (incl. admin fees)	$250.00	$255.00
Beach Cleaning Services - Outside Regular Working Hours - Min 4 Hour Charge (incl. admin fees)	$1,400.00	$1,428.00
Beach Cleaning Services - Outside Regular Working Hours - Hourly Rate After 4 Hours (incl. admin fees)	$350.00	$357.00
Double Cut and Tournament Preparation for Sports Fields on Weekends	Actual Cost	Actual Cost
Field Mowing - Regular Time - Soccer / Field	$81.18	$82.81
Field Mowing - Over Time - Soccer / 2 Fields - First 2 Fields	$244.63	$249.52
Field Mowing - Over Time - Soccer / Additional Field	$122.32	$124.77
Field Lining - Regular Time - Soccer / First Field	$202.41	$206.46
Field Lining - Regular Time - Soccer / Additional Field	$152.63	$155.68
Field Lining - Over Time - Soccer / First Field	$286.85	$292.59
Field Lining - Over Time - Soccer / Additional Field	$194.84	$198.73

Rates listed are per day

Picnic Table (per table)	$8.28	$8.45
Picnic Table Delivery & Return (per table)	$32.47	$33.12
Mobile Washroom Unit Rental	$0.00	$0.00
Non Profit/Local	$32.46	$33.11
Local Private/ Commercial	$75.76	$77.28
Gyro Park Connect & Disconnect	$54.11	$55.19
All other Parks Delivery, Connect, Disconnect, Return	$487.08	$496.83

Note: Additional washroom cleaning charges are applied (when required for an event) as set by contracted cleaning company.

Rates listed are per day

Three - Five Tiered Bleacher Rental

Non Profit/Local	$9.92	$10.12
Local Private/ Commercial	$22.07	$22.51

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Moving and Set Up One Time Fee	$194.83	$198.72

Rates listed are per day

Ten Tiered Bleacher Rental

Non Profit/Local	$22.07	$22.51
Local Private/ Commercial	$49.67	$50.66
Moving and Set Up One Time Fee	$411.31	$419.54

*Moving and set up costs are in addition to rental fees. Actual Costs of labour and equipment to be added. Prior to confirmation of the booking, users will receive a quote for the estimated moving charges. Users may receive permission to move on their own. A damage deposit may be required.

Mobile Stage (Rates listed are per day)

Non Profit/Local	$154.56	$157.66
Local Private/ Commercial	$331.21	$337.84
Moving and Set Up One Time Fee	$198.72	$202.70

Mobile Stage with Awning (Rates listed are per day)

Non Profit/Local	$176.64	$180.17
Local Private/ Commercial	$419.54	$427.93
Moving and Set Up One Time Fee	$1,104.07	$1,126.15

**Mobile stage daily rates to be calculated annually as part of the City Fleet and approved by Council. Moving and set up costs are in addition to rental fees. Actual Costs of labour and equipment to be added. Prior to confirmation of the booking, users will receive a quote for the estimated moving charges. Users may receive permission to move on their own. A damage deposit may be required.

Delivery/Removal 1-10 Barricades/Signs*** (one-time fee)	$89.47	$91.26
Delivery/Removal 11-20 Barricades/Signs*** (one-time fee)	$134.21	$136.90
Delivery/Removal 21-40 Barricades/Signs*** (one-time fee)	$178.95	$182.53
Delivery/Removal 40+ Barricades/Signs*** (one-time fee)	Actual Cost	Actual Cost
Delivery/Removal 1-5 Water Stands (Gyro Only) (one-time fee)	$104.04	$106.12
Delivery/Removal Garbage Cans & Bags (one-time fee)	$52.02	$53.06

***No charge if paying for delivery/removal of picnic table or bleachers; or no charge if event organizer picks up and returns on their own.

Appendix 19

Parks & Sports Fields	Effective April 1, 2018	Effective April 1, 2019
Park Donation Program		
Park Bench Donation - New Bench - 15 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	$2,570.00	$2,570.00
Park Bench Donation - Refurbished Bench - 10 year renewal - Council Policy 1037 - December 17, 2012 as amended from time to time.	50% of current donation	50% of current donation
Picnic Table Donation - New Table - 15 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	$3,060.00	$3,060.00
Picnic Table Donation - Refurbished Table - 10 year renewal - Council Policy 1037 - December 17, 2012 as amended from time to time.	50% of current donation	50% of current donation
Plaque Addition or Replacement	$415.00	$415.00
Tree Donation	$415.00	$415.00
Bike Rack - New Rack - 15 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	$1,040.00	$1,040.00
Bike Rack - Refurbished Rack - 10 year renewal - Council Policy 1037 - December 17, 2012 as amended from time to time.	50% of current donation	50% of current donation
Pet Stand - New Pet Stand - 5 year - Council Policy 1037 - December 17, 2012 as amended from time to time.	$315.00	$315.00
Hanging Basket Sponsor - 1 season - location determined by City	$250.00	$250.00
Park Stewardship - contribution towards favorite park, trail or beach	$200.00	$200.00
Floral Display Sponsor - 1 season - Sponsor one of the City's garden displays	$2,500.00	$2,500.00
Park Improvement Projects - Platinum Sponsor	$10,000.00	$10,000.00
Park Improvement Projects - Gold Sponsor	$2,500.00	$2,500.00
Park Improvement Projects - Silver Sponsor	$500.00	$500.00
Electrical Fees		
Gyro Park - seasonal per 50 amp receptical	$312.12	$318.36
Gyro Park - seasonal per 15 amp receptical	$156.06	$159.18
Gyro Park - Saturday market only (seasonal) per receptical	$106.08	$108.20
Nanaimo Square - Saturday market only (season) per receptical	$53.04	$54.10

Appendix 20

PLANNING AND DEVELOPMENT	Effective March 1, 2018	2019

Subdivision and Development Costs

Every person who obtains:

a) approval of the subdivision of a parcel of land under the "Land Registry Act" or the "Strata Titles Act" for any purpose other than the creation of three (3) or less lots to provide sites for a total of three (3) or less self-contained dwelling units; or

b) a Building Permit authorizing the construction or alteration of buildings or structures for any purpose other than the construction of three (3) or less self-contained dwelling units; or

c) a building Permit authorizing construction, alteration or extension of a building or structure, other than a building or portion of it used for residential purposes, where the value of the work exceeds Twenty-five Thousand Dollars (25,000);

Shall:
1) prior to commencement of the construction or installation of any works or services required under the Subdivision and Development Bylaw 2004-81, the owner shall pay to the City an administration fee of 3% of all works and services to be provided;

2) prior to commencement of the construction or installation of any works or services required under the Subdivision and Development Bylaw 2004-81, as amended from time, the owner shall pay to the City a Rectification and Repair Contingency fee of 2% of the estimated cost of construction. This fee shall be used to repair or replace existing City infrastructure that has been altered or damaged by activity related to the installation of the works and services for the development. The remainder of the fee will be returned to the owner upon issuance of the Total Performance Certificate.

OCP Amendments

a) OCP Amendments in Country Residential, Low Density Residential and Agricultural OCP designated areas	$1,575.00	$1,600.00
b) All other OCP Amendments	$1,890.00	$2,000.00
c) OCP Amendments in Country Residential, Low Density Residential and Agricultural OCP designated areas (where in conjunction with a Rezoning Application)	$1,057.50	$1,100.00
d) All other OCP Amendments (where in conjunction with a Rezoning Application)	$1,282.50	$1,300.00
e) OCP Text Amendments	$1,507.50	$1,600.00

Rezoning

a) Stand alone Rezoning applications in Country Residential, Low Density Residential and Agricultural OCP designated areas.	$1,215.00	$1,250.00
b) All other stand alone Rezoning applications.	$1,665.00	$1,750.00
c) Zoning Bylaw Text Amendments	$1,125.00	$1,250.00
d) Comprehensive Development Zone	$2,250.00	$5,000.00

Public Notice Signs (OCP and Zoning Amendments)

a) Initial OCP or Zoning Bylaw Sign	$250.00	$250.00
b) Repair of Damaged Signs	$80.00	$80.00
c) Replacement of damaged signs	$80.00	$80.00
d) Additional Public Hearing Fee	$550.00	$550.00

Appendix 20

PLANNING AND DEVELOPMENT	Effective March 1, 2018	2019
Development Permit Application		
a) Major Development Permit (Council Decision)	$1,125.50	$1,200.00
b) Minor Development Permit (Staff issuable)	$675.00	$700.00
c) Major Amendments to Development Permits (Council Decision)	$562.50	$600.00
d) Minor Amendments to Development Permits (Staff issuable)	$337.50	$350.00
e) Appeal to Council of a Staff Decision on a Development Permit	$675.00	$700.00
f) Reissuance of an expired Development Permit	$450.00	$450.00
g) Riparian / Environmental Assessment Development Permit	$225.00	$600.00
Development Variance Permit Application or Board of Variance Application		
a) Major Variance (3+ Variances per development)	$1,125.00	$1,200.00
b) Major Variance (3+ Variances per development) if in conjunction with a Development Permit Application	$675.00	$700.00
c) Minor Variance (1 or 2 Variances per development)	$600.00	$700.00
d) Minor Variance (1 or 2 Variances per development) if in conjunction with a Development Permit Application	$450.00	$500.00
e) Reissuance of expired Development Variance Permit	$450.00	$600.00
f) Note: No additional fee is required for a Variance where it is issued under Section 920 (2) of the *Local Government Act*.		
g) Board of Variance	$500.00	$500.00
Temporary Use Permit		
a) Temporary Use Permit	$800.00	$800.00
b) Temporary Use Permit Renewal	$400.00	$400.00
Canabis Retail Store		
a) Application for local government support or relocation of a Cannabis Retail Store	n/a	$2,500.00

Appendix 20

PLANNING AND DEVELOPMENT	Effective March 1, 2018	2019
Subdivision (Fee Simple & Bareland Strata)		
a) Preliminary Layout Approval Review		
1-2 Lots	$330.00	$1,000.00
3-10 Lots	$330.00 + $300.00 per lot in excess of 2 lots	$1000.00 + $300.00 per lot in excess of 2 lots
11-20 Lots	$2,885.00 + $220.00 per lot in excess of 10 lots	$3,000.00 + $220.00 per lot in excess of 10 lots
21-30 Lots	$5,085.00 + $190.00 per lot in excess of 20 lots	$5,000.00 + $200.00 per lot in excess of 20 lots
31-40 Lots	$7,010.00 + $165.00 per lot in excess of 31 lots	$7,000.00 + $180.00 per lot in excess of 30 lots
41 Lots or Greater	$8,660.00 + $110.00 per lot in excess of 40 lots	$8,800.00 + $110.00 per lot in excess of 40 lots
b) Preliminary Layout Approval (PLA) Renewal or Amendment	$150.00	$220.00
~~c) Legal Plan Approval Fee~~	~~$60.00~~	Removed
c) Early Registration Agreement (Applicable to Fee Simple Subdivisions)	$750.00	$800.00
d) Latecomer Agreement (Applicable to any excess or extended services as a result of Subdivision or Building)	$750.00	$750.00
Strata Conversion		
a) First lot	$300.00	$500.00
b) Each Additional Lot	$150 per conversion to a max. of $2,000.	$500 + $150 per strata lot to a max. of $2,000.
c) Report Inspection Fees		$250.00
Third Party Review of Professional Reports submitted with an Application	Actual Cost	Actual Cost
~~d) Legal Plan Approval Fee~~	~~$60.00~~	Removed
Phased Strata		
a) Phasing Approval Fee	$450.00	$600.00
c) Form P Approval	$100.00	$100.00
d) Preliminary Layout Approval (PLA) Renewal or Amendment	$150.00	$450.00

Appendix 20

PLANNING AND DEVELOPMENT	Effective March 1, 2018	2019

ALR

ALR Exclusion/Inclusion/Subdivision/Non Farm Use	As established by the Agricultural Land Commission	As established by the Agricultural Land Commission

Other Administrative Fees

b) Boulevard Trees	$472.50	$472.50
c) Ministry of Environment-Site Profile Referral	$100.00	$100.00
d) Address Number Change Request (owner initiated)	$150.00	$150.00
e) Road Name Change Fee (owner initiated)	$500.00	$500.00
f) Land Title Search (when not provided at time of application)	$20.00	$20.00
g) File Search or comfort letter initial fee for first hour	$160.00	$250.00
File search hourly rate (minimum 1/2 hour charge $30)	$60.00	$60.00
Property File review request (new)		$25.00

Map and Bylaw Rates

a) Plotter Printing Fees for all documents over 11" X 17"/ per sq/m (A1 page = 0.5 sq/m)	$6.00	$12.00
b) Bylaws (OCP, Zoning, Subdivision and Development)/page (note: large bylaw maps shall be charges separately as above)	As outlined in Appendix 1 Administrative Rates	As outlined in Appendix 1 Administrative Rates

Land Administration Services

a) Prepare document and register with Land Titles Office	$1200 min or actual cost [1]	$1200 min or actual cost [1]
b) Prepare amended document and register with LTO	$840 min. or actual cost [1]	$840 min. or actual cost [1]
c) Prepare discharge document and register with LTO	$840 min. or actual cost [1]	$840 min. or actual cost [1]
d) Prepare document (lease, licence, sub-licence) not registered with LTO	$300.00	$300.00
e) Amend or renew document (lease, licence, sub-licence)	$150.00	$150.00
f) Location Certificate (Licenced BC Land Surveyor prepared)	Actual cost	Actual Cost
g) Use of City Owned Lands	Market Value	Market Value
h) Appraisals	Actual cost	Actual Cost
i) To raise title on Park or Road for the purposes of Disposition	$1200 min or actual cost [1]	$1200 min or actual cost [1]
j) Road Closure Permit	$96.60	$135.00
l) City Survey Costs	Actual cost	Actual Cost
Removal of Section 57 Notice on Title	$500.00	$500.00

Appendix 20		
PLANNING AND DEVELOPMENT	**Effective March 1, 2018**	**2019**

[1] Any additional city legal and/or survey costs which are required in the processing of any of the applications listed in this Application Fee Schedule will be borne by the applicant including but not limited to the preparation and registration of restrictive covenants, land use Contract Amendments, Statutory Rights-of-Way, Road Closure and Disposition, etc.

Development Applications Refunds

Development Cost Charges, DCC, Refund:

Refunds for development cost charges are to be addressed as per City of Penticton Development Cost Charges Bylaw No. 2007-79 as amended or superceded.

Density Bonus Refund:

Density bonus paid as part of building permit issuance, construction beyond the footings not started, as determined by the Director of Development Services – Upon cancellation of the building permit or building permit application refund all density bonus paid less an administrative fee of $250.

Density bonus paid as part of building permit issuance, construction beyond the footings started as determined by the Director of Development Services – The person seeking a refund must make a submission for a refund in the prescribed form to the Director of Development Services or the designate who will prepare a report for Council's consideration.

Council will consider the matter and may by resolution:

a. authorize the density bonus refund subject to conditions as; or

b. refuse the request for a density bonus refund;

c. refer the matter to staff or a future Council meeting; or

d. such other determination as Council may direct.

As a requirement of any density bonus refund the development permit and/or building permits must be cancelled and the development permit must be discharged from the title of the land – all density bonus paid shall be refunded less an administration fee of:	$250.00 and a discharge notice of fee of $250.00	$250.00 and a discharge notice of fee of $250.00

City infrastructure[1] requirements as part of Subdivision:

Subdivision not approved and infrastructure not installed – Upon cancellation of the preliminary layout approval, refund infrastructure charges less an administrative fee of:

a. For Single Family, Duplex and smaller developments	$470.00	$470.00
b. For all other larger developments	$990.00	$990.00
Subdivision not approved and infrastructure installed	No Refund	No Refund
Subdivision approved	No Refund	No Refund

City infrastructure[1] requirements as part of Zoning:

Zoning Bylaw amendment not adopted and infrastructure not installed – Upon rescinding all readings of the Zoning Bylaw amendment refund infrastructure charges less an administrative fee of:

a. For Single Family, Duplex and smaller developments	$470.00	$470.00

Appendix 20		
PLANNING AND DEVELOPMENT	**Effective March 1, 2018**	**2019**
b. For all other larger development	$990.00	$990.00
Zoning Bylaw amendment not adopted and infrastructure installed	No Refund	No Refund
Zoning Bylaw Amendment adopted	No Refund	No Refund

Development Variance Permit Application Fee:

a. Cancellation of a development variance permit application not reveiwed at a Technical Planning Committee meeting	N/A	$500.00
b. Cancellation of a development variance permit application, discussed at a Technical Planning Committee meeting but not scheduled for delegations and submissions at Council	N/A	$250.00
c. Development variance permit application scheduled for Council consideration	N/A	No Refund

Development Permit Application Fee:

a. Cancellation of a development permit application not reveiwed at a Technical Planning Committee meeting	N/A	$500.00
b. Cancellation of a development permit application discussed at a Technical Planning Committee meeting but not scheduled for Council consideration.	N/A	$250.00
c. Development permit application considered by Council	N/A	No Refund

Rezoning Application Fee:

a. Cancellation of a rezoning application not reveiwed at a Technical Planning Committee meeting	N/A	$1000.00 + associated Public Hearing signage fees
b. Cancellation of a rezoning application discussed at a Technical Planning Committee meeting but has not considered by Council	N/A	$600.00 + associated Public Hearing signage fees
c. Rezoning application considered by Council	N/A	No Refund
Official Community Plan, (OCP) Amendment Application Fee:		
a. Cancellation of an OCP amendment application not reviewed at a Technical Planning Committee meeting	N/A	$1000.00 + associated Public Hearing signage fees
b. Cancellation of an OCP amendment application reveiwed by the Technical Planning Committee but not considered by Council	N/A	$600.00 + associated Public Hearing signage fees
c. OCP amendment application considered by Council	N/A	No Refund
Subdivision Application Fee Refund		
a. Cancellation of a subdivision application that has not been reveiwed at a Technical Planning Committee meeting	N/A	75% of original application fee
b. Cancellation of a subdivision application reveiwed by the Technical Planning Committee but has not been issued preliminary layout approval (PLA)	N/A	50% of original application fee
c. Subdivision has been issued or refused Preliminary Layout Apporval (PLA)	N/A	No Refund

Appendix 20		
PLANNING AND DEVELOPMENT	**Effective March 1, 2018**	**2019**
Landscaping Security Refund:		
a. In the case where a development has paid a landscape bond, but the development has not proceeded.	N/A	full refund minus a $350.00 administration fee

Agriculture Land Reserve (ALR) Application Fee:

a. Cancellation of an ALR application that has not been forwarded to the Agricultural Land Commission (ALC)	N/A	$1,200
b. Cancellation of an ALR application that has been forwarded to the Agricultural Land Commission	N/A	No Refund

Notes:

1. City Infrastructure is defined as:

a. Any items related to the City of Penticton water, sanitary, storm system including main line pipe, appurtenances, services etc.

b. Any items related to roads, sidewalks, curb, gutter, signs etc.

Sign Permit Fees:

For the purpose of calculating the fee for a sign permit, the value of construction shall be the total contract price for the work, including all subcontractors, or the value of construction as determined by the Building Inspector on the basis of the plans, specifications and information available, whichever value shall be the greater.

for enlargement, conversion, alteration or relocation of a sign for which a permit has been issued	$30.00	$30.00
signs with a value of $1,000 or less (per sign)	$50.00	$50.00
for each $1,000 of part thereof, by which the value exceeds the sum of $1,000 (per sign)	$10.00	$10.00
Variance to the Sign Bylaw	$601.00	$700.00
Where any sign has been erected without a permit having previously been obtained, the fee for obtaining such permit shall be double the amount of the regular permit fee	minimum $100 fine	minimum $100 fine

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019

Note: Lifeguard/Instructor wages + 5% Admin Fee to be added to rental

1 Lane (minimum 3 lane rental required for booking unless special permission)

Non Profit/Local

Child/Youth	$5.33	$5.43
Adult	$12.61	$12.86
Local Private	$15.96	$16.28
Local Commercial	$27.90	$28.46
Non-Resident	$39.86	$40.66

3 Lanes

Non Profit/Local

Child/Youth	$15.82	$16.14
Adult	$37.44	$38.19
Local Private	$47.85	$48.81
Local Commercial	$83.71	$85.39
Non-Resident	$119.60	$121.99

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019
4 Lanes to a Maximum of 13 Lanes Multiply # of Lanes X 1 Lane Rate		
Leisure Pool		
Note: Leisure Pool Rate is 7 Lane Rate		
Non Profit/Local		
Child/Youth	$37.29	$38.03
Adult	$88.22	$89.98
Non Profit/Local		
Local Private	$111.68	$113.91
Local Commercial	$195.35	$199.26
Non-Resident	$279.08	$284.66
Full Aquatic Facility		
Note: Full Aquatic Facility Rate is 15 Lane Rate		
Non Profit/Local		
Child/Youth	$79.88	$81.47
Adult	$189.02	$192.80
Non Profit/Local		
Local Private	$239.32	$244.10
Local Commercial	$418.59	$426.96
Non-Resident	$598.03	$609.99

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019
Public Swimming		
Single Admission		
Preschool	$1.19	$1.25
Child	$4.05	$4.25
Youth	$5.00	$5.25
Adult	$5.95	$6.25
Senior	$5.00	$5.25
Super Senior	$4.05	$4.25
Family	$15.24	$16.00
10 Tickets		
Preschool	$10.48	$11.00
Child	$36.19	$38.00
Youth	$44.76	$47.00
Adult	$53.33	$56.00
Senior	$44.76	$47.00
Super Senior	$36.19	$38.00
Family	$137.14	$144.00
1 Month		
Preschool	$10.48	$11.00
Child	$36.19	$38.00
Youth	$44.76	$47.00
Adult	$53.33	$56.00
Senior	$44.76	$47.00
Super Senior	$36.19	$38.00
Family	$137.14	$144.00

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019
3 Months		
Preschool	$25.71	$27.00
Child	$89.52	$94.00
Youth	$99.05	$104.00
Adult	$139.05	$146.00
Senior	$99.05	$104.00
Super Senior	$89.52	$94.00
Family	$329.52	$346.00
6 Months		
Preschool	$47.62	$50.00
Child	$159.05	$167.00
Youth	$179.05	$188.00
Adult	$239.05	$251.00
Senior	$179.05	$188.00
Super Senior	$159.05	$167.00
Family	$599.05	$629.00
12 Month Annual Pass		
Preschool	$72.38	$76.00
Child	$249.52	$262.00
Youth	$279.05	$293.00
Adult	$379.05	$398.00
Senior	$279.05	$293.00
Super Senior	$249.52	$262.00
Family	$929.52	$976.00

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019
Fitness Room/Pool Combined		
Single Admission		
Youth	$7.38	$7.75
Adult	$10.24	$10.75
Senior	$7.38	$7.75
Super Senior	$6.43	$6.75
Family	N/A	$25.36
10 Tickets		
Youth	$65.71	$69.00
Adult	$91.43	$96.00
Senior	$65.71	$69.00
Super Senior	$57.14	$60.00
Family	N/A	$226.50
1 Month		
Youth	$65.71	$69.00
Adult	$91.43	$96.00
Senior	$65.71	$69.00
Super Senior	$57.14	$60.00
Family	N/A	$226.50
3 Months		
Youth	$173.33	$182.00
Adult	$234.29	$246.00
Senior	$173.33	$182.00
Super Senior	$141.90	$149.00
Family	N/A	$583.00
6 Months		
Youth	$304.76	$320.00
Adult	$406.67	$427.00
Senior	$304.76	$320.00
Super Senior	$243.81	$256.00
Family	N/A	$1,014.00

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019
12 Month Annual Pass		
Youth	$479.05	$503.00
Adult	$641.90	$674.00
Senior	$479.05	$503.00
Super Senior	$386.67	$406.00
Family	N/A	$1,599.50
FITNESS ROOM / PUBLIC SWIMMING DAY PASS - Admission Rates		
Single Admission		
Youth	$10.95	$11.50
Adult	$14.76	$15.50
Senior	$10.95	$11.50
Super Senior	$9.05	$9.50
Family	N/A	$36.75
Agency Activity Pass - Annual	$599.05	$629.00
Access Passes	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room

Appendix 21

POOL/AQUATICS	Effective April 1,2018	Effective April 1,2019
CLINIC RATES		
Weekly Pool		
Senior	$12.38	$13.00
Adult	$14.76	$15.50
Weekly Fitness/Pool		
Senior	$18.10	$19.01
Adult	$25.24	$26.50
Monthly Pool		
Senior	$33.81	$35.50
Adult	$40.24	$42.25
Monthly Fitness/Pool		
Senior	$49.29	$51.75
Adult	$68.57	$72.00
10 Ticket Pool		
Senior	$36.19	$38.00
Adult	$42.86	$45.00
Fitness/Pool 10 Ticket		
Senior	$52.38	$55.00
Adult	$73.33	$77.00

Appendix 24

Recreation - Miscellaneous	Effective April 1,2018	Effective April 1,2019
Gymnasium Drop -In		
Single Visit	$4.05	$4.25
Family	$10.00	$10.50
Service Fees		
Membership Card Replacement	$2.14	$2.25
*Non-Profit Sport/Recreation Groups	$2.14	$2.25
*Non-Profit Theatre Tickets	$2.14	$2.25
*Commercial Theatre Tickets	$2.62	$2.75
* Subject to applicable taxes and card service (Visa/Master/Amex) fees for credit card use.		
Agency Activity Pass - Annual	$599.05	$629.00
Access Passes	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room	Eligible Persons with disabilities: 25% off 10 Ticket, 1, 3, 6, 12, month passes for pool and fitness room
Group Discounts	10% off drop-in admission rates for groups of 10 or more. 20% off drop-in admission rates for groups of 20 or more. Non School District 67 schools*: 50% off drop-in admission rates for groups of 30 or more.	10% off drop-in admission rates for groups of 10 or more. 20% off drop-in admission rates for groups of 20 or more. Non School District 67 schools*: 50% off drop-in admission rates for groups of 30 or more.
Recreation Program Fees		
Program fees set at a level sufficient at minimum to cover all instructor, expendable and consumable materials and extraordinary costs plus an additional 20%.		

Appendix 24

Recreation - Miscellaneous	Effective April 1,2018	Effective April 1,2019
Storage Rental (Community Centre Gym)		
4x7x10 compartment (per month)	$25.93	$26.45
Misc. Storage Rentals/sq feet/month (minimum $10/month)	$0.62	$0.64
Piano Rental		
The Licensee shall be responsible for and shall pay for the tuning of the Piano if required	Actual Cost	Actual Cost
Grand/Upright Piano (1/3 of a day)	$12.13	$12.37
Concert Steinway Piano		
Commercial - 1 day of First day	$187.08	$190.83
Commercial - Subsequent Days	$93.53	$95.40
Non-Profit 1 day or first day	$93.53	$95.40
Non-profit - Subsequent days	$46.77	$47.70
Specialty Items		
Community Centre Equipment Rentals	market value	market value
Community Centre Retail Merchandise	mark up at Retail Price to reflect 25%-50%	mark up at Retail Price to reflect 25%-50%
RV Overnight Parking Permit (a window permit is issued to those user groups requiring an RV on site for special event security - pending approval by the PRC Director of designate. Permit is issued through the RCMP.	$30.28	$30.88
McLaren Arena Advertising		
~~Floor Decals~~	~~$299.00~~	Remove
Standard Rink Boards	$399.00	$499.00
~~Ice Resurfacing Decals~~	~~$499.00~~	Remove
On-site advertising/promotion per week (commercial)	$50.00	$50.00

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

Appendix 25

SEWER	2018	2019

Such charges to be effective immediately upon the expiration of 180 days (60 days in the case of a renovated building) from the date of validation of the building permit, provided however, that this amount may be pro-rated from the effective date to December 31 of the year in which the building is built or renovated.

An extension to the 180 day period will be considered providing the builder applies **in writing** to Building & Licence Division prior to the expiration of the 180 day period. Should a request come from a builder **after** the expiration of the 180 day period, an extension may still be granted upon payment of an administration fee:

Extensions are only to be granted in multiples of 30 days, ie 30, 60, 90 days.

Sanitary Sewer Charges based on Treated Water Use

Residential Use Monthly Fixed Sanitary Sewer Rates Based on Water Meter Size charged April to October		
13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month April to October)	$28.28	$31.96
25mm (1 inch) / month April to October	$70.71	$79.90
38 mm (1 1/2 inches) / month April to October	$141.41	$159.79
50 mm (2 inches) / month April to October	$226.26	$255.67
75 mm (3 inches) / month April to October	$494.95	$559.29
100 mm (4 inches) / month April to October	$890.91	$1,006.73

PLUS Variable Sanitary Sewer Generation Charge based on Water Use for all Meter Sizes charged November to March

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet) charged monthly November to March [Minimum monthly consumption charge for 3/4" meter size customer based on 250 cubic feet]	$5.43	$6.87

Non- Residential Use Monthly Fixed Sanitary Sewer Rates Based on Water Meter Size charged January to December

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month January to December)	$14.14	$15.65
25mm (1 inch) / month January to December	$35.35	$39.13
38 mm (1 1/2 inches) / month January to December	$70.71	$78.28
50 mm (2 inches) / month January to December	$113.13	$125.24
75 mm (3 inches) / month January to December	$247.47	$273.96

Appendix 25		
SEWER	**2018**	**2019**
100 mm (4 inches) / month January to December	$445.45	$493.14

PLUS Variable Sanitary Sewer Generation Charge based on Water Use for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet) charged monthly January to December	$2.71	$3.00
Request for Reduction Submission and Review	$100.00	$100.00
Fee for falsification of information on a Request for Reduction	$500.00	$500.00

NOTES

Residential Uses includes: All single family, duplex, multi-family and mobile home parks

Non Residential Customers may apply after paying the prescribed fee to the City for a reduction in the % of water use to calculate the sanitary sewer consumption fee to account for business practices that create a large discrepancy between water use and sewage generation.

The following business practices will be eligible for consideration for a reduction:

i. Water used to produce a product for sale that is consumed or used off the site. Examples include: Concrete production, off sales beer and wine, take out coffee and soft drinks.

ii. Water used to irrigate plants that are sold. Examples include: Garden Centers.

iii. Water used in a cooling process that does not enter the sanitary sewer.

iv. Water used by contractors in water trucks for dustcontrol.

The requested reduction in water use must be substantiated either through:

i. The installation and reading of a water meter that will monitor the water used in the process for which the reduction is being sought.

ii. Financial records or audit documents prepared by an accountant or a report prepared by a professional engineer that calculates the volume of water that should be considered for reduction.

The cost of producing the substantiation is to be borne by the party requesting the reduction.

No reduction will be granted for volumes of water less than 5%.

Appendix 25		
SEWER	**2018**	**2019**

A person found to have submitted false information to support their reduction request will be required to pay the Fee for falsification of information on a Request for Reduction

Sanitary sewer charges no water meter or no water service (per month)

Fee based on property zoning as follows:

For properties zoned Single Family Residential	$28.28	$31.31
For properties zoned l Multi Family Residential	$40.25	$44.56
For properties zoned Commercial	$94.64	$104.77
For properties zoned Industrial	$642.89	$711.71
For all other properties	$94.64	$104.77
Sanitary sewer charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Sanitary Sewer Fixture Charge	$39.36	$43.57
Minimum flat rate charge for sanitary sewer for residential properties adjacent to a sanitary sewer main but not connected	$34.27	$37.94
Minimum flat rate charge for sanitary sewer for non-residential properties adjacent to a sanitary sewer main but not connected	$277.39	$307.09
Permit to Discharge	$244.00	$248.00
Evaluation of restricted wastes of over strength matter	Actual cost	Actual cost
Over strength B.O.D. charge (over 300 mg/l)	$0.54/kg	$0.57/kg
Over strength C.O.D. surcharge (over 600 mg/l)	Fee to be developed	Fee to be developed
Over strength oil and grease surcharge (over 100 mg/l)	$0236/kg	$0.247/kg
Over strength phosphorous surcharge (over 10 mg/l)	Fee to be developed	Fee to be developed
Over strength total suspended solids surcharge (over 300 mg/l)	$0.55/kg	$0.58/kg

Septic Waste Receiving Facility Rate - Tipping Fee

Tipping Fee for receiving septic waste	$35.00 per cubic meter	$36.00 per cubic meter

Appendix 25

SEWER	2018	2019
Sanitary or Storm Sewer Service Connections		
(a) 100mm (4") sanitary or storm sewer service and connections	$3,500.00	$3,500.00
(b) Two – 100mm (4") sanitary or storm sewer service and connections installed in the same trench	$4,100.00	$4,100.00
(c) All other sanitary or storm sewer and service and connections	Actual Cost	Actual Cost
(d) When winter conditions prevail or hot mix asphalt is not available, if installation is to proceed, add $525.00 each to the estimated and flat rate costs for service provided by the city that requires excavation.	$550.00	$550.00
(e) Repair of service failure or interruption	Actual Cost	Actual Cost
(f) Winter Trench Repair maintenance	$450.00	$450.00
(g) Reconnecting to a capped sewer service - No work by City - Reconnection Fee Only	$220.00	$220.00
(h) Sanitary or Storm Sewer Service Video Inspection	$180.00	$182.00

In the event problem is determined to be caused by the City or the responsibility of the City all associated costs shall be applied to the City.

Other:

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	$172.00	$175.00
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	$1,675.00	$1,675.00
(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost

Appendix 28

VENDING FEES	2018	2019
Park, Beach and Street Vending Fees		
One Year Permits (Victoria Day - Labour Day weekends)		
Price per 10'x10' spot annually (3 year terms available, rate adjusted annually by CPI)		
Beach and Park Vending Fee (annually) 10'*10' Okanagan Prime Plus	$1,550.00	$1,581.00
Beach and Park Vending Fee (annually) 10'*10' Okanangan Prime	$1,400.00	$1,428.00
Beach and Park Vending Fee (annually) 10'*10' Okanagan Secondary	$1,325.00	$1,351.50
Beach and Park Vending Fee (annually) 10'*10' Skaha Prime	$1,325.00	$1,351.50
Beach and Park Vending Fee (annually) 10'*10' Skaha Secondary	$1,300.00	$1,326.00
Sudbury Beach Shack	$1,500.00	$1,530.00
Street Vending Fees		
One Year Permit 6' x 12'	$1,325.00	$1,351.50
Motorized and Non-Motorized Mobile Vending (Victoria Day - Labour Day weekends)		
Seasonal Motorized Mobile Vending Fee	$1,880.00	$1,917.60

Appendix 29

WATER	2018	2019
Utility Administration Rates		
Utility credit references (current or recent account)	$16.50	$17.00
Archived account	$29.00	$30.00
Utility account history	$16.50	$17.00
Interest rate on delinquent utility accounts	10% per annum	10% per annum
Special water meter reading	$36.25	$36.25
Special water meter inspection fee	$36.25	$36.25
AMR OPT OUT		
AMR Opt Out manual water meter reading for an individual meter	$19.25	$27.50
AMR Opt Out manual combined electric and water meter reading for an individual for an individual meter read	$20.25	$28.50
AMR Opt Out manual water meter reading for a meter bank installation	$19.25 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter	$27.50 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the electric meter bank read is to be equally split between all customers serviced by the bank meter
AMR Opt Out combined electric and water meter reading for a combined electric and water meter bank installation	$20.25 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.	$29.50 for the first meter and $1.00 per read for each additional meter in the meter bank per meter read. The total cost for the combined electric and water meter bank read is to be equally split between all customers served by the meter bank.
Applications / Connect / Disconnect / Reconnect		
City padlocks	$22.50	$22.50
City lock boxes (installed by City)	$68.00	$68.00
City lock boxes (installed by customer)	$50.00	$50.00
Utility application fee – next day service	$32.50	$33.00
Utility application fee – same day service (accounts with combined electric and water)	$94.50	$105.00
Utility application fee (water only) same day service (accounts that only have water services)	$65.00	$65.00
Water disconnect / re-connect fee (for non payment during regular City hall hours)	$63.00	$65.00
Water disconnect / re-connect fee (for non payment after hours without call-out)	$90.50	$91.50
Water disconnect or re-connect (customer / agent request during City hall hours)	$31.50	$32.00
Water disconnect or re-connect (customer / agent request after hours without call-out)	$45.50	$46.00
Water disconnect or re-connect (customer / agent request after hours with call-out)	$211.50	$213.00
Illegal reconnection administration charge	$275.00	$280.00
Utility fee - Leave on Authorized	$12.00	$12.25

Appendix 29		
WATER	**2018**	**2019**
Water Disconnection (for non-payment) requiring capping or plugging service	$227.00	$230.00
Special Administration charge per service	$27.50	$28.00

Non Treated Irrigation Water Charges

No Meter

Non-treated irrigation water per acre per year	$164.57	$171.15
Minimum charge for non-treated irrigation water / year	$164.57	$171.15
Household use from a connection to the untreated irrigation water system, unless metered, in which case metered rates then apply. (per annum per residence)	$386.23	$401.68

Monthly Fixed Non Treated Irrigation Water Meter Rates based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	$10.70	$11.13
25mm (1 inch) / month	$22.94	$23.86
38 mm (1 1/2 inches) / month	$67.59	$70.29
50 mm (2 inches) / month	$148.82	$154.77
75 mm (3 inches) / month	$427.24	$444.33
100 mm (4 inches) / month	$939.44	$977.02
150 mm (6 inches) / month	$2,636.65	$2,742.12

PLUS Variable Consumption Charge for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	$0.26	$0.27

Reclaimed Treated Effluent for Irrigation Charges

Monthly Fixed Reclaimed Treated Effluent Meter Rates Based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	$11.01	$15.30
25mm (1 inch) / month	$26.25	$57.49
38 mm (1 1/2 inches) / month	$64.34	$69.85
50 mm (2 inches) / month	$143.53	$164.64
75 mm (3 inches) / month	$396.43	$360.70
100 mm (4 inches) / month	$871.69	$761.37
150 mm (6 inches) / month	Potable water has no 6' fee	Potable water has no 6' fee

PLUS Variable Consumption Charge for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	$0.86	$1.13

Treated Water Rates

Monthly Fixed Treated Water Meter Rates Based on Meter Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	$28.80	$30.60
25mm (1 inch) / month	$92.58	$114.97
38 mm (1 1/2 inches) / month	$141.12	$139.70
50 mm (2 inches) / month	$324.92	$329.27
75 mm (3 inches) / month	$750.32	$721.39

Appendix 29		
WATER	**2018**	**2019**
100 mm (4 inches) / month	$1,580.05	$1,522.74

PLUS Variable Consumption Charge for all Meter Sizes

Variable Consumption Charge / 2.83 cubic meters (100 cubic feet)	$2.17	$2.26

Notwithstanding the above basic charges, should a 150 mm (6") meter be provided in conjunction with a 150 mm (6") line for the purpose of providing the dual requirements of domestic water and fire protection, the basic charge will be based on the size of meter that would be required to service the domestic water needs of the complex as determined by the Public Works Supervisor. This charge is to commence at the time of the installation of the meter. Prior to the installation of the meter, the service is to be billed at a 25 mm (1") unmetered rate.

Monthly Fixed Non Metered Treated Water Rates Based on Service Size

13mm / 16mm / 19mm (1/2 inch, 5/8 inch and 3/4 inch /month)	$46.30	$48.87
25mm (1 inch) / month	$126.90	$150.80
38 mm (1 1/2 inches) / month	$243.91	$247.04
50 mm (2 inches) / month	$541.84	$555.80
75 mm (3 inches) / month	$1,413.11	$1,413.52
100 mm (4 inches) / month	$2,987.85	$2,992.88
Treated water charges based on a negotiated agreement	Fee to be as per the agreement approved by Council	Fee to be as per the agreement approved by Council
Minimum charge for treated water for domestic purposes	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service	Fee to be minimum monthly Basic Charge based on the meter size or the minimum monthly charge based on the size of service

Mimimum Flat Rate Charges for Properties located adjacent to a Treated Water Main but not Connected:

Fee based on property zoning as follows:

For properties zoned Single Family Residential	$46.30	$48.87
For properties zoned l Multi Family Residential	$126.90	$150.80
For properties zoned Commercial	$243.91	$247.04
For properties zoned Industrial	$2,987.85	$2,992.88
For all other properties	$243.91	$247.04

Sundry Charges		
Sign on of new customer	$27.00	$27.00
Special Administration charge per service	$16.00	$16.00
Transfer fee per service	N/A	N/A

When a customer applies for electric and water service/transfer of service at the same time, only one application/transfer fee will apply

Any applicable Federal or Provincial taxes are in addition to the above charges

A discount forfeit equal to 10% of the "current charges" (excluding Goods & Services Tax) will result if full payment of current charges is not received as follows:

a) on "residential and residential/special services" (rate codes 10 and 15). On or before the expiration of fifteen (15) days afater the date of the mailing of the invoices therefore,

Appendix 29		
WATER	**2018**	**2019**

b) on all other services not included in the definition of "residential or residential/special services" on or before the expiration of twenty-two (22) days after the date of the mailing of the invoices thereof,

provided that when the said day falls on a Saturday, Sunday, or holiday, the discount shall apply if payment is received on the next succeeding day which is not a holiday.

In the event of a partial payment of the current charges on or before the discount date, a proportionate discount shall be allowed.

The A.R.D.A. rate referred to in this bylaw is billed on the annual property tax notice and is not subject to the 10% discount. Rather a 10% penalty is applicable if unpaid on the tax penalty date in each year.

Basic charges will be applicable to accounts that are disconnected from water for seasonal or temporary purposes when the water is being turned off at the account holders request but the account holder(s) is not altering.

Treated and Irrigation Services and Metering

AMR Opt Out treated or irrigation water meter, old style meter, use of a digital non radio frequency electric meter	$201.00 per meter	$201.00 per meter
AMR Opt Out treated or irrigation water meter, new style meter, use of a digital non radio frequency electric meter	$42.25 per meter	$42.25 per meter

(a) Treated and Irrigation water service supply and installation, not including meter or meter chamber. Fee to be as follows:

19mm (¾") water service	$2,720.00	$2,750.00
25 mm (1") water service	$3,500.00	$3,500.00
All other water services	Actual Cost	Actual Cost

(b) Treated and Irrigation water meter supply and installation, not including meter chamber. Fee to be as follows:

19mm (¾") water meter	$450.00	$455.00
25 mm (1") water meter	$578.00	$640.00
38 mm (1 ½") water meter with register and Radio Fequency	$1,025.00	$1,120.00
50 mm (2") compound water meter with register and Radio Frequency	$3,600.00	$3,760.00
(c) All other water meters with register and Radio Frequency	Actual Cost	Actual Cost
(d) Water meter chamber up to 25 mm (1") supply and installation (in conjunction with service install)	$840.00	$850.00
(e) Water meter chamber up to 25 mm (1") supply and installation (not installed with service)	$1,840.00	$1,850.00
(f) Provision of temporary water	Actual Cost	Actual Cost
(g) All other water meter chambers supply and installation	Actual Cost	Actual Cost
(h) Water meter register and Radio Frequency - Supply and install	$250.00	$250.00
(i) Water meter testing or repair if replacement is required and deemed the fault of the owner additional charges may be applied.	$92.00	$93.00

Note: if the meter is found to be accurate within 98.5% - 101.5%, the party disputing the accuracy of the meter shall bear the cost. If the meter is found not be accurate within the above limlits the City shall bear the costs.

Customer request to relocate (or alter due to construction) meter or appurtences	Actual Cost	Actual Cost

Appendix 29		
WATER	**2018**	**2019**
Water Connection Charges		
(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	$172.00	$173.00
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	$1,675.00	$1,675.00
(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost

Fire Hydrants (both City and private hydrants)

(a) Fire hydrant supply and installation not requiring curb, gutter and asphalt work	$7,500.00	$7,500.00
(b) Fire hydrant supply and installation requiring curb, gutter and asphalt work	$9,000.00	$9,000.00
(c) Fire Hydrant rental (includes hook-up and water usage) Note: if total # of days is not known (amount to be billed)	$112.00 first day and $22.00 each day thereafter	$112.00 first day and $22.00 each day thereafter
(d) Portable water meter rental	$16.75 per day (plus cost of water used at the current metered rate)	$16.75 per day (plus cost of water used at the current metered rate)
(e) Fire Hydrant Implementation	$170.00	$171.00

Other:

(a) Service inspection of an irrigation water service, treated water service, sanitary sewer service and storm sewer service.	$172.00	$173.00
(b) Termination of an irrigation water service, treated water service, sanitary sewer service and storm sewer service	$1,675.00	$1,675.00
(c) Service calls regarding water service, treated water service, sanitary sewer service and storm sewer service	Actual Cost	Actual Cost

Appendix 31

STORM WATER UTILITY	Unit	2018	2019
Storm Water NO Direct Connect Fees			
Notes:			
The different categories of Storm Water Utility Rates are based on the Property Tax Classification.			
The following rates apply to properties that are NOT directly connected to the Storm Water System.			
In cases where a property has multiple Property Tax Classifications the City will determine the Property Tax Classification that best represents the property and charge for Storm Water according to that Property Tax Classification.			
Residential			
Single Family Dwellings	$/year per folio	$10.00	$20.50
Multi Family Apartment Buildings with 4 or less units	$/year per folio	$16.00	$32.90
Multi Family Apartment Buildings with more than 4 units	$/year per unit	$5.30	$11.00
Multi Family Dwellings [strata]	$/year per strata	$5.30	$11.00
Farm/Recreational/Non Profit/Supportive Housing			
No Direct Connection to the Storm Sewer	$/year per folio	$10.00	$20.50
Business/Light Industry/Major Industry/Utilities			
No direct connection, with gross assessment value:			
Below $300,000	$/year per folio	$20.30	$41.60
Between $300,001 and $800,000	$/year per folio	$30.40	$62.40
Above $800,000	$/year per folio	$45.60	$93.70
Storm Water Direct Connect Fees			
Notes:			
The different categories of Storm Water Utility Rates are based on the Property Tax Classification.			
The following rates apply to properties that ARE directly connected to the Storm Water System.			
In cases where a property has multiple Property Tax Classifications the City will determine the Property Tax Classification that best represents the property and charge for Storm Water according to that Property Tax Classification.			
Residential			
Single Family Dwellings	$/year per folio	$13.00	$26.70
Multi Family Apartment Buildings with 4 or less units	$/year per folio	$20.80	$42.80
Multi Family Apartment Buildings with more than 4 units	$/year per unit	$6.90	$14.30
Multi Family Dwellings [strata]	$/year per strata	$6.90	$14.30
Farm/Recreational/Non Profit/Supportive Housing			
Direct Connection to the Storm Sewer	$/year per folio	$13.00	$26.70
Business/Light Industry/Major Industry/Utilities			
Direct connection, with gross assessment value:			
Below $300,000	$/year per folio	$26.40	$54.10
Between $300,001 and $800,000	$/year per folio	$39.60	$81.20
Above $800,000	$/year per folio	$59.30	$121.80

Council Report

penticton.ca

Date: August 21, 2018 File No: 2018 PRJ-010
To: Peter Weeber, Chief Administrative Officer
From: Audrey Tanguay, Senior Planner
Address: 3200 Evergreen Drive

Subject: **Official Community Plan Amendment Bylaw No. 2018-60**
Zoning Amendment Bylaw No. 2018-61
Development Cost Charges Amendment Bylaw No. 2018-62

Staff Recommendation

Official Community Plan Bylaw Amendments

THAT prior to consideration of "Official Community Plan Amendment Bylaw No. 2018-60" and in accordance with Section 475 of *Local Government Act*, Council considers whether early and on-going consultation, in addition to the required Public Hearing, is necessary with:

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

AND THAT it is determined that the public consultation completed to date and the Public Hearing is sufficient consultation;

AND THAT "Official Community Plan Amendment Bylaw No. 2018-60", a bylaw amends OCP Bylaw 2002-20 to include 3200 Evergreen Drive (Bluffs at Skaha) by:

- Amending Schedule "B" Future Land Use;
- Amending Schedule "H"' Development Permit Areas";
- Replaces in its entirety: Schedule "M" Wiltse Area Structure Plan and Schedule "E" Hazard Lands;

be given first reading and be forwarded to the September 4, 2018 Public Hearing.

Zoning Bylaw Amendments

THAT "Zoning Amendment Bylaw No. 2018-61", a bylaw that:

- Adds the following zones to Lot 1, District Lot 190 and 2710, Similkameen Division Yale District Plan KAP7449 located at 3200 Evergreen Drive: R1 (Large Lot Residential), RM1 (Bareland Strata Housing), FG (Forestry Grazing) and P2 (Parks and Recreation);

- Adds as a site specific zoning amendment to the FG (Forestry Grazing) zone on 3200 Evergreen Drive to allow for two single family residences and a 20 room tourist accommodation resort with a maximum floor area of 1850 m^2

be given first reading and be forwarded to the September 4, 2018 Public Hearing.

Development Cost Charge Bylaw Amendments

THAT "Development Cost Charges Amendment Bylaw No. 2018-62", a bylaw to amend 'Sector Map A' of "Development Cost Charges Bylaw 2007-79", to include 3200 Evergreen Drive in the Periphery DCC Area, be given first, second and third reading and, in accordance with Section 560 of the *Local Government Act*, the bylaw be forwarded to the Inspector of Municipalities for approval prior to adoption.

Executive Summary

This report speaks to proposed amendments to the City Official Community Plan (OCP) as part of the inclusion of the Wiltse South Block (Bluffs at Skaha) into the City boundary. The land use plan reflected in the OCP changes were developed through extensive public consultation with an emphasis on natural preservation and maintaining public access to the Skaha Bluffs recreational area. This report outlines a proposal to ensure that adequate zoning is in place on these lands to allow for the subdivision and ultimate development of the lands in accordance with the vision outlined in the boundary adjustment application. This report also proposes to include the lands in the City's domestic water area and sanitary sewer service area. This is required to provide these services to the new development lands. Finally, the report proposes to include the area in the Development Cost Charge Bylaw. This will ensure that any development pays adequate fees to the City for citywide infrastructure improvements.

Strategic priority objective

The subject application is aligned with the Council Priorities of Community Building, Economic Vitality and Environmental Sustainability. The subject area has long been identified as a future growth area for our city, adjacent to existing residential areas in our community.

Background

Wiltse Area Structure Plan

The subject lands are located in Penticton's eastern hillside and are currently vacant. In 2014, Council approved the "Wiltse Area Structure Plan" (ASP). The ASP establishes the direction for future development of the Upper Wiltse Flats, a future growth area identified in the Official Community Plan. The ASP was created through a comprehensive planning process, involving extensive public engagement, environmental oversite and attention to the impact on existing City services and infrastructure. The area covered by the plan consists of 630 acres of land with approximately 330 acres within the North Block and the remaining 300 acres called "Bluffs at Skaha" recently annexed through a boundary extension process.

The "Bluffs at Skaha" is located at the southern end of Evergreen Drive. At build out, between the two development blocks of the ASP, an approximate 800-850 new residential units are proposed, servicing an estimated population of approximately 1,600 persons. The current plan envisions approximately 180 of those units in the "Bluffs at Skaha".

Presently, the ASP shows a mixture of land uses for the subject lands. The plan shows an extensive natural area, 159 acres (+/-) that will form part of a voluntary donation for expansion of the provincially owned Skaha Bluffs Park. Other uses in the plan show clustered single-family development, parkland and multiple family sites. The plan features a mixture of land uses and was developed with a vision towards respect for the environment, through retention and restoration of natural areas.

As the subject lands are now officially in the City limits, a number of amendments are required to include the lands in the OCP, zoning and other applicable City policy documents and bylaws. The proposed amendments generally conform to the approved Plan. Some minor changes are proposed including:

Proposed OCP Changes
Currently the land has not been incorporated in the Land Use plan of the OCP. The following OCP designations are proposed for the property (as shown on the Schedule "B")

- Low Density Residential(LR)
- Medium Density Residential(MR)
- Parks and Trails(PR)
- Forestry Grazing(FG)

In addition to the change in OCP future land use designations, this Bylaw will also amend the development permit area maps in two ways. Firstly, the sites that are designated for multiple housing development will be placed in the General Multiple Family Development Permit Area. This will assist in protecting the form and character of the multi family sites as well as landscaping. Secondly, the property is included in an environmental development permit area and hillside development permit area that will include provisions for tree protection.

There are also a number of small changes required to the existing Wiltse Area Plan including:

- Removal of references to the South Block being located in the RDOS;
- Designation of the southern 159 acres (+/-) from Conservation/Protected Area to Parks and Trails(PR) . These lands are part of a voluntary donation for expansion of the Provincial Skaha Bluffs Park;
- Designation of the northeast 77 acres (+/-) from Conservation/Protected Area to Forestry Grazing (FG). This is a proposal for one large rural lot. Two residences and potentially a small tourist accommodation, up to 20 rooms, are proposed on this portion of the site. The vast majority of the land will remain undeveloped and in its natural state. The tourist accommodation use is intended to have an "ecotourism" focus, geared toward users of the adjacent climbing bluffs;
- Designation of most of the medium density site in the south block to low density residential as well as an expansion of the developable area. The Low Density designation includes 106 single family lots, and 17 bare land strata lots;
- Preserving 2 multiple family townhouse developments totalling 57 units;

- Revised Parks and Trails system in the development area by adding more trails connection to the proposed park expansion;
- Add a subsection to Section 9.0 Environmental Protection Policies, Section 14.1 Environmental Protection Development Permit Area and the DPA Map Figure 18A for the South Block. These amendments are to reflect a revised Environmental Impact Assessment and a subsequent report to address Species At Risk recovery strategies;
- Add Tree Protection guidelines in the Hillside Hazard Development Permit Area;
- Amending Figures 12 and 13 (Concept Plan and Land Use Designation) to reflect the revised development layout.

Proposed Zoning Bylaw Changes

At present, the land is still subject to the RDOS Official Community Plan Bylaw and Zoning bylaw. Since the subject property is now officially part of the City of Penticton, the following zones, contained within the City of Penticton Zoning Bylaw, are proposed for the development lands:

- R1 (Large Lot Residential)
- RM1(Bareland Strata Housing)
- P2 (Parks and Recreation) Parks and Fortis power line right-of-way, within the residential area and the expansion of the Skaha Bluffs Provincial Park.
- FG(Forestry Grazing)
- Site-Specific amendments to the FG (Forestry Grazing) zone – for the large77 acre parcel including the following:
    - The site specific zoning amendments will provide for two single family residences.
    - A 20 room tourist accommodation will also be permitted with a maximum floor area of 1850 m^2.
    - The two dwellings and future commercial accommodation will only be permitted in a limited "Developments Area" shown on the Zoning Map.
    - The remainder of the site would remain undeveloped.

Proposed DCC Bylaw Change

Currently, the property is not included in the Development Cost Charge Area of the City. Staff proposed to include the subject land in the City of Penticton Periphery DCC area. The changes proposed are limited to updating the Development Cost charges map to include the area in the periphery area. The Development Cost charge amount is not being altered by this bylaw, as the units being developed are already accounted for in the Bylaw.

Public Open House

As part of the plan development process, the developers held a Public Open House at the Wiltse School. The open house was held in January 2018 and attended by approximately 30 people. The Open House was advertised in the local newspaper and letters were sent to all residences in the surrounding neighbourhoods. While the overall tone of the Open House was positive, attendees brought up several

concerns that they wished to see addressed as development occurs. A survey was also made available for attendees to fill out.

A synopsis of the Open House is attached to this report (Attachment I), but the main concerns that were brought up, included traffic, construction disturbance, environmental preservation and access to Skaha Park. The following table outlines how these issues have been addressed through the refinement of the ultimate plan:

Item	How the issue has been addressed
Traffic generated by the development	A traffic study was undertaken as part of the original ASP. The proposed land use plan is relatively less density than the ASP therefore further traffic analysis was not necessary.
Construction disturbance	As with any development, there will be some disturbance to the existing residences on Evergreen drive. The development will happen in phases and mitigation will be undertaken to reduce the impact.
Environmental concerns	Additional Environmental Assessments were conducted to develop detailed environmental development permit guidelines as well as the inclusion of tree protection in the hillside development permit guidelines
Parks and trails	Park donation is proposed along with a trail connection to the proposed extension to Skaha bluffs.

The subject lands were part of a community engagement process for the annexation over the past year. On April 6, 2017, a public open house on the proposed annexation and development plan was hosted by the proponents and their consultant at the Penticton Community Centre. Forty-three people attended the event, 12 of whom filled out comment forms. The majority were satisfied with the proposed land use changes. The greatest concerns that were identified focused on the need to protect the natural areas and features in the Wiltse South Block, and to ensure future recreational and wildlife access. Also noted were concerns about traffic impacts on both Valleyview Road and Pineview Road, the access points to the new development.

First Nation Consultation

The Penticton Indian band has been working closely with the developers throughout the planning process. A preliminary field reconnaissance report was completed by the PIB for the entire site. This was followed up in 2017 with an Archeological Impact Assessment for the northern 19.7ha of the site. The assessment recorded two new sites and four Coyote Boulders. The developers and their consultants have been working collaboratively with the PIB's Natural Resources division to ensure all artifacts and cultural heritage implications of the development are adequately addressed.

Environmental Consideration

The subject property is home to a number of blue and red listed species listed by the British Columbia Conservation Data Centre. Overall, the subject property is characterized by mixed grassland and open woodland with rock outcrop, cliff, talus and scattered small pockets of moist micro-climate, and wetlands. A Biophysical Inventory and Environmental Sensitivity Analysis guided the conceptual planning and design of the original Wiltse Area Structure Plan (ASP). The Plan identified four levels of environmentally sensitive areas. The applicant has submitted an updated and refined environmental assessment that guided the proposed land use changes. In responses to the Federal Species At Risk Act recovery plan for the Lewis Woodpecker and Dessert Night Snake, Gopher Snake and Rattle Snakes, the developer was directed to revise their Environmental Impact Assessment to the satisfaction of Environmental and Climate Change Canada, the federal division responsible for managing species at risk. The revised environmental assessment has adequately addressed the concerns that Environment Canada originally had and features a number of conditions that include best practices during construction and environmental oversite of the project. These recommendations will form part of any subdivision, development permit and building permit approvals.

Park Donation to BC Parks

The Upper Wiltse Area Structure Plan recognized the ecological value of large areas of this property, which are adjacent to Skaha Bluffs Provincial Park. Recognizing the importance of the climbing areas on the subject lands, the developer has undertaken the first few steps in the process of a voluntary dedication of a significant proportion of the land, which will ultimately be included as part of Skaha Bluffs Provincial Park. Staff see this as a unique opportunity to preserve and sustainably manage a valuable ecological and recreational asset and was one of the major discussions points through the recent boundary adjustment process. BC Parks staff have identified areas with very high ecological value on these lands with hiking/biking trails and actively-used climbing bluffs throughout the southern half of the block. The voluntary donation process involves the subdivision of the land that will thereafter be consolidated with the existing park. This process will take several months, however at this time, BC Parks have provided a preliminary letter of support as shown on Attachment "J" that ensures the process is underway.

Servicing

With a development of this scale, early and ongoing consultation between the developer's Engineering team and the City's Development Engineering Department is vital. Discussions have been ongoing prior to applications being made. As with any greenfield development a full infrastructure plan dealing with the provision of domestic water, sanitary sewer services, an integrated road network, storm water management and electrical and communication infrastructure needs to be created.

In this case, the Wiltse Area Structure Plan identified a general concept for these needs. While detailed plans have not been created yet, a concept plan has been submitted to the City's Manager of Infrastructure Development for review showing how the development will be serviced and impacts on the City's system. Once zoning is in place, detailed design work will commence. The following represent an overview of the initial findings:

Water

Water for the initial development will proceed by upgrading the pumps at the Gordon Reservoir Booster station on Crow Place at the southern end of Evergreen Drive near Penrose Court. The extent of the initial development would be limited to roughly 40 lots to ensure the capacity of the Gordon Booster is not exceeded.

Further development would require the construction of a reservoir and transfer line from Carmi reservoir as outlined in the Wiltse Area plan. The current expectation is that this ultimate system will be constructed as part of the development of the "North Wiltse" properties (850 Wiltse boulevard). The city is working with the owners of the property to refine the servicing option proposed in the Wiltse Area Plan to confirm the viability, staging and ultimately the costs to the developer. The expectation is that all benefiting properties will pay for their portion of the ultimate solution. The City is in the process of working out the preferred funding scheme for this whether this is a form of Development Cost Charge or another tool. The City has been working with the developer on this and Staff will be presenting Council with the preferred funding scheme once it has been determined. It is expected that solutions may trigger a need to include cost recovery methods within the DCC Bylaw.

Sanitary

A gravity sewer will main extension from the existing main is Evergreen Drive will be constructed for the initial development of the "Bluffs at Skaha" which include roughly 40 lots. Further development to the south and down slope that will occur in future stages of the developer will require a gravity sewer system draining to a lift station or the construction of a gravity sewer connection through Crescent Hill Road to Lee Avenue.

Storm

In accordance with the bylaw the development is planning to have onsite water disposal for the planned lots, and a piped system to collect and dispose of water from the roads. The stormwater management system accommodating up to the 1:5 year return storm event will be required for the initial development of the subject land for the first 40 or so lots. This piped system will connect into the existing storm system at Evergreen Drive. Further development to the south would require a piped gravity storm system draining to detention ponds or tanks that discharge through Crescent Hill Road.

Financial implications

The financial analysis completed through the municipal boundary adjustment process indicated that the proposed development will yield an estimated $42M (in 2016$) in tax revenue over 60 years, of which approximately $27M would be municipal taxes, once build-out of the development occurs. The costs of maintaining infrastructure and servicing the development in that period are estimated at $17M, leaving just under $10M to support citywide services. The conclusion is that this development would be self-sustaining financially and will not pose a burden on the City's finances. This outcome is in large part due to the area's adjacency to an existing neighbourhood and services.

Analysis

Support OCP and Zoning Bylaw Amendments

The proposed development strategy for the subject lands is generally in conformance with the original Wiltse Area Structure Plan. The major change has to do with the fact that the plans no longer show commercial development and include less multi-family development then originally envisioned.

The proposed plan is reflective of a good planning process, with the developer seeking public input prior to finalizing plans and incorporating those findings into the final designs. The outcome is a plan that preserves a large portion of the land as a natural area, provides a mixture of land uses and is compatible with neighbouring development.

The development meets the following policies and principles of the City's Official Community Plan and Wiltse Area Structure Plan:

- Facilitating the provision of a variety of housing types, tenures and densities that will respond to the diverse needs, including income levels of individuals and families in Penticton at varying stages of their life.
- Developing new neighbourhoods that are considerate of the environment and of important habitat.
- Developing neighbourhoods that have a feeling of community, incorporating the following elements: parks, green spaces, trails and natural areas, a mixture of housing types, pedestrian orientation.
- Implementing multi-use trails.
- Urban services will be provided concurrent with development.

Given that the development is in general conformance with the plan and represents good planning practice, staff are recommending that Council give first reading to the OCP and zoning amendment bylaws and refer the bylaws to the September 4, 2018 Public Hearing for comment from the public.

Deny / Refer OCP and Zoning Bylaw Amendments

Council may feel that the proposed development plan is not adequate for the lands in question. If that is the case Council may wish to deny first reading of the Bylaws. Alternatively, Council may feel that further conditions are warranted prior to approval.

Alternate Recommendations

1. THAT Council deny first reading of "Official Community Plan Bylaw No. 2018-60 and Zoning Amendment Bylaw No. 2018-61".
2. THAT Council send application 2018 PRJ-010 back to staff to work with the proponents on changes to the development scheme as directed by Council.

Attachments

Attachment A:	Subject Property Location Map
Attachment B:	Zoning Map –proposed
Attachment C:	OCP Land Use Map – proposed
Attachment D:	OCP Map Schedule "E"
Attachment E:	DCC Map
Attachment F:	Letter of Intent
Attachment G:	Public survey
Attachment H:	Letter from BC Parks
Attachment I:	Official Community Plan Amendment Bylaw No. 2018-60
Attachment J:	Zoning Amendment Bylaw No. 2018-61
Attachment K:	Development Cost Charge Amendment Bylaw No. 2018-62

Respectfully submitted,

Audrey Tanguay
Senior Planner

DDS	A/CAO
AT	LD

Attachment A– Subject Property Location Map

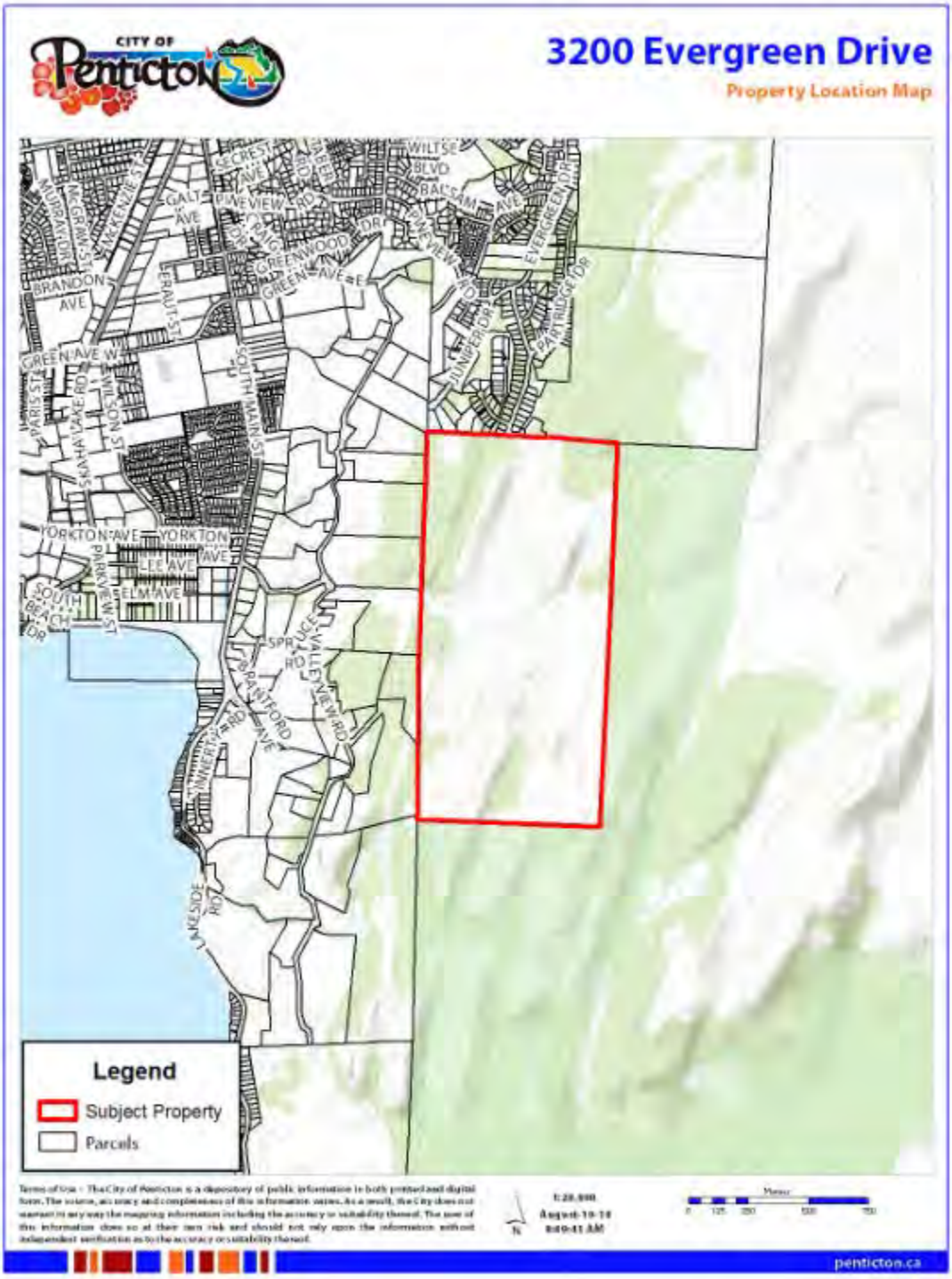


Figure 1: Subject Property Location Map

Attachment B – Proposed Zoning Map

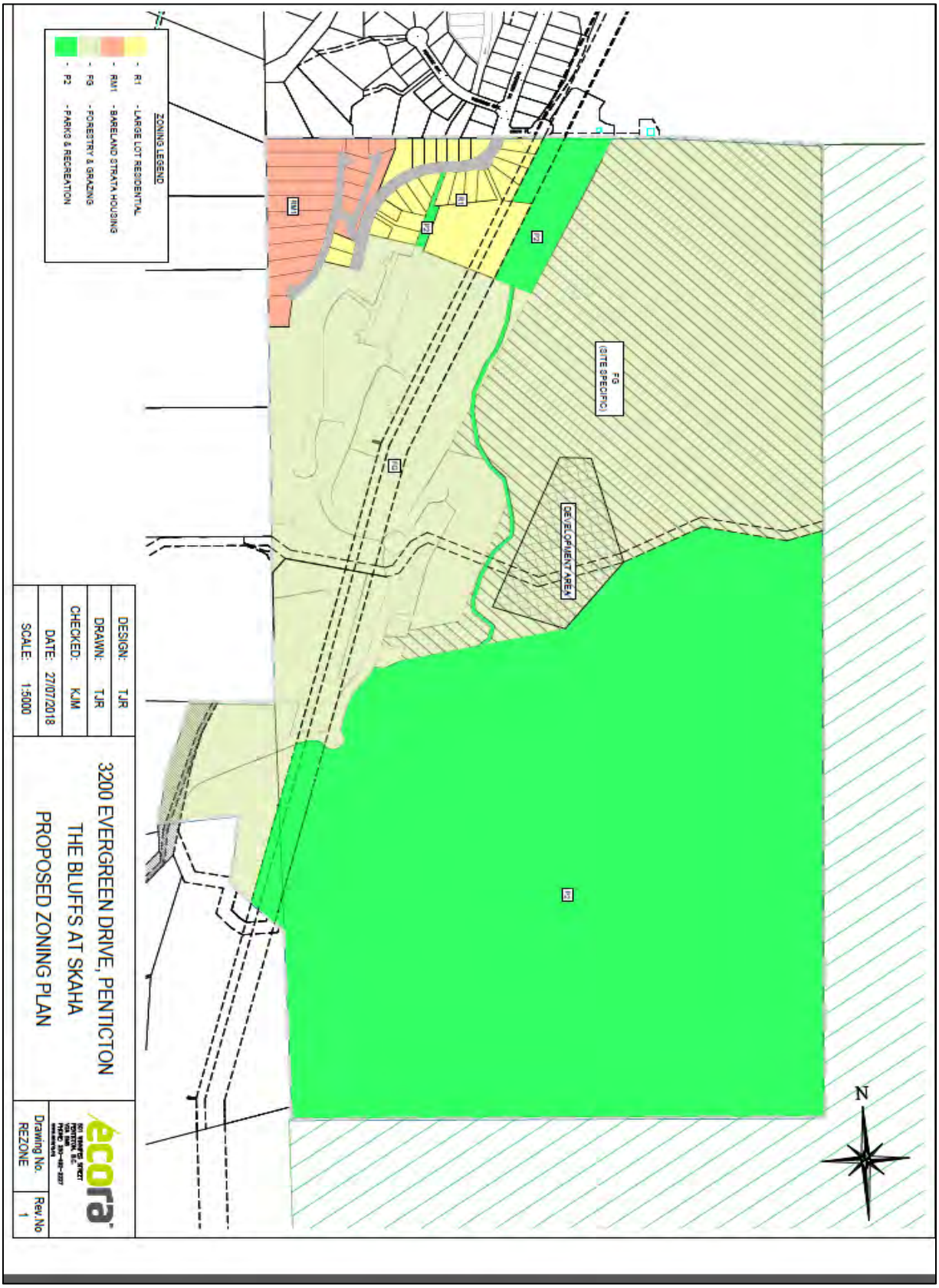


Figure 2: Proposed Zoning Map

Attachment C- Proposed OCP Map



Figure 3: Proposed OCP Land Use Map

Attachment D- OCP Map Schedule “E”

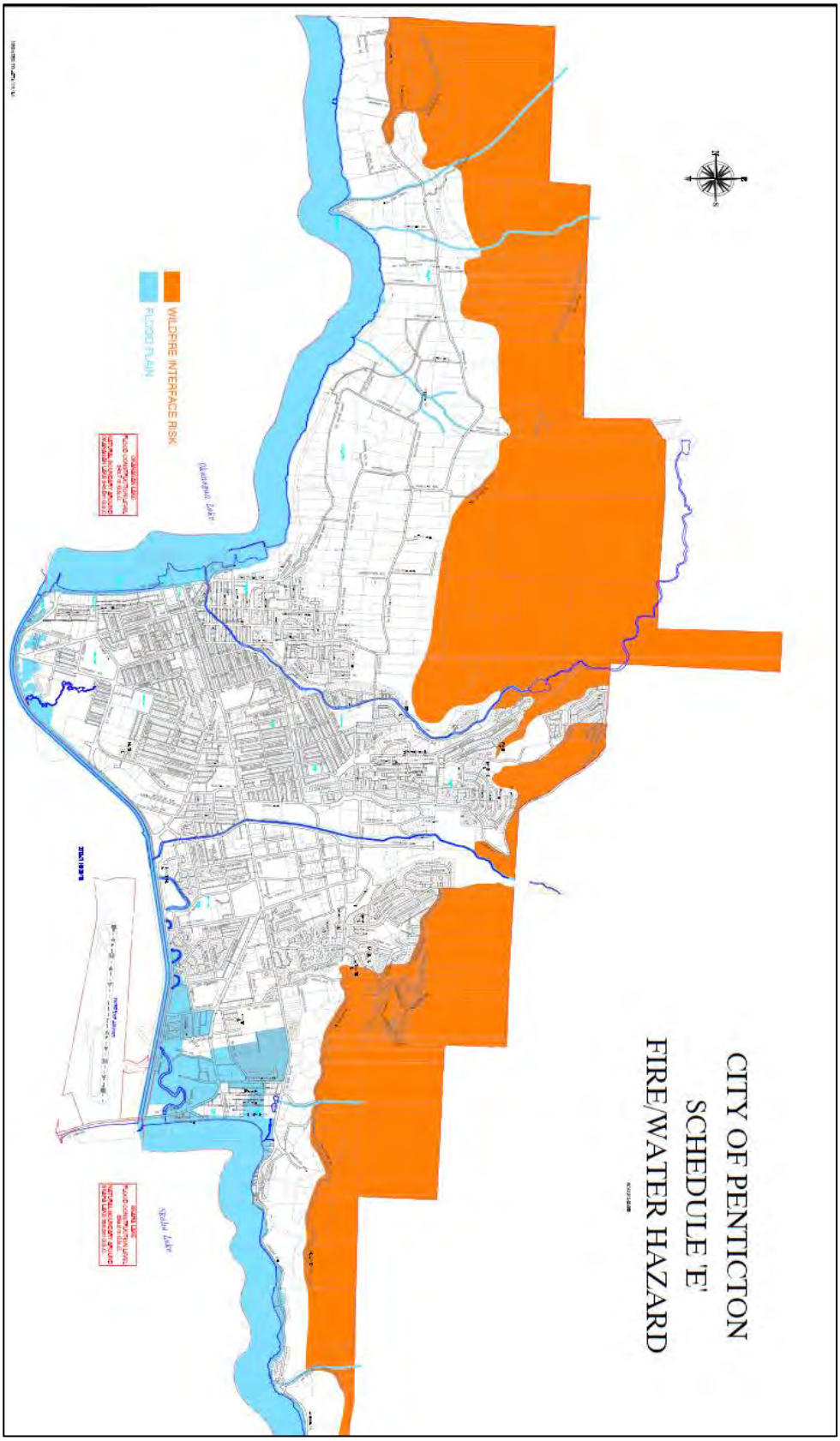


Figure 4: Schedule “E” Hazard

Attachment E –DCC Map

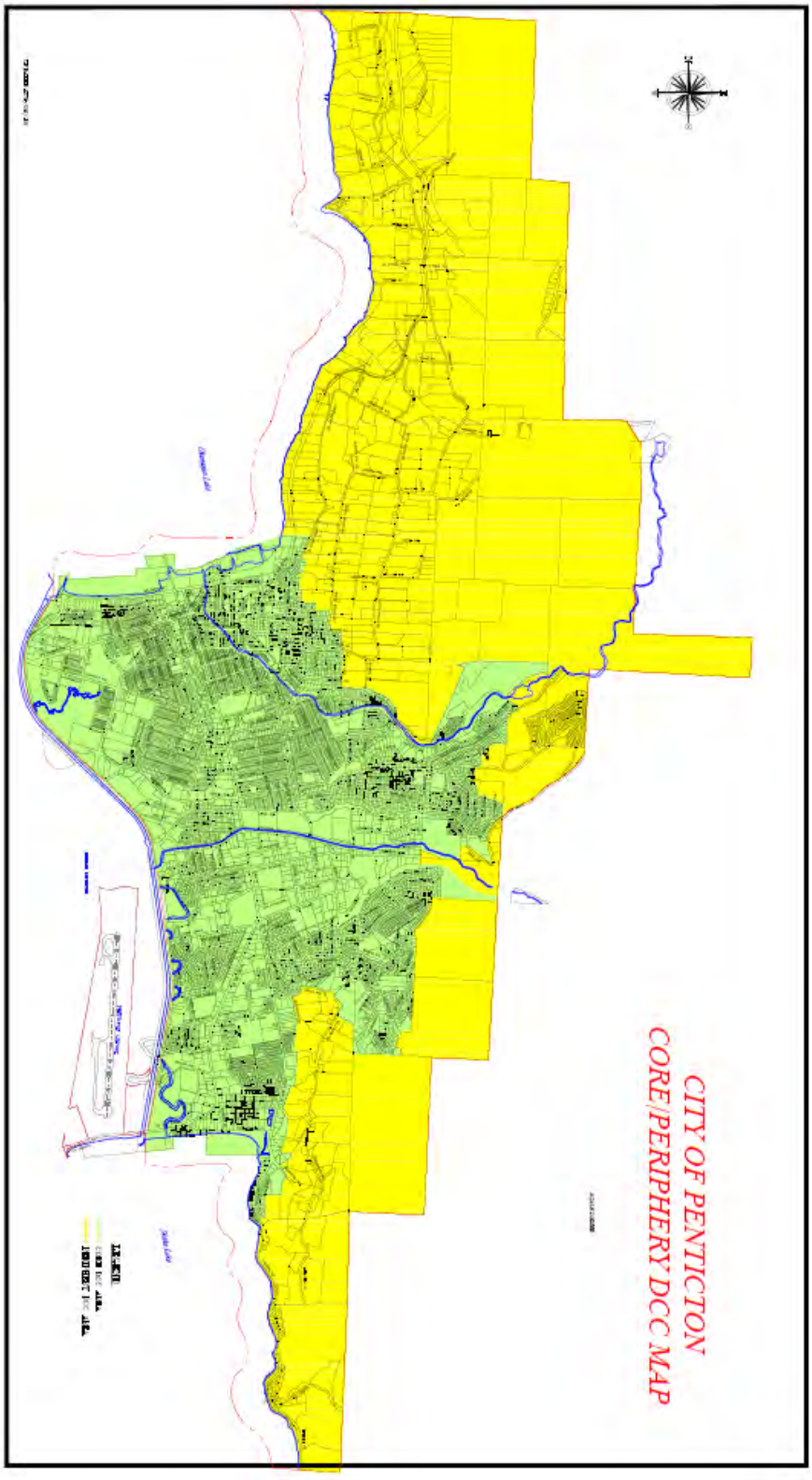


Figure 7: Core/Periphery DCC

Attachment F- Letter of Intent

ecora™
a resourceful company

July 5, 2018

Ecora File No.: 16-358

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

Attention: **Planning Department**

Reference: **Adoption of Wiltse Area Structure Plan, with amendments and Rezoning of 3200 Evergreen Drive Road (South ½ of the East ½ of District Lot 3821s SDYD Except Plan 24178) to R1, R2, RM1, RM2, P2 and FG; and Amendments to Official Community Plan Bylaw No 2002-20 to Schedule E Hazard Lands and Schedule H Multiple Family Development Permit Areas; and Amendment to Zoning Bylaw to rezone 21 acres in the City from A, Agriculture to R1, Large Lot Residential**

Background

The 321 acre subject property is located at the southern end of Evergreen Drive. Three hundred (300) acres have very recently been subject to a boundary expansion and are now incorporated into the City of Penticton. Twenty-one (21) acres of the parcel are located within the City boundary in the upper Valleyview Road area (3952 Valleyview). These lands were included in the Wiltse Area Structure Plan adopted in 2014 as the South Block – now called the "Bluffs at Skaha". At present the newly annexed land is subject to the RDOS Electoral Area D-2 Community Plan and is designated as LH, Large Holdings. With the amendments proposed in this application, the Area Structure Plan will be formally adopted and the lands rezoned to come under municipal land use bylaws.

First Nations Consultation

The Penticton Indian Band has been working closely with the Owners and Ecora throughout the development planning process. The owners initially contacted the PIB who carried out a Preliminary Field Reconnaissance report for the entire 38 ha site. This was followed up in 2017 with an Archaeological Impact Assessment prepared by the PIB consultant, 4 Seasons Heritage Consulting and

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Band technicians for the northern 19.7 ha of the Bluffs at Skaha site. This AIA was authorized by a permit issued by the Heritage Branch. The Assessment recorded 2 new sites and four Coyote Boulders. Ecora worked with PIB, with input from Elders, to deal with culturally significant features.

In 2018 the Heritage Branch approved an Alteration Permit for land–altering activities associated with the subdivision. This permit process included a referral to 6 First Nations Band offices. In addition, for the City boundary expansion process, the Ministry of Municipal Affairs and Housing sent out referrals to 7 First Nations offices.

Public Consultation

Three Public Meetings were held in the fall of 2017 related to the proposed boundary extension of the South Block lands into the City. In January 2018, an Open House for the new development proposal for property was held at the Wiltse School. About 30 people attended and 5 questionnaires were completed. Some concerns about traffic, parks and trail connections and the impacts of construction were mentioned, but overall the response was favourable. Meeting report is attached.

Application

An application for Area Plan and Zoning Amendments for the South Block (Bluffs at Skaha) was submitted in December 2017. Since then a number of events have occurred necessitating a modified approach that will be outlined in detail in the following letter. In particular, response to the Federal Species At Risk Act recovery plans for Lewis Woodpecker and Snakes has required a revised Environmental Impact Assessment Report and a loss of development area and number of units.

The new land owner is proposing a revised development concept, attached, with a greater emphasis on single family units and a reduced number and density of multiple family units. The existing ASP provides for 20 single family units and 180 multiple family units on the Land Use Designation Map. The revised plan is for 106 single family, 17 bare land strata lots and 57 multiple family units – 180 units.

Servicing

Water: With respect to the Wiltse South Block, water for an initial development could proceed by upgrading the pumps at the Gordon Reservoir Booster station on Crow Place at the southern end of Evergreen Drive near Penrose Court. The elevation at the end of Evergreen Drive in this location is 526 m. Because the land rises quickly to the south, the extent of the initial development would be limited to about 40 lots.

Further development would require the building of a reservoir. If the North Block developed first, then a connection to the supply main from the North Block reservoir would be required for further development in the South Block. If the North Block did not develop first, then the South Block would be

required to build a reservoir. Such a reservoir could be supplied by boosting from the existing Crow Place booster station with upgraded pumps. The Pumping capacity limit would be determined by the constraints within the existing 555 Pressure zone (PZ555) relating to existing pipe size, available flow and pressure.

Sanitary: A gravity sewer will service the initial development of South Block for the contemplated lots between elevation 526 m at Evergreen Drive and Crow Place and elevation 550 m – this includes the first 40 or so lots of the development.

Further development to the south and down slope from elevation 550 m would require a gravity sewer system draining to a lift station. A force-main from this lift station would return the sewage collected from this future developed area and discharge it to a Manhole at elevation 550 m for gravity flow of the collected sewage into the existing sanitary sewer on Evergreen Dr. Alternatively a connection down to Valleyview Rd may be a consideration, with a connection from Valleyview down to South Main via Crescent Hill.

Storm: A piped system accommodating up to the 1:5 year return storm event will be required for the initial development of the South Block for the first 40 or so lots between elevation 526 m at Evergreen Drive and Crow Place and elevation 550 m. This piped system will connect into the existing storm system at Evergreen Drive and Crow Place. The 1:100 year return storm event will be contained with the right-of-way and flow into a storm detention tank adjacent to and south of the Evergreen/Crow intersection. Storm water from the tank would be released into an existing gully at the 1:5 year pre-development flow rate. This gully flows south towards the Crescent Hill ravine. The difference between the 1:5 year and 1:100 year storm will be stored within the tank. Events greater than the 1:100 year storm will overflow into the gully.

Further development to the south and down slope from elevation 550 m would require a piped gravity storm system draining to detention ponds or tanks. The ponds/tanks would be sized as described above. The flow from the ponds/tanks would be directed to the ravine that runs westward and adjacent to Crescent Hill. The flow into the ravine would be limited to the 1:5 year pre-development rate.

Development beyond the water-shed of the Crescent Hill ravine would require a connection to Valleyview Rd and, where possible, would utilize existing east-west gullies. A piped and ponded storm system with a release limited to the 1:5 year pre-development rate would be constructed.

OVERALL AREA STRUCTURE PLAN AMENDMENTS

In this application, there are a number of Area Plan amendments being proposed that will also impact on the North Block lands, comprising 330 acres in the Upper Wiltse area. These amendments are mainly housekeeping items related to removal of Comprehensive Development Zoning and fine tuning of Development Permit Areas and Guidelines. These changes have been reviewed with the owners of

the North Block who concur with the proposed amendments – there is no impact on the scope of development outlined in the Area Structure Plan for the North Block. These general amendments are discussed below:

Comprehensive Development Zoning: The WASP establishes a Comprehensive Development (CD) Zoning scheme to regulating development. The CD approach involves creation of Site Specific Zones for Low and Medium Density development, the upper Benchlands and Conservation / Park uses. This is an overly complicated approach that is not necessary, as the City's Zoning Bylaw has a variety zones that would be appropriate in this area.
It is proposed to delete the section of the WASP referring to CD Zoning and Figure 17.

Wildfire Interface Development Permit Area: The WASP created a new DPA for Wildlife Interface, requiring permits at the time of subdivision and at building permit stages. This is a duplication of the well-established process used by the City Planning Department outlined in Section 3.2.6, Hazard Land Policies, of the Community Plan and adds an unnecessary regulatory layer.
It is proposed to delete this Wildfire Interface DPA and Figure 19.

MFR and Commercial Development Permit Area: The Area Plan provides a set of guidelines for multiple family and commercial development. At this time, it is suggested that this DPA be removed from the South Block only (shown on Figure 21) and replaced with City-wide guidelines.

SOUTH BLOCK AREA STRUCTURE PLAN AMENDMENTS

Most of the Wiltse Area Structure Plan remains as is and provides good direction for many aspects of the development of the neighbourhood. The key changes include to the Area Plan for the South Block includes:

- Removal of references to the South Block being located in the RDOS
- Redesignation of the southern 159 acres (+/-) from Conservation/Protected Area to Parks and Trails – a voluntary donation for expansion of the Provincial Skaha Bluffs Park. Addition of revised Parks and Trails in the development area.
- Redesignation of the north east 77 acres (+/-) from Conservation/Protected Area to Hillside Holdings – a proposal for 1 large rural lot. Two residences and potential small resort, up to 20 rooms are proposed on this large site, with the vast majority of the lands to be undeveloped and in a natural state. The resort will have an eco / agri tourist focus. A wildlife corridor identified in the eastern edge of the property will be addressed in the Environmentally Sensitive Development Permit.
- Redesignation of most of the Multi Unit lands to Single Family Residential as well as an expansion of the developable area. Low density units include 106 single family, and 17 bare land strata lots.
- Maintaining 2 multiple family townhouses developments totalling 57 units

- Add a subsection to Section 9.0 Environmental Protection Policies, Section 14.1 Environmental Protection Development Permit Area and the DPA Map Figure 18A for the South Block. These amendments are to reflect a revised Environmental Impact Assessment and a subsequent report to address Species At Risk recovery strategies.
- Add Tree Protection guidelines in the Hillside Hazard DPA.
- Amending Figures 12 and 13 (Concept Plan and Land Use Designation) to reflect the revised development layout. Adding the existing trail between Crow Place and Skaha Bluffs Park on Figure 18B as well as revised parks and trails in the development.

The list of amendments to the Wiltse Area Structure Plan is attached to this letter.

CITY-WIDE COMMUNITY PLAN AMENDMENTS

- Further to the discussion on Wildfire Interface DPA it is proposed amend Schedule E of the Community Plan to add the North and South Blocks as a "Wild Fire Interface Area". This will trigger the established City process to address this hazard.
- It is also proposed to add the multiple family developments sites in the South Block to Schedule H General Multiple Family Development Permit Area and remove the "Wiltse Holdings Ltd" inset maps. – Wildfire/Interface inset maps and amend the Multi-Family Commercial DPAs.

ZONING BYLAW AMENDMENTS FOR SOUTH BLOCK

Presently most of the South Block lands are still subject to RDOS Electoral Area D-2 Zoning Bylaw as LH3, Large Holdings, with a minimum parcel size of 20 ha. Twenty-one acres within the City boundary are presently zoned A, Agriculture. With incorporation into the City, the following zones are proposed:

- R1 – making up the bulk of the new lots – 86 lots
- R2 – 20 lots in the central area
- RM1 -- 17 bare land strata units in north west section of site
- RM2 – 2 parcels in the central area for about 57 town homes
- P2 – Parks and Fortis power line right-of-way, within the residential area and the expansion of the Skaha Bluffs Provincial Park.
- Site-Specific amendments to the FG, Forestry Grazing zone – for the large Hillside Holdings 77 acre parcel. The site specific zone amendments will provide for two single family residences. A 20 room eco / agri tourist resort will also be permitted with a maximum floor area of 1850 m^2. The 2 dwellings and future commercial accommodation will only be permitted in a limited "Developments Area" shown on the Zoning Map. The remainder of the site would remain undeveloped.

To conclude, the proposed amendments to the Wiltse Area Structure Plan and rezoning of the South Block lands are consistent with the overall intent of the Plan, but with an increased emphasis on single family lots. About 230 acres or 75% of the total 300 acres area will be protected from development. Of this area a large park dedication to the Province will address a long standing issue of rock climbing on private property and provides for an expanded Skaha Bluffs Provincial Park. Development of the South Block will enhance development opportunities in the City and provide high quality view lots and a new mixed use neighbourhood.

Sincerely
Ecora Engineering and Resource Group

Donna Butler, MCIP, RPP
Senior Planner

List of Main Amendments to Wiltse Area Structure – South Block / Bluffs at Skaha

Remove references to the location of the South Block in the Regional District of Okanagan-Similkameen:
1.0 Introduction
2.0 City of Penticton policy
3.1 Location
4.3.5 Conservation / Open Space
15.0 Implementation

4.3 Land Use
- amend table and map
4.3.1 amend number of units
4.3.2 amend number of multiple family units
4.3.4 add reference to park dedication for Skaha Bluffs Park and amend parks table
4.3.7 add new section on large Rural Parcel

4.4 Residential Build Out
- amend South Block units to 123 single family and 57 multiple family units and population estimate

4.6 Parks, Open Space and Natural Features
- amend map for new local and Skaha Bluffs Parks
- amend Park and Conservation land area measurements
Neighbourhood Park – 3.0 ac
Community Park (include trails/greenway) – 19 ac and Skaha Bluffs Park – 159 ac – total 178 acres
- amend Park Allocation table
- add discussion of Skaha Bluffs Park expansion

5.0 Residential Policies
- add new section on Hillside Holdings Development

7.0 Parks, Open space,
- include policies on Skaha Bluff Park dedication

9.0 Environmental Protection Policies
- add a sub-section to reflect revised Environmental Impact Assessment for the South Block

13.0 Comprehensive Development Zoning

- delete section

14.1 Environmental Protection Development Permit Area
- add updated ESA information and Map schedule

14.2 Wildfire Interface
- delete section

Map Schedules to be amended or deleted

Figure 8: Core Sensitive Areas
Figure 11B: Proposed Parks and Open space
Figure 12: Concept Plan
Figure 13: Land Use Designation
Figure 17: Comprehensive Development Zoning
Figure 18: Environmental Protection and DPA
Figure 19: Wildfire Interface DPA
Figure 20: Hillside Hazard DPA
Figure 21: Multi-Family and Commercial DPA

a resourceful company

May 8, 2018

Ecora File No.: CP-15-5287-CUZ

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

Attention: **Planning Department**

Reference: **Community Plan Amendment from LR to MR and Rezoning from RD1 to RM2 for the southern portion of Lot 1, DL 2710, Plan 21103, located at 1830 Ridgedale Drive (Phase 2 of The Ridge Development)**

This letter is to accompany an application to rezone a portion of Lot 1, DL 2710, Plan 21103 from RD1 to RM2. The subject property is located in the Upper Columbia Heights Neighbourhood Plan Area in the eastern hillsides of Penticton. The property, a former gravel pit, is addressed from Ridgedale Drive, but is accessed from Lawrence Avenue.

Background:

The site is in the new development called The Ridge. Phase 1 of this development was approved in January 2018, creating 52 new single family lots and one townhouse site and park expansion in the eastern area adjacent to the Sendaro Canyon development. The second phase of The Ridge, not yet developed, is zoned for 53 R1 single family lots, and 5 duplex lots, and includes a Park and RM3 multiple family site in the south / western portion.

This application is for the 4944m^2 located along the southern boundary of Lot 1 that is currently zoned RD1.

Development Proposal:

It is proposed to zone the subject lands from RD1, Duplex Housing to RM3, Multi Family Housing for a 19 unit townhouse project. The owner is responding to increased market

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demand for townhomes in newly developing neighbourhoods. The proposed development features 3 storey 3 bedrooms units with parking in garages and an internal driveway system.

Planning Considerations:

The Upper Columbia Heights Neighbourhood Plan was adopted in 1996. This area of The Ridge is currently designated LR, Low Density Residential and it is proposed to amend the Plan to MR, Medium Density Residential as well as inclusion of the property in a Multiple Family Development Permit Area. This amendment is consistent with the Area Plan that:

- Supports a full range of housing options and diversity;
- Supports multiple family units beside the main road network and in close proximity to a Park; and
- Supports low density multiple family development up to 3 storeys in height

The subject site is across a road from a future park and an RM3 zoned multiple family property and is also close and has easy access to Lawrence Avenue.

Sincerely
Ecora Engineering & Resource Group

Donna M. Butler, MCIP, RPP
Senior Planner

Figure 10: Letter of Intent

Attachment G Public survey

Bluffs at Skaha Open House - January 18, 2018

Report on Public Comments

An Open House was held at the Wiltse School Library from 4 - 7 p.m. on January 18, 2018 There were a number of information boards showing the existing Wiltse Area Structure Plan as well as boards with proposed Area Plan amendments and rezoning, the Environmental Impact Assessment Report and upcoming development approval process. Nineteen (19) residents signed in to the meeting. Staff and consultants estimate that about 30 were in attendance.

Of the 5 questionnaires completed, 3 were from Evergreen Dr. residents and 1 from View Lane and 1 was submitted a month after the Open House from a Hastings Avenue resident.

Comments from each completed Questionnaire are summarized as follows:

1. Overall satisfaction the proposed Land Use changes to Plan and rezoning?
   - score of 1 - 2 replies (not satisfied)
   - score of 5 - 3 replies (satisfied)

2. Concerns about proposed changes?
   - No Concerns
   - Maximizing parkland and trail connections to existing trail networks
   - Concerned about additional traffic. South end road access is needed.
   - Reduction of multi family units from 180 to 70 and increase in single family to 124 lots a concern. Lack of transparency or full economic assessment associated with proposed park. There are no valid reasons for this portion to be brought into the City. Encroachment on natural areas and increasing risk of loss of life and property from forest fires on hillside

3. What is missing from the proposed Land Use changes?
   - Developer seems to be listening to concerns of local residents which is appreciated
   - It would be nice to have additional access point from Valleyview Road
   - Second road access to alleviate the additional traffic on Evergreen Drive

4. Additional comments?
   - Good job

Other verbal questions and comments from the public (with proponents reply) included:

- Development phasing. Northern 40 lots would be developed first.
- Impact on residents during construction – noise, dust and vibration from truck traffic, blasting, road and services construction. Potential of on-site gravel crushing can

significantly reduce truck traffic impacts, but acknowledges that there will be construction impacts

- Sensitive hillside development. Developers very familiar with the landscape and will minimize disturbance
- Controls on house design and appearance. Developers to have Building Scheme.

D. Butler
Ecora Engineering

Revised Feb 22/18

Attachment H Public survey

August 14, 2018 File: 98100-20/SKA-0462

SENT VIA EMAIL: audrey.tanguay@penticton.ca

Audrey Tanguay, Senior Planner
City of Penticton
171 Main Street
Penticton, BC V2A 5A9

Dear Audrey Tanguay:

Re: Skaha Bluffs Park - Proposed Land Donation

It is my understanding that the recent City of Penticton municipal boundary extension has further opened up an opportunity for a potential land donation from a private land owner to the Ministry of Environment and Climate Change Strategy (as represented by BC Parks). This donation involves the proposed gifting of approximately 64 hectares of highly sensitive wildlife habitat as well as a land area that has substantial recreational value (e.g., rock climbing and hiking) located immediately adjacent to Skaha Bluffs Park.

While I realize this proposal is still evolving, it appears to be well supported in the local community as well as being received favourably by frequent users of Skaha Bluffs Park. Should a donation to our ministry be fully realized, it would be our objective, subject to consultation requirements, to formally add the gifted lands to the Class A park at some point in the near future.

I trust that by relaying our support for continued dialogue on the donation, it will provide City staff with additional reassurance that the proposal has immense benefit to park users and local recreationalists while greatly assisting in the long-term protection of the bluffs ecosystem.

Should you have any questions or require additional information, please do not hesitate to contact our Planning Section Head (Okanagan), Keith Baric, in our Penticton office at 250-490-8260 or email at Keith.Baric@gov.bc.ca

Sincerely,

Jim Standen
Assistant Deputy Minister

cc: Keith Baric, Planning Section Head, Penticton, BC Parks

Ministry of Environment and Climate Change Strategy
Office of the Assistant Deputy Minister BC Parks and Conservation Officer Service Division
Mailing Address: PO Box 9339 Stn Prov Govt Victoria BC V8W 9M1
Telephone: 250 387-1288
Facsimile 250 387-6003
Website: www.gov.bc.ca/env

The Corporation of the City of Penticton

Bylaw No. 2018-60

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. 2018-60."

2. **Amendment:**

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

2.1 Amend Schedule 'B' Future Land Use map and designate Lot 1, District Lot 190 and 2710, Similkameen Division Yale District Plan KAP7449 located at 3200 Evergreen Drive, identified in Schedule 'A' of this bylaw, as Low Density Residential (LR), Medium Density Residential (MR), Parks & Recreation (PR) and Forestry Grazing (FG).

2.2 Amend Schedule 'H' Development Permit Area Map and include Lot 1, District Lot 190 and 2710, Similkameen Division Yale District Plan KAP7449 located at 3200 Evergreen Drive, identified in Schedule 'B' of this bylaw, in the General Multiple Family Development Permit Area, Hillside Hazard DP Area and Environmental Sensitive DP Area.

2.3 Replace Schedule 'E' Hazard Lands in its entirety with the attached Schedule 'E'.

2.4 Replace Schedule 'M' Upper Wiltse Area Structure Plan in its entirety with the attached Schedule 'M' Wiltse Area Structure Plan.

2.5 Schedule 'A', Schedule 'B', Schedule 'E', and Schedule 'M' attached hereto forms part of this bylaw.

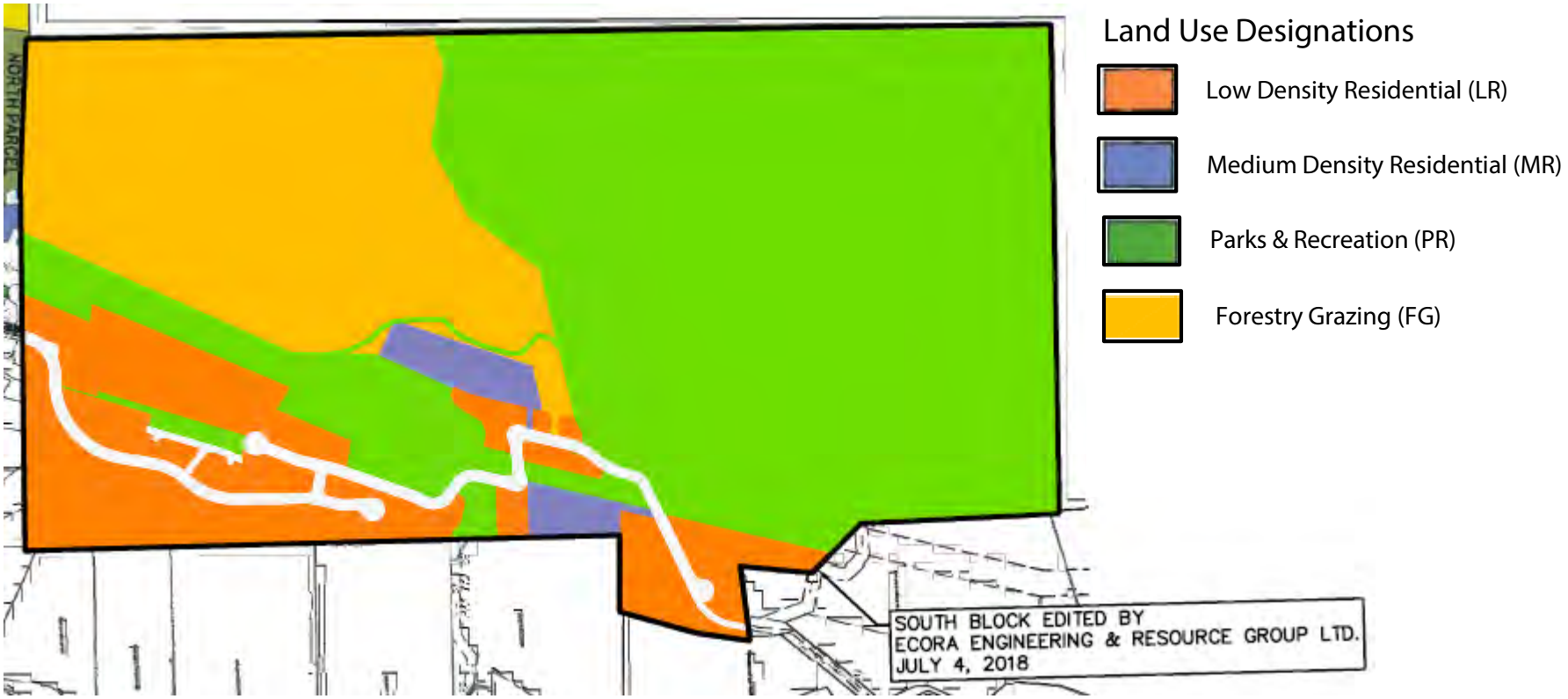
READ A FIRST time this	day of	, 2018
A PUBLIC HEARING was held this	day of	, 2018
READ A SECOND time this	day of	, 2018
READ A THIRD time this	day of	, 2018
ADOPTED this	day of	, 2018

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 'B' Future Land Use Map of OCP Bylaw 2002-20 to designate portions of Lot 1, DL 190 and 2710, SDYD, Plan KAP7449 (3200 Evergreen Dr) as 1) Low Density Residential (LR), 2) Medium Density Residential (MR), 3) Parks & Recreation (PR), and 4) Forestry Grazing (FG)

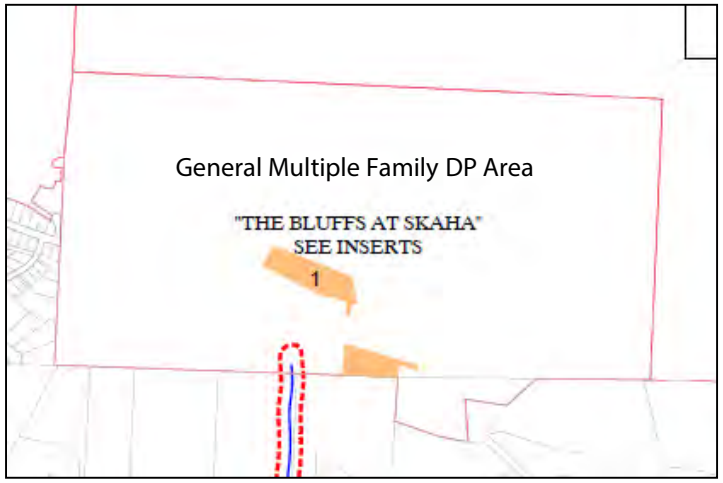


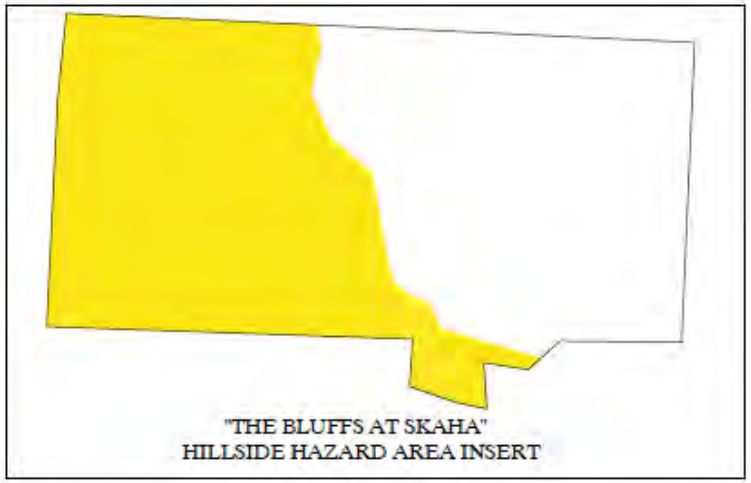
City of Penticton – Schedule 'A'

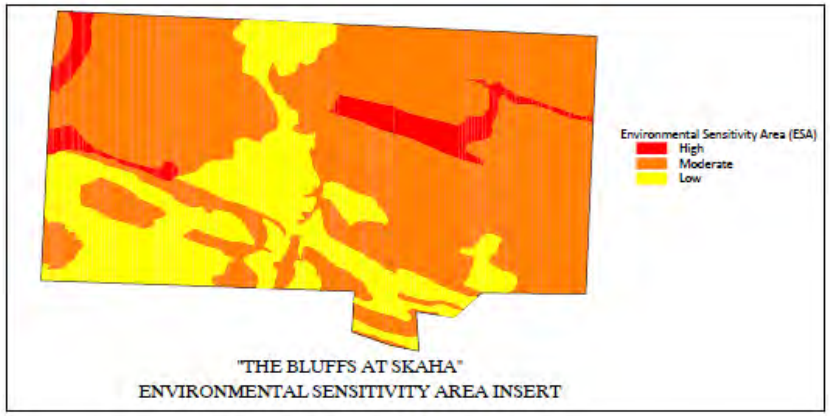
Official Community Plan Amendment Bylaw No. 2018-60

Date: _____ **Corporate Officer:** _____

Amend Schedule 'H' Development Permit Area Map of OCP Bylaw 2002-20 to include portions of Lot 1, DL 190 and 2710, SDYD, Plan KAP7449 (3200 Evergreen Dr) in 1) General Multiple Family DP Area, 2) Hillside Hazard DP Area, and 3) Environmental Sensitive DP Area.







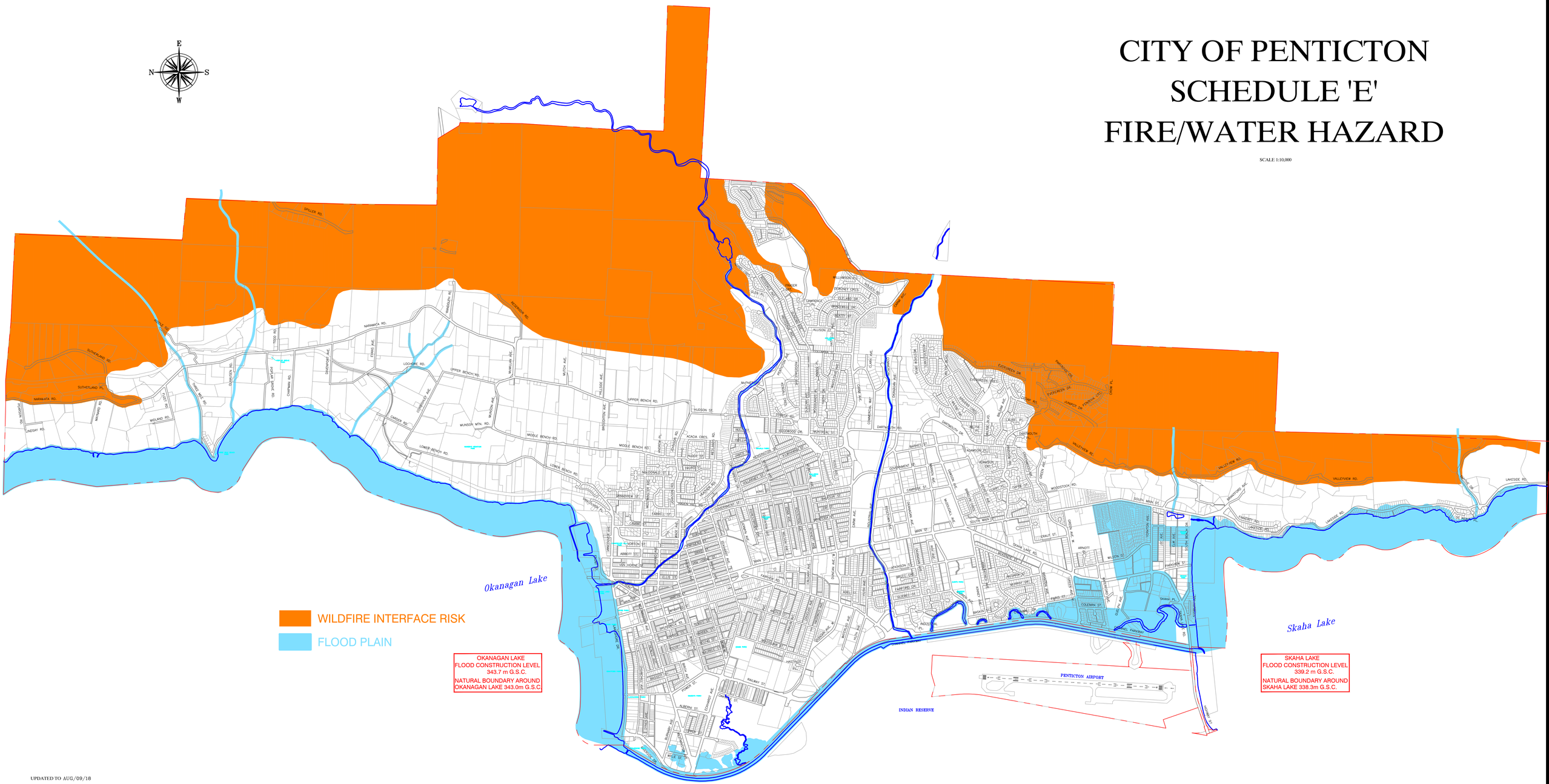
City of Penticton – Schedule 'B'

Official Community Plan Amendment Bylaw No. 2018-60

Date: _____ **Corporate Officer:** _____

CITY OF PENTICTON
SCHEDULE 'E'
FIRE/WATER HAZARD

SCALE 1:10,000



UPDATED TO AUG/09/18

Wiltse Holdings Ltd.

Wiltse Area Structure Plan – Final Report

Prepared for:

Wiltse Holdings Ltd.
Attention: Mr. Don Wiltse
2995 Valleyview Road
Penticton, BC V2A 8W8

Prepared by:

CTQ Consultants Ltd.
#500 – 1708 Dolphin Avenue
Kelowna, BC V1Y 9S4
Tel: (250) 979-1221
Fax: (250) 979-1232

Our File: 06067-40

Presented to City of Penticton – June 2014

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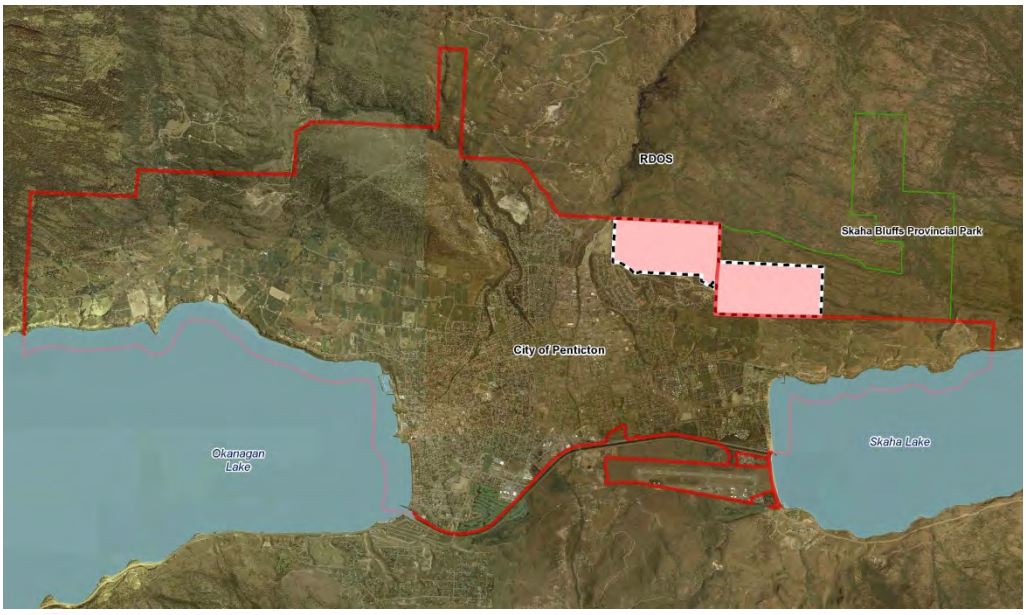
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1.0 Introduction

The Upper Wiltse Area Structure Plan (ASP) focuses on lands located on the Eastern Hillsides of the City of Penticton. The area is known as the Wiltse Plateau (or "Flats") and has long been recognized as a critical long-term supply of land to accommodate new housing for Penticton. The Upper Wiltse land is considered a logical extension of the existing residential area and an opportunity to add a new neighbourhood to Penticton. The area consists of two main parcels of land accounting for approximately 630 acres (255 hectares). Both parcels are in the City of Penticton, the South Block subject to a boundary expansion in June 2018. Although of equal size, the majority of the southern parcel is subject to steep slope terrain and environmental values. The northern parcel is considered to be the land that will accommodate the largest portion of the new development. The entire subject property forming the ASP is owned by Wiltse Holdings of Penticton, BC. Refer to Figure 2 'Context Map' and Figure 3 'Air Photo', in Appendix A.



City of Penticton
Subject Boundary
Skaha Bluffs Provincial Park
Lakes

Prior to any development being considered, the City of Penticton requires the preparation of an Area Structure Plan (or Neighbourhood Plan) to formulate a comprehensive guide for development of these (and potentially adjacent) lands. In 2008/2009 Wiltse Holdings Ltd. commissioned CTQ Consultants Ltd. (Engineers, Planners, and Landscape Architects) to prepare such a plan. During 2009 and 2010 CTQ worked with the City's Planning Department to prepare the Terms of Reference that would address all of the City's planning and development requirements for the Area Structure Plan (ASP). City Council approved the scope of work and Terms of Reference, with some minor changes, in 2010 and 2011.

The original Area Structure Plan is subject to amendments due to annexation of the South Block into the City of Penticton along with new ownership and a revised development plan.

1.1 Intent of the Area Structure Plan (ASP)

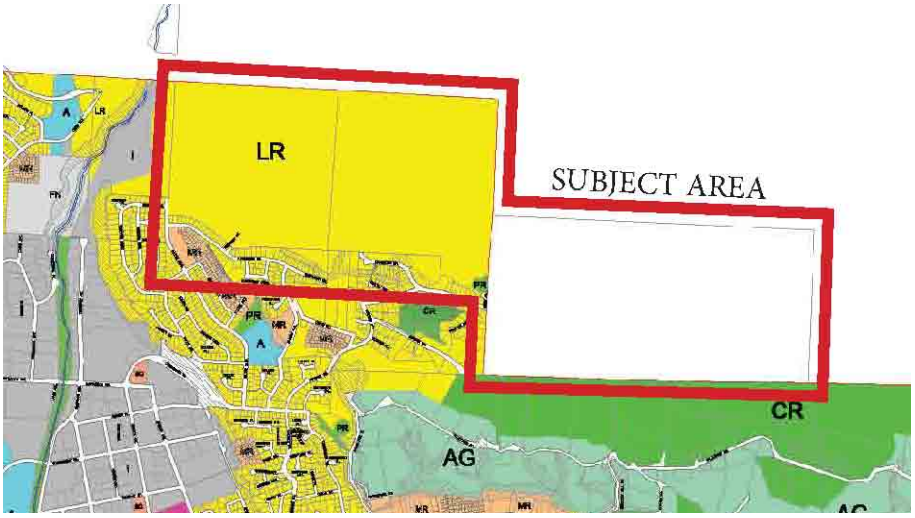
The Area Structure Plan is considered to be a planning document that provides a comprehensive but high level type of planning guide for future development and more detailed planning in a particular area or neighbourhood of the city. Paramount with this level of planning is the need to set an overall direction for land use allocation and general distribution for the lands in question. It is also necessary for the plan to offer guidance in the provision of utility services that will allow for the amount, type and location of the uses that are proposed. The ASP provides the necessary background context to the series of land use options and what is ultimately appropriate for the lands and its relationship to the remainder of the City.

The overall intent of the ASP is to give City Council the confidence to move forward with an amendment to the Official Community Plan and subsequently rezoning to permit the land uses and development pattern as proposed. The ASP takes many factors into consideration, allowing a very comprehensive evaluation by Council and the public to ensure that it will meet the planning principles of the City of Penticton. A series of policies have been formulated to address these principles and establish a framework for development. Some of the many policy areas that are included are as follows:

- Residential Development
- Commercial/Neighbourhood Centre
- Parks, Open Space, Trails, and Natural Features
- Urban Design

- Environmental Protection
- Transportation and Mobility
- Servicing and Utilities
- Grading and Hillside Development

Recommendations for Zoning and Implementation of the Plan are also included.



Refer to Figure 1, Appendix A 'Future Land Use Plan' for full mapping.

1.2 Contents of the ASP

The following sections of the document have been organized to help inform and for ease of consideration towards approval of the Plan.

Section 2.0 – Current City of Penticton Policy

This is an introductory section that defines the municipality's policy direction to permit and encourage urban development in this area of the city. The ASP largely takes its direction from the City's Official Community Plan (OCP) that has called for the Upper Wiltse Flats to accommodate a new neighbourhood in the form of medium density multiple family residential development. Various studies and other plans have been conducted by the City in recent years and formally supported the policy directives of the OCP.

Section 3.0 – Site Conditions and Location

This section provides an evaluation of the site and its merits or opportunities for development relative to many factors such as the following:

- Location
- Size and Context
- Adjacent Uses
- Roads and Access
- Existing and Former Uses
- Topography and Terrain
- Environmental Properties
- Geotechnical Properties
- Infrastructure
- Views
- Proximity to Schools and Services
- Fortis Transmission Line
- Parks and Open Space
- Wildfire Risk

A series of specialist studies were conducted to address many of the above noted factors, including the following:

- Biophysical Inventory and Environmental Sensitivity Analysis
- Geotechnical Assessment
- Wildland Urban Interface Fire Hazard Assessment
- Traffic Impact Analysis

This information forms part of the Appendix to the document.

Section 4.0 – Area Plan Description

This section generally describes the key components of the Area Plan, as follows:

- The Vision
- Sustainability Features

- Land Use
- Residential Build Out/Projected Population
- The Commercial or Neighbourhood Centre
- Parks, Open Space, and Trails System
- Roads, Mobility and Transit
- Institutional/Schools
- Recreation

Section 5.0 – Residential Policies

The residential policies help define the various types of residential development forms and densities, including the following:

- Single Family Homes
- Multi Unit Homes
- Cluster Development
- Mixed Use (Residential and Commercial)
- Future Planning Area

Section 6.0 – Commercial/Neighbourhood Centre Policies

This section defines the policy direction for development to be contained in a neighbourhood centre, and will address items such as the following:

- Urban Design
- Commercial, including Local Service and Retail, Health and Related Services
- Care and Seniors Facilities
- Higher Density Residential

Section 7.0 – Parks, Open Space, and Trails

This section describes the policies for an integrated system of parks, open space and trails that will complement this residential community and form a backdrop to a growing livable and sustainable city.

Section 8.0 – Urban Design

This section addresses some of the critical urban design elements such as the following:

- Hillside Development
- Residential Design
- The Commercial/Neighbourhood Centre
- Special Conditions Related to Certain Areas and Site Features
- Visual Impact Considerations
- Integration of Natural Features
- Stormwater Detention Ponds

Section 9.0 – Environmental Protection Policies

This section presents policies that are intended to protect the integrity of specific biophysical features and environmental sensitivity of the site, allowing for a livable and sustainable neighbourhood to be enjoyed by future residents. Policies have been informed by significant review and analysis of the biophysical inventories and environmental sensitivity work conducted by specialist consultants in environmental sciences, and best management practices and standards provided by the RDOS, the City of Penticton and other relevant legislation and regulations.

Section 10.0 – Transportation and Mobility

This section addresses the transportation and mobility policies of the plan, including some of the key elements as follows:

- On-site Roads Standards
- Off-site Roads
- Traffic Management (reflecting traffic impact analysis findings)
- Transit
- Parking
- Pedestrian and Hiking Facilities
- Bicycle Facilities

Section 11.0 – Servicing and Utilities

This section addresses the major municipal infrastructure and utilities that will be required to be upgraded, installed or planned in more detail to allow a significant greenfield residential development in Penticton. Any on-site and off-site water supply and distribution facilities, sanitary sewer and stormwater/drainage infrastructure will ultimately be managed by the City of Penticton. Potential off-site road works upgrading are also noted. The policy directives of this plan address the ability to supply services to the 850 households and other facilities over a phased development timeframe.

Section 12.0 – Grading and Hillside Development

It is implicit in this Plan that the natural terrain of the Upper Wiltse area will require some grading to accommodate the new neighbourhood and attendant infrastructure and roads. Nevertheless, site design is expected to take advantage of the prominent views, natural features, sun exposure and other benefits of this prominent site. This section presents a general grading plan of where natural topography may be affected and where hillside development guidelines can be applied to protect the integrity of some of the steeper slopes and natural features.

Section 14.0 – DPA's

This section describes the Development Permit Areas designated in accordance with Section 491of the Local Government Act, as follows:

- Environmental Protection
- Hillside Hazard

Section 15.0 – Implementation

This final section of the document describes a series of key implementation steps that will allow the development to proceed in accordance with this Plan. The main items are as follows:

- **Parks dedication and conservation** of lands not to be developed.
- **Design Guidelines** for particular DPAs.
- **Phasing** of development relative to servicing, roads and access, and incremental development of various housing forms, commercial services and other uses or community facilities.
- **Environmental Monitoring** that will need to be conducted in accordance to identified standards, BMPs and during each phase of development.

1.3 Formulation of the ASP

The formulation of the Area Structure Plan has involved a very comprehensive approach and sequence of events that allowed a full understanding of the properties, development of various land use scenarios and ultimately a Plan that can proceed with support from the proponent and the City of Penticton.

Key steps in the process have involved at least the following:

1. Collection and analysis of existing site conditions, city policies, studies and plans.
2. Several meetings with the proponent regarding market, land use planning and development scenarios.
3. Preparation of Terms of Reference with City Staff.
4. Support from City Council to proceed with the ASP and defined scope of work/terms of reference.
5. Agency input such as BC Parks, Regional District and Fortis BC (included re-routing of the Transmission Line).
6. Preparation of a chosen land use plan, discussions with City staff and amendments to preliminary plan.
7. Conducted a series of specialist studies to address terms of reference:
   - Environmental Assessment (Biophysical Inventory)
   - Geotechnical Assessment
   - Wildfire Hazard Assessment
   - Traffic Impact Assessment
   - Stormwater Master Plan
8. Review of preliminary plans with two major adjacent land owners, to the north and to the west.
9. Preparation of site conditions report and mapping; slope analysis, power line, environmental conditions, geotechnical, access, views, and infrastructure.
10. Refinement of land use plan and build out scenarios.
11. Preparation of the Draft ASP Policies.
12. Review of the ASP with City of Penticton Planning and Engineering Staff.
13. Public Consultation (Early 2013 and Spring 2014).
14. Finalize ASP (Spring 2014).
15. Adoption of ASP/OCP Amendment (Mid 2014).
16. Application for Rezoning (Mid 2014)

2.0 City of Penticton Policy

The Upper Wiltse Area Structure Plan has respected the City's Official Community Plan policy direction in its entirety. The Wiltse area has been identified for two decades as one of the most convenient directions to proceed with future growth of the city. This was recognized in the Comprehensive Development Plan (CDP) of the early 1990s and in subsequent amendments and updates in 2005, which assessed the 20 year development capacity of the City. Since then, servicing studies, planning policies, financial strategies and other initiatives have all recognized the potential of the Upper Wiltse area.

The South Block was included in the Wiltse Area Structure Plan in 2014 that envisaged its annexation. City expansion into the South Block has been considered for many years prior to the Area Plan, in the Comprehensive Development Plan and often in the context of the Skaha Bluffs Provincial Park.

The following are critical statements of support for the principles of this Area Structure Plan; they have been extracted from the City of Penticton Official Community Plan (Bylaw 2002-20).

1. With respect to the community consultation that occurred during the formulation of the OCP:

   "The community emphasized that future growth needs to be well planned, considerate of the neighbourhood, and contribute to the overall livability of the City."

   "Neighbourhoods should include low rise and townhouse residential structures and should include other neighbourhood amenities such as parks, schools and commercial opportunities."

2. With respect to growth management criteria and policies that the City would like to instil:

   "….development of a wide range of housing forms will meet the needs of a diverse community and address the changing demographic structure of the City"

   "…principles of community sustainability and philosophy of livable communities will be part of the thought and design process in development

proposals…"

"….densification of the residential areas and mixed use development will occur….in designated Medium Density Residential areas as well as new growth neighbourhoods on the eastern hillsides."
"…..it is anticipated that lower density residential development will continue to occur…..in the new areas of ….Upper Wiltse"

"…efficient use of existing public investment in infrastructure…"

"Continue to plan complete neighbourhoods in the desired growth areas in the City"

3. With respect to Phasing of Development, the OCP calls for:

   "….infrastructure including sewer, storm drainage, water lines, and roads have been constructed to service the Wiltse Flats area in the south-east portion of the City which is both a current and future development area."

   "….to efficiently utilize existing infrastructure, the City will continue to support and promote continued development of the Wiltse area."

4. With respect to the type of housing being forecast for Penticton, the OCP reveals the following:

   "… on average, over the past 20 years (from 2002), 60% of the residential construction has been multiple family, the other 40% being single family (34%) and duplex (6%). It is expected that with the higher proportion of seniors in Penticton, and the relatively low household size, this will (continue) to be responsible for the relatively high demand for multiple family (unit) dwelling construction."

5. With respect to the Land Use Designations proposed for the City, the following policies are noted:

   "….In the …..Upper Wiltse Flats growth area(s), the City shall encourage the development of medium density multiple family units;

"Encourage a wide range of Medium Density Residential housing forms, including the following:

Triplexes, fourplexes, townhouses, cluster housing, compact housing, apartments, and other innovative housing forms…"

"…direct the following types of residential accommodation to areas designated Medium Density Residential: retirement homes providing intermediate or extended care services, community care housing, seniors and special needs housing."

It is recognized that many other policies of the Official Community Plan must be respected, to ensure a livable and sustainable neighbourhood. The ASP has embodied these as carefully as possible to create a plan that has some flexibility for market variation while still achieving the goals of environmental, social and economic sustainability.

It is understood that the Regional District of Okanagan-Similkameen Regional Growth Strategy will be respected regarding development at the edge of the City of Penticton.

3.0 Site Conditions and Location

This section provides an evaluation of the site and its merits or opportunities for development relative to many factors such as the following:

- Location, Land Area, Context
- Adjacent Uses
- Roads and Access
- Existing and Former Uses
- Topography and Terrain
- Environmental Properties
- Geotechnical Properties
- Infrastructure
- Views
- Proximity to Schools and Services
- Fortis Transmission Line
- Parks and Open Space
- Wildfire Risk

A series of specialist studies were conducted to address many of the above noted factors, including the following:

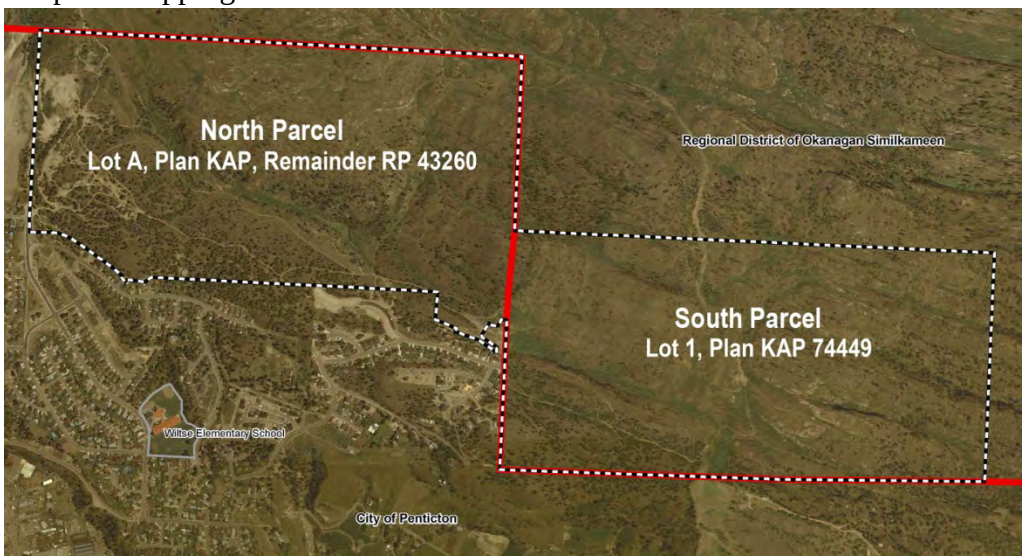
- Biophysical Inventory and Environmental Sensitivity Analysis
- Geotechnical Assessment
- Wildland Urban Interface Fire Hazard Assessment
- Traffic Impact Analysis

This information forms part of the Appendix to the document.

3.1 Location, Land Area, and Context

: "The Upper Wiltse lands are located on the eastern hillsides of Penticton, overlooking both Skaha Lake to the south and Okanagan Lake to the north. The area consists of two main parcels accounting for about 630 acres. Lot 1 Plan KAP 74449, of about 300 acres was recently the subject of a boundary expansion to the City. This area was identified as having growth potential in the former Comprehensive Development Plans. Lot A, KAP Remainder RP 43260 is the northerly parcel of 300 acres that has been designated in the City's Community Plan as a residential growth area for many years".

Refer to Figure 2 'Context Map' and Figure 3 'Air Photo', in Appendix A for complete mapping.



Due to the topographic constraints and terrain of these two parcels, development potential is most prevalent in the lower elevations on both parcels, and especially on the more gentle slopes below the existing Fortis Transmission Line. (See Section 3.5) Although there is opportunity to cross the Transmission Line with future development, the highest concentration of development will occur below or to the west of the line and generally to the toe of the slope that rises just to the east of the Transmission Line. The northern parcel does contain additional pockets of gently sloping and flatter lands on the higher elevations, whereas the southern parcel is much more constricted with severe terrain and slopes in the higher elevations.

The developable lands for the Upper Wiltse Area are immediately accessible and serviceable from the existing (lower) Wiltse area neighbourhood. At the northern end, Wiltse Boulevard and Westview Drive have been planned to provide immediate access. The most proximate urban areas for the north parcel are the Evergreen Drive residential, Westview Drive residential, and the Upper Pineview/Juniper Drive residential neighbourhoods. Large lot residential and agricultural uses abut the southern block to the west.

3.2 Adjacent Uses

The main surrounding uses are as follows:

North: The Cantex Gravel Quarry and asphalt plant and associated works/undeveloped lands.

East: Crown Land above the entire north parcel; Crown land and Skaha Bluffs Provincial Park adjacent to the south parcel.

South: Crown land and Skaha Bluffs Provincial Park adjacent to the south parcel.

West: Evergreen Drive Residential Area below the north parcel; large lots above Valleyview Drive (Country Residential/ALR/Undeveloped); Pockets of undeveloped lands occur above Evergreen Drive and along the western boundary of the north parcel. These lands should also be considered for development that may be contiguous with the development of the subject parcels.





Refer to Figure 4 'Adjacent Land Uses', Appendix A for complete mapping.

3.3 Roads and Access

The subject lands are generally located above (east of) Evergreen Drive. Primary access is currently off Wiltse Boulevard located at the north end of the two properties (1), with secondary access points off the south end of Evergreen Drive/Crow Place (2). An unimproved dirt road/trail running along the northern boundary provides access to the Fortis transmission line road that extends along much of the two properties. Access is also available from Partridge Drive for the southern portion of the north parcel (3)

The southern portion of the property (south parcel) has access via a dirt road/trail from Crow Place to the power line right of way. A dirt road/trail then runs through the western portion of the property. The dirt road is located at the bottom of several small canyons with steep, rocky sides. A dirt road also provides access from the south to the power line right-of-way.



Refer to Figure 5 'Roads/Access', Appendix A for complete mapping.

3.4 Existing and Former Uses

There has been limited use of the site other than a small amount of quarrying activity that has taken place on the northern portion of the site. Hiking, mountain bike and ATV/dirt bike trails have been established over time without the consent of the property owners. Many of these trails and fire lines were also established during the 1994 Garnet Wildfire. This fire was known to severely affect the forest cover on much of the property.



Unauthorized rock climbing activity does occur in portions of the southern parcel which is immediately adjacent to the Skaha Bluffs Provincial Park. Refer to Figure 1 'Area Context Map', Appendix A for location of Skaha Bluffs.

The Fortis Transmission Line crosses through both properties from north to south. In recent years, the route was partially altered at the extreme north end as a result of the expansion project to meet power requirements in the Okanagan. Refer to Section 3.11.



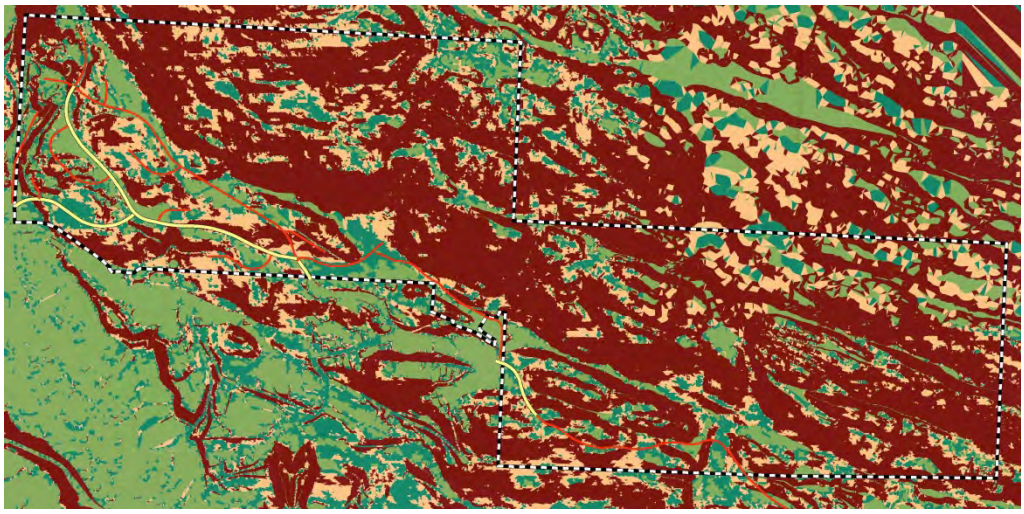
3.5 Topography and Terrain

The subject property has rolling terrain in the northern portion of the development with steep rocky terrain in the southern portion. The elevation varies from 490 to 720 meters with variable aspects due to the size of the property. Most of the property has a west to south west aspect. There are some areas along the eastern portion of the property with rolling terrain with side slopes of 0-15%.



The property above and to the east of the transmission line is open with scattered tree cover and open rock. This area has low use and poor access due to the lack of trails and steep, rocky terrain. The south west portion of this part of the development has steep, rocky terrain and limited access. There is a small canyon with very steep sidewalls in the southwest portion.





Refer to Figure 6 ‘Topography’ and Figures 7A-7C ‘Slope Analysis, in Appendix A for complete mapping.

3.6 General Environmental Characteristics

Garnet Fire Impacts

The lands experienced a major fire in recent time that eliminated most of the trees from the site, and has since induced regeneration of snowbrush.

Lot A, Plan KAP, Remainder R.P. 43260 - The forest to the east of the hydro line was partially burned in the 1994 Garnet Fire, leaving most of the forest cover removed from the land.

Lot 1, Plan KAP 74449 - There is a forest interface located along the western boundary, with large residential lots to the west. Most of the property to the east of the hydro line was burned in the Garnet Fire. There are small patches of the area where the forest has not been burned.

Flora

This property is located within the Okanagan Very Dry Ponderosa Pine (PPxh1) bio-geo-climatic sub-zone. Due to the western aspect, most of the property is within the sub-xeric to sub-mesic site, or drier series of this sub-zone. Open forest conditions are found on the property. There is a forest interface along the western portion of the property with a residential development to the west.

The average number of trees for the property is less than the 200 trees/ha commonly found in this sub-zone. Most of the property has no forest cover, with moss covered or bare rock exposed. There are small pockets of trees with ponderosa pines the dominant tree species and some scattered Douglas-fir trees in the wetter site series. The crown closure consists of scattered small groups of trees in the non-rocky areas where there is enough soil and moisture to sustain tree cover and vegetation. A crown closure of 20-30% is found in these forested pockets. The open rocky areas have less than 1% crown closure. These trees found on the property vary in height from 1 to 28 meters. The crown height varies from 1 to 5 meters on the larger pines. There are some bare areas visible that show mineral soil exposed. The duff layer is thin or non-existent, on most of the property, as is common in these ecosystems. There are some thicker duff layers, up to 15 cm in depth made up of pine needles, under the larger pines. Coarse woody debris is scattered or non-existent and does not increase the fire hazard risk. Crown heights and ladder fuels vary from 0.5 meters from the ground surface on some of the smaller trees, to 2 to 3 meters on the larger trees. The ladder fuels are scattered for most of the forest area. Blue bunch wheat grass, arrow-leafed balsamroot, Idaho fescue, kinnikinnick

and yarrow are the dominant herb species. Saskatoon bushes, common snowberry, Nootka rose and tall Oregon grape are common in the shrub layer. The moss layer is present.

Fauna

The preliminary environmental assessment identified incidental observations or indirect evidence of wildlife. Mammals noted included Big Horn sheep, mule deer, coyote, northern pocket gopher, and black bear. Bird species included Black-billed Magpie, Mountain Chickadee, Clark's Nutcracker, Cooper's Hawk, Northern Harrier, among others. The environmental assessment determined the core habitat and ecological buffer to be mainly on steeper rocky slopes on the eastern side of the property.

Reptiles

Two (2) records of the endangered desert night snake (Hypsiglena chlorophaea deserticola) occur within the Property (Polygon 65). The night snake locations occur within close proximity to areas planned for development and must be given careful consideration to avoid conflicts with this rare and sensitive species. Connectivity between occurrence locations and suitable habitats must be maintained within the Property, as shown on Figure 8, Appendix A 'Core Sensitive Areas and Connectivity'. This will prevent the arbitrary buffering of potentially less important habitat and instead focus on critical habitats required to sustain the species within or adjacent to the Property, such as talus slopes and rocky outcrops that provide hibernacula and denning areas and other areas suitable for migratory and dispersal corridors. The conservation of these areas will also benefit other sensitive reptile species, such as rattlesnakes, gopher snakes, and western skinks, which were also observed within the Property and have similar habitat requirements (SIRART 2008a; SIRART 2008c).

For the detailed Environmental Report please refer to Appendix B.

Refer to Figure 8, Appendix A 'Core Sensitive Area and Connectivity' for additional mapping.

3.7 Geotechnical Considerations

The Geotechnical Assessment was conducted during Spring and Summer of 2011. This assessment has investigated potential hazard areas and general stability of the lands to permit development. Caliber Geotechnical engineers retained Polar Geoscience Ltd. to conduct a geological map review and air photo interpretation to determine any signs of instability, hazard, rock fall, talus slopes and water seepage areas. An on-site investigation was also carried out by Albert Losch, P.Eng. and his staff in August 2011.



Conclusions of the assessment confirm that the only visible signs of instability are rock fall from many of the canyon walls.

(Please see Appendix ‘D’)

3.8 Infrastructure

Please see Section 11 and referenced City of Penticton Water and Sanitary Sewer Studies for a full account of the infrastructure that addresses the ability to supply services (water and sewer) to approximately 850 units and other facilities over a phased development timeframe. A Stormwater Management Plan was prepared specifically to address development of the Upper Wiltse Lands. It is contained in Appendix E.

Refer to Figure 9 ‘Infrastructure’, Appendix A for complete mapping.

3.9 Views

Due to the western aspect and the elevation of the property, the land commands spectacular views of the City and Okanagan and/or Skaha Lakes from most locations. Views to the east are limited by a defined steep rock slope which follows the approximate location of the new Fortis Transmission Line.





3.10 Proximity to Schools and Services

The Upper Wiltse area is currently served by the following key services and institutional facilities:

- Wiltse Elementary School is approximately 900 meters down Wiltse Boulevard. The site also has play fields/local park, and the school is offered as a community meeting facility. There is reportedly, capacity to add more students at the existing school. Refer to Figure 3 'Air Photo' in Appendix A for detailed location.



- The closest convenience store (commercial zoned land) is located at Wiltse Boulevard and Dartmouth Drive, approximately .85 km down Wiltse Boulevard from the proposed north entrance to the new neighbourhood.
- The Main Street commercial precinct where many convenience, services, retail and restaurants are located is approximately 1.36 miles or 2.2 km from the proposed north entrance to the project.
- Fire Hall #2 is located closest to the project site. It is approximately 1.7 miles or 2.7 km away from the proposed entrance, just off Dawson Avenue. Refer to Figure 3 'Air Photo' in Appendix A for detailed location.



3.11 Fortis Transmission Line

Other than the challenging terrain on much of the site, the main encumbrance is a high voltage (230KV) FortisBC Power Transmission Line and right-of-way. Unfortunately some of the most desirable land has been impacted and led to loss of significant development opportunities. The right-of-way follows the toe of the steeper slopes for much of the extent through the two blocks of land.

Refer to Figure 10 ‘Fortis Transmission Line’, Appendix A for complete mapping.

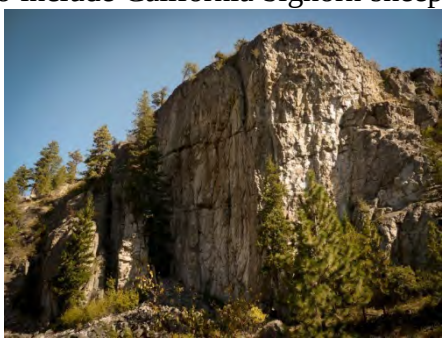






3.12 Parks and Open Space

Skaha Bluffs Provincial Park is located to the south of the subject property on the southeast perimeter of the City of Penticton on the east side of Skaha Lake. The newly established park is 178 hectares in size and is comprised of fairly rugged terrain, riparian areas and some shrub-steppe grasslands in a coniferous forest setting. The bluff area is also known to include California bighorn sheep and several species of wildlife at risk. The Skaha Bluffs are a very popular rock climbing destination in British Columbia. The climbing routes through the bluffs have been clearly defined in maps and various books and are internationally known as a world-class climbing destination.



In 2010 an interim Management Statement outlined the direction for a protected area until such time that a full management plan is prepared. The statement suggests that an additional 307 hectares to the south (Sub-Lot 18) would become part of the Provincial Park. This land currently incorporates private land jointly owned by The Land Conservancy of British Columbia, the Nature Conservancy of Canada and the Ministry of Environment. The management statement suggests that although it is currently held as 'undivided interest' amongst the owners, it will be transferred to the Ministry of Environment in the near future.

BC Parks and the current owners of the subject property have previously discussed opportunities for park expansion on the subject property.

Municipal parks are contained in nearby locations, including adjacent to Wiltse Elementary School. (see photo – right)



Refer to Figure 11A 'Existing Parks/Open Space', Appendix A for complete mapping.

3.13 Wildfire Risk

A Wildland Urban Interface Fire Hazard Assessment was completed by Richard Swanson, RPF of Swanson Forestry Services in February of 2011. The assessment addressed the following:

1. Utilized the BC Ministry of Forests supported assessment methodology.
2. Considered and integrated relevant findings and recommendations from other studies completed or underway that relate to the site.
3. Inventoried forest interface and proposed development.
4. Assessed Wildland fire hazard severity.
5. Established priorities for mitigating the dangers from wildfire.
6. Determined mitigation measures for vegetation, other combustibles and construction criteria.

The report concludes with recommendations to reduce the risk from wildfire, including emergency access standards from the National Fire Protection Association and building construction, landscape, and fuel management recommendations from BC FireSmart Manual.



(The full report is included in Appendix B)



4.0 Area Plan Description

This section generally describes the key components of the Area Plan, as follows:

- The Vision
- Sustainability Features
- Land Use
- Residential Build Out/Projected Population
- The Neighbourhood Centre
- Parks, Open Space, and Trails System
- Roads, Mobility and Transit
- Institutional/Schools
- Recreation

4.1 Neighbourhood Vision

The primary goal of the Wiltse Area Structure Plan is to create a vibrant and livable neighbourhood. Although it is seen as a physical extension of the lower Wiltse area, it is envisioned as a unique community with a high quality of living for its residents. This will be a place where you know not just your neighbours but your entire neighbourhood. It is a place that fosters diversity – cultural, social and economic, especially through a carefully designed mix of housing types, lot sizes, densities, recreational opportunities and public amenities. There should be the potential to age in place with seniors and assisted living facilities forming an integral part of the community. The community will foster a healthy mix of residents that will help ensure the vibrancy of the neighbourhood. This will be attained by offering housing product with smaller units and secondary suites, offering affordability to a cross section of residents and family demographics.

A small but vital component of the Area Structure Plan will be a Neighbourhood Centre that fosters sustainability. The Neighbourhood Centre is envisioned to provide residents, visitors and workers with basic retail needs, learning, social and cultural activities, and economic opportunities to pursue a healthy



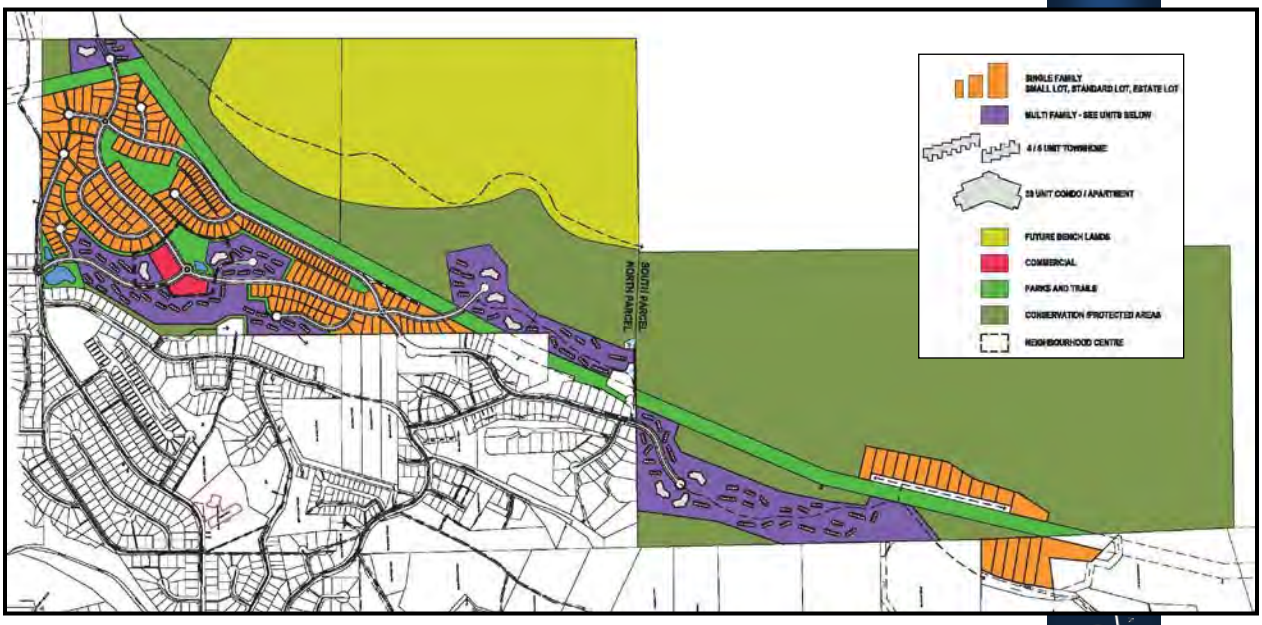
lifestyle. It will be an area that will develop over time as the community grows, and eventually become the central hub for community events and social interaction.





A key principle of the vision for this new neighbourhood is the integration of the development with the natural environment. Steep slopes, natural features and open spaces will form a backdrop and be connected to the residential pods. A series of open spaces, trails and parks will permit the residents opportunities to access or appreciate the natural environment, while protecting the integrity of the more sensitive natural features and wildlife habitat. The intent is to allow the development to enjoy the natural beauty, views, and scenery of the area without compromising the very setting that has helped create this new community for Penticton.

Refer to Figure 12, Appendix A ‘Concept Plan’ for complete mapping.



4.2 Sustainability

The Wiltse Area Structure Plan has embodied sustainability in several forms and dimensions. It is the intent to see that as many of the following principles are implemented through ultimate planning approvals and at building permit stage.

1. Planning and Design Process



The approach for the Wiltse ASP has used an iterative process where planning, design, environmental and engineering members worked together as a team from the outset. Decisions were influenced by a broad group of professionals, and holistic thinking resulted in the discovery of synergies and the optimization of existing resources; all of which are necessary outcomes to achieve projects that are more sustainable. It is hoped that future planning and more detailed design will continue to respect this type of approach to truly achieve a sustainable community.

2. Land use

Efficient land use in appropriate locations and contexts, and at appropriate densities, is a critical component of sustainable community development. The Wiltse ASP set out to achieve these objectives in the following manner:



- A progressive community located adjacent to existing municipal services, and growth area that does not threaten agricultural lands.
- A complete mixed use community that includes townhouses and multi-unit residential (including mixed use, apartments and live-work spaces) and that is adjacent to single family residential.
- Compact development that promotes walkability and livability through higher residential densities.

- A compact community that situates homes in relative close proximity to potential places of employment (Penticton Hospital, Industrial area and South Main Street).
- Includes schools within walking distances of residential component of the development.
- Includes basic shops and services within walking distance of the residential component.
- Avoid gated areas and enclaves.
- To be developed in a dense manner that will allow the preservation of adjacent open space.
- Conserves and/or restores a segment of native wildlife habitat and connectivity corridors throughout the community.

3. Transportation

The location and variety of particular transportation modes has a large impact on three aspects that have important consequences for sustainable living: land use, air quality and climate change. To maximize sustainable living from a transportation perspective, the Wiltse Area Structure Plan took the following into consideration:

- Provide as many alternatives to the automobile as possible.
- Provide transit service connections to downtown, employment and shopping nodes of Penticton.
- Utilize a bicycle/trail network to make key areas such as schools/ commercial accessible for non-auto modes of travel.
- Install bike racks at trail heads and in the Neighbourhood Centre.



- Provide a percentage of bicycle and/or car pool parking spaces of total auto parking for non residential and multi-unit residential buildings.

- Reduce road widths and impervious surfaces.
- Reduce parking spaces.
- Increase pervious spaces on roads, parking lots, etc by using permeable materials.



4. Water

Water plays a critical role in all life processes. It is also a resource that is under increasing stress due to competing needs between various sectors such as agriculture, industry, and urban development. In addition, water infrastructure, which includes facilities for treatment, storage, and distribution, is increasingly costly to build and to maintain. To address these issues, the Wiltse Area Structure Plan promotes the following:

- Locate the development within a planned water and wastewater servicing area of the city.
- Minimize the amount of distribution infrastructure.
- Develop in a manner that utilizes density to offset per capita infrastructure costs.
- Detain rainwater flows in detention ponds where appropriate.
- Reuse a percentage of the rainwater that is generated by the project.
- When appropriate, make use of grey water and water saving devices.
- Use household and commercial/ institutional digital meters to record water use in real time.



- Use indigenous plants that are non-invasive and tolerant of local rainfall and climate conditions (i.e. minimize additional watering needs).

5. Material and Waste Flows

The development of livable neighbourhoods requires significant quantities of various construction materials. The extraction of virgin materials (wood, ore, etc.) is harmful to the ecosystem integrity and species diversity, and is energy intensive. Where possible, the following is suggested for the Wiltse ASP:

- Utilize crushed blast rock (from on-site grading work) for subgrade material.
- Use recycled materials to reduce environmental impact.
- Incorporate a percentage of recycled asphalt into new pavement.
- Incorporate a percentage of recycled aggregate materials into aggregate base and aggregate sub-base.
- Incorporate Waste Management Plans for all new construction projects.

6. Site Landscaping

Landscaping can play multiple roles, such as aesthetic, hydrological, ecological, wayfinding, sense of place, carbon sequestration, or mitigation of the 'urban heat island' effect. Consequently, it is recommended that the Wiltse ASP consider the following:





- Use native plants on a substantial part of the site.
- Cover a percentage of the impervious surfaces with shade to reduce the heat island effect and reduce cooling and heating energy requirements.
- Use paving materials that will allow rainwater to percolate through the underlying soil.
- Design to preserve mature tree stands and existing topographic site features.
- Ensure that a percentage of the tree species mix should vary over time

to respond to the Pine Beetle or other epidemic infestations.

7. Food and Community Gardens

Food production is energy intensive, water intensive and typically uses pesticides, and is transported great distances, thereby contributing to GHG and other pollution emissions. It is recommended that the ASP consider the following:

- Plan for affordable locally grown food, potentially in community gardens dedicated on public open space.
- Relax bylaws that prohibit growing food in park space, on balconies, patios or rooftops, or other appropriate public/private spaces.



- Consider the feasibility of establishing a farmer's market in the Neighbourhood Centre.
- Consider creating multifunctional space that can also accommodate public gatherings and activities.
- Consider the development of a food store and restaurants in the Neighbourhood Centre.



8. Parks, Trails, and Open Space

Parks, trails and open space provide aesthetic, ecological and recreational opportunities. It is therefore recommended that the ASP consider the following:



- Greenway and wildlife corridors that connects the natural open space from

the north to the south, especially along the steeper slopes of the site.

- Develop the lands to a density such that significant amount of the adjacent lands can be designated as open space.
- Provide public park space for active community use.
- Provide pedestrian and bicycle connectivity throughout the site and into adjacent open space.

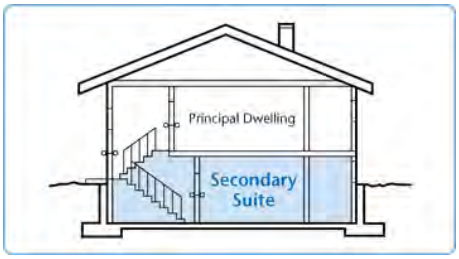


- Provide accessibility for peoples with diverse abilities, be it physical, age-related, or otherwise.

9. Attainable Housing

Appropriate affordable housing, with the flexibility to meet changing needs (such as low to moderate incomes, physical and mental illness, different age groups) is an important part of social sustainability. The ASP should therefore consider the following concepts:

- Provide a residential environment that can support a wide range of socio-economic levels and age groups.
- Keep the cost of infrastructure and development low enough to allow a portion of the residential households earning up a certain percentage of the area's median income to buy or rent in the area.



- Supply a range of housing types and sizes that allows the diversity of ownership, accommodating young families, singles, seniors as well as special needs as key components of the market mix.

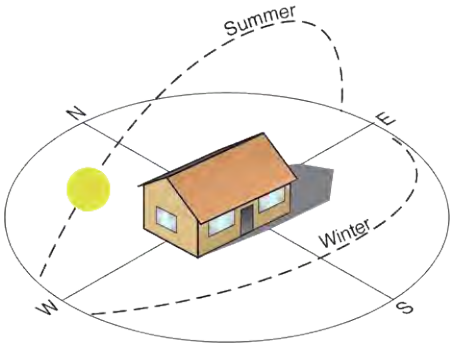




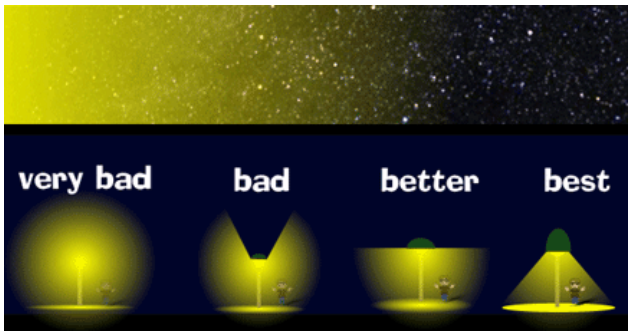
10. Built Form

The built form affects our sense of place, the aesthetics of the community, and the ability of the project to practice energy, material and water conservation, reduction, and even generation. It is therefore recommended that the ASP consider the following:

- Orient a percentage of the buildings such that the longer axis of each is within 15° of geographical east/west.
- Orient a percentage of the project's buildings such that the longer axis of each building is at least 1.5 times as long as the shorter axis.



- Minimize light trespass from the site, reduce sky glow to increase night sky access, reduce glare and reduce development impact on nocturnal environment.
- Adjust light standards to reflect and differentiate between park and rural settings, residential areas, commercial and high density residential areas.



- Consider public safety through the use of CPTED (Crime Prevention Through Environmental Design) principles.

11. Economic Development

Economic development that is socially and environmentally responsible is an important component for achieving more sustainable communities. Secure employment that offers meaningful wages provides families with the opportunity to: i) raise their standard of living and ii) the free time to provide volunteer services for their community. It is therefore

recommended that the ASP consider the following:

- Offer a (small) range of commercial facilities (retail, local office, etc.) to maximize the working and shopping opportunities associated with the neighbourhood.
- Encourage the development of employment opportunities appropriate for the area.
- Promote the inclusion of live/work spaces that are flexible enough to respond to changing economic opportunities.
- Provide small inexpensive commercial spaces for artisans and entrepreneurs





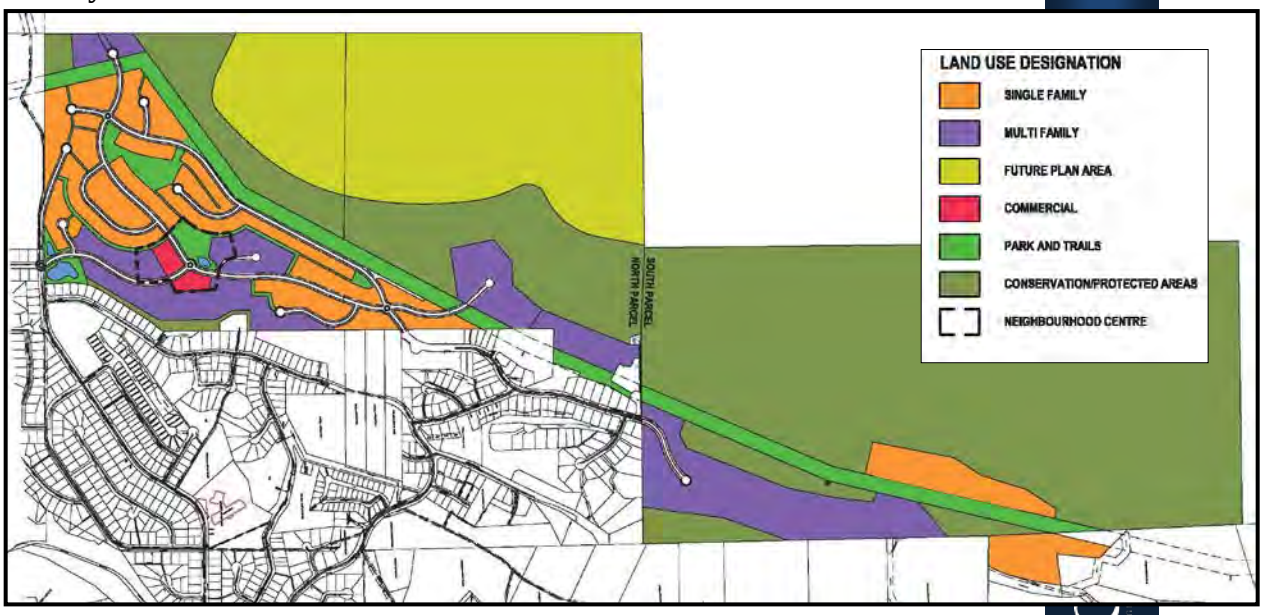
4.3 Land Use

The land use concept for the Wiltse Area Structure Plan is embodied in the following designations:

- Residential – Low Density Single Family
- Residential – Multi-Unit
- Neighbourhood Centre
- Parks and Trails
- Conservation and Open Space
- Future Plan Area (Benchland Residential)
- Forestry Grazing

	LAND AREA			NET DENSITY		
LAND USE	Ha	Ac	% OF LAND	UNITS PER HA	UNITS PER AC	% Unit Type
Single-Family	23.98	59.23	9.3%	10.4	4.2	34.0%
Multi-Family	25.41	62.76	9.9%	23.8	9.6	66.0%
Future Plan Area	49.95	123.38	19.4%	1.00	0.4	
Commercial	0.90	2.23	0.4%			
Parks and Trails	16.02	39.57	6.2%			
Conservation/Protected	131.92	325.84	51.2%			
Road ROW	9.82	24.26	3.8%			
TOTALS	**258**	**636.94**	**100%**			

Density Table



Refer to Figure 13, Appendix A ‘Land Use Designation’ for full mapping.

1. Residential – Low Density Single Family

The *Residential – Low Density Single Family* Designation will encourage low density single family uses, accommodating both conventional and small lot development. The small lots may occur in areas fronting (or backing) public spaces and trail systems, in areas where significant natural features are to be retained, and in areas where public amenities and/or commercial spaces are located. It is expected that many of the small lot opportunities may be close to the Fortis Transmission Line.



Sizes for both conventional and small lots will be dictated by zoning. The main objective is to provide a diversity of lot sizes that will address the demand for a variety in homes and buyer demographic.

The majority of the conventional single family residential will be located towards the north end of the subject property. Due to topography, a multitude of housing styles will accommodate various user groups: single level bungalows, two storey walk-in, and two storey walk-out. The potential for legal secondary suites will provide supplemental income for homeowners as well as the provision for extended families to be accommodated.

Preliminary plans suggest approximately 340 units may be located within this designation.

2. Residential – Multi-Unit

The *Residential Multi-Unit* Designation is intended to encourage a mixture of medium density residential uses, largely in the form of townhouses and apartments. The townhouse product is envisioned as a mix of three to six unit buildings; the apartment (condominiums) product is envisioned as approximately three and



four storeys, 30 unit buildings with resident parking supplied underground. The height and location of this product will vary due to topographic constraints or opportunities, view corridors and other site implications.



The Multi-Unit designation is concentrated near the neighbourhood centre and closer to the north entrance of the development project, with other clusters on the east side the Power Line R/W and on the south parcel below the Power Line R/W. All multi-unit developments are buffered from the low density residential use by green space and parks.

Preliminary plans suggest approximately 600 units, with a 50/50 split between townhouse product and apartment condo product, may be located within this designation. Duplex and single family would be permitted with zoning.

3. Neighbourhood Centre/Commercial



The *Neighbourhood Centre/Commercial* Designation is intended to encourage a mixture of commercial retail and service, multi-family housing, mixed use commercial and residential use buildings and a seniors care and/or assisted living facility. Design guidelines will play a major role in the establishment of this centre so that it forms a distinct and cohesive character within the neighbourhood.

Beyond the commercial precinct, the adjacent central park will complement the neighbourhood centre.



4. Parks and Trails

The *Parks and Trails* Designation is intended to encourage community outdoor recreational activity space, passive use and enjoyment and connectivity within the neighbourhood. The trails may vary from paved walkways to gravel footpaths. A major donation of land in the southern portion of the Plan Area will increase the size of Skaha Bluffs Provincial Park by 159 acres.

The Transmission Line easement offers an incredible walking and biking trail, with opportunities for equestrian and Nordic skiing.



Stormwater management ponds, lookouts, trailheads and interpretive sites will also afford opportunity for additional green space and parks.



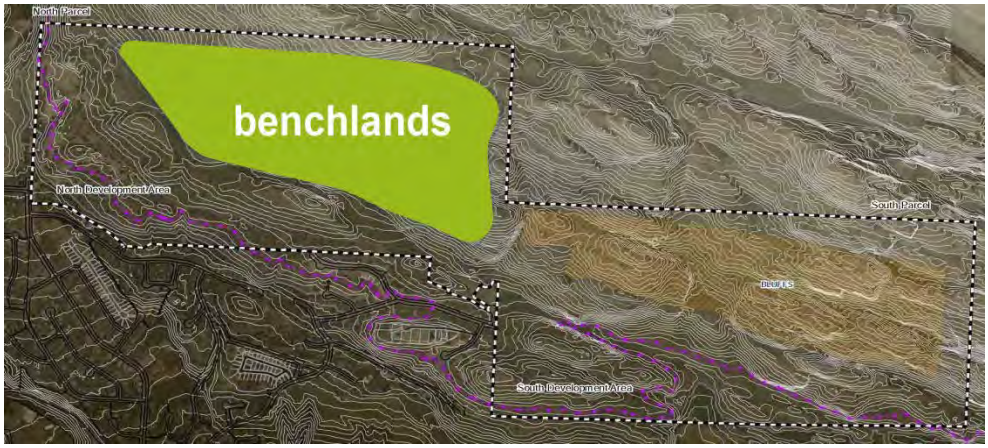
5. Conservation and Open Space



The *Conservation and Open Space* Designation is intended to protect the major steep slopes, hazard areas, sensitive natural areas and the integrity of wildlife corridors from development. Other means of protection such as Development Permit Area guidelines, interpretive education or other conservation measures may also be required beyond the land use designation. It is recognized that the Skaha Bluffs Provincial Park is immediately adjacent to the south block of the subject lands. A major component of the South Block development is the donation of 159 acres to

provide for the expansion of Skaha Bluffs Provincial Park and retain conservation values.Future Plan Area (Benchland Residential)

The *Future Plan Area* Designation is intended to promote the use of particular sites where topography will permit development in the form of residential clusters or acreages, while protecting the integrity of the steep slopes and environmentally sensitive lands. Development is recognized for this area subject to further detailed planning, access and servicing parameters that will meet City requirements.



4.3.7 Forestry Grazing

The Forestry Grazing designation is for a large part of the South Block, with rugged topography and a small area for development. Most of the area will be retained in a natural state, with development limited to 2 dwellings and potential for up to a 20 room lodge / resort.

4.4 Residential Build Out (Units)

	North Block	South Block
Low Density – Single Family 230		
Small Lot Residential	40	0
Conventional Lot	190	106
Bare Land Strata		17
Multi-Unit Residential 600		
Townhouse	290	57
Apartment	160	0
Mixed Use	50	0
Other (Seniors Care, Assisted Living)	20	0
Suites	?	
Future Plan Area	?	

TOTAL	**670**	**180**
Population (Build Out)	1,600 - 1,785 (Assumed Av Household Size = 2 or 2.1)	Total Units 800 - 850

Notes:

As size of seniors housing rises, total units of other multi-unit residential (apartments, etc.) may be decreased.

Unit build out is not representative of equivalent units.

4.5 The Neighbourhood Centre

A Neighbourhood Centre is proposed as a small but important hub to the development. This centre is envisioned to provide the basic retail and service needs for this sector of the city and especially the neighbourhood. It is not expected to detract or compete with business located in downtown Penticton or other major commercial precincts. The intent is that any retail or service in this location will encompass basic needs in order to promote a more sustainable community and limit vehicle trips to downtown Penticton for day to day goods and services.



The following suggests the makeup of the Neighbourhood Centre:

- Local and Convenience Retail and Service Commercial on Ground Floor.
- Local Office and Health Care.
- Mixed Use Commercial and Residential with Commercial on Ground Floor.
- Live/Work Uses/Studios.
- Higher Density Multi-Unit Residential to Support the Commercial Centre.
- Potential for Seniors, Care and Assisted Living Facilities.
- School (Private or Public).
- Public Space/Amenities.

Key considerations to establish this centre so that it is compatible with the neighbourhood will be the following:

- Architecture, urban design and landscape guidelines that will address streetscape, facades and entryways making the area accessible to passing pedestrians, cyclists, and motorists, and also to make the ground floor of the buildings visibly transparent to promote interaction between building and street.



- A cohesive character (and consistency) for the neighbourhood centre, relative to materials, colors, scale, signage, building setbacks, retaining walls, furnishing, landscape and lighting.
- Sensitive integration of any multi-unit residential buildings through design and siting.
- Sensitive integration of any special use buildings, including institutional or health related, through design and siting.

4.6 Parks, Open Space, and Natural Features

The Area Plan incorporates a network of parks, trails and open spaces that will be designated for the enjoyment and active lifestyle of the residents.



Refer to Figure 11B, Appendix A 'Proposed Parks/Open Space'.

In keeping with the City of Penticton Official Community Plan guidelines for the provision of parks, the Area Structure Plan allocates the following:

- Neighborhood Park: 10.6 Ac
- Community Park (include trails/greenways): 28.8 Ac
- Conservation/Protected Areas: 325.8 Ac

ASP Parks Allocation		City Guidelines
Neighborhood Park	13.6 Ac/5.5 Ha	4-5 Ac (@ 2.5 ac/1,000 pop.)
Community Park	28.8 Ac/11.65 Ha	12-13 Ac (@ 7.5 ac/1,000 pop.)
Total (rounded)	39Ac/15.8 Ha	16 – 18 Ac
Conservation/Protected Area	325 Ac/131.5 Ha	-N/A
Total all parks/reserved area (rounded)	364 Ac/147 Ha	-N/A

Neighborhood parks include the larger blocks within the central aspect of the neighborhood, and tot lots, all accessible by walking or cycling. The neighborhood parks typically provide a broad range of recreation opportunities for the entire neighborhood.

Community Parks include the significant expansion of the Skaha Bluffs Provincial Park and other natural areas, linear parks and trails. Although the City's guidelines include major recreation parks and athletic parks (sports fields) within the community park category, this ASP acknowledges the challenges of the sloped lands and therefore limits large playing fields that would avoid major grading requirements.

At time of development, should it be warranted that additional lands are required for community park facilities, the City may invoke their cash-in-lieu for park land and policy as compensation so that the City can purchase land to create community parks in a more suitable area.



Much of the open space will be protected due to the steep slopes and environmental sensitivity of the lands. Significant portions of the two parcels of land will be protected for conservation use due to known wildlife or endangered species and natural features that are prominent in certain locations. Where feasible, the network of greenspaces will contribute to stormwater management of the development, as well as corridors for wildlife movement, hiking trails and local parks or interpretive sites. The Fortis Transmission Line through the site is also a prominent feature that will be incorporated into the overall linear parks, trails and open space network.

4.7 Roads, Mobility, and Transit

The transportation and mobility network respects the fact that much of this new neighourhood is located on a hillside. A series of local roads, sidewalks, pathways for pedestrians and cyclists, and transit connections, will provide opportunities for efficient neighbourhood movement as well as connections to locations beyond the neighbourhood. The system of roads incorporates narrow local roads, short cul-de-sacs, and potential strata roads to accommodate the nodes of multi-unit residential development. Traffic calming for any through roads should consider the use of roundabouts where feasible, along with curvilinear design that will respect the terrain and the establishment of pockets of residential development.



Preliminary concepts suggest a series of interconnected greenways that will accommodate pedestrian and cycling trails throughout the neighbourhood where terrain will permit. The greenways will also allow the circulation to connect with the central park, numerous pocket parks and the adjacent undeveloped lands and crown lands beyond the City.

A transit connection and route is assumed to be able to service the Upper Wiltse area in the future. A convenient transit stop would be at the Neighbourhood Centre. As the project is phased and roads are constructed, an appropriate transit route should be chosen to service both north and south ends of the Upper Wiltse neighbourhood.

4.8 Institutional and Schools

Institutional uses such as fire halls and schools may not be required in the Upper Wiltse area for many years into the future as current nearby facilities provide capacity for growth in population. However, School District #67 has expressed interest in further participation in the development planning process and investigation of setting aside land for a school site in the (Upper Wiltse) area.

Fire Hall #2 is very close to the subject area, but confirmation may be required regarding additional fire protection. It is also assumed that all multiple unit structures would be built to code with fire resistant exterior and roofing materials. Furthermore, apartment structures would be required to have sprinkler systems throughout the buildings, in accordance with BC Building Code. Covenants could also be used to ensure such protection is enshrined in the plan.

Churches, community halls or key public amenity spaces would be permitted in convenient locations in the neighbourhood. Opportunities to group the facilities within or close to the Neighbourhood Centre would certainly be encouraged.



4.9 Recreation and Culture

The Area Plan promotes the use of outdoor spaces and activity areas to add to the quality of life for the residents. The natural terrain of the site lends itself to walking, hiking, cycling, and of course, rock climbing in the nearby Skaha Bluffs. Outdoor recreation facilities such as parks and trails can also be complemented by indoor recreation and sports. Public and private facilities are encouraged in or near the Neighbourhood Centre and in affiliation with Community Parks or schools.

The Neighbourhood Centre is proposed to be a social gathering area where a plaza, outdoor square or private spaces can be programmed for public use throughout the year. Both public and private spaces should be designed to support public art, music events, small markets, displays and outdoor dining. It is also expected that the area's municipal parks can be programmed for recreation, competitions, education, environmental interpretation and cultural events.

5.0 Residential Policies

This section describes the policies for a variety of residential uses ranging from single family units to low and medium density multi-unit residential forms. Opportunities for clustered residential and acreages on the upper bench of the north block are also provided in a Future Planning Area. Very limited development is provided for in the large Forestry Grazing parcel in the South Block. The diversity in housing form is intended to address the challenging topography, while offering housing product that will address family size, life cycle, income levels and affordability and tenure types.

5.1 Goals

1. Provide for a diversity of housing types and densities in keeping with the Official Community Plan.

2. Develop residential areas that will respect steep slopes and environmental sensitivity.

3. Plan for a mixture of housing that will accommodate various income levels and demographics.

4. Create a neighbourhood that will encourage ease of access to public spaces such as parks and trails.

5. Promote a strong sense of design and siting of residential development to avoid interruption of views in the hillside environment.

6. Promote a mixture of residential and commercial uses in mixed use buildings in the neighbourhood centre.

5.2 General Policies

1. The Area Structure Plan will accommodate a diversity of housing product to address family size, life cycle, income levels, affordability and tenure types.

2. The Area Structure Plan has been prepared to accommodate a neighbourhood of approximately 850 residential units with predominantly low density multiple family housing form (townhouses and low rise apartment condominiums). Using equivalent unit calculations, this implies

that ultimate build out for this ASP would be less than the forecast allocation related to the servicing capacity for this part of the Eastern Hillsides. This further implies potential for some infill and further densification in the distant future.

3. Clustering of residential will be used to address hillside and sensitive environments where appropriate and necessary.
4. Medium density, ground oriented multiple family (unit) residential uses will offer a range of housing type and affordability.
5. The single family residential uses will provide a variety of larger lot, (duplexes permitted with zoning approval) conventional and small lot development areas, respecting suitable location and relationship to the higher density residential areas.
6. Low density multiple residential forms (townhouses) will be carefully integrated into hillsides and comprehensive pockets or pods of development (planned unit development) to form compact sub-neighbourhoods while achieving economic efficiencies and quality living environments.
7. Apartments will be focused in select locations and in close proximity to the neighbourhood centre; mixed use buildings with residential above commercial uses will be encouraged in the neighbourhood centre.
8. The development of all residential will work with the opportunities and constraints of the site, relative to the following: highest and best use/marketability of lands, slopes, views, relationship to the Fortis Power Transmission Line and the Cantex Gravel Quarry, roads/access and protection of the environmental integrity of the site.
9. Gated communities will not be permitted.

5.3 Single Family Residential Policies

The following policies are intended to encourage and control a diversity of housing forms and lot sizes:

Small Lot Housing

1. Encourage a significant proportion of small lot development that will address affordable housing demand.
2. Ensure that small lot development has access to public spaces such as

parks, trails and amenities.

3. Require appropriate transition and integration between larger conventional lots and small lot development through use of local streets, parks, trails and green space, as well as urban design (DPA) guidelines for intensive development.
4. Lot sizes will be in accordance to densities in the City of Penticton Zoning Bylaw.
5. Housing types to be supported include but are not limited to bungalows, manufactured homes, cottage homes as well as regular walk out and walk-in houses.
6. Garages and other structures will be permitted subject to allocated site coverage and dependent on terrain. In difficult terrain, on-site parking (over one parking space) may be addressed with roadside cluster parking.
7. Secondary suites will only be permitted subject to zoning.

Conventional/Large Lot Housing

1. Encourage a significant proportion of conventional/large lot development that benefits from the site views and other attributes of the location.
2. Ensure that conventional single family residential areas have immediate or easy access to parks, trails and green space.
3. Housing types to be supported include but are not limited to bungalows, walk-ups and walk-ins, duplexes, secondary suites, carriage houses, and special housing forms subject to zoning. Low density multiple family residential (e.g. threeplex and fourplex townhouses) may be permitted subject to rezoning.
4. Lot sizes will be in accordance to densities in the City of Penticton Zoning Bylaw.
5. Development may require covenants to address steep slope portions of a lot and protection of environmental sensitivity of an area. Integration of covenant areas with open space corridors, trails, and parks where necessary is encouraged.

Future Planning Area

The following policies are intended to support and control appropriate development of the Benchlands of the North Block of the Upper Wiltse Area. Either acreages or clustered single family residential development is expected to achieve the main goals of avoiding steep slopes and protecting the integrity of any environmentally sensitive lands and wildlife corridors.

Acreages

1. Large lot estate homes are supported in appropriate locations of the upper bench. Lot sizes will be a minimum of 2.5 acres/1.01 hectares and no greater than 20 acres/8.09 hectares.
2. Large lot development will be planned and designed with topographic features in mind.
3. Cross slopes of 30% or greater will be subject to covenants and/or development permit guidelines within a steep slope DPA.
4. The overall footprint of built form (houses, paddocks, garages, outbuildings and other structures, and hard surface driveways) will be limited by zoning/lot coverage provisions.
5. Development of this area will only be permitted once servicing and roadway access is confirmed with the City's approval.
6. Hobby farms, Bed and Breakfasts, Equestrian facilities, wineries, and small resorts may be permitted subject to zoning.

Cluster Housing

1. Clustered home development is supported in appropriate locations of the upper bench. The main intent is preserving the integrity of large open spaces and environmentally sensitive areas.
2. Amenities in the form of planned unit area parks, public spaces, club houses, community facilities should be considered in comprehensive plans for all cluster home developments.
3. Average density factors for planned unit/cluster developments shall be determined by zoning.
4. Single family residential or low density multi-family development (threeplex and fourplex townhouses) will be permitted in cluster home

developments.

5. Development of this area will only be permitted once servicing and roadway access is confirmed with City's approval.





5.4 Multi-Unit Residential Policies

1. The area designated as Multi-Unit Residential on the Land Use Schedule will accommodate predominantly low density multiple family residential and some medium density residential housing forms (including triplexes, fourplexes, townhouses, compact housing, apartments and other innovative forms of housing, in keeping with the direction imposed by the Official Community Plan. Single family residential may be permitted in accordance with Zoning provisions.
2. Low Density Multiple Family Residential forms will be contained in three to six unit buildings.
3. The Medium Density Residential forms of townhouses and apartments will be at a maximum net density of 40 units per acre. Ground oriented apartments will be four storeys maximum with approximately 30 units per building.
4. Other forms of housing such as compact housing, seniors and care facilities will be subject to Zoning provisions.
5. Placement of multi-residential forms of housing will respect the protection of views and view corridors from up-hill homes.
6. Buffering between single family residential and any multi-unit residential uses shall be achieved with the use of open space, parks, trails and distance separation.

7. Multi-unit residential development is encouraged to be developed in close proximity to and within the neighbourhood centre to achieve critical mass and design objectives for the mixed use centre.
8. Parking is required to be within or under structure of the principal building to avoid expansive surface parking area.
9. All multi-unit residential development will be located in close proximity to or within easy access of, parks, trails or an open space system.
10. Grouping of multi-unit developments is encouraged either within a single development site or aggregated sites (node) to avoid impacts on sensitive natural areas and steep slopes.
11. The greatest concentration of multi-unit residential use is encouraged at the extreme north end and south end of the subject lands to avoid through traffic in the low density residential areas.
12. All multi-unit residential developments will be subject to Development Permit Area Design Guidelines that will address form and character.
13. The south block multi-unit residential area will be subject to both Multi-Family Residential DPA and Environmental Protection DPA upon annexing the land into the City of Penticton.

5.5 Forestry Grazing

1. The area designated as Forestry Grazing on the Land Use Designation Map will accommodate a large parcel characterized by steep rugged topography with limited development potential.

2. Development on the Forestry Grazing site will only occur in the area identified as “Development Area” on Figure 13, the Land Use Designation Map. The remainder of the site is to be maintained in a natural, undisturbed condition, except for low impact trails.

3. The development will have a minimum parcel size of 25 ha and a maximum density of 2 single family dwellings. A tourist commercial lodge / resort of up to 20 room is permitted, subject to zoning, within the “Development Area”. The lodge / resort is to offer a unique visitor experience with an eco or agri-tourism focus.

6.0 Neighbourhood Centre Policies

The following policies are intended to encourage and control development in a mixed use neighbourhood centre that will permit minor commercial uses, mixed use residential/commercial buildings, care and seniors facilities, and a concentrated node of high density multi-unit residential buildings.

Sub-components of this designation are as follows:

- Mixed Use Development
- Commercial Core
- Care and Seniors Complex
- Higher Density Residential

6.1 Goals

1. Provide an opportunity for neighbourhood convenience commercial retail and services.
2. Create a sense of place and neighbourhood focus with appropriate attention to design, uses and siting of the centre.
3. Accommodate Seniors Care and Assisted Living facilities so that they are integrated with the neighbourhood through design and siting.
4. Promote higher density residential and mixed commercial/residential uses in and near the Neighbourhood Centre.

6.2 Mixed Use Development

1. Blended mixed use buildings with residential uses above commercial (retail and office) on the ground floor will be encouraged in the neighbourhood centre.
2. Live/work opportunities will be promoted where studio or office space is made available in or within close proximity to residential buildings and mixed use buildings. Zoning will permit transition from residential to commercial use of units over time.



3. Parking is required to be within or under structure of the principal building or shared with adjacent buildings.
4. Urban design will promote pedestrian oriented character and amenities such as outdoor and street level activity, landscaping and site features.
5. Residential Unit sizes are encouraged to be small to assist with affordability and attraction of consumers to support the commercial enterprises.
6. Commercial uses will be limited to local convenience retail, recreation and fitness, health care professionals and related services such as a pharmacy.
7. A maximum of 10,000 square feet (930 square meters) of commercial (retail/office/service) will be permitted in the Neighbourhood Centre.

6.3 Commercial Core

1. Approximately 2.5 acres (1.01 hectares) of land have been dedicated to neighbourhood centre commercial retail and service.
2. Uses should be limited to convenience groceries, restaurant and beverage (includes pub), cafes and health related services such as doctors, physiotherapists/message clinics and pharmacy.



3. Health related retail and services can be contained within Care or Seniors and Assisted Living Facilities.
4. A maximum of 10,000 square feet (930 square meters) of commercial (retail/office/service) will be permitted.
5. Zoning of commercial uses will be in accordance with the CD Zone.
6. Customer parking shall be allocated between surface and structured/ underground parking spaces, with the majority being accommodated within the building.
7. Any free standing buildings must comply with Design Guidelines for the Neighbourhood Centre.

6.4 Care and Seniors/Assisted Living Complexes/Institutional

1. Care and Seniors or Assisted Living development is encouraged as a focus of development in the Upper Wiltse Neighbourhood, providing scale and massing of the buildings do not compromise the neighbourhood character of the area. Three stories maximum is envisioned with the potential to integrate related retail and health care services at the ground floor level.



2. Accessibility from local roads is a requirement of development.
3. Visitor parking shall be allocated between surface and structured/ underground parking spaces, with the majority being accommodated within the building.
4. Care and Seniors/Assisted Living Complexes will be subject to DPA Design Guidelines to address form and character and the ability to sensitively integrate such development within the neighbourhood centre.

6.5 Higher Density Residential

1. Multiple unit residential buildings will complement the commercial, mixed use and any care/assisted living facilities in the neighbourhood centre. A comprehensive design plan will be required to address compatibility amongst the various uses in the centre.



2. In the neighbourhood centre, five-storey or higher building profile may be considered with zoning approval and within strict design parameters. The intent is to create critical mass of residents in the vicinity of the neighbourhood centre, housing affordability and a mixture of demographic in the entire Upper Wiltse neighbourhood.

3. Parking shall be located within or under the principal structure. If totally underground, parking level should not count as a floor.
4. Development should be integrated with the urban design character of the centre as well as the other higher density buildings in the vicinity of the neighbourhood centre.
5. All multiple unit residential buildings shall be subject to DPA Design Guidelines to address form and character.
6. The City may consider innovative forms of housing within the neighbourhood centre, providing the character of an accessible, walkable and user friendly precinct is not compromised.

7.0 Parks, Open Space, Trails, and Natural Features Policies

This section describes the policies for an integrated system of parks, open space and trails that will complement this residential community and form a backdrop to a growing livable and sustainable city.

7.1 Goals

1. Create a strong sense of connectivity between residents of the community/ neighbourhood.
2. Promote a strong connection and relationship with the natural beauty of the site.
3. Promote and supply opportunities for active recreation and a healthy lifestyle.
4. Create a diverse mix of uses within the park system to appeal to all user groups.
5. Create a cohesive overall park system.
6. Preserve natural site features and wildlife habitat.
7. Create park space and amenity areas that are integrated with storm water, transportation and utility infrastructure.
8. Respect and enhance the development and/or expansion of Skaha Bluffs Provincial Park.
9. Allow for the creation of additional semi-private greenspaces.

7.2 Parks Policies

1. A network of greenspace is integrated into the Area Structure Plan, allowing residents to move freely throughout the neighbourhood with all trails emanating from the central park and diffusing into adjacent undeveloped lands.
2. A hierarchy of spaces will exist with a central park acting as the core of the system. This park is seen as programmable space to accommodate larger groups of people and a wide variety of activities. It will be located in the heart of the neighbourhood centre and become a meeting place for social interaction.

3. Numerous neighbourhood or pocket parks will be provided close to residential areas. These are smaller greenspaces that may accommodate playgrounds, lookouts, trailheads and interpretive sites as examples. Storm water ponds required on the site will also afford opportunities for additional greenspace and/or parks.

4. All neighbourhood parks/green spaces will be connected via greenway corridors that will permit movement of pedestrian/hikers, snowshoeing/ cross country skiing enthusiasts, and cyclists as well as wildlife.

5. Fixed exercise equipment could be located on one park or a series of interconnected parks to create an exercise circuit.



6. Due to the challenging topography of much of the property, large sports or play fields are not envisioned. Instead, active play and sports activities or recreational events will be directed to nearby Wiltse Elementary School playfields and adjacent park just down the road on Wiltse Boulevard.

7. The smaller parks will be designed for both active and passive opportunities in keeping with the City's Parks, Recreation and Culture Master Plan requirements.

8. Any future school site requirements deemed necessary should consider complementary development with an adjacent municipal park.

9. This Area Plan provides for a major expansion to Skaha Bluffs Provincial Park to facilitate management of environmental values and public recreation use. Integration of neighbourhood trails with this Park will be promoted for hiking, equestrian and other recreational pursuits.

10. .

7.3 Conservation and Protected Areas Policies

1. Conservation areas include steep slopes, ravines, gullies, wetlands and limited forest cover areas that will not be subject to development and consequently protected through designation.
2. Certain sites that have been identified through professional ecological evaluation will be protected by Environmental DPA.
3. Sensitive natural areas that may not be formalized as park space but that will be preserved as non-buildable lands may be integrated into the residential areas with careful design and environmental monitoring.
4. Interpretive signs along the linear trail system will provide information about features in the area without providing direct access, thereby protecting habitat and environmental integrity of the sensitive features.



5. The Fortis Transmission Power Line ROW will also serve to protect an open space feature immediately along the eastern edge of the neighbourhood. This will form a transition into the major open space system and Skaha Bluffs climbing area to the east of the residential neighbourhood.
6. The open space policies shall respect the recommendations of the Biophysical Inventory and Environmental Sensitivity Analysis conducted by Ecoscape Environmental Consultants and the City's Environmental Consultants.

7.4 Trails Policies

1. Trails will be developed for increased connectivity between neighbours and to the central park.
2. Trails and trailheads will provide connectivity to recreational opportunities beyond the neighbourhood.



3. Trails may vary from paved walkways to gravel footpaths, in order to best suit the terrain and the development around them.
4. Trails should offer as much universality as possible for all age groups and abilities.
5. The City and developers will work with FortisBC to ensure the use and suitability of the Power Line easement for walking, biking and equestrian trail opportunities.
6. Natural rock outcroppings, cliffs, gullies and significant tree stands will be preserved wherever possible to profile the rugged nature and beauty of the area where trails will be planned and constructed.
7. Trails planning must respect environmentally sensitive areas and features; interpretive signs will be used to educate trail users in the vicinity of these sensitive areas and avoid impact on them.
8. Trails along greenways near residential areas will not contain lighting to avoid disruption of the enjoyment by the residents. Dark skies provisions may be included in the hillside development guidelines.

7.5 Natural Features Policies

It is implicit that natural features will play an important role in establishing the character of this new neighbourhood, along with protecting the environmental integrity of the lands. The following policies are intended to help influence the aesthetics, livability and general sustainability of the community. It is understood that these policies will be complemented by the Environmental Policies contained in Section 9.0.



1. Key natural features including major rock outcrops, canyons, unusual geological features, and important water and vegetative features will be protected from disturbance.

2. Wherever possible, identified features to be protected will be incorporated into the parks, open space or conservation designations of this plan.
3. Roadways, trails, servicing lines or other linear developments should ensure routing plans that can work around the major natural features.
4. Extensive grading that will be required in the north block should also consider protection of natural features wherever possible, even though much of this area has historically been disturbed by human activity.
5. Special environmental features that form key habitat for wildlife or reptiles have been identified. Talus slopes, wet areas and steep slopes should be signed for protection or incorporated into an interpretive/education program for residents and visitors to become part of the stewardship efforts.
6. Key natural features can form part of the parks/trails/pedestrian system but with careful planning and design by qualified Landscape Architects.
7. Key natural features may be incorporated into the overall storm water system, boulevards, medians, and within public or private spaces, providing protective measures are taken. Covenants may be used on private lands, the City may acquire certain lands or conservation methods used where necessary.



8. Monitoring by qualified environmental professionals will be required wherever development and construction is to take place in or near environmentally sensitive areas and critical habitat that forms part of the natural features.
9. Planting of areas where major grading will take place should include a significant percentage of indigenous trees and plants. Ability to incorporate xeriscape and natural replanting on private property should be included as part of development guidelines, as well as addressing wildfire interface concerns.
10. Where key natural features may be affected by the results of grading, e.g. soil erosion, sediment flows, and storm water drainage issues, a civil engineer must be involved to address potential impacts prior to disturbance of the site.

8.0 Urban Design

This section addresses some of the critical urban design elements such as the following:

- Community Character
- Hillside Development
- Residential Design
- The Commercial/Neighbourhood Centre
- Special Conditions Related to Certain Areas and Site Features
- Visual Impact Considerations

8.1 General Design Principles

- Keep rugged hillside features where possible – Although grading of much of the northern block will be required, there are several areas where the natural terrain and steep slopes will be retained. These rugged hillside features and backdrop to the development will help define the Upper Wiltse Neighbourhood.
- Integrate roads and development following the contours (curvilinear design) – Roadway design and alignment will help dictate the layout of this hillside community. Access, road standards and alignment will respect the general contours and slopes. Cul-de-sacs, crescents and short/broken extents of road will help create sub-neighbourhoods and pods of development for both single family and multi-unit residential areas. Local streets should be narrow designed for a low design speed. Roads should be constructed "around" major natural features such as boulders/rock outcrops.

  Refer to Figure 14, Appendix A 'Development Vs Slope'.
- Contour slopes – Working with the land orientation, any grading that needs to be conducted will create gentle transition between benches or housing platforms. An overall grade of 15% for the main single family residential area is envisioned to be achieved. Overall intent is to establish development areas that allow for seeing over the homes below and with views towards one or both lakes.

  Refer to Figure 16, Appendix A 'Proposed North Parcel Grading'.

- Open Space and Parks breaks up massing – Use of open space and local parks/greenways will help break up the massing of development along the hillside. Existing vegetation, natural features and replanting will be interspersed on public and private lands, forming a variety in viewscapes as seen from within the neighbourhood and from external vantage points. Uniform building rooflines should be avoided. Trees should be retained or replanted within road rights-of-way.

- Landscaping regarding Single Family Residential (see Guidelines for Wildfire Report and DPA).

8.2 Community Character



- Establish an attractive, pedestrian-friendly, walkable community that respects and integrates the local character of Penticton.

- Support local mixed use opportunities at community focal points that promote a healthy, vibrant, pedestrian-friendly neighbourhood.

- Encourage architecture that is innovative, of high quality, and supportive of the community's image, identity and sense of place.

- Provide high quality landscaping through the creation and maintenance of landmarks, pathways, and focal points within the neighbourhood.

- Enhance the attractiveness of community focal points through careful attention to urban design, provision of innovative landscaping, street furniture, distinctive lighting, and public art.

- Ensure public and private open space is clearly and attractively demarcated along internal open space corridors.

8.3 Hillside Development

- Contour hillside slopes – natural slopes should be retained between houses wherever possible.



- Use of walls – height and length – Retaining walls are often the scourge of hillside developments. Walls should not be used in place of natural features such as cliff, rock knoll or outcrop. Necessary walls should be kept low and terraced, screened with strategic placement of trees and landscape material, and use of natural stone wherever possible. Manufactured material walls can also be broken up with natural stone portions.



- Protection of trees – Trees and natural cover should be protected wherever possible, or enhancement of existing is complemented with native landscape materials.
- Integration of multiple unit residential pods – Clustering of townhouse pods and integrating them into the hillside will help preserve sensitive environments while achieving economic returns for the development.
- Retain expansive natural areas – All steep slopes (beyond 30%) will be protected from development. Where some encroachment occurs, geotechnical evaluation may be required for each building permit. Covenants or conservation areas will apply to both public lands and some private lands where important natural areas are to be protected. Steeper slopes will form part of the Hillside Hazard Development Permit Area.
- Stepping housing forms down hillside/stepped grading – Lot grading and disturbance should occur at the building stage in order to design buildings which accommodate existing terrain and vegetation to the extent possible. Both townhouses and single family forms should step up or down with the natural terrain as opposed to creating large single building platforms.

- Use varying residential types that can suite terrain and setting – The plan calls for using a variety of housing forms, styles and sizes to suite the terrain and setting. This may include a mixture of townhouse sizes in one location (duplex, threeplex, fourplex, to sixplex, etc.), walk-up or grade entry homes, separate/detached garages, etc.
- Yardscape and placement of structures – Blending into natural landscape, minimize impact of garage doors, driveway grades respect slopes, lower or flat roof lines, setbacks, house and yard construction respects natural slope/small yards if necessary.
- Avoid front of ridge lines – Ridge lines should not be dominated with buildings and structures or at least broken up where possible.

8.4 Residential



- Multiple Unit residential to suit the site – instead of three large lots/houses, use of a three or fourplex may achieve significant design objectives on a hillside.
- Minimal reflective glass – caution on the amount and orientation of walls containing reflective glass for windows.
- Use of Stone and Wood to reflect natural materials/surroundings – imported or local blast rock and other natural or local materials should be used instead of manufactured materials, subject to code and regulatory requirements.
- Colors to blend with natural landscape – Colors should be chosen to blend into natural landscape for all structures, including retaining walls, fences, roof materials and other architectural finishes.
- Maximum height – 2.5 storey on single family residential (stepping is encouraged where terrain permits).
- Maximum height – 4 storey on multiple unit residential (stepping is encouraged where terrain permits.
- Broken massing of larger buildings – Vertical and horizontal articulation of buildings and structures is paramount to avoiding impacts of massing.
- Parking within buildings for all multi-unit residential/apartments to avoid

expansive surface parking.

- Articulated facades and roof lines/pitches that follow natural slopes.
- Garages (doors) should not dominate front façade of buildings.
- Grouped or planned unit development is encouraged where appropriate (e.g. four to five buildings of fourplexes).

8.5 Neighbourhood Centre

- Outdoor Amenity Areas – Opportunities for public outdoor amenity space should be incorporated into the design of all projects forming part of the neighbourhood centre. A comprehensive plan should include seating areas, small lawns, a plaza or square as features and naturalized landscaping.



- Parking Underground/Within Buildings – Similar to parking for multi-unit residential developments, parking for uses in the centre should be provided largely in independent or common underground or within buildings to avoid expansive surface parking. Parking entryways into structures should be obscured from street view as much as possible. Surface parking lots (visitor or tenant) where necessary should be broken up by landscaping and pocket parking.
- Common Architectural Theme – In order to establish a focus for the neighbourhood centre, a common architectural theme should be imposed in the comprehensive plan for the site. Materials, colors, roof forms and general architectural design should be complementary within the neighbourhood centre as well as with adjacent land uses.
- Pedestrian Oriented – Every opportunity should be taken to instil a pedestrian oriented character in the planning and design of the Neighbourhood Centre. The automobile and parking should be secondary by advocating wide sidewalks, seating areas, landscaping and other features that allow mobility for people to move by foot, bicycle or even scooters between buildings and within the centre. Connections to the surrounding residential areas should also be promoted by installation of

sidewalks, parks and trails/pathways.

- Transit Stop – A convenient transit stop should be integrated into the Neighbourhood Centre. This will require certainty that transit will form part of the looped system through the Upper Wiltse Neighbourhood.
- Landscaping/Streetscape – Street appeal is imperative to achieve a successful commercial and neighbourhood centre. Attention to special landscaping and tree planting, sidewalk materials, lights, bike racks, benches and other street furniture should be incorporated into roadway intersections near the Centre as well as within the Neighbourhood Centre. Any roundabouts in the vicinity of the Centre should contain quality landscape and/or public art in keeping with the City's cultural tourism enhancement strategy.

8.6 Special Conditions

- Development Along Fortis Power Line – Residential Development along and in close proximity to the FortisBC Right of Way will either occur immediately adjacent to or across a roadway from the power line easement. Many of the lots to be developed in this vicinity are proposed to be small lots where smaller homes may be built. Planning and design of each development should take into consideration the following:
  - Orientation of the home in relation to power line, poles, guidewires, etc.
  - Location of and access to on-site parking/garage
  - Yards and setback
  - Fencing
  - Landscaping
  - Location of outbuildings
  - Edge treatment of roadways

- Gateway Treatment – Gateways into the neighbourhood may occur at strategic locations to demarcate the Upper Wilste community. The intention of any special treatment should be to announce arrival, not to suggest a gated community. Special features that can be used may be boulevards, split carriageway/landscaped entry median, natural features such as rock outcrops, small parks, storm water ponds, public art, and monument signs. The theme can be carried throughout the neighbourhood with smaller representations of the main entryways at entrances to strata developments or sub-neighbourhoods, or even the Neighbourhood Centre.



- Park Edges and Entryways – Any community park or trails should include appropriate demarcation and entry signs in keeping with an overall Wiltse or City of Penticton theme and standards. CPTED principles should also be employed to allow for the safe enjoyment by residents and visitors, including seniors and children.

8.7 Visual Impact Considerations

- Protecting Views from Above – The entire site area lends itself to partial or wide and expansive views of the valley and city landscape. Every opportunity should be taken to avoid blocking views of the upslope homes. Mechanisms such as Building Schemes or where applicable and permitted, DPA guidelines, should be used to address height, roof lines, placement of buildings, and any other impediments to views. Overall grading and lot by lot grading must be carefully considered in the overall scheme, as well as roadway placement. Siting of single family residential above multi-unit residential complexes should also respect site lines and view corridors wherever possible so that the benefit of the special location of the Upper Wilste Plateau is not compromised.

- Siting to Maximize Views – The development concept entails a considerable build out of low density multi-unit residential buildings on both blocks of land. Many of these will occur in clustered planned unit developments with a combination of townhouse and in some cases with low rise apartment complexes. It is important to have as many buildings as possible maximize views from where they are located. The planned

unit developments should be planned and designed comprehensively so that building arrangements on site can work compatibly. Stepping up and down slopes to work with natural terrain can be done very effectively with multi-unit residential buildings.

- Views from Below – A major visual impact consideration will be views from below towards the upper slopes of the site. Important elements of design will be retaining walls, massing of buildings and landscape/screening. Extra care and attention should be employed in Building Schemes and DPA guidelines that will address the following:

  - Retaining Walls – height shall be kept to a minimum as prescribed by the City; natural material such as local stone should be used wherever possible; walls may be integrated into natural features such rock outcrops in yards where possible.

  - Massing of Buildings – the mass of both single family and multi-unit buildings shall be broken by articulating roof lines, building facades and the overall structure wherever possible. Institutional and commercial buildings will require detailed architectural design analysis to avoid imposing significant mass that may be visible from below.

  - Landscape and Screening – Selective use of landscape material and strategic planting will assist considerably in addressing visual impact from below. Retaining walls, expansive side walls of buildings and structures in general can be screened with properly selected trees and other landscape materials. The City may ask that Development Applications can provide modeling of tree growth over a period of growth intervals or site line analysis to illustrate to City officials that landscaping plans will ultimately obscure sensitive visual elements.

9.0 Environmental Protection Policies

This section presents policies that are intended to protect the integrity of specific biophysical features and environmental sensitivity of the site, allowing for a livable and sustainable neighbourhood to be enjoyed by future residents. Policies have been informed by significant review and analysis of the biophysical inventories and environmental sensitivity work conducted by specialist consultants in environmental sciences, and best management practices and standards provided by the RDOS, the City of Penticton and other relevant legislation and regulations.

[The following policies were derived from recommendations and best management practices provided in the specialist report: *Biophysical Inventory and Environmental Sensitivity Analysis for the Wiltse Property produced by Ecoscape Environmental Consultants Ltd.*]

The Wiltse Area Structure Plan amendments for the South Block were based on an Environmental Mapping Update and Assessment report 2017 by Ecora Engineering. This report was further updated in 2018 to address additional environmental concerns associated with the overlap of identified "Critical Habitat" as defined by the federal Species at Risk Act. Environment Canada released a Recovery Strategy for the Western Rattlesnake, Great Basin Gophersnake and Desert Nightsnake as well as a Strategy for the Lewis Woodpecker. Further site inventory and investigation was undertaken to develop plans to avoid destruction of Critical Habitat and recommend mitigation strategies. The Environmentally Sensitive Areas for the South Block are identified in Figure 18A -- Environmental Protection Development Permit Area.

1. Roadways should be designed to follow natural topography and with as small footprint as possible to reduce cut and fill requirements.
2. The conservation of wildlife movement corridors should also be considered for roadway locations and alignments.
3. Where roadways may conflict with wildlife activity, mitigation measures should be incorporated into the road designs to minimize impacts. Recommendations include construction of wildlife crossings (culverts and bridges) signs to warn motorists of wildlife crossings, and exclusion fencing.
4. Any crossings for snakes should be designed to prevent snakes from accessing road surfaces, and be placed in areas where snakes are known to

occur, migrate, or bask and based on topography or other habitat features.

5. Stormwater runoff should not be directly discharged into any of the existing wetlands due to the potential for degrading the aquatic communities.
6. The stormwater plan must aim at maintaining drainage patterns, rates and flows without directly introducing runoff into aquatic environments.
7. Rapid Infiltration Basins (RIB) should be installed in areas with significant soil permeability to help attenuate stormwater flows via exfiltration into the underlying soils.

8. Proposed trail networks and park facilities adjacent to and/or bisecting ESA habitats or identified conservation areas and wildlife movement corridors should be designed to include minimal lighting to reduce potential disturbance to nocturnal and migrating wildlife. It is understood that the roadways and residential area will have appropriate lighting for visibility and safety of the motorists and pedestrians.

9. Interpretive signs should be posted to educate residents regarding the significance of sensitive habitats. Fencing should also be installed in specific areas to further controls access to identified ESAs, buffers or covenant areas.

10. A weed control program should be developed prior to construction. Use of pesticides is discouraged and should not be conducted within 30 meters of aquatic habitats.

11. Roadways and other infrastructure and servicing footprints should be kept to a minimum to reduce disturbance of native soils and removal of native vegetation, which will prevent establishment of invasive species.

12. Restoration planting and seeding with native species is encouraged.

13. Where feasible, areas of coniferous woodland and grasslands should be restored, understanding that much of the land has been disturbed by human activity and fires in the past.

14. Enhancement and creation of wetlands, riparian and other aquatic ecosystems can be created through careful planning of development with respect to existing drainage patterns, ecosystems types and stormwater management. Detention basins, ponds and other wetland habitats can benefit many sensitive species described in the biophysical inventory.

15. Qualified environmental monitors (EM) will be required to document compliance with identified standards, BMPs and other conditions. Such EMs will be authorized to halt construction activities should an incident arise that is causing undue harm to terrestrial, aquatic or riparian resource values of the site. An EM will be in a position to recommend measures to protect or restore the natural integrity of a site should a disturbance occur due to unforeseen circumstances.

16. An Environmental Protection Development Permit Area is applied to all environmentally sensitive lands.

17. Where development is proposed within the recommended wildlife corridors, additional environmental investigations and site specific mitigation strategies will be undertaken. For example, the southern block will ultimately be developed with a road that must traverse an ESA; appropriate mitigation or compensation measures will be defined to help ensure the development project meets or exceeds the standards provided by government, relevant legislation, regulations and Best Management Practices. See Figure 8: Core Sensitive Areas and Connectivity.

18. This ASP acknowledges work done under the auspices of South Okanagan Similkameen Conservation Program (SOSCP); "Keeping Nature in Our Future; A Biodiversity Conservation Strategy for the South Okanagan-Similkameen".

10.0 Transportation, Mobility, and Parking

This section addresses the transportation and mobility policies of the plan, including some of the key elements as follows:

- On-site Roads Standards
- Off-site Roads
- Traffic Management
- Transit
- Parking
- Pedestrian and Hiking Facilities
- Bicycle Facilities

10.1 On-site Roads

On-site Roads will be developed to the City of Penticton Subdivision and Development Bylaw requirements and standards. The roads will be either based on the conventional cross sections for local and collector roadways with a 16m right-of-way width for local roads, and a 20m right-of-way width for collector roads, or the hillside development guidelines will be implemented with right-of-way widths ranging from 10 to 14m for local roads, and right-of-way widths ranging from 14 to 18m in width for hillside collector. (See examples of hillside road cross-sections) Hillside Development Guidelines will be implemented to allow for a reduction in the amount of earthworks and modification to the existing topography and natural features.



The extension of Wiltse Boulevard through the site and connecting with Partridge Drive is planned as a collector roadway. The roadway that connects with Wiltse Boulevard, adjacent to the commercial site and extending to the east is also planned as a collector roadway. The roadway that serves the southern portion of the site, with a connection to Evergreen Drive, is also planned as a collector, with provision for a future connection to Valleyview Road.

Refer to Figure 5, Appendix A ‘Roads/Access’ for detailed mapping of proposed roads.

10.2 Off-site Road Connections

The City of Penticton 2005 Transportation Study identifies the Road Classifications for the area adjacent to the Wiltse Neighbourhood. Figure 8.1 from the study (appended) identifies the following collector roadways in the adjacent area:

- Wiltse Boulevard, from Dartmouth Drive through to the north-west corner of the site. The portion of Wiltse Boulevard currently in place has been constructed to the urban collector roadway standard.
- Pineview Road, from South Main Street, past Dartmouth Drive, to a planned connection with Evergreen Drive. Evergreen Drive then extends through to a connection with Wiltse Boulevard. A portion of Pineview Road will require the adjacent lands to develop for the full collector roadway width to be developed. The portion of Evergreen Drive completed meets the current collector roadway width.
- As noted above, the extension of Wiltse Boulevard through the site and connecting with Partridge Drive is also planned as a collector roadway. The portion of Partridge drive adjacent to the intersection with Evergreen Drive has been constructed to the collector roadway standard.

10.3 Traffic Management

Hillside Development Guidelines contained herein address means to achieve narrower roadway widths. The traffic calming objectives of the Official Community Plan are promoted with the use of the narrow roadways and roundabouts at the major intersections.

The site is anticipated to build out with the following number of units:

- 250 single family homes;
- 604 multi-units (with both low rise apartments and townhomes);
- An estimated 10,000 sq. ft. of commercial.

The total number of trips entering and exiting the site from the adjacent collector roadways has been estimated based on Institute of Transportation Engineers trip generation rates, with an internal reduction factor applied, to allow for trips that will occur within the neighborhood (primarily related to the commercial site). The following **Table 10.1** presents the total number of site generated trips for both the North and South blocks. The north block is anticipated to generate up to 400 vehicle trips into and out of the neighbourhood, during the average weekday afternoon Peak Hour. The south block is anticipated to generate up to 130 vehicle trips into and out of the neighbourhood, during the average weekday afternoon peak hour.

North Block			Rate	Total		in	internal reduction	external in		out	internal reduction	external out
230	Single Family	AM	0.75	173	25%	43	10%	39	75%	32	10%	29
units	(ITE #210)	PM	1	230	63%	145	10%	130	37%	54	10%	48
216	Town House	AM	0.44	95	17%	16	10%	15	83%	79	10%	71
units	(ITE #230)	PM	0.52	112	64%	72	10%	65	36%	40	10%	36
180	MF Low	AM	0.51	92	20%	18	10%	17	80%	73	10%	66
units	(ITE #221)	PM	0.62	112	64%	71	10%	64	34%	38	10%	34
10,000	Commercial	AM	1	10	61%	6	25%	5	39%	4	25%	3
(per 1,000 ft^2)	(ITE #820)	PM	3.73	37	49%	18	25%	14	51%	19	25%	14
Total		**AM**						**74**				**169**
		PM						**273**				**133**

South Block			Rate	Total		in	internal reduction	external in		out	internal reduction	external out
30	Single Family	AM	0.75	23	25%	6	10%	5	75%	4	10%	4
units	(ITE #210)	PM	1	30	63%	19	10%	17	37%	7	10%	6
118	Town House	AM	0.44	52	17%	9	10%	8	83%	43	10%	39
units	(ITE #230)	PM	0.52	61	64%	39	10%	35	36%	22	10%	20
90	MF Low	AM	0.51	46	20%	9	10%	8	80%	37	10%	33
units	(ITE #221)	PM	0.62	56	64%	36	10%	32	34%	19	10%	17
Total		**AM**						**21**				**76**
		PM						**84**				**43**
Full Build Out Total		**AM**						**96**				**245**
		PM						**358**				**176**

Table 10.1 - Wiltse Area Trip Generation Rates and Traffic Volumes

The internal roadway hierarchy is laid out to accommodate the connectivity with the adjacent collector roadway system, while providing for direct access to the local street network.

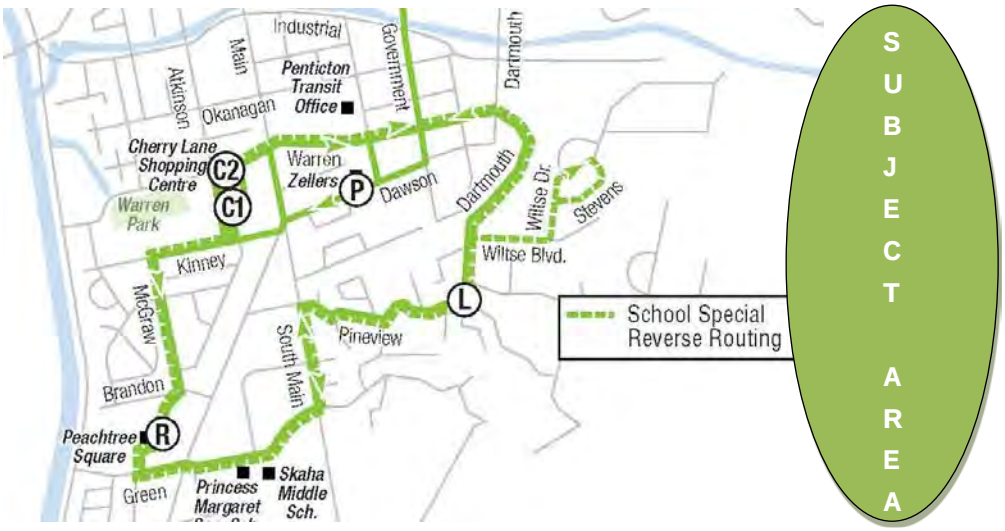
The collector roadways identified in **Section 10.2** have been planned to accommodate the additional traffic generated by the full build out of the north and south blocks.

The City of Penticton Comprehensive Development Plan Study completed in 2005 identified roadway infrastructure improvements of $100,000 to facilitate the additional traffic generated by the Wiltse Area.

The total traffic generated by the Wiltse Area is anticipated to have a minimal overall impact on the City of Penticton collector and arterial roadway infrastructure.

10.4 Transit

The Penticton Transit System currently serves the Wiltse area via the Okanagan Lake/Wiltse Route. The route extends from downtown to Dartmouth Drive and onto the Peach Tree Mall. With the addition of the commercial node within the site, a further extension of the transit service should be investigated as the area builds out.



10.5 Parking

The use of the Hillside Development Guidelines allow for the development of on street parking bulbs (laybys), adjacent to single family homes, thus allowing for narrower roadways in areas that do not have single family homes adjacent to the roadway. Parking for multifamily and town house sites will be provided on site, thus minimizing the adjacent on street parking.

10.6 Pedestrian and Hiking Features

The site layout has been developed to take advantage of the adjacent green space for the provision of trails connecting residential areas. All collector and local roadways will have sidewalks. Local roads may incorporate sidewalks on one side only in order to preserve natural features and to limit grading of the site.

10.7 Bicycle Facilities

The City of Penticton 2005 Transportation Study identifies the existing and proposed bicycle/pathway network for the area adjacent to the Wiltse Neighbourhood. Figure 5.3 from the study (See Appendix E) identifies a future bike route loop via Wiltse Boulevard, Partridge Drive, Evergreen Drive and Pineview Road.

The pedestrian trail system will also be developed to accommodate off road bike travel where appropriate. The Fortis R/W can also accommodate cycling trails but not for motorized (off road) vehicles.

11.0 Servicing and Utilities

This section addresses the major municipal infrastructure and utilities that will be required to be upgraded, installed or planned in more detail to allow a significant greenfield residential development in Penticton. Any on-site and off-site water supply and distribution facilities, sanitary sewer and stormwater/drainage infrastructure will ultimately be managed by the City of Penticton. Potential off-site road works upgrading are also noted. The policy directives of this plan address the ability to supply services to the 850 households and other facilities over a phased development timeframe.

11.1 Water

Water is currently available to the lower areas of the property to an elevation of 520m within the pressure zone known as the 1,820 or 555m. This pressure zone is serviced by the Carmi and Gordon reservoirs. However, the Water Master Plan completed in 2010 by AECOM identifies a shortfall of storage volume, and therefore the City has indicated that the existing reservoirs cannot supply water to these lower areas.

The Water Master Plan completed identifies infrastructure required to provide water service to the Wiltse Flats Development as Project No. 35. (Refer to Appendix F.) Water storage will be provided within a new reservoir to be constructed at a 616 meter elevation within the upper elevations of the Wiltse property. Water will be boosted from the Carmi Reservoir to this reservoir to provide service to the Wiltse development. A new booster station at Carmi Reservoir and a new trunk main from Carmi to the proposed new reservoir will be required.

The master plan estimates the cost of improvements to supply the Wiltse lands at approximately $5.0 million. As outlined above the requirements include the reservoir, pump station, and trunk watermains necessary to supply water to the reservoir. The estimate also includes the trunk watermain from the reservoir to service the southern portion of the development area. The installation of this trunk main could be delayed until such time as that portion of the land is developed. The costs for the reservoir, booster pump and trunk mains would be entirely to the developers account.

Development has occurred in the upper eastern hillside area since the completion of the 2005 Water Study which could result in a variation to the

servicing strategy for the subject area identified as Project 35 in the Water Study. Such variation or alternative servicing arrangements would reflect consistency with completed works and generate the most efficient servicing for the subject area as well as other potential developments and system improvements with appropriate cost sharing by benefitting parties. Other alternatives may be considered by the City that reflects best long-term solutions and further analysis will be evaluated prior to development.

11.2 Sanitary Sewer

Sanitary sewer service to the site will be entirely by gravity sewer, connecting to the existing system at four distinct locations.

The 2005 Sanitary Sewer Study by then Earth Tech, now known as AECOM, identified and recommended system improvements for downstream facilities based on the existing and future peak flows for specific growth areas. In 2009 the Master Plan was updated to reflect a more accurate projection of development and provided Project Sheets highlighting the proposed sewer projects required under various levels of development. (Refer to Appendix F.)

In 2007 the city adopted DCC Bylaw 2007-79 in which the Wiltse area was identified as being on the periphery of the City under Schedule ‘A2’. The current DCC’s for sanitary sewer are $8,132 per unit for single family, bare land strata, and multi-family units.

We understand that in order to provide sewer service to the Wiltse development area, certain downstream upgrading projects have been identified. The project sheets detailing the proposed upgrading have been included within Appendix F. The projects and the expected costs are outlined below.

- Project 3: North Penticton Interceptor – Fairview Road to Treatment Plant Section; Total cost $711,563 – 100% DCC project.
- Project 4: South Penticton Interceptor – Industrial Ave W to Fairview Road Section; Total Cost $711,563 – 100% DCC project.
- Project 22; South Main Street at Galt Ave.
  Total Cost $31,625 – 100% New Development
- Upgrade of the existing 142m of 300mm sanitary south from Yorkton / Skaha intersection to the Lee Ave lift station. Cost contribution from the Wiltse development is estimated up to $0.11 M. The actual contribution is to be determined based upon flow modeling.

11.3 Storm Water Management Plan (SWMP)

The technical portion of the Storm Water Management Plan SWMP is provided in the appendices. The design philosophy and considerations are presented in this portion of the report.

Most importantly, the plan ensures that the natural run-off that recharges the environmentally sensitive wetlands and ponds identified in Ecoscape's report will not be interfered with or supplemented by the development runoff.

It is noted that almost all the urban development occurs below the Fortis BC hydro right-of-way and therefore below the environmentally sensitive areas. Where urban development is above the ESA stormwater from the development will be captured and piped around the ESA to discharge to a trunk disposal site system below the ESA.

The development runoff will be captured by traditional urban development mains such as catchbasins and where applicable, drainage swales and inlets which are considered more environmentally friendly. Stormwater will be directed either to detention storage facilities and then released to the existing system at pre-development runoff rates, either into the existing drainage system or to a new pipe discharging through a Detention Pond to Ellis Creek as per the Drainage Master Plan.

To assist in the controlled release of storm water from the development area, drainage from individual lots will be managed at the point of origin. Development designs for multi-family sites will require on site storage and release at a controlled rate or discharge to the ground if soil conditions are suitable. Roof drainage from individual single family lots can be directed to splash pads and/or rock pits as geotechnical conditions permit.

The city is currently updating its Storm Drainage Master Plan and changes to the rainfall intensity curves are expected. The runoff rates and generated storm water volumes identified within the Storm Water Management Plan will need to be reviewed in the future and based on the most current rainfall intensity curves.

The City, within its Stormwater Master Plan has identified several projects and associated cost distributions as noted below.

- Project EX-10 – South main Storm Trunk Bypass
  Total cost: $2,081,875: DCCs 46%; Existing users 51%
- Project EX-17; Evergreen Drive Major Systems Upgrades
  Total Cost $61,250: DCC's 46%, existing users 54%
- Project FT-I; Yorkton Ave. Storm Sewer and Wetland Development
  Total Cost $868,750 – 100% DCC project
- Project FT-J; Valleyview Road Storm system
  Total Cost; $1,237,500; 100% Developer Cost- Contribution of Wilse lands to be based on contributing flow to be calculated.
- Project FT-M: Wiltse Holdings Area Drainage Upgrades
  Total cost $188,000 – 100% Developer's cost
- Project FT-N; Upper Evergreen Drive Upgrades
  Total Cost: $788,500 – 100% Developer's cost

Developer's Cost, as noted above, infers that costs will be applied to "contributing" developers (i.e. any development flows that impact capacity of the identified project) based on flow proportioning. The percentage contributions will be determined by future storm water modeling.

11.4 Utilities

City of Penticton will be the supplier of electrical power to the development.

The electrical distribution system will adhere to the Construction Standards published by the City of Penticton.

Communications will be provided by Telus and Shaw.

It is anticipated that FortisBC will extend natural gas distribution to the development.

11.5 Potential Roadworks Upgrading

The Comprehensive Development Plan (CDP) dated of April 28th, 2005 stated that for the Wiltse Holdings - The projected growth can be adequately serviced by the existing road network. However, a sidewalk along Pineview Road between Dartmouth Drive and Juniper Drive had been included within the CDP to provide for the safe accommodation of pedestrians as traffic volume increases.

The 2005 Transportation study identifies Green Avenue and South Main as requiring improvement: Upper Wiltse may contribute traffic to that intersection with the later, more southern phases of development. Improvements are estimated at $310,000 (for traffic eastbound up Green Avenue through Greenwood Drive to Pineview Road). Proportional contribution is unknown as no traffic generation relating to the currently proposed Wiltse Development has been estimated.

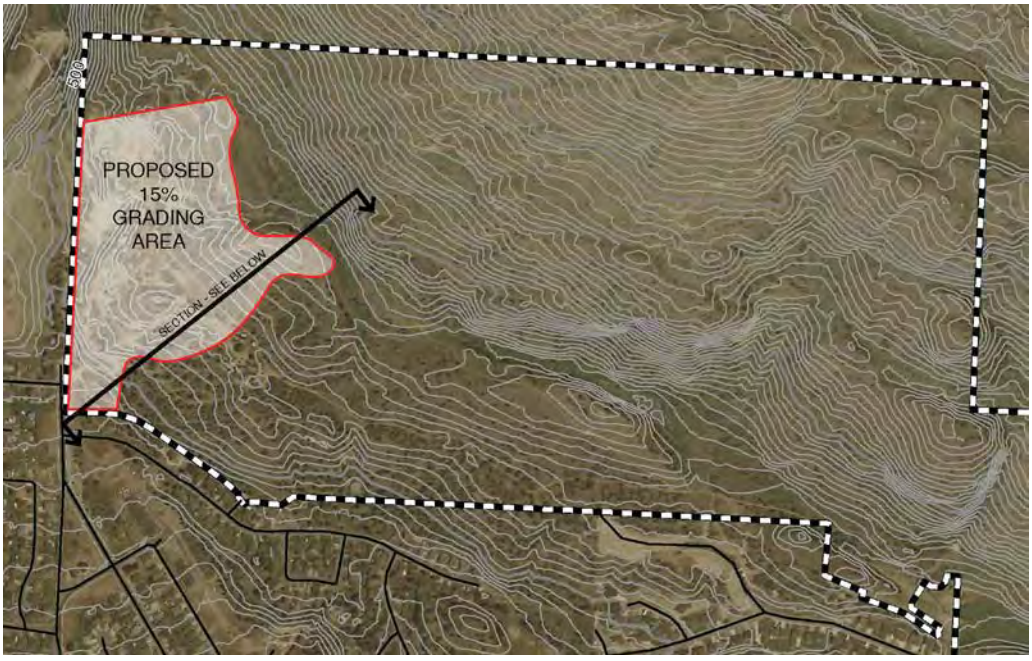
The near term intersection improvement would be Kinney Avenue and Skaha Lake Road - for any future phases that would result in increased traffic down Pineview Road, onto South Main Street and into this intersection. Road improvements are estimated at $245,000. Again, proportional contribution from the Wiltse Development would be based on further traffic modeling to be completed as the project is developed.

12.0 Grading and Hillside Development

It is implicit in this Plan that the natural terrain of the Upper Wiltse area will require some grading to accommodate the new neighourhood and attendant infrastructure and roads. Nevertheless, site design is expected to take advantage of the prominent views, natural features, sun exposure and other benefits of this prominent site. This section presents a general grading plan of where natural topography may be affected and where hillside development guidelines can be applied to protect the integrity of some of the steeper slopes and natural features.

The widely varied topography and vegetation of the site, ranging over almost four quarter sections, along with environmental concerns to a large degree dictates both the areas of development and the type of development within those areas.

The predominantly single family area in the most northern area of the North Block is one area that will require regrading to achieve an overall slope of approximately 15%, which will allow views from each residence over the lower unit with limited retaining required, provided building guidelines, which will be first in place, are followed.



Refer to Figure 16, Appendix A 'Proposed North Parcel Grading' for complete mapping and section.

Within the regrading, any unusual geological or vegetative features will be recognized and every effort to maintain these features will be made. It is noted that within this area already exists significant disturbance to the site in the form of a gravel extraction area, a disposal of construction materials area and several roads. All regrading efforts will be monitored by a geotechnical professional to ensure soil stability.

It is contemplated that the regrading be confined to the appropriate phase of development, that the civil engineer provides input to the erosion and sediment control and the stormwater drainage for the undeveloped regraded area as well as for the final development and assurance that run-off be restricted to the pre-developed condition be maintained at all times.

Over the remaining site, grading will be predominantly confined to the roadways, with the roadway not extending further than one phase beyond that being developed, unless alternative access is required or available.

The same requirements of stormwater control and erosion and sediment control will apply as each phase and roadway extension occurs.

13.0 Development Permit Areas

In accordance with Section 919.1 of the Local Government Act of BC, an Official Community Plan may designate Development Permit Areas within the City. Unless otherwise specified, a Development Permit must be approved and issued by the City prior to any development, subdivision, construction or alteration within a Development Permit Area. Through the adoption of this Area Structure Plan into the Official Community Plan, the City of Penticton specifies the following Development Permit Areas:

1. Environmental Protection Development Permit Area.

2. Hillside Hazard Development PermitArea

3. Multiple Family Residential and Commercial Development Permit Area.

These Development Permit Areas are established to ensure that development responds to the unique site conditions in the Upper Wiltse area of Penticton. Pursuant to Section 919.1 of the Local Government Act, the Development Permit Areas are established for the following purposes:

- Protection of the natural environment, its ecosystems and biological diversity.
- Protection of development from hazardous conditions.
- Establishment of objectives for the form and character of multi-family residential and commercial development.

For all development permit areas, submission requirements will be as per the City of Penticton Development Permit application requirements, except where additional requirements are noted below.

Figure 18 identifies the four categories of Environmental Sensitivity within the Development Permit Area.

13.1 Environmental Protection Development Permit Area

Guidelines

13.1.1 ESA Sensitivity Index

Based on the biophysical inventory and sensitivity analysis (Ecoscape 2012), 81 polygons within the Project area were identified and ranked with respect to ecological values. These values were transformed to one of four environmental ESA categories. For each category, best practice prescriptions have been assigned. Table 14.1 describes the assigned Development Sensitivity Index for each identified polygons.

Table 14.1 Development Sensitivity Index for Identified Polygons

ESA Sensitivity	Polygons		Total Area (m^2)	Percentage Area (%)
	North Parcel	South Parcel		
Very High	1,5,6,7,8,9,10, 26,81	39,40,48,50,53,55,59, 71,74, 81	134570.39	5.3
High	16,17,25,27,21 ,22,25,27,30,3 2,33,34,36,	41,42,43,44,45,49,52, 54,56,57,58,62,65,70, 73,75,77,78,7980	1,648,973.03	64.5
Moderate	3,4,12,13,14,1 5,16,18,19,20, 23,24,28,29,35	47,51,54,72,60,63,64, 66,67, 69,72,76	592,847.01	23.2
Low	2,38	68	177,980.74	7.0
Total	1,289,810.14	1,264,561,03	2,554,371.17	100

Source: compiled from (Ecoscape 2012)

Prescriptive guidelines for each of the four ESA Indices have been compiled from Biophysical Inventory, and Sensitivity Analysis and (Ecoscape, 2012), Penticton OCP, and accepted best management practices for aquatic and terrestrial systems.

South Block Area Plan Amendments

The Environmentally Sensitive Area (ESA) terminology used in the Area Structure Plan (ASP) differs from the terminology used in the Environmental Mapping Update and Assessment for the Southern Parcel of the Wiltse Property, Penticton, BC (Ecora 2017) and the Environmental Addendum Report for the Southern Parcel of the Wiltse Property, Penticton, BC (Ecora 2018). The relative value (1 to 4) has not changed but the term assigned to each number has, as summarized in the table below. The terminology used in the update reports is consistent with the terminology used in the

City of Penticton Terms of Reference for Environmental Impact Assessments (2011).

ESA Rank	2011 Area Structure Plan Terminology	Environmental Update Reports (Ecora 2017 and 2018) Terminology
1	Very High	High
2	High	Moderate
3	Moderate	Low
4	Low	Not Sensitive

Environmentally Sensitive Area Summary

ESA Value	**EAS Class / Value**	**# Polygons**	**Area (Ha)**	**5 Property**
1	High	6	7.93	6
2	Moderate	36	88.73	68
3	Low	15	33.65	26
4	Not Sensitive	0	0	0
		57	130.31	100

For the South Block, development of lots within the ESA ranks of High and Moderate require a Development Permit. These permits will be based on the guidelines outlined below for Very High and High ranked areas.**Guidelines for Very High, High, Moderate ESA**

Development within an Very High, High and Moderate ESA index require an Environmental Assessment (EA), carried out by a registered professional biologist (RPBio), as defined in the College of Applied Biology Act, and with input from other professionals of specific expertise where required.

The EA must be based on Penticton's approved terms of reference (TOR), and includes two phases of assessment as follows, which can be completed together or separate:

- Ecological Assessment Phase, the intention of which is to assess both the biological conditions and physical conditions of a site, should be carried out in advance of any preliminary layout plan and prior to any preparatory site disturbances. The Ecological Assessment Phase determines a development footprint respectful of sensitive ecosystems and helps streamline the development approval process.

- Impact Assessment and Mitigation Phase is generally carried out after the preliminary layout plan and outlines the impact, if any, of the development footprint on sensitive ecosystems and recommends mitigation measures to minimize or cause no impact.

Development within Low ESA index will require an Environmental Assessment (EA), carried out by a registered professional biologist (RPBio), as defined in the College of Applied Biology Act and in accordance with the Penticton's approved terms of reference (TOR).

The intention of the EA is to assess both the biological and physical conditions of a site at an appropriate scale (minimum 1:500 and maximum 1:5,000) to confirm the low environmental sensitivity of the area and verify that the area does not contain important habitat values for wildlife.

Habitat Compensation and Enhancement Plan for Very High, High and Moderate ESA Areas

Only when residual, permanent loss of habitat is unavoidable, acceptable and compensable and after it proves impossible or impractical to maintain the same level of ecological function, will compensation be considered. Any compensation will promote a not net loss to the habitat (typically a 3:1 replacement of equivalent functioning habitat) within high ESA areas. A detailed Habitat Compensation and Enhancement Plan may be required to mitigate against residual impacts of the development. This plan should be a recommendation of the RPBio in the EA.

Where it has been demonstrated that avoidance of High ESA areas is not possible, a habitat balance sheet shall be provided.

13.1.2 Very High ESA Index

The Very High ESA Index is the highest level of protection. The purpose of the assigned protection is to preserve, protect, maintain, and restore the natural, physical, and ecological characteristics of an area by avoiding and restricting development.

Regarding ESA 1 (High), the City of Penticton (2002) maintains:

"These lands include locally and provincially significant ecosystems, extremely rare and/or of critical importance to rare wildlife species. These areas may also represent a diverse range of habitats and contribute significantly to the overall connectivity of the habitat and ecosystems. Avoidance and conservation of ESA-1 designations is the primary objective. If development is required and justified within these areas, mitigation to reduce or eliminate environmental impact shall be required if permanent loss of habitat is unavoidable, compensation will be considered. Compensation should promote a not net loss to habitat, and be used only after it proves impossible or impractical to maintain the same level of ecological function."

Sites which have been assessed as Very High ESA Value are considered the highest priority for protection of ecosystem function and values and should be left undisturbed. Avoidance and conservation of Very High ESA designations should be the primary objective. Allowable development within the identified polygons is limited to "accessory structures and uses" (i.e., trails, informative signage, benches, tables, and litter bins). Further a 30m buffer around all riparian high water marks is recommended.

Evaluation of the applicability of these sites should consider a number of factors, including size, uniqueness, connectivity, habitat potential, existing land use or disturbance level and surrounding land use. Further ecological assessment may be required of specific areas to establish boundaries. The provided prescriptive guidelines are designed to best protect ecological resources.

1. Design Phase Prescriptions

    - Preserve unique natural characteristics such as rock outcrops, talus slopes, watercourses, wildlife trees, wetlands, and other features.

- Avoid where possible any disturbance of any native vegetation in the "non-disturbance" area, which is typically beyond the development footprint.
- Establish core conservation areas and wildlife corridors.
- Protect sensitive and At Risk wildlife species and critical habitats.
- Maintain connectivity with critical habitat on both Project lands and adjacent lands (i.e. escape terrain for bighorn sheep).
- Employ wildlife crossings and exclusion fencing to reduce impacts where required.
- Reduce development profile and maintain ridgeline views by minimizing grading works.
- Plant vegetation buffers to reduce sight lines and sound volumes.
- Ensure that manufactured slopes blend well with existing slope conditions.
- Locate development in areas with natural slopes of less than 30%, and preserve open space in areas with natural slopes of 30% or more.
- Reduce fragmentation and align roads along natural site contours where possible.
- Reduce pavement and right-of-way widths where service levels can be maintained.
- Employ Rapid Infiltration Basins where required.
- Develop educational and interpretive signing to minimize recreational user impacts.

2. Construction Phase Prescriptions

- Inform construction crew as to the presence of sensitive species and habitats.
- Provide construction crew with MOE and QEP contact information.
- Encourage "stepping" of building foundations to reduce site grading requirements.
- Maintain existing drainage without directly introducing runoff into receiving waters.
- Where possible, set buildings into the hillside and integrate natural slope conditions.
- Avoid unbroken expanses of wall.
- Develop a spill response plan.
- Avoid refueling within 100 m of all watercourses.
- Employ weed control and waste management practices.

- Respect avian work windows.
- Employ an Environmental Monitor to document compliance during Project works.

13.1.3 High ESA Index

The High ESA Index is the second level of protection afforded environmental guidelines. The purpose of the assigned protection is to preserve, protect, maintain and restore the natural, physical, and ecological characteristics of an area. It contains physical features, plants, animals and habitat characteristic which contribute toward the overall diversity and contiguous nature of the surrounding natural features. These may also include areas used to buffer ecological functions of Very High ecosystems. A large number of polygons (64%) within Project lands are considered High ESA to recognize or protect environmental features. The High ESA designation is intended to achieve land use objectives while promoting the protection of ecological resources.

1. Design Phase Prescriptions

- Preserve unique natural characteristics such as rock outcrops, talus slopes, watercourses, wildlife trees, wetland habitat, and other features.
- Establish core conservation areas and corridors.
- Protect sensitive and At Risk wildlife species and critical habitats.
- Maintain connectivity with critical habitat on both Project lands and adjacent lands (i.e. escape terrain for bighorn sheep).
- Employ wildlife crossings and exclusion fencing to reduce impacts where required.
- Reduce development profile and maintain ridgeline views by minimizing grading works.
- Plant vegetation buffers to reduce sight lines and sound volumes.
- Ensure that manufactured slopes blend well with existing slope conditions.
- Locate development in areas with natural slopes of less than 30%, and preserve open space in areas with natural slopes of 30% or more.
- Reduce fragmentation and align roads along natural site contours where possible.
- Aim for retention targets of 75% on Polygon 32.
- Carefully consider the occurrence of night snake including habitat protection and habitat connectivity for development planning for Polygon 65.
- Employ Rapid Infiltration Basins where required.
- Develop educational and interpretive signing to minimize recreational user impacts.

2. Construction Phase Prescriptions

- Inform construction crew as to the presence of sensitive species and habitats.
- Provide construction crew with MOE and QEP contact information.
- Retain materials that reflect natural qualities (e.g. colours, and textures).
- Reduce pavement and right-of-way widths where service levels can be maintained.
- Encourage "stepping" of building foundations to reduce site grading requirements.
- Where possible, set buildings into the hillside and integrate natural slope conditions.
- Maintain existing drainage without directly introducing runoff into receiving waters.
- Avoid unbroken expanses of wall.
- Develop a spill response plan.
- Avoid refueling within 100 m of all watercourses.
- Employ weed control and waste management practices.
- Respect avian work windows.
- Employ an Environmental Monitor to document compliance during Project works.

13.1.4 Moderate ESA Index

The moderate ESA contains important features or remnant stands/sites with ecological value. The purpose of the assigned protection is to preserve, protect, maintain and restore the natural, physical and ecological characteristics of an area while promoting well planned development.

Regarding ESA 2 (Moderate), the City of Penticton maintains:

"These lands include locally or provincially significant ecosystems, uncommon and important to rare wildlife species. In general, it is preferable to avoid development in ESA-2 areas. Where development is pursued, portions of the habitat must be retained and integrated to maintain the contiguous nature of the landscape. Any area given this rank is of only slightly lower priority for preservation than ESA-1 areas. Therefore, clear rationale and criteria for distinction between High and Moderate values shall be provided. Some degree of development may be considered as long as this does not have any potential

impact on High ESA's on Project lands. Some loss to these ESAs can be offset by habitat improvements to the remaining natural areas found on the property."

1. Design Phase Prescriptions

    - Maintain connectivity with critical habitat on both Project lands and adjacent lands (i.e. escape terrain for bighorn sheep).
    - Reduce development profile and maintain ridgeline views by minimizing grading works.
    - Plant vegetation buffers to reduce sight lines and sound volumes.
    - Ensure that manufactured slopes blend well with existing slope conditions.
    - Locate development in areas with natural slopes of less than 30%, and preserve open space in areas with natural slopes of 30% or more.
    - Reduce fragmentation and align roads along natural site contours where possible.
    - Employ Rapid Infiltration Basins where required.

2. Construction Phase Prescriptions

    - Inform construction crew as to the presence of sensitive species and habitats.
    - Provide construction crew with MOE and QEP contact information.
    - Align roads along natural site contours where possible.
    - Reduce pavement and right-of-way widths where service levels can be maintained.
    - Develop a spill response plan.
    - Avoid refueling within 100 m of all watercourses.
    - Employ weed control and waste management practices.
    - Respect avian work windows.
    - Employ an Environmental Monitor to document compliance during Project works.

13.1.5 Low ESA Index

The purpose of Low ESA Index is to manage development and plan accordingly, by focusing around those sites before considering developing higher rated sites of the area.

Regarding ESA 3 (Low), the City of Penticton maintains:

"These lands include ecosystems that may have low to moderate conservation values because of importance to wildlife (e.g. disturbed or fragmented ecosystems or habitat features). These areas may contribute to the diversity to the landscape, although based on the condition and adjacency of each habitat the significant function within the landscape is limited. Lands rated low to moderate can generally accommodate development more so than other ESA categories."

Development within Low ESA index may require an Environmental Assessment (EA) carried out by a registered professional biologist (RPBio), as defined in the College of Applied Biology Act and in accordance with the Penticton's approved terms of reference (TOR).

1. Design Phase Prescriptions

    - Reduce development profile and maintain ridgeline views by minimizing grading works.
    - Plant vegetation buffers to reduce sight lines and sound volumes.
    - Ensure that manufactured slopes blend well with existing slope conditions.
    - Locate development in areas with natural slopes of less than 30%, and preserve open space in areas with natural slopes of 30% or more.
    - Reduce fragmentation and align roads along natural site contours where possible.
    - Employ Rapid Infiltration Basins where required.

2. Construction Phase Prescriptions

    - Inform construction crew as to the presence of sensitive species and habitats.
    - Provide construction crew with MOE and QEP contact information.
    - Align roads along natural site contours where possible.

- Reduce pavement and right-of-way widths where service levels can be maintained.
- Develop a spill response plan.
- Avoid refueling within 100 m of all watercourses.
- Employ weed control and waste management practices.
- Respect avian work windows.
- Employ an Environmental Monitor to document compliance during Project works.

13.1.6 Bonding and Environmental Monitoring

i.) The City may require security in accordance with Section 925 of the Local Government Act to pay for remediation if:

a) a condition in a permit respecting landscaping has not been satisfied;
b) an unsafe condition has resulted as a consequence of contravention of a condition in a permit; or
c) damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit.

ii.) Where the City requires bonding as a condition of the development permit approval, the applicant must provide a bond for up to a value of 125% of the estimated cost of any remediation works, as prepared by a QEP.

iii.) The City may require monitoring reports prepared by a QEP, during construction, and up to two years after construction, the purpose of which are to confirm the required conditions of the development permit have been met.

iv.) The bond shall remain in effect until the City has been notified, in writing, by a QEP that the conditions of the development permit have been met. However, to confirm that the remedial works, such as successful plant establishment, have been completed, the City will withhold 10% of the bond for two years.

13.1.7 South Block Mitigation Strategies

In addition to the guidelines in this Section of the Area Plan, the Mitigation Strategies, from the 2018 Ecora Environmental Assessment are included as follows:

Snakes

According to Table 4.1 in Develop with Care (2014), the recommended buffer from snake hibernacula in natural settings is 150 m. This is reduced to 100 m in rural settings and 30 m in urban settings. A 150 m buffer is maintained around the north and east side of the den. However, at its closest, the proposed roadway passes within approximately 35 m of the den on the south side. This meets the recommended buffer for urban settings and would be consistent with the future landuse of the area. However, the proximity highlights the importance of implementation of mitigation measures for construction around the snake den and the installation of barrier fencing to prevent access to roadways and residential lots as well as wildlife crossings to facilitate migration through the Property.

- Suitable habitats and cover (e.g., fractured rock outcrops, talus, large woody debris, snags, herbaceous and shrub cover) must be retained. Most of the rock-dominated habitat deemed suitable for denning and basking occurs outside of the proposed development footprint, in association with the polygons supporting fractured rock and talus.
- If snakes are observed basking or moving through the Property, works must be halted or suspended until the snake has moved a safe distance away. The EM must be notified of any snake observations onsite.
- Contractors will be advised of the higher likelihood of encountering snakes in the southern portion of the Property, especially near rock-dominated polygons with potential to support known den locations.
- Standard details for barrier fencing were adapted from the South Okanagan-Similkameen Stewardship Program Snake Barrier Fencing Living in Nature Series document (2005). Fencing and road crossing structures at the Big Horn Estates development in OK Falls were used in the development of the concept plan and similar measures will be used for the proposed development.
- The fencing will be chain-link with a ¼" mesh (hardware cloth) fixed to the lower 2 feet of the fence and buried to a depth of 12". This will prevent snakes from moving through or under the fence and provide a simple yet durable barrier.
- Fencing must make use of existing topography and must not be installed in a manner that will result in erosion or failure of the fence. Rocks, soil, and other debris must not be allowed to pile up against the fence. Weeds and other debris will be removed from the area outside of the fencing to prevent pile-up

against the fence that might allow snakes to overtop the barrier.

- Escape funnels will be installed at no more than 50 m intervals along the bottom of the fence to allow snakes trapped within the development to pass through the fencing. The funnels are constructed so that movement is allowed in only one direction.
- Cover objects such as rocks, logs, or constructed features will be installed at regular intervals along the fence (but not against the fence) to provide shade and thermal cover for snakes and security from predators. Cover objects must be secured to the ground to prevent movement towards the fence.
- Crossings will be concrete box culverts with open tops that are covered with a cattle-guard or similar grate to allow light and ambient air into the culvert. The bottom of the culvert will be covered with an approximately 10 cm layer of ¼ inch minus or similar substrate. The overall depth of the culvert will be at 2 feet to prevent snakes from escaping the culvert onto the road surface above. Culverts will be at least 1 m in width.
- Routine maintenance should be completed for the fence and crossings to remove litter and debris and to conduct replacement and repairs, as needed to maintain the effectiveness of the fence as a barrier.

Birds

Although LEWO have not been observed within the Property to date, the mitigation measures below will ensure that CH features are maintained for potential LEWO breeding, as well as other sensitive cavity-nesting species, including other songbirds, raptors, owls, and small mammals such as bats.

- Construction works will be conducted within the least-risk window for breeding birds, described above and using the appropriate disturbance and noise buffers.
- The critical habitat mapped for Lewis's woodpecker is based on the presence of biophysical attributes including potential nesting sites and foraging areas, both of which are present within the Property. As such, the following mitigation measures must be implemented:
  - Conserve all suitable nesting trees, including standing dead or partially dead pine, fir, and cottonwood that are >30 cm diameter at breast height;
  - Conserve perching and foraging features, such as standing live or dead trees, grass and shrub layer understories, and fruit-bearing plants (e.g.,

Saskatoon, elderberry).

- Wildlife related BMPs and guidelines that should be followed during planning and construction include Best Management Practices for Bats in British Columbia (2016), Guidelines for Amphibian and Reptile Conservation during Urban and Rural Development in British Columbia (2014), and Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia (2013), each of which is available at http://www.env.gov.bc.ca/wld/BMP/.

Aquatic Resources

The identified aquatic communities are generally being avoided by the proposed development layout. This includes the wetland near Crow Place, the entire length of the wetland and watercourse that conveys flows south past the development.

- Proposed works in or in the vicinity of surface waters (including wetlands and watercourses) within the Property will be subject to the provincial *Water Sustainability Act* (WSA) and the Riparian Areas Regulation (RAR). As such, additional assessment and/or permitting may be required at the time of individual lot development to ensure compliance with these provincial rules.

- The Riparian Assessment Area (RAA) is typically 30 m from the high water level of waterbodies and acts as a trigger for assessment prior to development. This 30 buffer overlaps some of the lots within the proposed development which may require further environmental review and designation of riparian setbacks consistent with the provincial Riparian Areas Regulation (RAR) at the individual lot level at the time of building permit application.

- Stormwater drainage for Phase 1 is proposed to discharge to the wetland at the north end of the Property. A provincial WSA Section 11 application will be required for this construction and will be submitted separately. Proposed stormwater outfalls will follow the guidelines and recommendations provided in the provincial standards and best practices for instream works, as they pertain to urban stormwater management.

- Future stormwater management is proposed to be discharged to a detention pond which will be naturalized to provide habitat value and to facilitate the infiltration of stormwater to ground.

Conservation /

In keeping with the ASP, the proposed development maintains between the protected areas to the south and east (within the Skaha Bluffs Provincial Park) and the northern

Wiltse parcel to the north. Movement corridors for snakes to and from the den sites must be maintained throughout construction and future development. The corridor is proposed with the following objectives:

- Maintaining connectivity to the adjacent Skaha Bluffs Provincial Park, covenant areas, and wildlife management areas, for a wildlife movement, migration, and dispersal. This includes the installation of crossings, culverts, and other features to allow wildlife to safely cross roads and private property.
- Ensuring conservation of all ESA 1 and majority of ESA 2 polygons within the Property, including the conservation of wildlife movement corridors and buffers to preserve important habitats. The maintenance of these areas will help achieve the connectivity recommendations from the ASP.
- Conserving the aquatic (wetland and riparian) communities along the ravine and gulley to provide movement corridors for snakes and other wildlife. This will also help maintain existing drainage patterns and moisture regimes.
- Conserving the cliff, bluff, and talus features for snake basking habitat and to support the mature coniferous woodland communities. These areas provide unique habitats for a variety of species including other reptiles, birds, and small mammals.

13.2

13.3 Hillside Hazard Development Permit Area

Guidelines

The Hillside Hazard Development Permit Area applies to all properties identified in Figure 20 (Hillside Hazard Development Permit Area). For all of these properties, Development Permits shall be issued in accordance with the following guidelines:

Site Planning and Development Guidelines

1. Preserve unique natural characteristics such as rock outcrops, watercourses, and ravines.

2. Maintain the views of ridgelines by minimizing grading works, planting screening vegetation, and/or designing buildings sensitively to ensure that development has a low profile on ridgelines.

3. Ensure that manufactured slopes blend well with existing slope conditions.

4. Generally locate development in areas with natural slopes of less than 30%, and preserve open space in areas with natural slopes of 30% or more.

5. Consider limited development in areas with natural slopes of more than 30%, under the following conditions: a geotechnical study demonstrates the feasibility of development; a site grading plan demonstrates that works will sensitively replicate the hillside environment; flat yards and large retaining features are avoids; pre-development slopes of less than 30% are predominant in the general area; and, visual impact assessment demonstrates the sensitive integration of development into the hillside.

6. On steeper sites, ensure that it is feasible to construct individual driveways with slopes of less than or equal to 20%.

7. Site parks to capitalize on scenic view opportunities.

8. Align roads along natural site contours where possible.

9. Consider increased cul-de-sac lengths where connectivity to the road network is not possible due to topographic conditions, provided that appropriate emergency access is constructed. Emergency vehicle access lanes shall generally have a minimum hard packed surface width of 4.5 metres. Emergency vehicle access lanes should generally be designed to achieve a maximum grade of 11%. In steeper areas the City may consider varying this requirement to allow stretches with grades of up to 15%.

10. Consider reduced pavement widths and right-of-way widths where service levels can be maintained, the reduced widths provide demonstrably less slope disturbance, and the reduced widths contribute to the overall neighbourhood character.

11. Consider reduced front yard setbacks as a means to alleviate the need for steep driveways. Along street frontages, a generally consistent front building line should be maintained.

12. Predominantly maintain yard areas in a natural slope condition, and avoid large cuts and fills to achieve flat yards.

13. Where retaining materials are necessary, use materials that evoke a sense of permanence and reflect natural qualities through the use of context-sensitive materials, colours, and textures.

14. Where possible, use systems of smaller, terraced retaining walls rather than single, large, uniform walls.

Building Form Guidelines

1. Encourage "stepping" of building foundations to reduce site grading and retaining requirements.
2. Where possible, set buildings into the hillside and integrate with natural slope conditions.
3. Avoid unbroken expanses of wall.
4. Encourage building articulation to reduce apparent mass.

Tree Protection

1. At the time of subdivision, a tree cover inventory should be carried out for the development area
2. Encourage the preservation of trees throughout the site to protect the natural environments, stabilize slopes and enhance the hillside character
3. Seek out opportunities to replace lost tree cover where possible, including in disturbed natural areas, along streets, in parks and open spaces and on residential properties

Submission Guidelines

In support of Hillside Development Permit Area applications, the following submissions will be required:

- Site Features Inventory Identifying:
  - Property lines, easements, rights-of-way;
  - Natural pre-development site contours;
  - Geotechnical assessment;
  - Existing human-made features such as roads, curbs, sidewalks, utilities, trails, buildings, structures, fences, and retaining walls;
  - Natural physical features including knolls, ridgelines, rock outcrops, watercourses, ravines, and cliffs;
  - Prominent views;
  - Identification of significant environmental attributes; and,
  - Potential hazards and hazard areas.

- Development Concept Plan Identifying:
  - Proposed site plan outlining the location of roads, shared driveways, lanes, major utility features (mains, pump stations, reservoirs, detention

ponds, etc.), lots, building envelopes, parks, trails;
- Grading concept plan including identification of large cut and fill areas, significant retaining feature locations and heights, and building envelopes; and,
- Identification of site features to be retained (from Site Features Inventory).

13.4 MFR and Commercial Development Permit Area

Guidelines

Within areas designated as Neighbourhood Centre on the Future Land Use Plan (Figure 13), and for all multi-family residential developments in the North Block of the Wiltse Area Structure Plan, Development Permits shall be issued in accordance with the following guidelines and as identified in Figure 21: Note that the South Block will be included in the City-wide MF DPA.

Parking and Access

1. Large surface parking facilities are discouraged.

2. Whenever possible, required off-street parking shall be provided under buildings or internally located, rather than being adjacent to street frontages.

3. Townhouse developments are encouraged to use rear lane access where possible.

Pedestrian Orientation and Focus

1. Development should be pedestrian oriented. Buildings containing commercial uses shall not be set back from front or flanking lot lines but should form an active street edge. Commercial buildings should also define a pedestrian oriented first floor with canopies, window and door trim, and varied building facades.

2. All commercial and multi-family residential buildings 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.

3. Developments shall give priority to pedestrian circulation and ensure that sidewalks and other pedestrian facilities are of ample width.

4. Efforts should be made to create informal and formal pedestrian gathering spaces that create interest for the pedestrian and contribute to community building and socializing.

Preservation of Views

1. Buildings and structures should be sited to ensure the protection of views, particularly from public gathering spaces.

Building Design

1. Large buildings should be designed in a way that creates the impression of smaller units and less bulk by using building jogs and irregular faces.

2. Building shape, roof lines, architectural features and exterior finish should be sufficiently varied to create interest and avoid a monotonous appearance.

3. 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.

4. For commercial buildings, outdoor areas, and street-side plazas are encouraged.

5. Front entrances should provide a focal point to buildings.

Landscaping and Signage

1. Landscape design plans prepared by a landscape professional will be required for all new multi-family and commercial developments.

2. Landscaped areas should include an underground irrigation system, which should be programmed to optimize water use efficiency.

3. Waste disposal bins and outdoor storage areas should be completely screened within an enclosure.

4. Free standing signage should be low, front lit or unlit, and provided with a landscape base.

5. The general character of signs should positively relate to the character of associated buildings.

14.0 Implementation

The following items address the main implementation measures for this Area Structure Plan. It is appreciated that since the development will be phased in accordance to market conditions, other implementation measures such as more detailed planning and design will be required over time.

14.1 Parks Dedication

The Area Structure Plan advocates a significant amount of designated park and open space use. Within this designation there will be various forms of "park" that warrant dedication. This will entail conservation lands, linear parks, community parks, neighbourhood parks, and other open space or undevelopable land. It may also include infrastructure such as stormwater management ponds, public amenity areas and public parking/squares and plazas.

14.2 Design Guidelines and Building Scheme

The policy direction for this Area Structure Plan calls for the use of Development Permit Areas to help control or manage many components of the development. Some of the most important aspects will entail design control of buildings/development of the residential, commercial (Neighbourhood Centre) and hillside development in general. Besides enforcement of zoning, the City will use Development Permit Area Guidelines in accordance with provisions of the Local Government Act. (See Section 14) Due to development on some of the sloped lands, it will also be prudent to use a self imposed "building scheme" to ensure that siting and building design does not compromise views form upslope single family residential. Building schemes may be used on a project by project basis (e.g. Strata developments) as well as by area where particular conditions may apply. (Note that the City may wish to use an overlay system to address building on steeper slopes.)

14.3 Phasing of Development

The phasing of development will normally proceed taking a number of factors into consideration. The Wiltse Area Structure Plan respects the following phasing concept:

- Road Access – Primary road connection to the municipal road network will be made via a new collector road running southward from the top end of Wiltse Boulevard. This road is expected to open up access to both single family and multiple family unit residential development opportunities at the north end of the North Block. Secondary (Emergency) access can be provided, at an interim standard, southward from the neighourhood centre area, connecting back to the municipal road network at the south end of the North Block.

- Water Supply – A new reservoir will be required to be constructed on the upper Wiltse property. Along with the reservoir, a supply trunk from the Carmi reservoir and a new booster station at Carmi will be required. This will allow immediate access to water for the entire north block.

- Sanitary Sewer – Sanitary sewer service to the site will be entirely by gravity sewer, connecting to the municipal system at four distinct locations. Downstream system improvements ultimately may be required as the development phases are constructed.

- Cross section of Market – Phasing in from the north end should allow for a combination of single family and multiple family residential units to be brought on the market at the earliest opportunity. Roads and services could extend into both land uses; amenities such as parks and detention ponds could be included in the initial phase of development. The initial phase is estimated at 50 to 100 units in say three to five stages of 20 units, depending on market demand.

- Grading – It is understood that grading of the portion of the north block will be required to accommodate development. This is an area where the natural topography has already been altered to some degree by gravel extraction, fill sites and roadways. Mass grading will likely occur in advance of any major development to avoid disturbance of new homes and residents. Roadways and any other public rights of way will be planned to permit interim traffic circulation and necessary services and utilities, including the main water line from the new reservoir.

- Other – The neighourhood centre that entails a small commercial area or mixed use residential/commercial building(s) should be comprehensively planned, along with the adjacent neighbourhood park space. Development may not occur in this location until market demand warrants.

14.4 Environmental Development Permit Area (DPA) and Monitoring

It is understood that some development is expected to occur in the vicinity of environmentally sensitive areas and wildlife/snake habitat. This implies that strict environmental DPA Guidelines will be required and proper monitoring is enforced during construction. The Environmental DPA Guidelines have been prepared by qualified environmental professionals and in accordance to recommended best management practices. The guidelines have been extracted from the report provided by the environmental consultant and best management practices of the Province of BC.

Wildfire Interface and Hillside Development

Wildfire Hazard Lands development policies are outlined in the City-wide Community Plan, including policies and map designations. The Community Plan requires a comprehensive process of forest fire hazard identification, hazard reduction and development guidelines through the subdivision and building permit approval processes.

Grading and Hillside Development policies outlined in the Area Plan will also be implemented through the subdivision application process.

14.5

14.6 Confirmation of School Site

School District #67 has expressed interest in a school site on the subject lands. Further discussion will be required to confirm the actual need and potential size and location.

14.7 Fire Department/Station Requirements

The City of Penticton Fire Department provides fire protection through Fire Hall #2 located approximately 2.7 km from the proposed entrance at Wiltse Boulevard. Most of the area is within a 10 minute response time to the development area. The response time to the upper reaches of the ASP area should be confirmed prior to rezoning and subdivision. Sprinklers for residential could be considered if response time is not adequate. A new fire station is not anticipated to accommodate development.

14.8 Development Process

As part of the first Rezoning Application /Subdivision received by the City in the NCP area, the developer will include an initial Cost of Growth Analysis as part of the application. The Cost of Growth Analysis will be a collaborative exercise between the developer and the City with the goal of informing Council and the community on how development will occur and the short and long term costs for the development.

The Cost of Growth Analysis will specifically address the following items:

- Financial analysis supporting how the proposed development and phasing will be funded.
- Proposed Developer and City contributions to the development.
- Capital cost review including electrical and fire services and impacts on the City's long term Capital Budgets.
- Operating cost review and impact analysis for providing annual services and maintenance to the new development area.
- Analysis as to the City payback over time for the growth with tax revenue generated from the development of this area.

APPENDIX A
Figures and Mapping

APPENDIX B

Biophysical Inventory and Environmental Sensitivity Analysis

APPENDIX C

Wildland Urban Interface Fire Hazard Assessment

APPENDIX D

Geotechnical Assessment of Lands

APPENDIX E

Transportation

APPENDIX F

Infrastructure Mapping

Water
Stormwater
Sanitary Sewer

Water

Stormwater

Sanitary Sewer

APPENDIX G

Correspondence from:

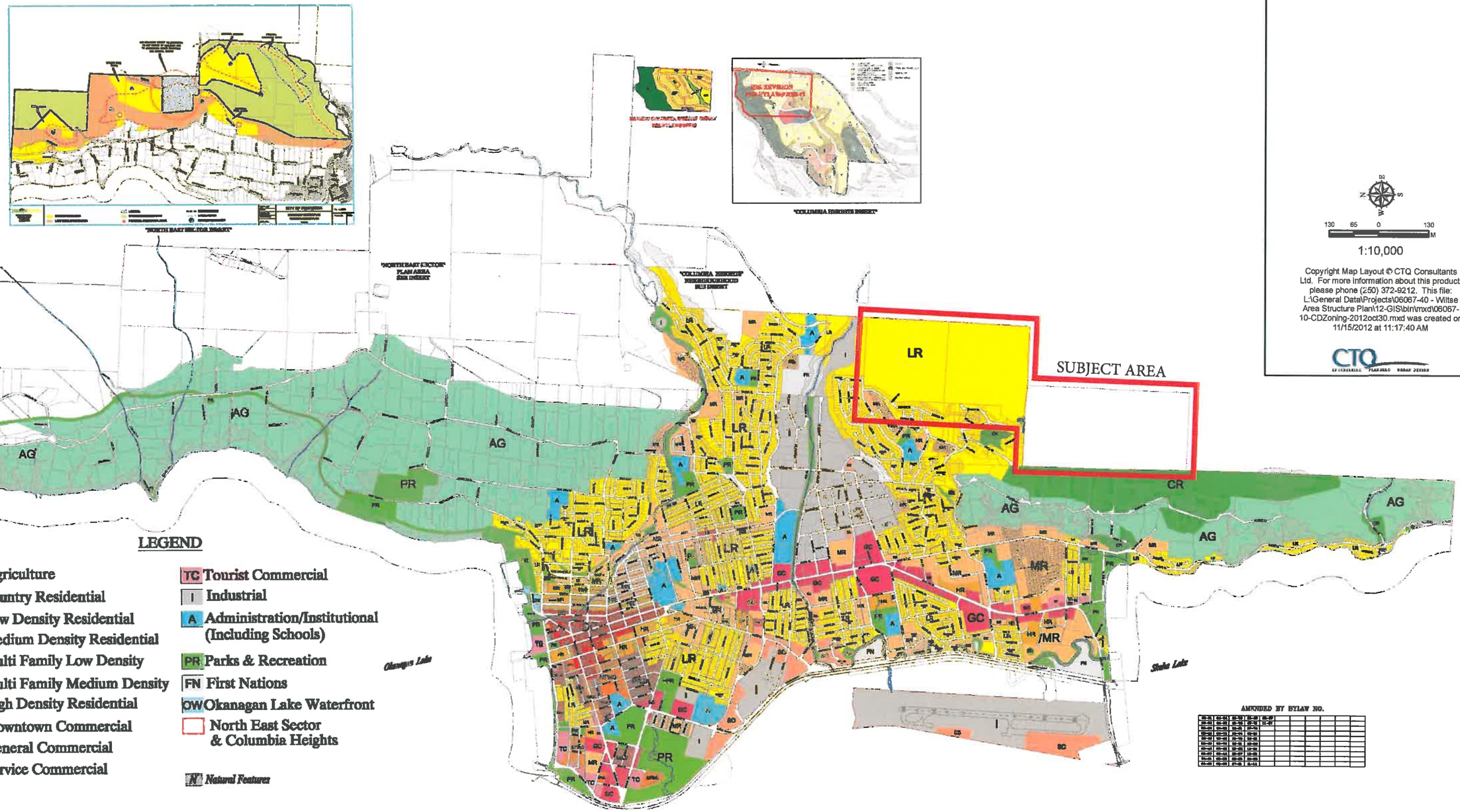
FortisBC
Calibre Geotechnical Engineering Ltd.
School District #67

FortisBC

Calibre Geotechnical Engineering Ltd.

School District #67

Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 1: Future Land Use Plan



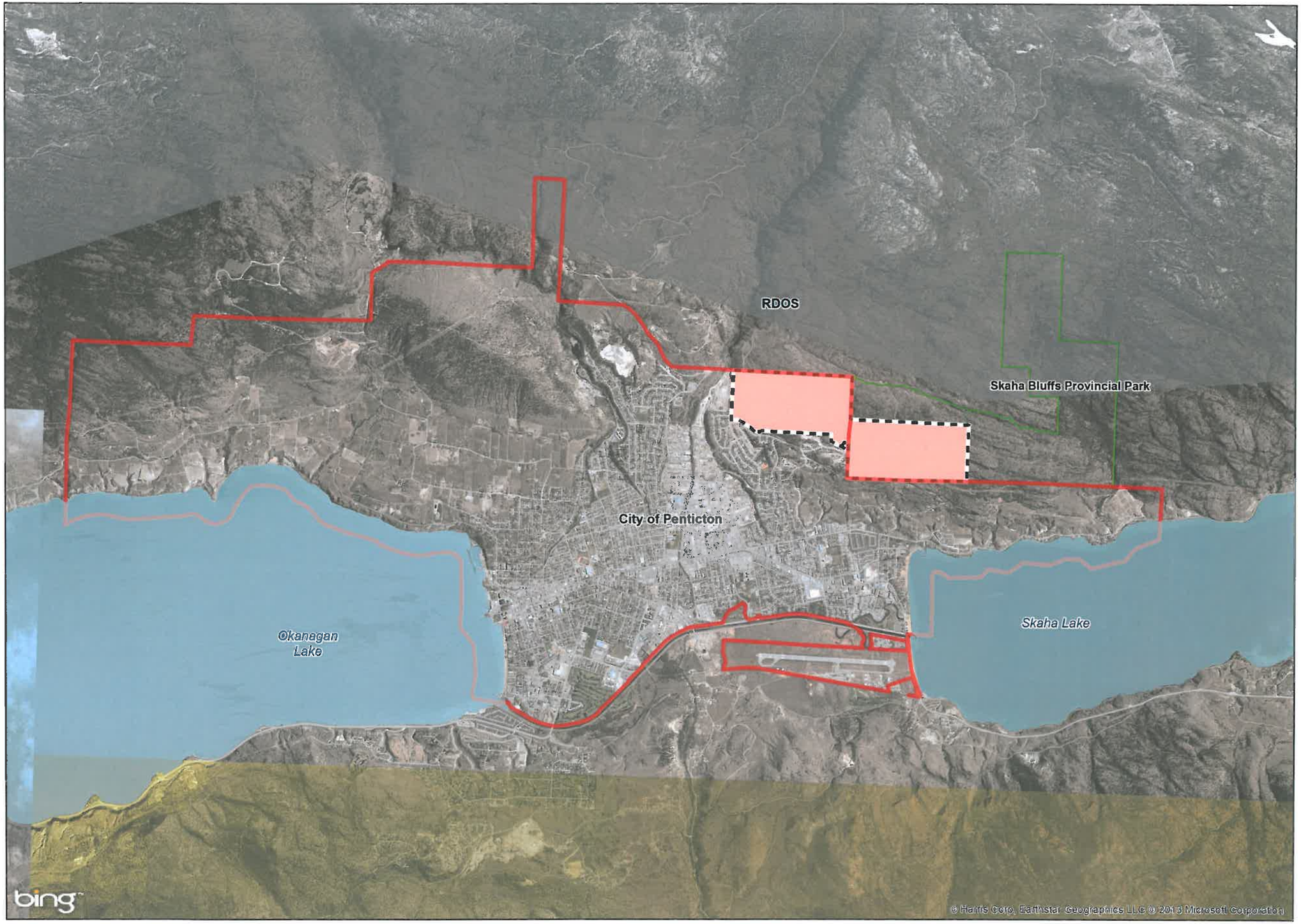
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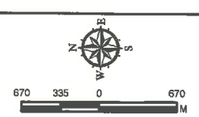
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 2: Area Context Map
06067-40

City of Penticton
Subject Boundary
Skaha Bluffs Provincial Park
Lakes





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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 3: Air Photo 06067-40

City of Penticton Boundary
Subject Boundary

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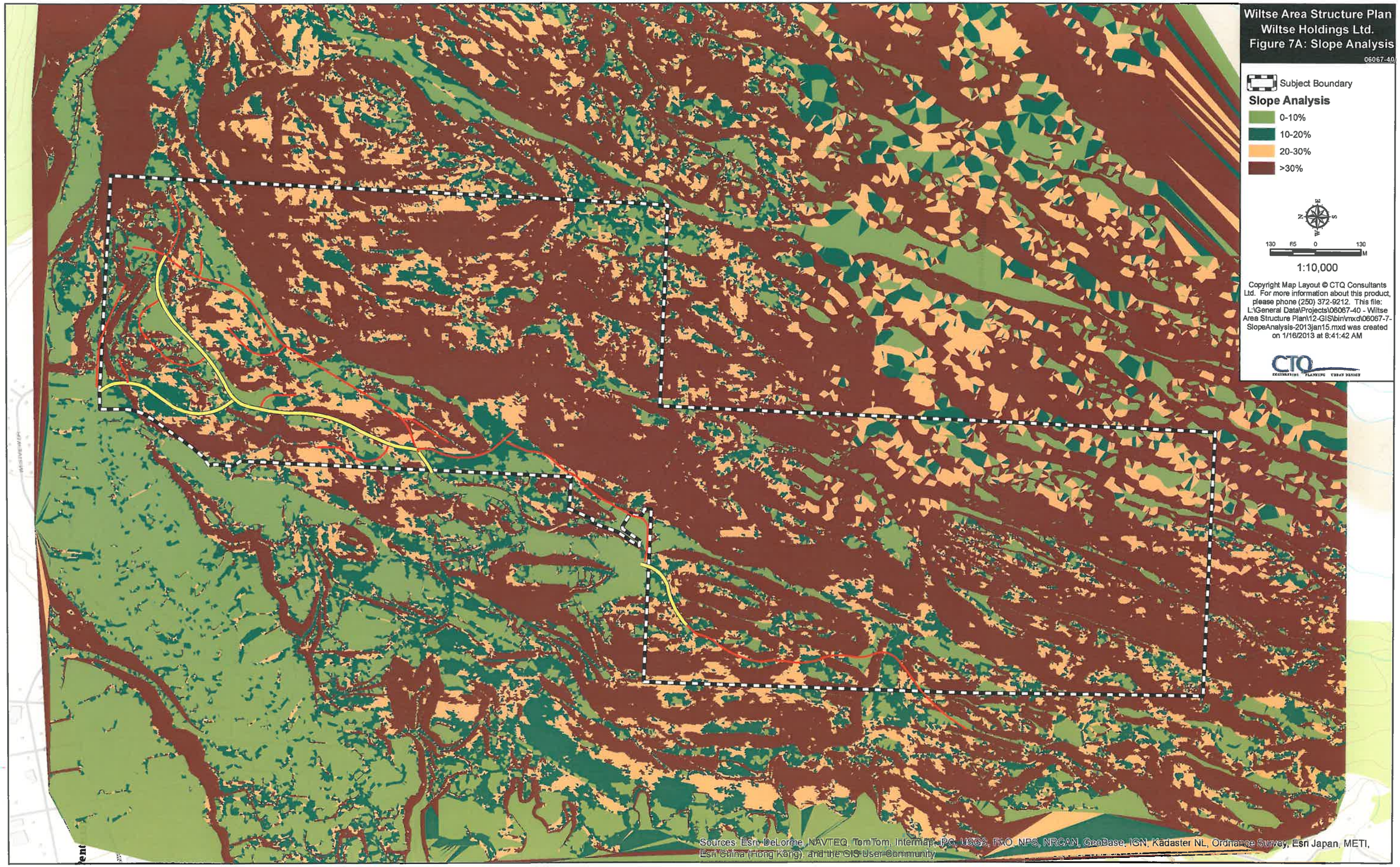
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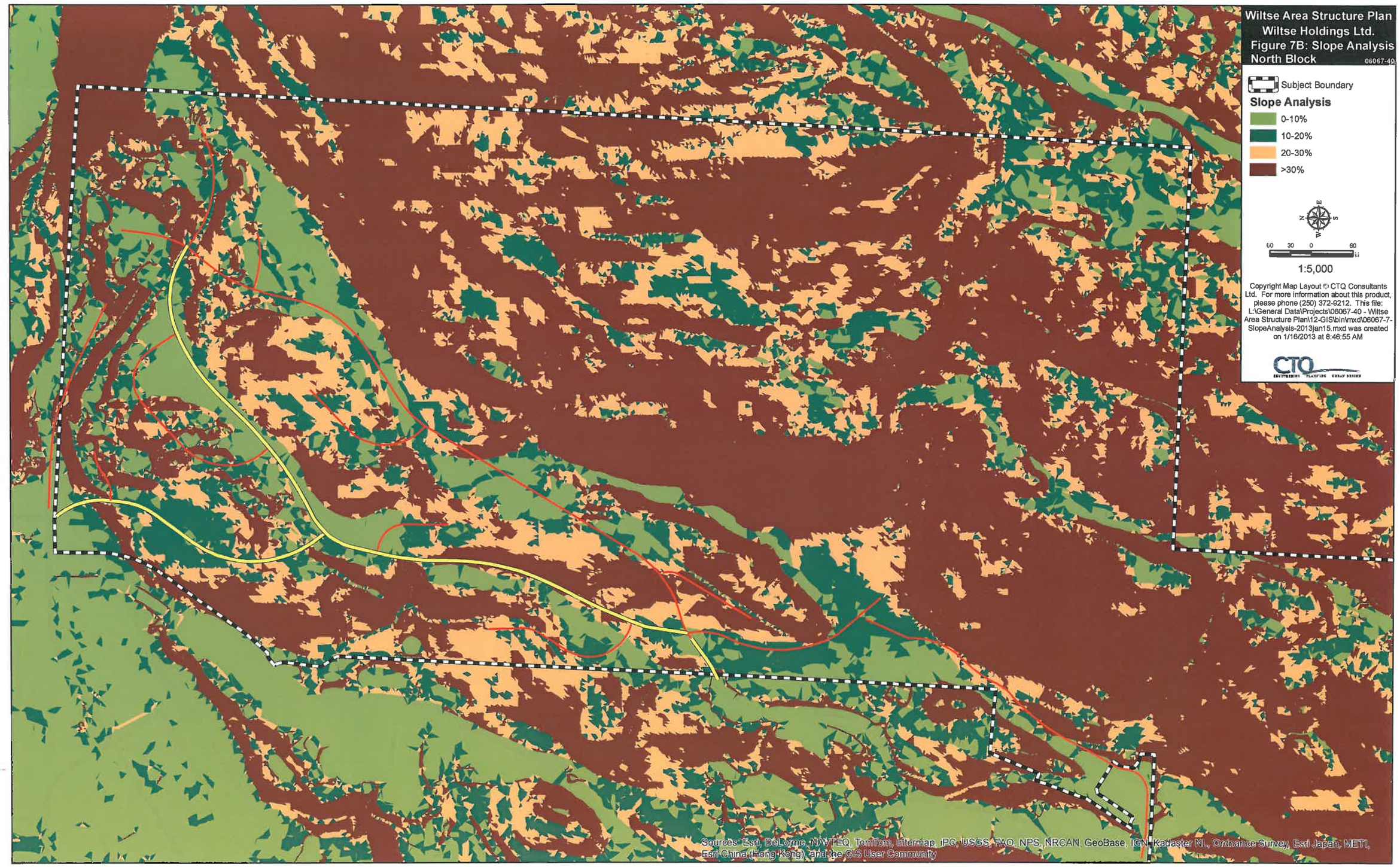
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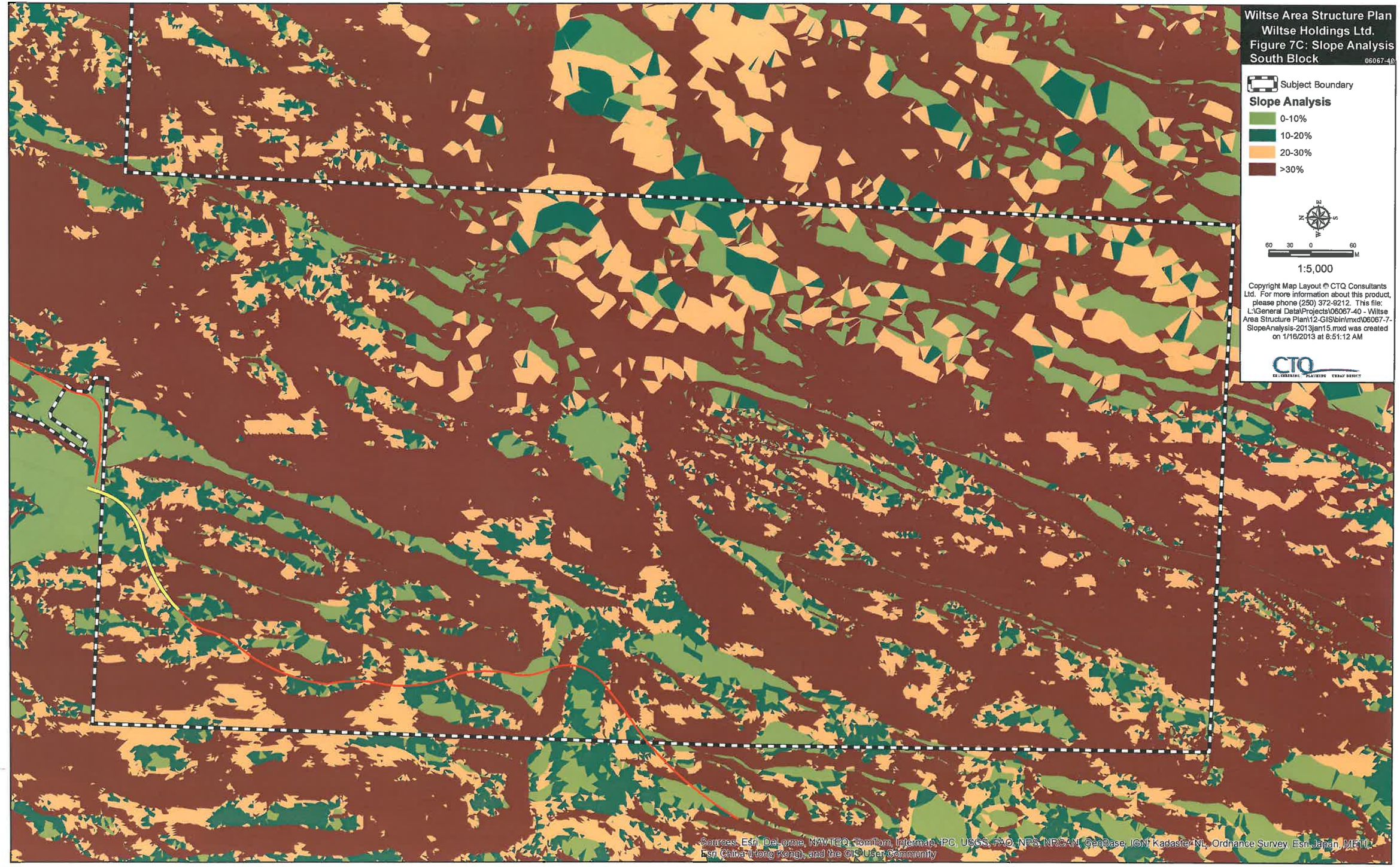

Crown Land
RDOS
Skaha Bluffs Provincial Park
Evergreen Residential Neighbourhood
Wiltse Elementary School
Fire Hall
City of Penticton
Country Estate Lots
bing
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 4: Adjacent Land Uses
06067-40
City of Penticton Boundary
Subject Boundary
Skaha Bluffs Provincial Park
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 5. Roads/Access
06067-40
Proposed Collector Roads
Proposed Local Roads
Existing Roads
Subject Boundary
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Local
Collector
Evergreen Dr
Partridge Dr
Wiltse Blvd
Valleyview Rd
bing
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 6: Topography
06067-40
Subject Boundary
Index Contours
Intermediate Contours
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Rogers Pl
Evergreen Dr
Partridge Pl
Carlton Cr
Penrose Pl
Penrose Cr
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Cedar Rd
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Dartmouth Rd
Wiltse Pl
Laurel Pl
Dartmouth Dr
Adamson Dr
Fairview Rd
Glenview Ave
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James St
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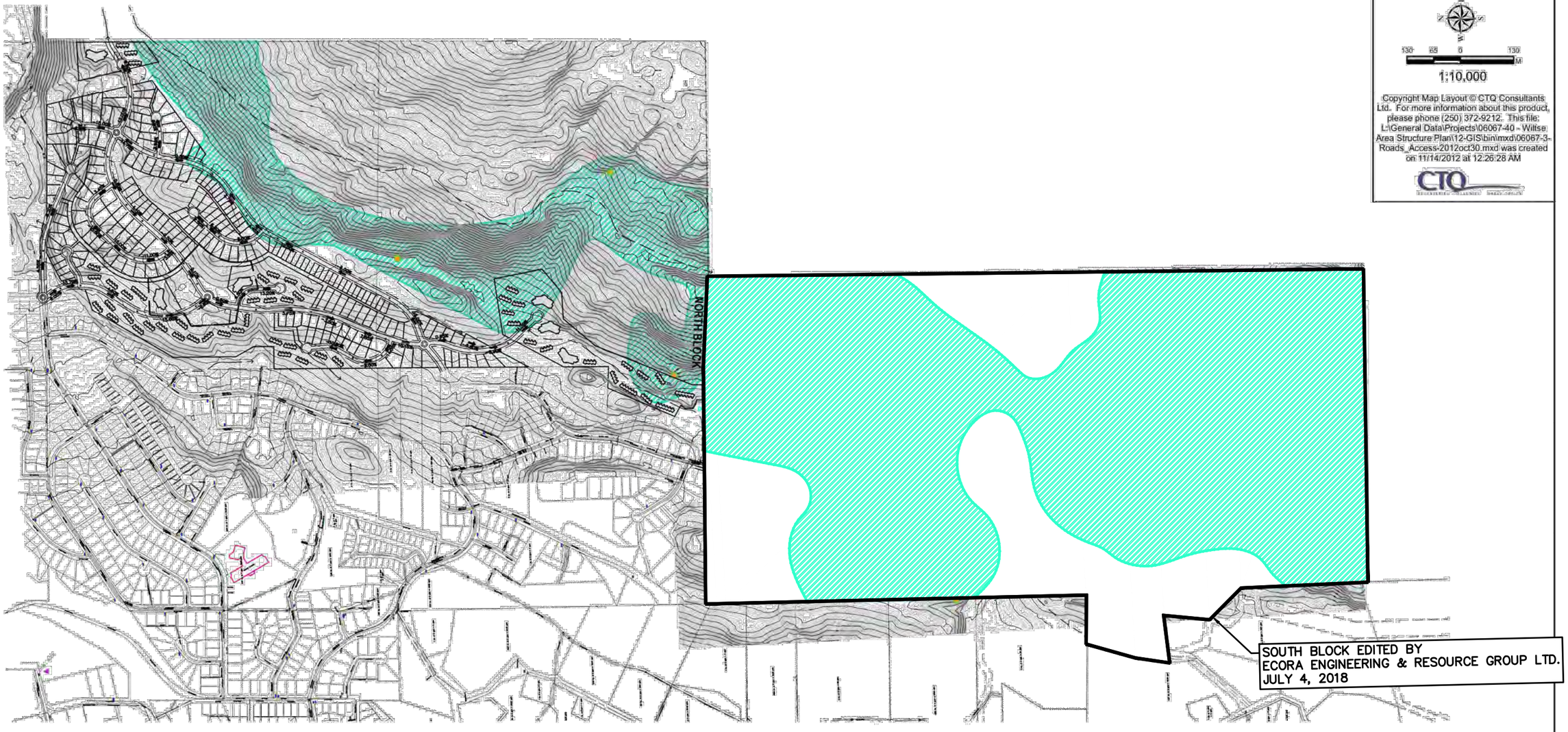

Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 7A: Slope Analysis
06067-40
Subject Boundary
Slope Analysis
0-10%
10-20%
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 7B: Slope Analysis
North Block
06067-40
Subject Boundary
Slope Analysis
0-10%
10-20%
20-30%
>30%
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Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, iPC, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community


Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 7C: Slope Analysis
South Block
06067-40
Subject Boundary
Slope Analysis
0-10%
10-20%
20-30%
>30%
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Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, INCREMENT P, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), and the GIS User Community

Wiltse Area Structure Plan

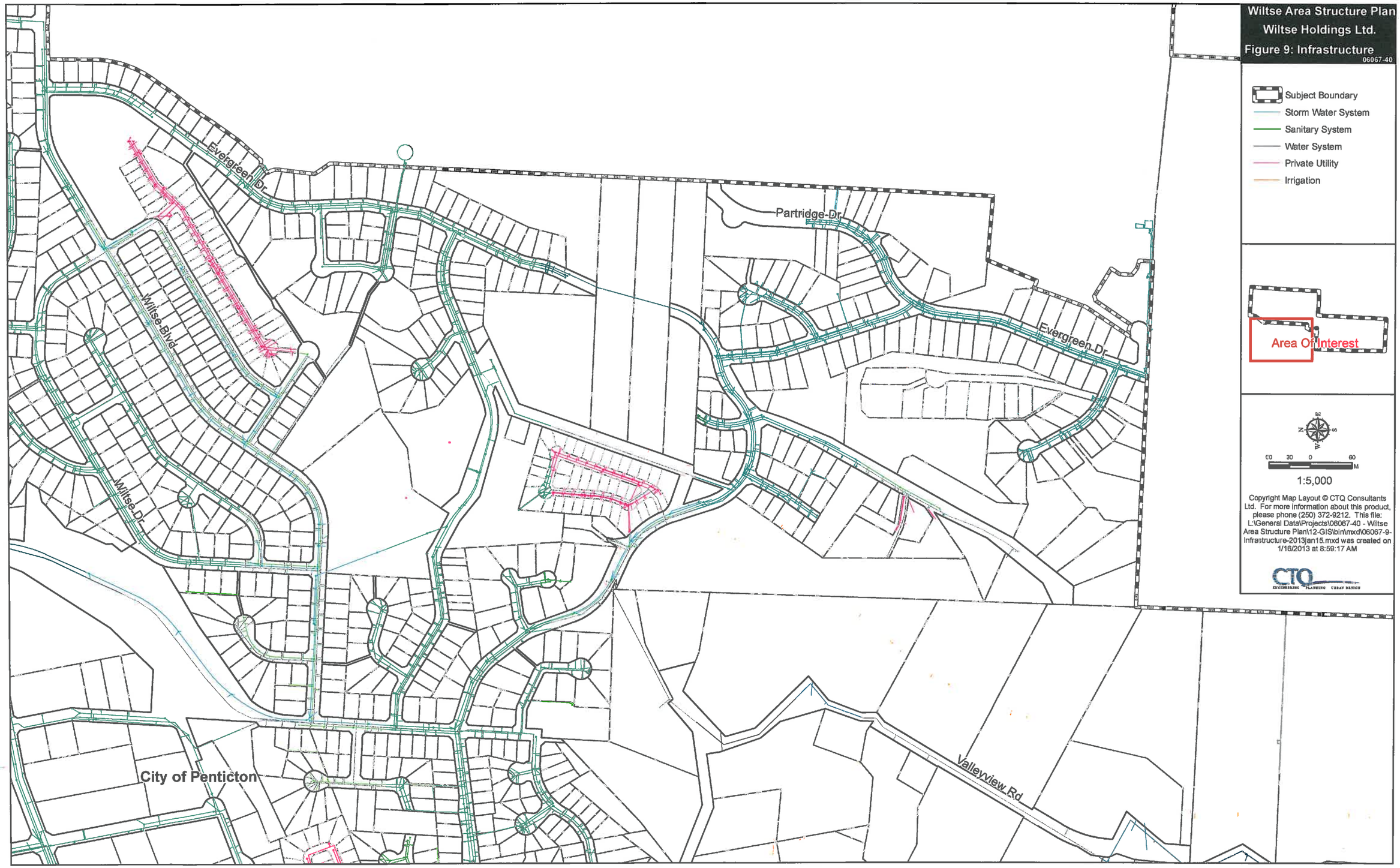
Wiltse Holdings Ltd.
Figure 8: Core Sensitive Areas and Connectivity



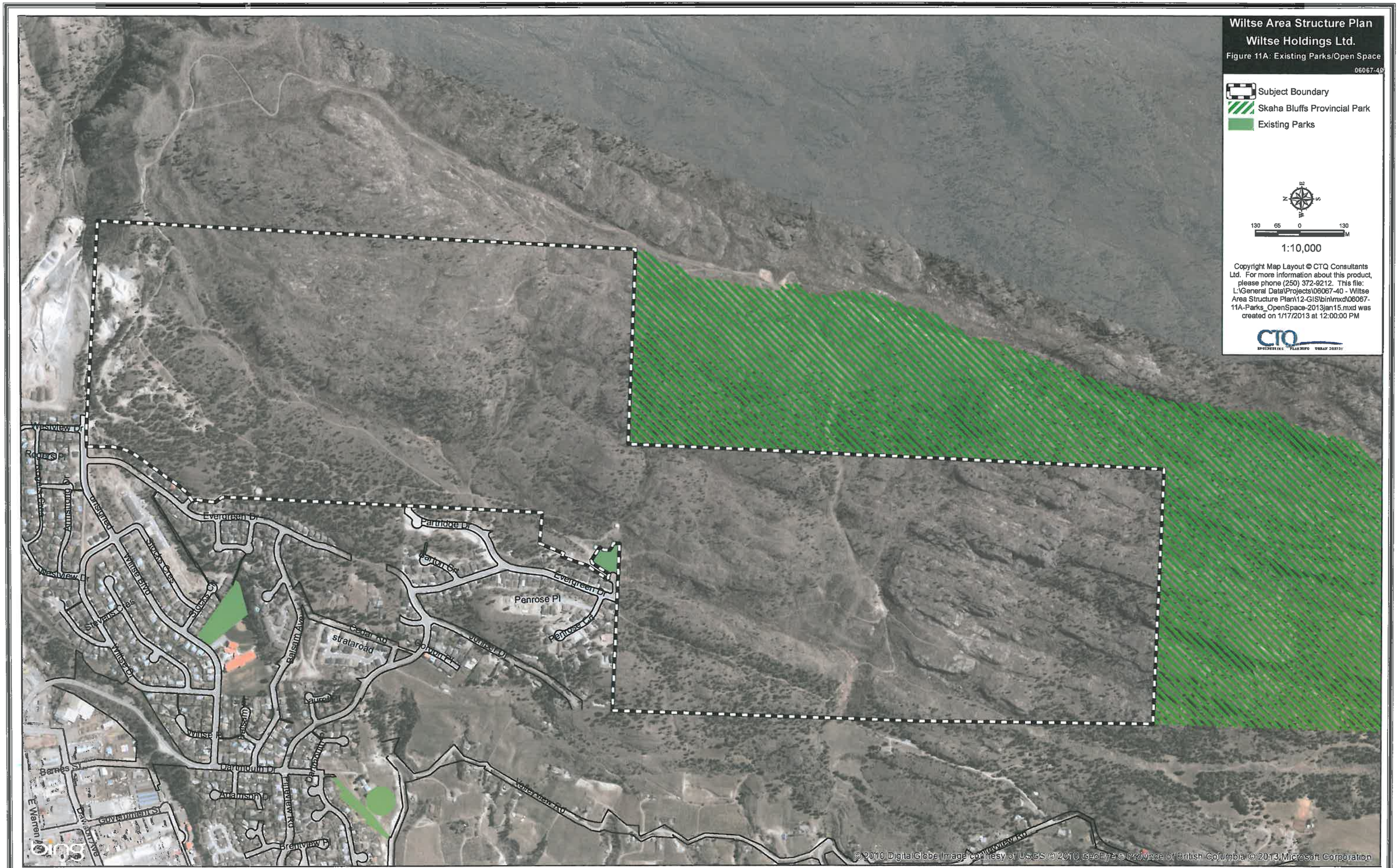
130 65 0 130
M

1:10,000

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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 9: Infrastructure
06067-40
Subject Boundary
Storm Water System
Sanitary System
Water System
Private Utility
Irrigation
Area Of Interest
N
E
S
W
60 30 0 60
M
1:5,000
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CTQ
ENGINEERING PLANNING URBAN DESIGN
Evergreen Dr
Partridge Dr
Evergreen Dr
Wiltse Blvd
Wiltse Dr
City of Penticton
Valleyview Rd


Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 10: Fortis Transmission Line
06067-40
Power Poles
Fortis Powerline
Subject Boundary
100m Contours
10m Contours
N
E
S
W
130 65 0 130
M
1:10,000
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bing
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 11A: Existing Parks/Open Space
06067-40
Subject Boundary
Skaha Bluffs Provincial Park
Existing Parks
130 65 0 130
M
1:10,000
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CTQ
Westview Dr
Rogers Pl
Armstrong Dr
Evergreen Dr
Partridge Dr
Wiltse Blvd
Stocks Cres
Penrose Pl
Cedar Rd
Strataroad
Balsam Ave
Laurel Pl
Partridge Cr
Penrose Cr
Wiltse Pl
Barnes St
Government St
Brewster Ave
Brentview Pl
Valleyview Rd
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Wiltse Area Structure Plan
Wiltse Holdings Ltd.

Figure 11B:Proposed Parks/Open Space
06067-40

- Subject Boundary
- Skaha Bluffs Provincial Park
- City of Penticton Parks
- Proposed Parks/Trails
- Conservation/Protected Areas

N E S W

130 65 0 130 M

1:10,000

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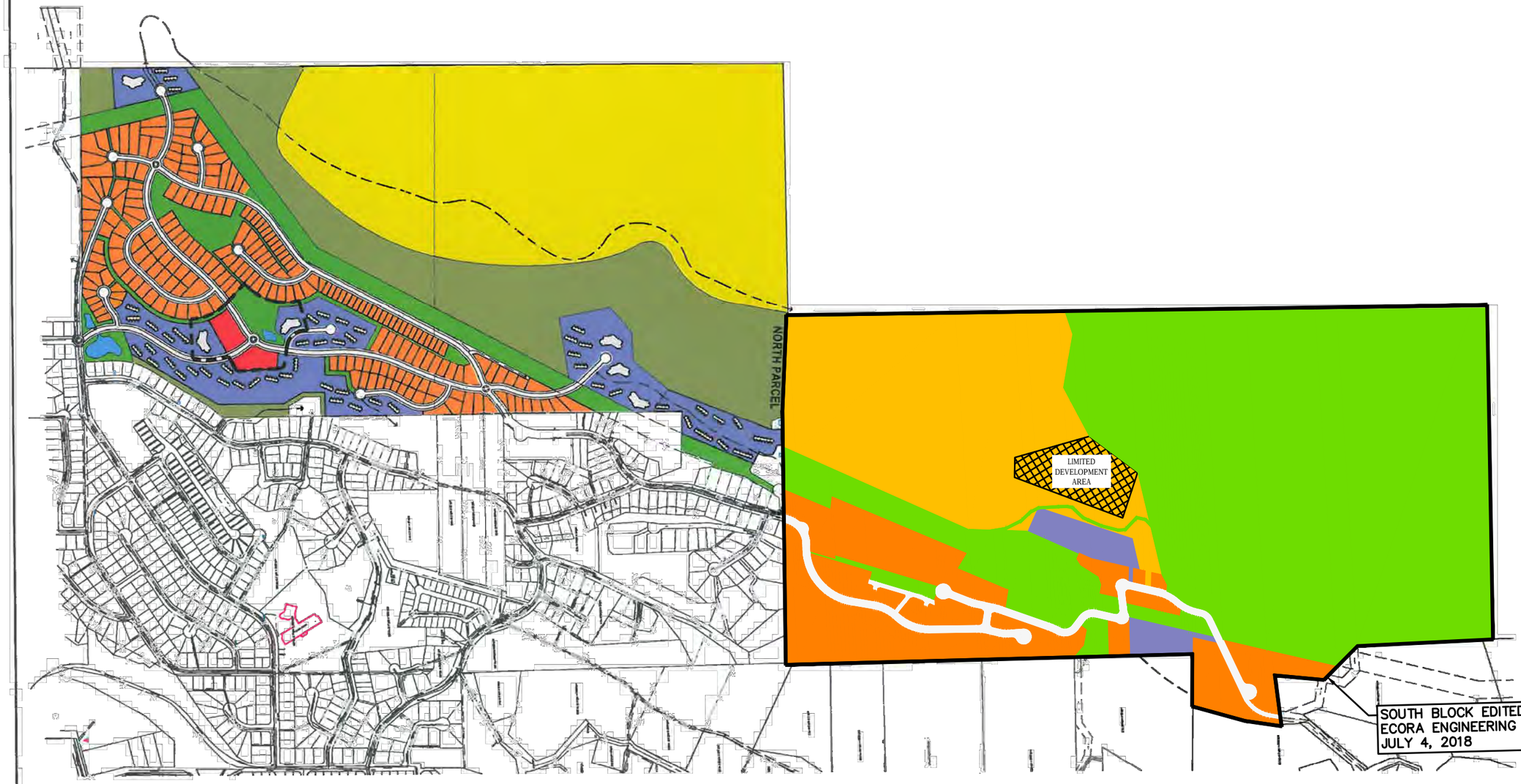
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EX. TRAILS

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JULY 4, 2018

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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 12: Concept Plan



SINGLE FAMILY
SMALL LOT, STANDARD LOT, ESTATE LOT

MULTI FAMILY - SEE UNITS BELOW

4 / 6 UNIT TOWNHOME

30 UNIT CONDO / APARTMENT

FUTURE BENCH LANDS

COMMERCIAL

PARKS AND TRAILS

CONSERVATION /PROTECTED AREAS

NEIGHBOURHOOD CENTRE

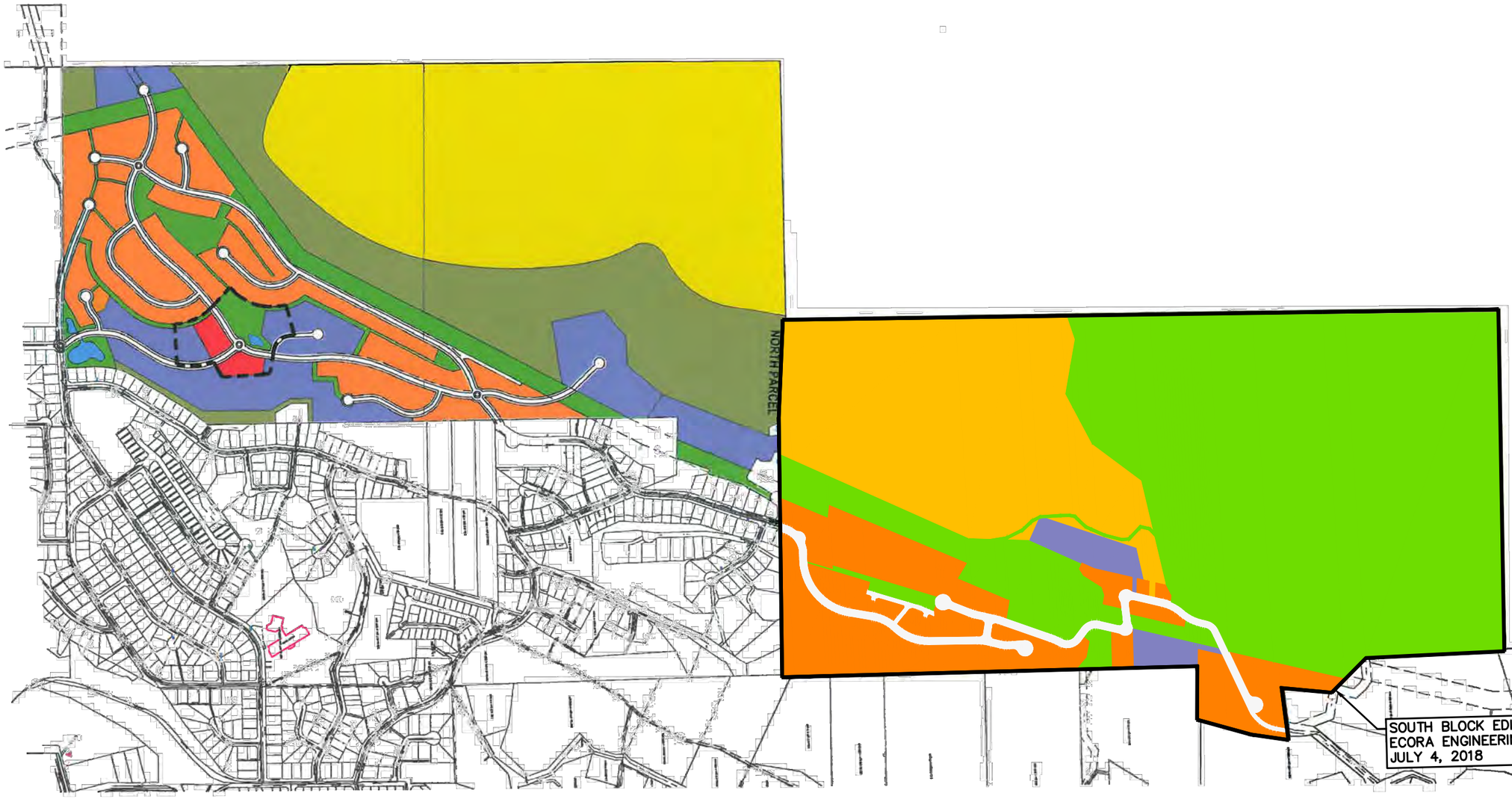
FORESTRY GRAZING

130 65 0 130 M

1:10,000

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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 13: Land Use Designation



LAND USE DESIGNATION

- SINGLE FAMILY
- MULTI FAMILY
- FUTURE PLAN AREA
- COMMERCIAL
- PARK AND TRAILS
- CONSERVATION/PROTECTED AREAS
- NEIGHBOURHOOD CENTRE
- FORESTRY GRAZING

N

130 65 0 130 M

1:10,000

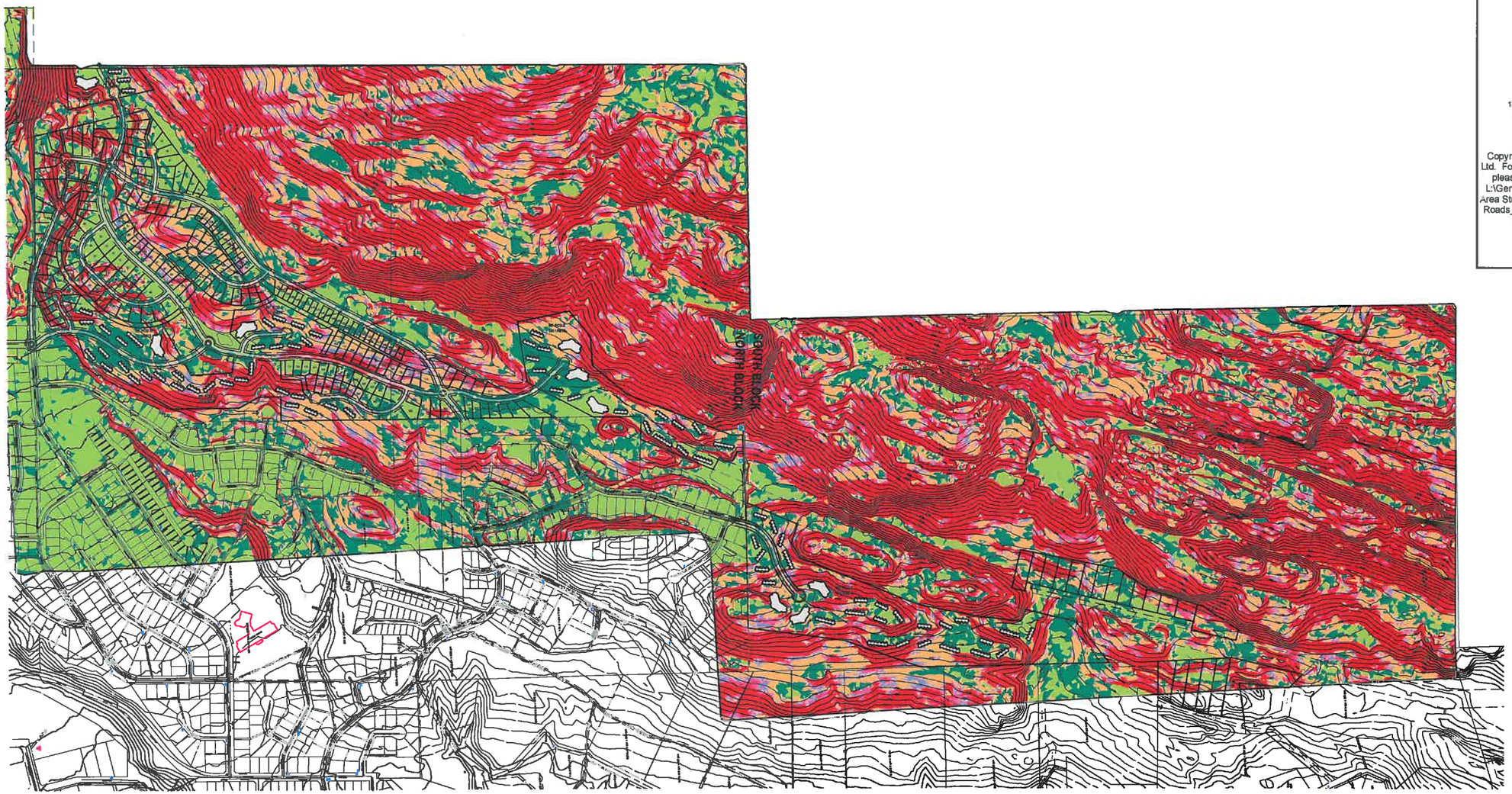
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Wiltse Area Structure Plan

Wiltse Holdings Ltd.

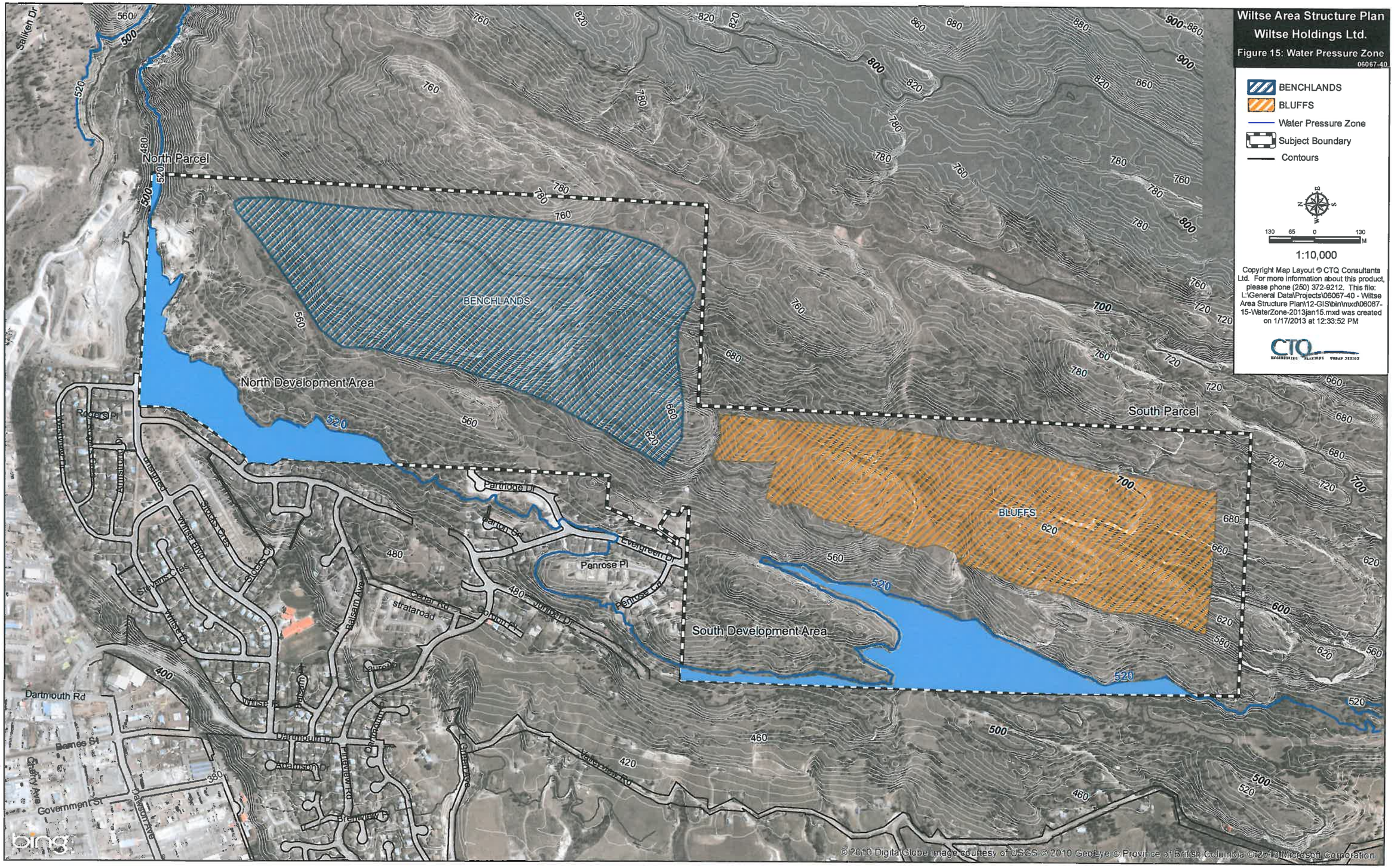
Figure 14:
Development Vs. Slope



130 65 0 130
M

1:10,000

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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 15: Water Pressure Zone
06067-40
BENCHLANDS
BLUFFS
Water Pressure Zone
Subject Boundary
Contours
130 65 0 130
M
1:10,000
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North Parcel
North Development Area
South Parcel
South Development Area
BENCHLANDS
BLUFFS
Saliken Dr
Rogers Pl
Wiltse Blvd
Swiss Cres
Stobbs Ct
Stevens Cres
Wiltse Pl
Balsam Ave
Cedar Rd
strataroad
Partridge Pl
Barton Crt
Penrose Pl
Evergreen Pl
Penrose Crt
Dartmouth Rd
Barnes St
Crafty Ave
Government St
Dawson Ave
Dartmouth Pl
Arbutus Pl
Arbutus Ct
Arbutus Dr
Arbutus Rd
Pinetree Pl
Pinetree Rd
Brentview Pl
Glenair Ave
Valleyview Rd
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Wiltse Area Structure Plan

Wiltse Holdings Ltd.
Figure 16: Proposed North Parcel Grading

PROPOSED 15% GRADING AREA

SECTION - SEE BELOW

Subject Boundary

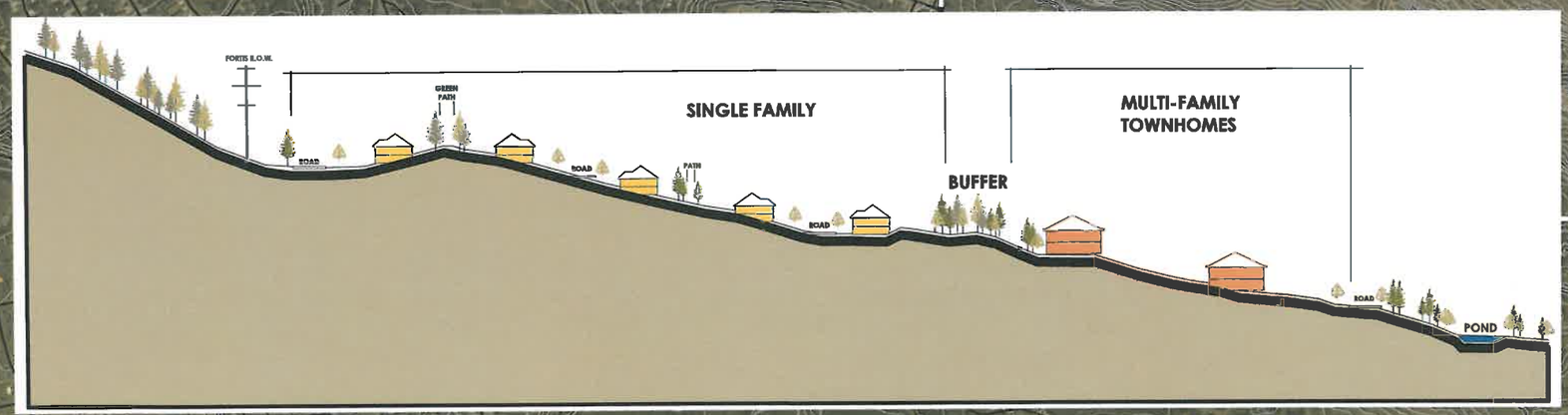
Index Contours

Intermediate Contours

130 65 0 130 M

1:10,000

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Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Figure 17: CD Zoning Concept
06067-40

Zoning

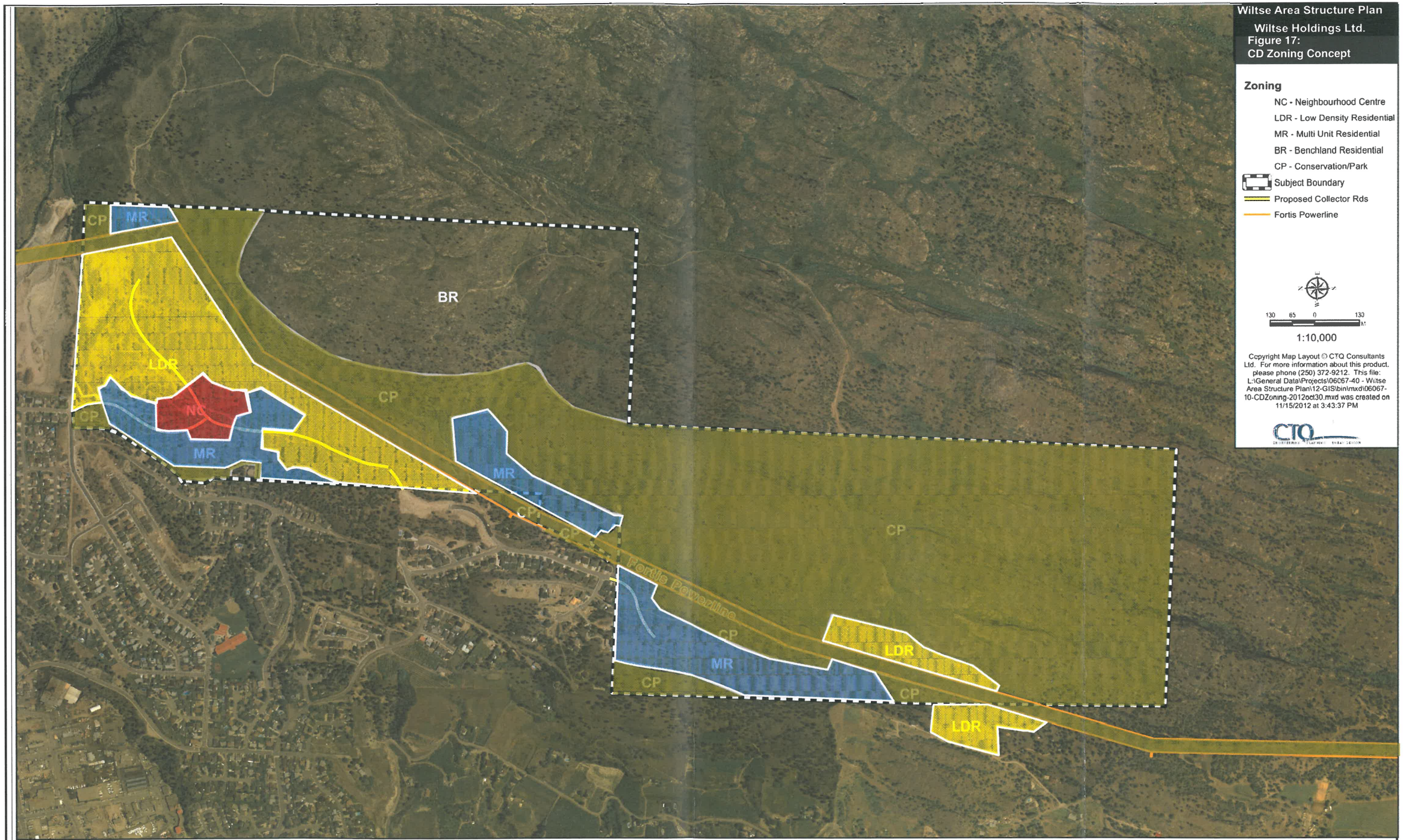
- NC - Neighbourhood Centre
- LDR - Low Density Residential
- MR - Multi Unit Residential
- BR - Benchland Residential
- CP - Conservation/Park
- Subject Boundary
- Proposed Collector Rds
- Fortis Powerline

N W E S

130 65 0 130 M

1:10,000

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Wiltse Area Structure Plan

Wiltse Holdings Ltd.
Figure 17:
CD Zoning Concept

Zoning

- NC - Neighbourhood Centre
- LDR - Low Density Residential
- MR - Multi Unit Residential
- BR - Benchland Residential
- CP - Conservation/Park
- Subject Boundary
- Proposed Collector Rds
- Fortis Powerline

130 65 0 130 M

1:10,000

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Note:
Roadways are conceptual only and for reference purposes.

Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Fig 18:Environmental Protection Development Permit Area

Subject Property Boundary

Environmental Sensitivity Area (ESA)
- Very High
- High
- Moderate
- Low

E
N
S
W

0 50 100 200 300
Meters
1:10000

Project No. 06067-40 - May 2014

CTQ
ENGINEERING PLANNING URBANDESIGN

DEVELOPMENT PERMIT AREA BOUNDARY (TYPICAL)

FORTIS POWER LINE R.O.W.

SEE FIGURE 18A

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JULY 4, 2018

L:\General Data\Projects\06067-40 - Wiltse Area Structure Plan\AT-CAD\PLANNING (Conceptual Only)\06067-40-RPT-01.dwg May 28, 2014 Haruko Kogami

ENVIRONMENTALLY SENSITIVE AREAS

ecora™

THE BLUFFS
PENTICTON, BC

Figure 18A

Legend

- ESA 1 - High
- ESA 2 - Moderate
- ESA 3 - Low
- ESA 4 - Not Sensitive
- Riparian Management Area (30m)
- Property Boundary
- Parks
- Roads & Trails
- Streams & Lakes
- City of Penticton Legal Parcels

LOCATION MAP



1:7,500

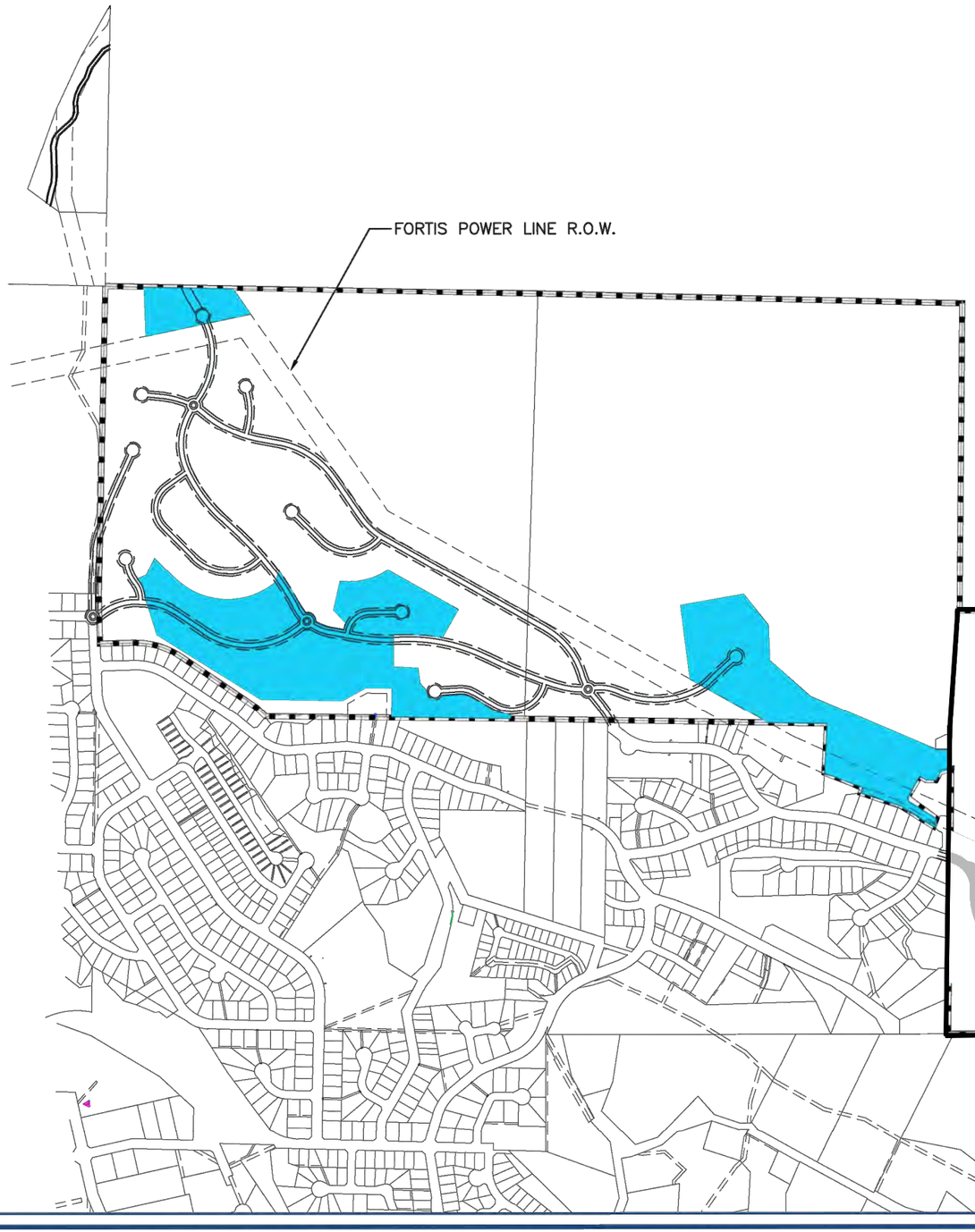
0 100 200 300 400 500 Meters

5481500
5481000
5480500

313500 314000 314500 315000

N

Note:
Roadways are conceptual only and for reference purposes.



Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Fig21:Multi-Family Residential and Commercial Development Permit Area

Subject Property Boundary

Multi-Family Residential and Commercial Development Permit Area

N E S W

0 50 100 200 300
Meters
1:10000

Project No. 06067-40 - May 2014

CTQ
ENGINEERING PLANNING URBANDESIGN

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Note:
Roadways are conceptual only and for reference purposes.

Wiltse Area Structure Plan
Wiltse Holdings Ltd.
Fig20:Hillside Hazard Development Permit Area

Subject Property Boundary

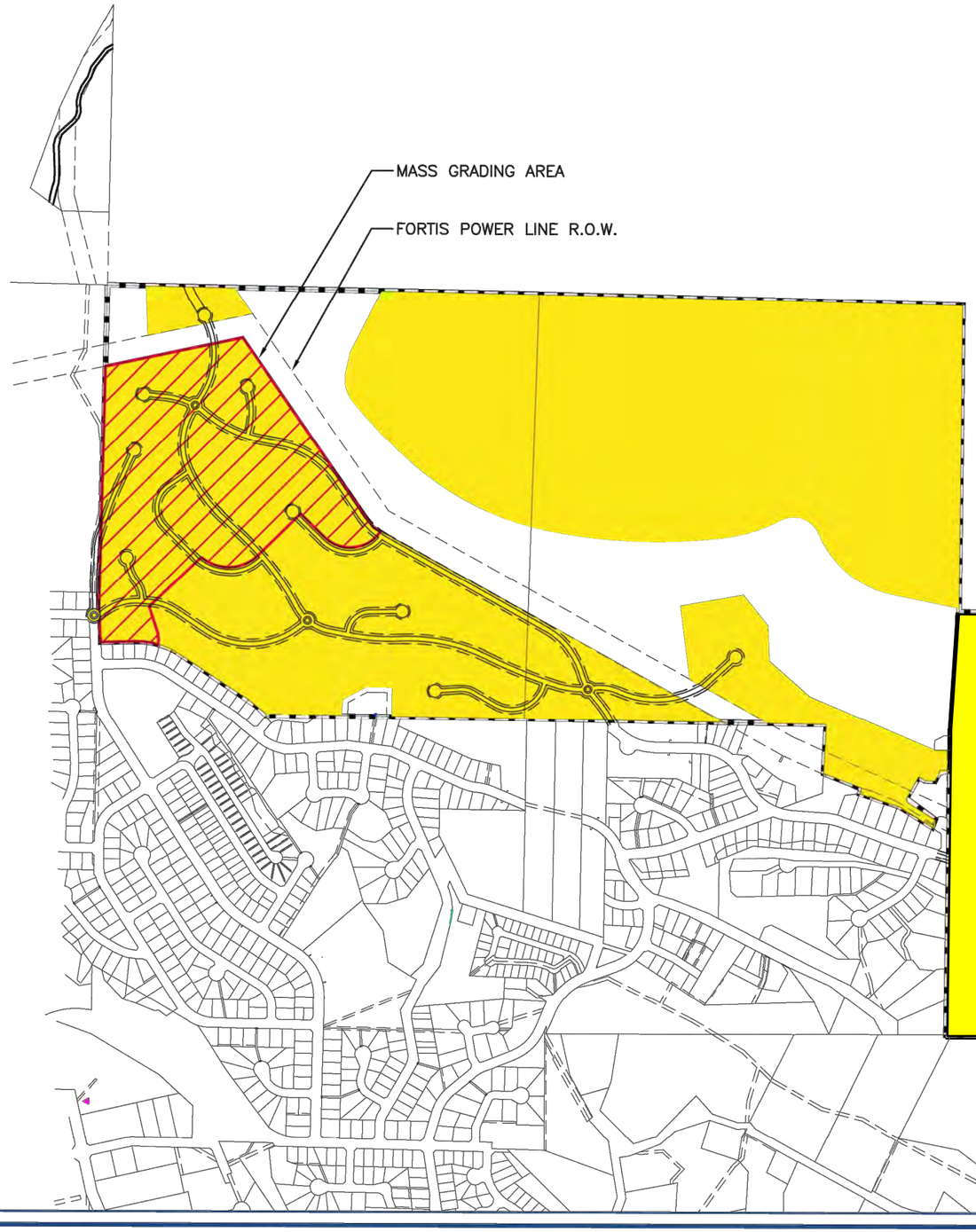
Hillside Hazard Development Permit Area



0 50 100 200 300
Meters
1:10000

Project No. 06067-40 - May 2014

CTQ
ENGINEERING PLANNING URBANDESIGN



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JULY 4, 2018

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The Corporation of the City of Penticton

Bylaw No. 2018-61

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. 2018-61".

2. **Amendment:**

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

Include Lot 1, District Lot 190 and 2710, Similkameen Division Yale District Plan KAP7449 located at 3200 Evergreen Drive, identified on Schedule 'A' as R1 (Large Lot Residential), RM1 (Bareland Strata Housing), FG (Forestry and Grazing) and P2 (Parks and Recreation).

2.2 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 9.1.4:

.1 In the case of Lot 1, District Lot 190 and 2710, Similkameen Division Yale District Plan KAP7449 located at 3200 Evergreen Drive, two single family residences and a 20 room tourist accommodation resort with a maximum floor area of 1850m^2 is permitted.

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

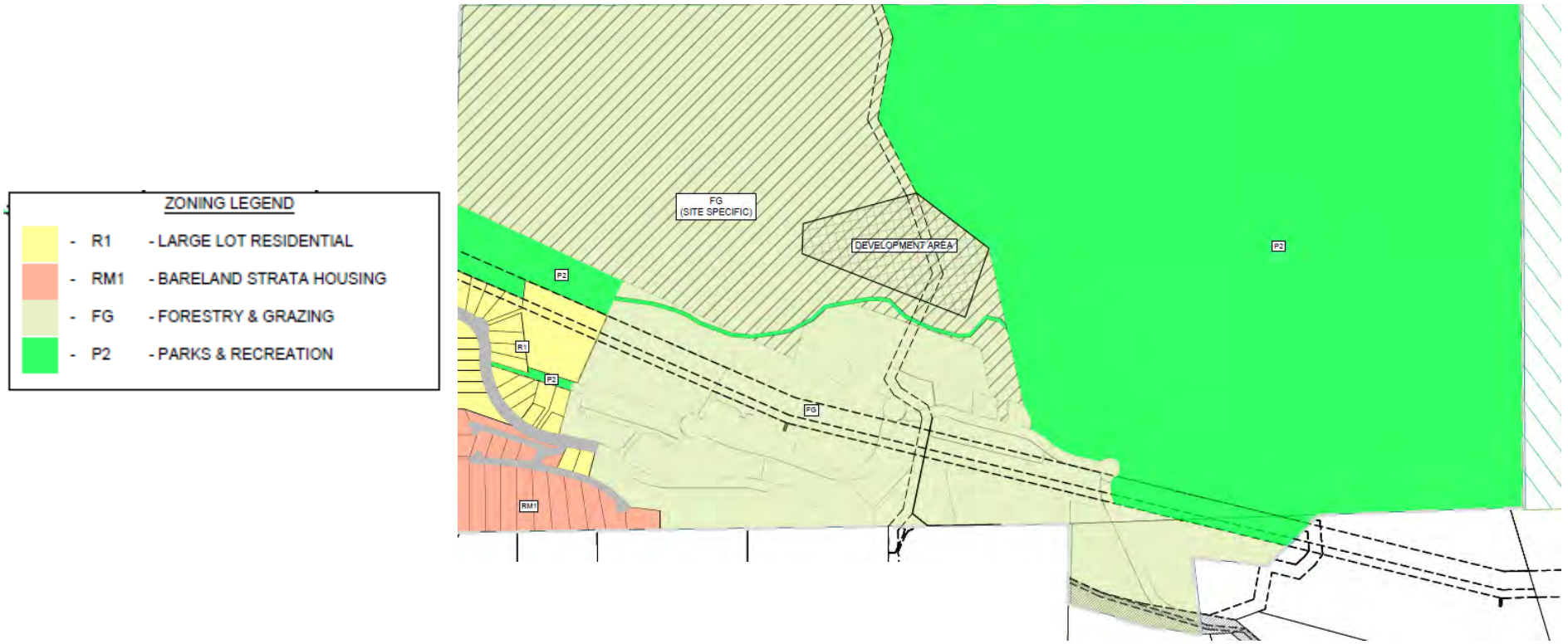
READ A FIRST time this	day of	, 2018
A PUBLIC HEARING was held this	day of	, 2018
READ A SECOND time this	day of	, 2018
READ A THIRD time this	day of	, 2018
ADOPTED this	day of	, 2018

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

Amend Zoning Bylaw 2017-08 to include Lot 1, DL 190 and 2710 SDYD, Plan KAP7449 (3200 Evergreen Drive) in 1) Large Lot Residential (R1), 2) Bareland Strata Housing (RM1), 3) Forestry Grazing (FG), and 4) Parks & Recreation (P2) and add a site specific provision to the Forestry Grazing (FG) zone to permit two single family residences and a 20 room tourist accommodation resort with a maximum floor area of 1850m^2.



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-61

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-62

A Bylaw to Amend Development Cost Charges Bylaw 2007-79

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

AND WHEREAS the Council of the City of Penticton wishes to amend Development Cost Charges Bylaw 2007-79 to include the annexed boundary extension area known as the "Bluffs at Skaha";

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 "Development Cost Charges Amendment Bylaw No. 2018-62".

2. **Amendments:**

   Development Cost Charges Bylaw 2007-79 is hereby amended as follows:

   2.1 Delete and replace Sector Map 'A' Core/Periphery DCC Map in its entirety with the attached Sector Map 'A' Core/Periphery DCC Map.

   2.2 Sector Map 'A' Core/Periphery DCC Map attached hereto forms part of this bylaw.

READ A FIRST time 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 Inspector of Municipalities on the	day of	, 2018
ADOPTED this	day of	, 2018

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Sector Map 'A'

CITY OF PENTICTON
CORE/PERIPHERY DCC MAP

SCALE 1:20,000

E
N
S
W

Okanagan Lake

Skaha Lake

INDIAN RESERVE

PENTICTON AIRPORT

LEGEND

CORE DCC AREA

PERIPHERY DCC AREA

UPDATED AUG/09/18

The Corporation of the City of Penticton

Bylaw No. 2018-54

A Bylaw to Amend 2018-2022 Five Year Financial Plan Bylaw No. 2017-79

WHEREAS the Council of the City of Penticton has adopted a Five Year Financial Plan Bylaw pursuant the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend 2018-2022 Five Year Financial Plan Bylaw No. 2017-79;

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 "2018-2022 Five Year Financial Plan Amendment Bylaw No. 2018-54".

2. **Amendment:**

   2.1 "2018-2022 Five Year Financial Plan Bylaw No. 2017-79" is hereby amended as follows:

   Delete and replace Schedule 'A' and 'B' in their entirety with the attached Schedule 'A' and 'B'.

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

READ A FIRST time this	7	day of	August, 2018
READ A SECOND time this	7	day of	August, 2018
READ A THIRD time this	7	day of	August, 2018
ADOPTED this		day of	, 2018

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Schedule A

		2018 Budget	2019 Projection	2020 Projection	2021 Projection	2022 Projection
Revenue						
	Taxation	(53,575,138)	(55,638,494)	(57,784,523)	(60,016,545)	(62,336,706)
	Sale of Services	(6,850,024)	(6,881,903)	(6,896,816)	(6,932,683)	(6,969,499)
	Electric Utility Fees	(42,075,442)	(43,335,543)	(44,633,405)	(45,970,158)	(47,346,968)
	Sewer Utility Fees	(5,615,077)	(6,178,775)	(6,653,300)	(6,692,009)	(6,712,253)
	Water Utility Fees	(8,466,692)	(8,817,919)	(9,201,250)	(9,601,446)	(10,019,248)
	Fiscal Services	(3,036,330)	(3,033,713)	(3,034,991)	(3,035,278)	(3,035,573)
	Grants	(1,695,343)	(1,623,320)	(1,623,320)	(1,623,320)	(1,623,320)
	Other Revenues	(12,359,158)	(12,208,338)	(12,270,724)	(12,281,337)	(12,304,093)
	Development Cost Charges	(600,000)	(600,000)	(600,000)	(600,000)	(600,000)
	Donations	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
		(134,283,203)	(138,328,005)	(142,708,330)	(146,762,775)	(150,957,660)
Expense						
	General Operating	70,831,362	71,121,711	72,842,835	74,458,134	76,024,316
	Electic Operating	37,175,423	36,206,355	37,609,191	39,053,053	40,073,471
	Sewer Operating	4,761,304	4,805,587	4,817,541	4,915,810	4,736,055
	Water Operating	4,021,815	4,030,214	4,153,704	4,184,822	4,213,195
		116,789,904	116,163,867	119,423,272	122,611,820	125,047,036
Annual Surplus		(17,493,299)	(22,164,139)	(23,285,058)	(24,150,955)	(25,910,624)
Capital						
	General Capital	11,784,876	11,881,565	24,654,518	23,359,241	18,728,821
	Electric Capital	3,305,287	1,551,681	1,373,674	2,082,282	1,643,589
	Sewer Capital	2,642,000	6,769,200	2,503,875	6,828,051	4,325,000
	Water Capital	3,407,250	5,543,335	8,198,500	4,389,600	3,246,300
		21,139,413	25,745,780	36,730,567	36,659,175	27,943,710
Debt Proceeds		(1,635,040)	(702,000)	(3,677,197)	0	0
Land Proceeds		(1,000,000)	(200,000)	(200,000)	(200,000)	(200,000)
Principal repayments		2,982,421	2,334,314	2,443,004	2,528,880	2,530,793
Transfer to/from surplus/reserve		(3,993,495)	(5,013,956)	(12,011,316)	(14,837,099)	(4,363,880)
Financial Plan Balance		-	-	-	-	-

Schedule B

Current Revenue Portions by Funding Source for Operating (excluding borrowing and transfers form reserve/surplus):

Taxation	31,540,871	23.49%
Grants in Lieu	254,519	0.19%
Business & Local Improvement Levy	403,875	0.30%
Collections for Other Governments	21,375,873	15.92%
Sale of Services	6,850,024	5.10%
Electric Utility Fees	42,075,442	31.33%
Sewer Utility Fees	5,615,077	4.18%
Water Utility Fees	8,466,692	6.31%
Other Revenue	12,359,158	9.20%
Fiscal Services	3,036,330	2.26%
Grants	1,695,343	1.26%
Donations	10,000	0.01%
Development Cost Charges	600,000	0.45%
	134,283,203	100.00%

Current Property Class Multiples:

Ratio	2018	2017	2016	2015
Residential	1.000	1.000	1.000	1.000
Utilities	7.330	5.930	5.000	4.028
Light Industry	1.670	1.580	1.580	1.524
Business	1.660	1.580	1.580	1.625
Rec/Non-Profit	1.420	1.390	1.350	1.350
Farm	3.260	2.060	2.250	2.760

Use of Permissive Tax Exemptions

In 2016, Council passed Bylaw 2016-57 to exempt certain properties from taxation in the next three years (2017-2019). In 2017, Council passed amending Bylaw 2017-61 to exempt certain properties from taxation in 2018. The Bylaw contains the list of properties and the estimated amount of tax revenue forgone ($485,263). The list of properties includes religious institutions, historical societies, recreational facilities, and service organizations that form a valuable part of our community. These organizations have demonstrated to Council that their services support our residents and community.

Use of Revitalization Tax Exemptions

Revitalization tax exemption bylaws were introduced in Penticton in 2010 to provide economic incentives for specified key areas within the City. The specified areas include the downtown, the industrial areas, and other strategic areas of the city. Bylaws 2014-04, 2014-44, and 2015-52 provide for tax exemptions in the specified areas in the City.

The Corporation of the City of Penticton

Bylaw No. 2018-55

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. 2018-55".

2. **Amendment:**

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

Rezone Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

2.2 Zoning Bylaw 2017-08 is hereby amended by adding the following site specific provisions to section 10.6.4:

.7 "In the case of Lot 2, DL 250, SDYD, Plan 4654, located at 241 Nelson Avenue, if the property is subdivided into two lots, a maximum of two dwelling units are permitted per lot, while allowing vehicular access from the street."

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

READ A FIRST time this	7	day of	August, 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 10 day of August, 2018 and the 15 day of August, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 241 Nelson Avenue from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane) with a site specific provision (RD2 Zone) that if the property is subdivided into two lots, a maximum of two dwelling units is permitted per lot, while allowing vehicular access from the street



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-55

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-56

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. 2018-56."

2. **Amendment:**

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

2.1 Amend Schedule 'H' Development Permit Area Map and include Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue, identified in Schedule A of this bylaw, in the Downtown Multiple Family Development Permit Area.

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

READ A FIRST time this	7	day of	August, 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 10 of August, 2018 and the 15 of August, 2018 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Amend OCP Bylaw 2002-20, Schedule 'H' Development Permit Area Map to include 241 Nelson Avenue in the Downtown Multiple Family Development Permit Area



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2018-56

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-57

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. 2018-57."

2. **Amendment:**

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

2.1 Amend Schedule 'B' Future Land Use designation for that portion of Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103 Except Plan EPP74844 located at 1830 Ridgedale Avenue, identified in Schedule A of this bylaw, from LR (Low Density Residential) to MR (Medium Density Residential).

2.2 Amend Schedule 'H' Development Permit Area Map and include that portion of Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103 Except Plan EPP74844 located at 1830 Ridgedale Avenue, identified in Schedule A of this bylaw, in the General Multiple Family Development Permit Area.

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

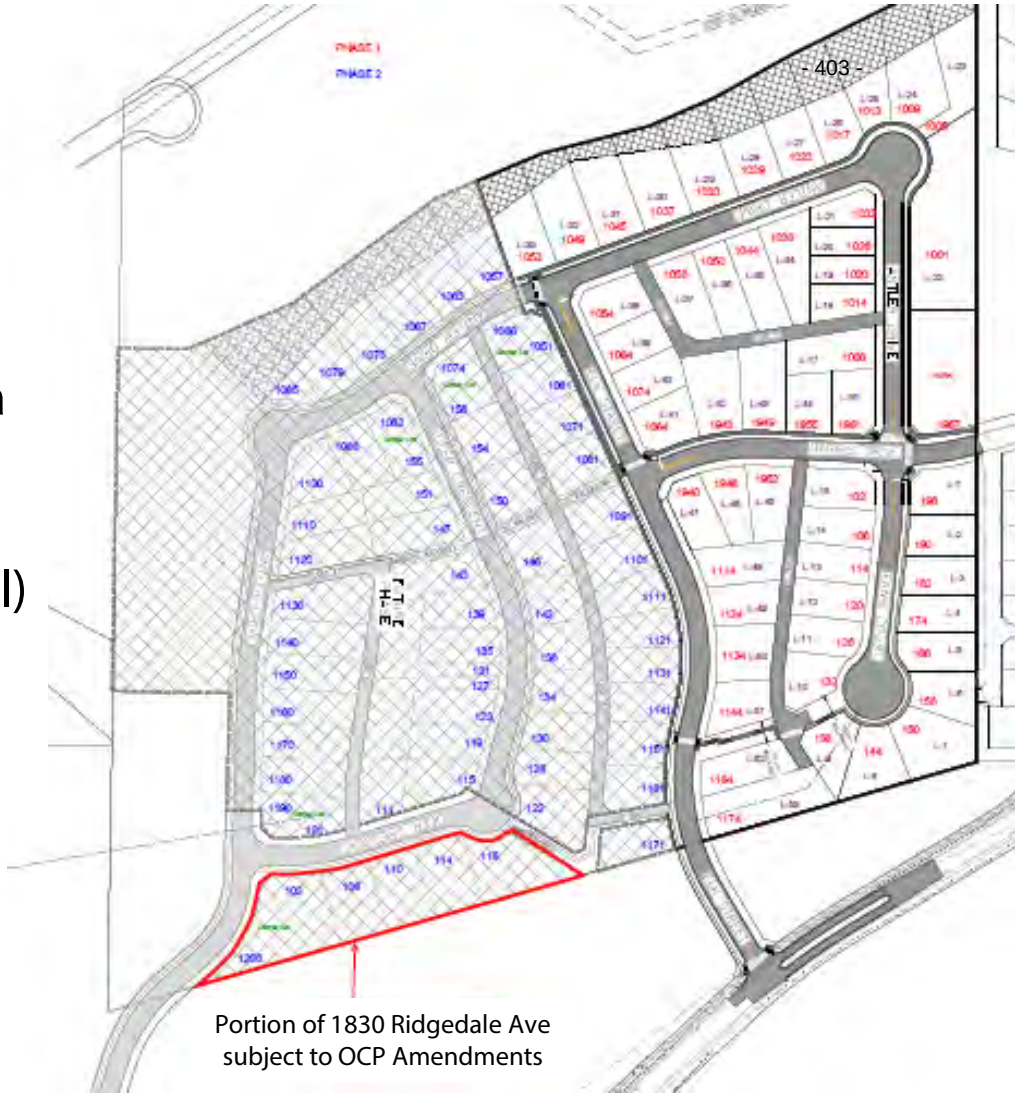
READ A FIRST time this	7	day of	August, 2018
A PUBLIC HEARING was held this		day of	, 2018
READ A SECOND time this		day of	, 2018
READ A THIRD time this		day of	, 2018
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 10 of August, 2018 and the 15 of August, 2018 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Amend OCP Bylaw 2002-20 by changing the OCP designation of a portion of 1830 Ridgedale Avenue from LR (Low Density Residential) to MR (Medium Density Residential) and amend Schedule 'H' to include the subject lands in the General Family Development Permit Area.



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2018-57

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-58

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. 2018-58".

2. **Amendment:**

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

Rezone that portion of Lot 1, District Lot 2710, Similkameen Division Yale District Plan 21103 Except Plan EPP74844, located at 1830 Ridgedale Avenue as shown on Schedule 'A' of this bylaw, from RD1 (Duplex Housing) to RM3 (Medium Density Multiple Housing).

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

READ A FIRST time this	7	day of	August, 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 10 day of August, 2018 and the 15 day of August, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone a portion of 1830 Ridgedale Avenue from RD1 (Duplex Housing) to RM3 (Medium Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-58

Date: _____ **Corporate Officer:** _____

The Corporation of the City of Penticton

Bylaw No. 2018-48

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. 2018-48".

2. **Amendment:**

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

Rezone Lot 8, District Lot 250 Similkameen Division Yale District Plan 6505, located at 1449 Government Street from RM2 (Low Density Multiple Housing) to RD2 (Duplex Housing: Lane).

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

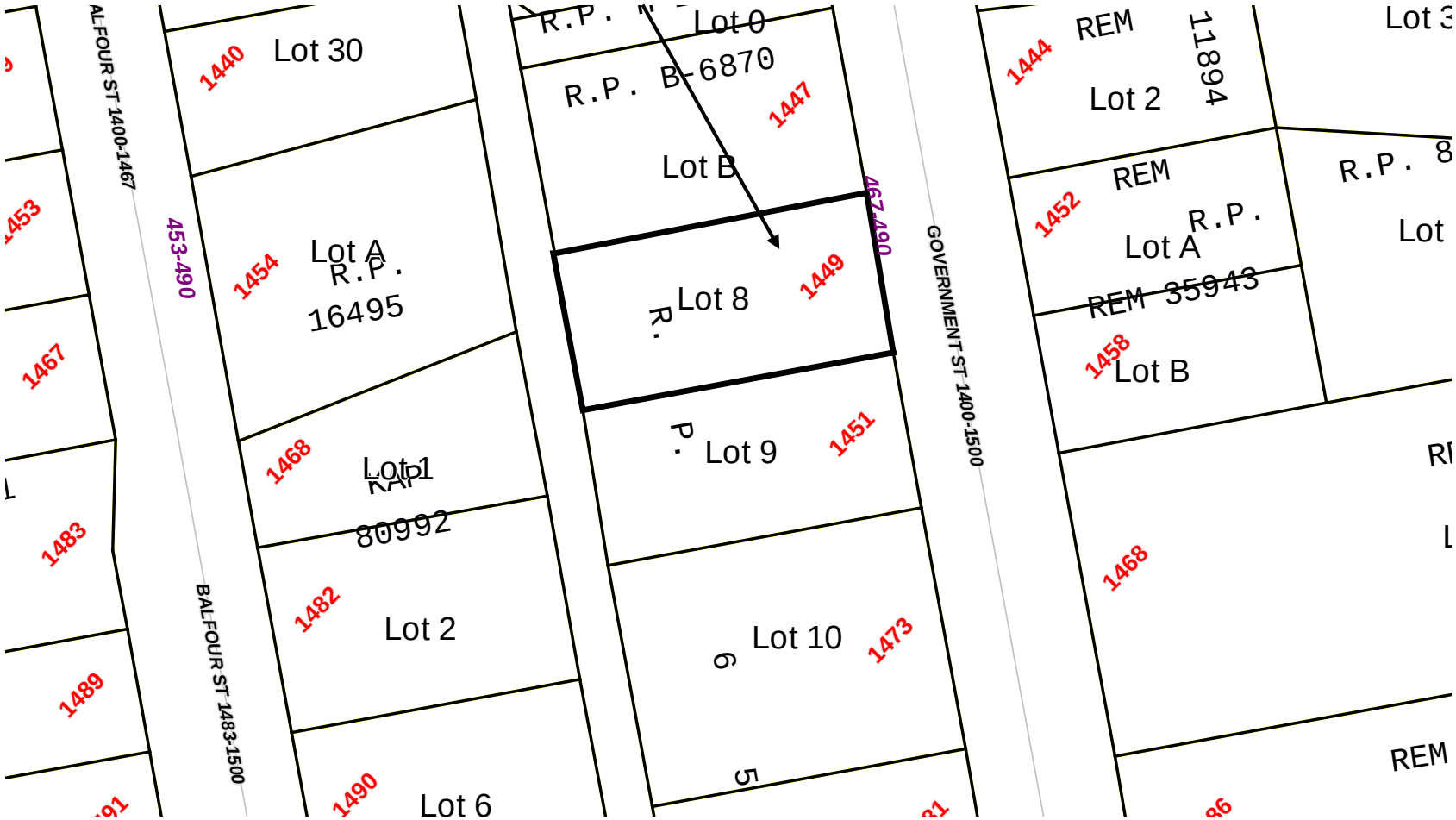
READ A FIRST time this	19	day of	June, 2018
A PUBLIC HEARING was held this	3	day of	July, 2018
READ A SECOND time this	3	day of	July, 2018
READ A THIRD time this	3	day of	July, 2018
ADOPTED this		day of	, 2018

Notice of intention to proceed with this bylaw was published on the 22 day of June, 2018 and the 27 day of June, 2018 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

Andrew Jakubeit, Mayor

Dana Schmidt, Corporate Officer

Rezone 1449 Government Street
From RM2 (Low Density Multiple Housing) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2018-48

Date: _____ **Corporate Officer:** _____

Council Report

penticton.ca

Date: August 21, 2018 File No: 2018 PRJ-172
To: Peter Weeber, Chief Administrative Officer
From: Randy Houle, Planner I
Address: 1049 Antler Drive

Subject: **Development Variance Permit PL2018-8327**

Staff Recommendation

THAT Council approve "Development Variance Permit PL2018-8327" for Lot 32 District Lot 2710 Similkameen Division Yale District Plan EPP74844, located at 1049 Antler Drive, a permit to increase the maximum height of a retaining wall within a required yard from 1.2m to 2.5m;

AND THAT staff be directed to issue "Development Variance Permit PL2018-8327."

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 sites are included as Attachment D. The subject property is approximately 1,040m^2 (11,194ft^2) in area with a single family dwelling currently under construction. The surrounding properties are primarily zoned R1 (Large Lot Residential), RD1 (Duplex Housing) and P2 (Parks and Recreation). The subject property is part of "The Ridge" development at 1830 Ridgedale Avenue, adjacent to Sendero Canyon. Given the nature of hillside development, retaining walls are often required to address slope stability concerns and to create level yards or driveways.

Proposal

The applicant is proposing to construct a 2.5m (8ft) retaining wall along the east and southern portion of the property. The City's zoning bylaw restricts the height of retaining walls to 1.2m within a required yard. Therefore, the applicant is requesting a Development Variance Permit to vary the following section of Zoning Bylaw No. 2017-08:

- Section 5.6.2.1: to increase the maximum height of a retaining wall within a required yard from 1.2m to 2.5m.

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. As part of the building permit process, a geotechnical report addressing the sub soil conditions and drainage, along with engineered drawings will be required for the proposed retaining wall.

Development Variance Permit

Support Variance

When considering a variance to a City bylaw, staff encourages Council to be mindful as to whether approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

Section 5.6.2.1: to increase the maximum height of a retaining wall within a required yard from 1.2m to 2.5m.

- The 1.2m (4ft) maximum allowable height of a retaining wall in a setback is intended to negate the visual impacts that a retaining wall could have on neighbouring properties. Given the lower elevation of the proposed lot, the wall will not be visible from the street or the neighbouring property to the east. The property most likely to be impacted by the 2.5m wall will be the subject property, to whom is requesting the variance. The wall is required to address slope stability issues and to create level yards for both the subject property and the property to the east. The wall itself will be 2.5m (8ft) in height, but only 2.2m (7ft) will be exposed, based on the proposed plans.

Staff feel that the retaining wall height request is reasonable, does not unreasonably impact the adjacent area and recommend that Council support the application.

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 PL2018-8327 with conditions that Council feels are appropriate.
2. THAT DVP PL2018-8327 be referred back to staff to revise the application as directed by Council.

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: Retaining Wall Design
Attachment G: Letter of Intent
Attachment H: Letter of Support
Attachment I: Development Variance Permit PL2018-8327

Respectfully submitted,

Randy Houle
Planner I

Approvals

DDS	CAO
AH	LD Per PW

Attachment A – Subject Property Location Map



Figure 1: Subject Property Location Map

Attachment B – Zoning Map

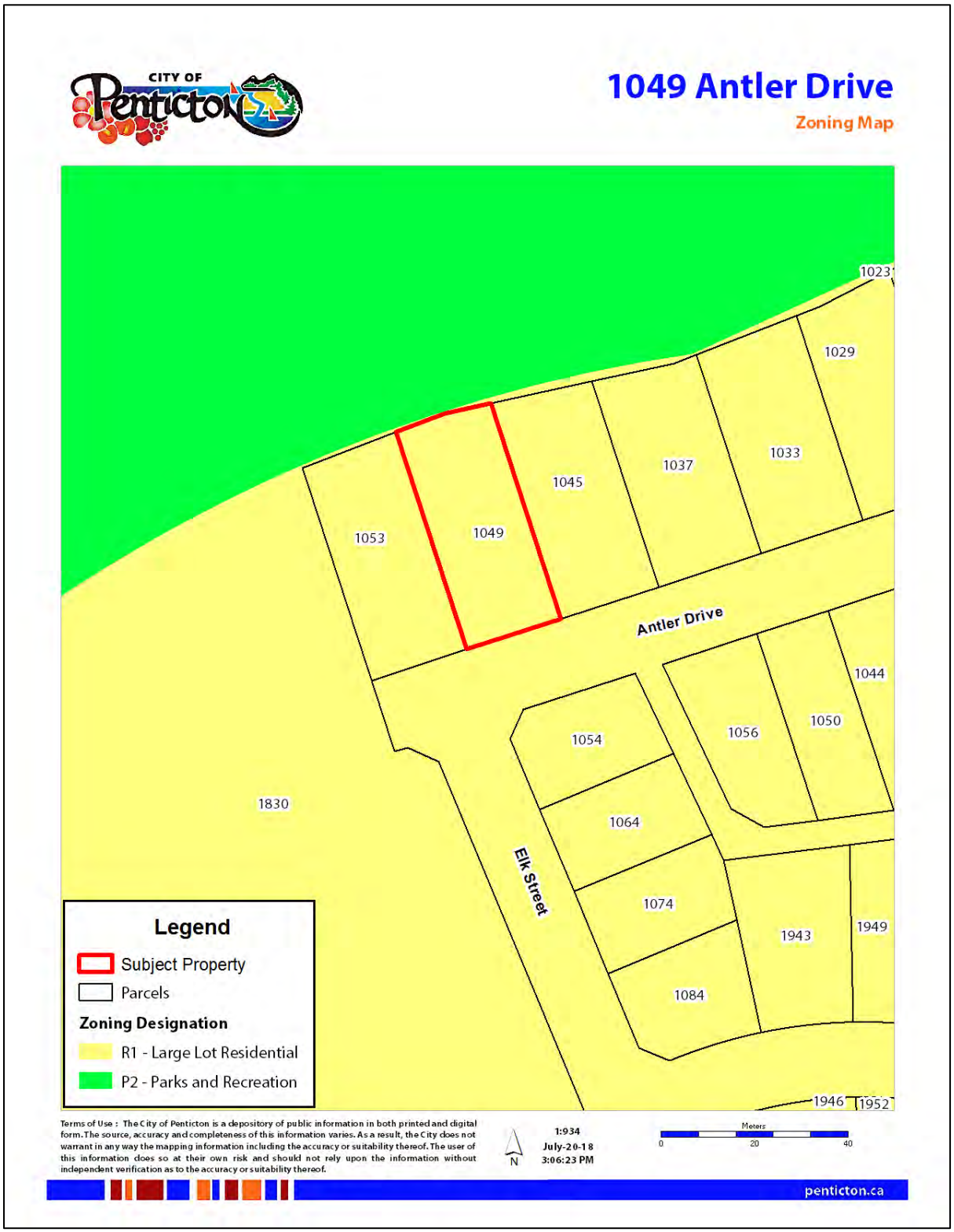


Figure 2: Zoning Map

Attachment C- OCP Map



Figure 3: OCP Map

Attachment D – Photos of Subject Property



Figure 4: South Elevation showing dwelling under construction



Figure 5: Looking north along east property line where proposed retaining wall will be constructed



Figure 6: Looking north along east property line



Figure 7: Looking South along east property line



Figure 8: Looking South along east property line



Figure 9: proposed wall along south portion of property

Attachment E- Site Plan

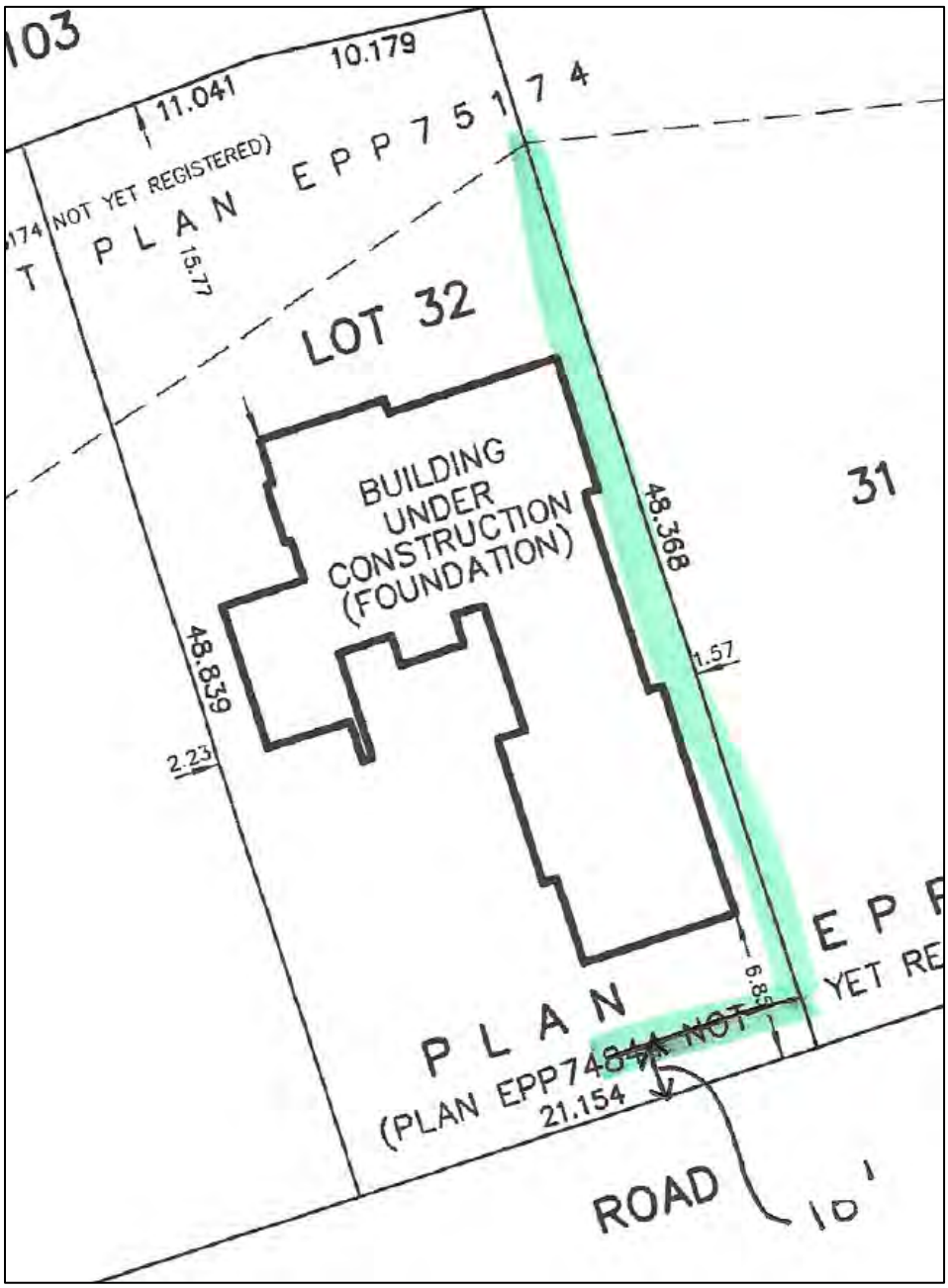


Figure 10: Site Plan with proposed retaining wall highlighted in green

Attachment F- Retaining Wall Design

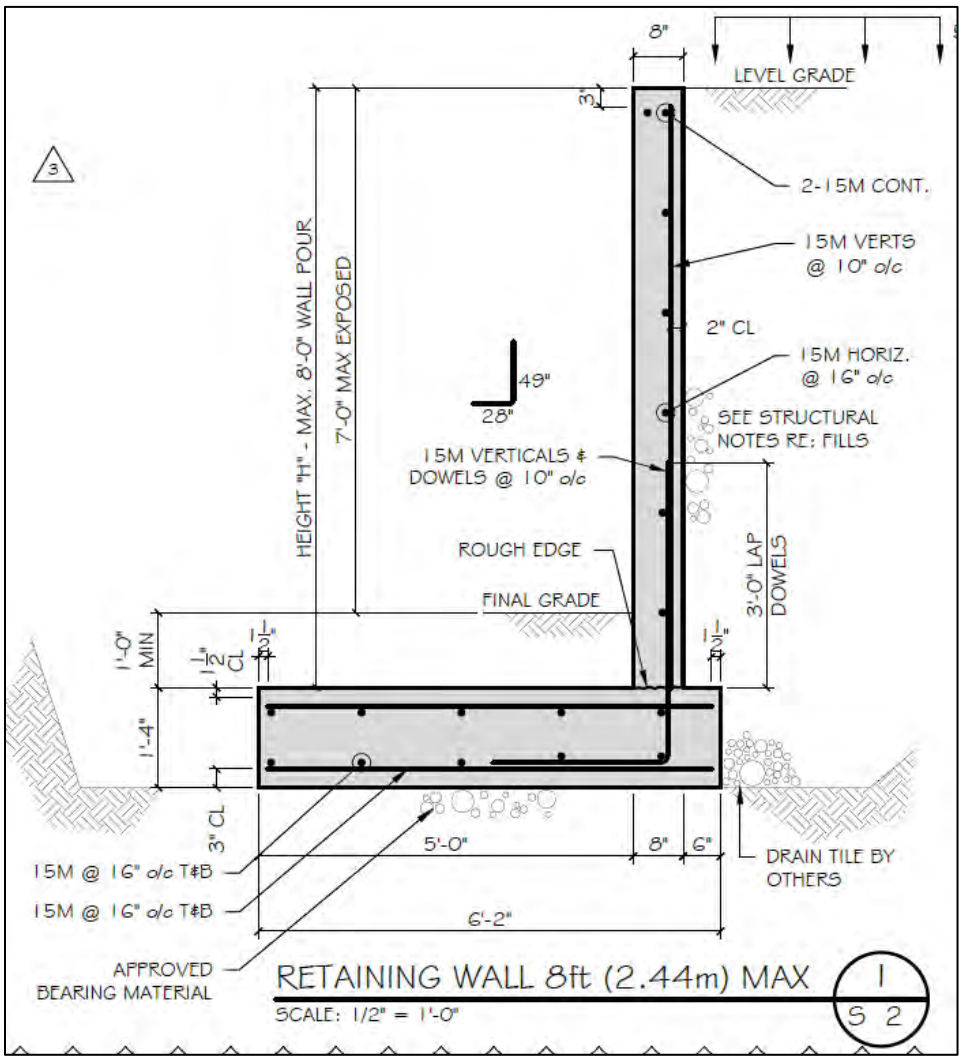


Figure 11: Retaining Wall Design

Attachment G- Letter of Intent

1029674 BC LTD

June 18, 2018

Attention: Planning Department

Reference: Development Variance Permit to vary Section 6.5.2.1 of the Zoning Bylaw to vary *the height of a retaining call in a side yard from 1.2m to 2.2m.*

This letter is to accompany an application to increase the maximum height of a retaining wall in a required yard from 1.2m to 2.2 m (7') on the eastern side of the lot. The subject property is located in the Ridge development in the Upper Columbia Heights Neighbourhood.

Background:

The site is located in the north western portion of the Phase 1 of the new Ridge subdivision. The subject site is located along the north edge of the development on the top of the slope down to Ridgedale. As a former gravel pit, there was extensive earth moving undertaken to prepare the site for residential development. The lots along this edge of the subdivision have terraced grading, with a level building area and slopes between the lots.

Development Proposal:

In the R1 zone, a side yard of 1.5 m is required. Section 6.5.2.1 of the Zoning Bylaw limits the height of a retaining wall located in required yard to 1.2m.

The home at 1049 Antler Drive is under construction. In consultation with the neighbouring property owner to the east at 1045 Antler Drive it was agreed that a 2.2m retaining wall on the property line would result in the most efficient use of both properties. Letter from neighbour to be provided. The building site on 1045 Antler Drive is about 3m (10') above the elevation of 1049 Antler Drive. With the variance, each owner would have a useable side yard of 1.5m (5') and the wall would be entirely located on the lower lot. See attached photographs and building site plan.

As this wall has no impact on any other property in the area we request Council's support for the application.

Sincerely

Joe Cuzzocrea

Figure 12: Letter of Intent

Attachment H – Letter of Support

1029674 BC Ltd.
716 Okanagan Avenue
Penticton, B.C.
V2A 3K6

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

August 2, 2018

Re: Retaining wall

I am the owner of 1049 Antler Drive in the new Ridge subdivision and would like to build a 2.5 meter concrete retaining wall between my property and my neighbour at 1045 Antler Drive. It is my understanding that any retaining wall greater than one meter requires a building variance approval.

The owner of 1045 Antler Drive, Mr. Dean Ashby, is okay with this variance as indicated by his signature on this letter and would also sign off on any other documentation required.

Thus with this letter we are requesting a variance to build a 2.5 meter retraining wall on my property next to 1045 Antler Drive.

Thanks for your consideration.

Yours truly
1029674 BC Ltd

Per: Joe Cuzzocrea
President

I agree with the above variance request.

Dean Ashby
Owner 1045 Antler Drive Penticton B.C.

Figure 13: Letter of Support

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

Development Variance Permit

Permit Number: DVP PL2018-8327

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 32 District Lot 2710 Similkameen Division Yale District Plan EPP74844
   Civic: 1049 Antler Drive
   PID: 030-381-142

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 a retaining wall.

   - Section 5.6.2.1: to increase the maximum height of a retaining wall within a required yard from 1.2m to 2.5m.

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 21 day of August, 2018

Issued this _____ day of _____, 2018

_____
Dana Schmidt,
Corporate Officer