

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

**Tuesday, March 5, 2019**  
**at 1:00 p.m.**

1. **Call Regular Council Meeting to Order**

2. **Introduction of Late Items**

3. **Adoption of Agenda**

4. **Recess to Committee of the Whole**

5. **Reconvene the Regular Council Meeting**

6. **Adoption of Minutes:**

6.1 Minutes of the February 19, 2019 Regular Council Meeting

1-7

Adopt

7. **Consent Agenda:**

7.1 Minutes:

- Minutes of the February 19, 2019 Committee of the Whole Meeting
- Minutes of the February 19, 2019 Public Hearing Meeting
- Minutes of the February 14, 2019 Parks and Recreation Advisory Committee Meeting

7.2 Release of Items from Closed Meeting:

- THAT Council appoint the following members to the Arts, Creative, Cultural Innovations, Heritage and Museum Committee for a term ending December 31, 2022; Randy Manuel, Anne Hargrave, Susan Smith, Ron Crawford, Anita Petersen, Shelley Clarke, Tristan Kaulback, Gerald Buzzell, Paul Crawford, Judy Richards and Timothy Tweed.
- THAT Council appoint the following members to the Agricultural Advisory Committee for a term ending December 31, 2022: Rod King; Darshan Jasser; Paul Gardner; Annelise Simonsen; Doug Mathias; Jesse Chapman; Kristie Tatebe; Steve French and Chris Holler.

*Staff Recommendation: THAT Council approve the Consent Agenda.*

8-15

8. **Committee and Board Reports**

9. **Correspondence:**

- 9.1 "Designated Community" for Homelessness Funding 16-23  
Re: Request for Letter of Support

*Summary: 100 Homes Penticton via the United Way is making an application to the Ministry of Employment & Social Development to have Penticton named as one of the additional "Designated Communities" in the Reaching Home: Canada's Homelessness Strategy. This Federal program has significant funding for communities that are experiencing homelessness or are at a risk of homelessness. They are requesting a letter of support to accompany the application due March 8, 2019.*

*Staff Recommendation: THAT Council provide 100 Homes Penticton with a letter of support to accompany the application naming Penticton as a "Designated Community" for funding through Reaching Home: Canada's Homelessness Strategy.*

10. **Staff Reports:**

- Siebert 10.1 Free Parking with Veteran Plates Policy 24-26  
*Staff Recommendation: THAT Council approve "Free Parking with Veteran Plates Policy", a policy that provides Veteran license plates with free parking in City of Penticton paid parking lots and on street city metered parking spaces for the time period permitted.*
- Kleb 10.2 Community Engagement Policy and Framework 27-39  
*Staff Recommendation: THAT Council approve the plan to create a Community Engagement Policy as outlined in the report dated March 5, 2019 titled "Community Engagement Policy".*
- Chapman 10.3 Septage Fee Surplus 40-41  
*Staff Recommendation: THAT Council approve the transfer of the 2018 surplus of septage receiving fees to the Sewer Equipment Replacement Reserve in the amount of \$72,245.87; AND THAT staff be instructed to explore the amendment of the Septic Waste Receiving Facility Cost Sharing Agreement to address transfer of any future surplus fees to the Sewer Equipment Replacement Reserve.*
- Laven 10.4 Street name request in honour of Rory McIvor 42-28  
*Staff Recommendation: THAT Council after reviewing this report provide direction from the following options:*  
*Option 1: Support the renaming of the portion of Fairview Road running adjacent to the Museum and Library complex between Martin Street and Main Street as Rory McIvor Way or Rory McIvor Boulevard.*  
*Option 2: Support the naming of the currently unnamed link road running through Gyro Park between Main Street and Martin Street as Rory McIvor Way or Rory McIvor Boulevard.*  
*Option 3: Support the addition of the name Rory McIvor to the "Street Name Reserve List" recognizing the contributions made to the community by Mr. McIvor.*  
*Option 4: Refer this item to the April 2, 2019 Council meeting so that Council may receive comments from the public prior to making a decision.*  
*Option 5: Receive this report into the record as information and take no action at this time.*
- Haddad 10.5 300 Block - Main Street Local Area Service Parcel Tax Bylaw No. 2019-09 49-57  
*Staff Recommendation: THAT Council give first, second and third reading to "300 Block – Main Street Local Area Service Parcel Tax Bylaw No. 2019-09"; THAT in accordance with Section 204 of the Community Charter, appoint 3 members of Council \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ as the parcel tax roll review panel; THAT the sitting of the panel be held April 9, 2019 at 1:00 p.m. in Council Chambers, City Hall; THAT Council direct staff to publish advance notice of the time and place in accordance with section 94 of the Community Charter;*

AND THAT the Finance Department send letters to all impacted property owners identifying the full amount and payment options – providing a minimum of 30 days' notice for the payment to be made in full.

Haddad 10.6 South Okanagan Performing Arts Centre Society (SOPAC) 58-87  
*Staff Recommendation: THAT Council direct staff to prepare an Area Redevelopment Plan for the 100, 200 & 300 Blocks of Ellis Street that will look at the future use of City lands and public infrastructure; AND THAT staff be directed to bring forward budget requests for this project as part of the 2020 Budget process; AND THAT the subject lands not be redeveloped until the completion of the Area Redevelopment Plan for the 100, 200 & 300 Blocks of Ellis Street.*

Darcus 10.7 Updated Notice: Local Elections Campaign Financing Non-Compliance- Failure to File 88-89  
*Staff Recommendation: THAT Council receive into the record the report titled "Updated Notice: Local Elections Campaign Financing Non-Compliance – Failure to File" dated March 5, 2019.*

11. **Public Question Period**

12. **Recess to a Closed Meeting:**

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

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;*
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

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

14. **Bylaws and Permits:**

14.1	Zoning Amendment Bylaw No. 2019-05	90-91	2 <sup>nd</sup> /3 <sup>rd</sup>
	Official Community Plan Amendment Bylaw No. 2019-06	92-93	2 <sup>nd</sup> /3 <sup>rd</sup>
	Re: 484 Eckhardt Avenue West		
14.2	Zoning Amendment Bylaw No. 2019-07	94-95	2 <sup>nd</sup> /3 <sup>rd</sup> /Adopt
	Development Variance Permit PL2018-8429	96-97	Approve
	Re: 253 Norton Street		

15. **Land Matters**

16. **Notice of Motion**

16.1 From Councillor Bloomfield on February 19, 2019

*THAT Council direct staff to investigate funding opportunities from FCM for infrastructure developments of renewable energy production; AND THAT Council refer the findings to future meetings with the Penticton Indian Band (PIB) for their consideration.*

For Council's consideration on March 19, 2019 Regular Meeting:

16.2 From Councillor Watt:

*THAT Council direct staff to investigate the options and costs for monitoring vehicle speed along municipal roadways.*

16.3 From Mayor Vassilaki and Councillor Kimberley:

*THAT Council refer the following to the Parks and Recreation Advisory Committee for review of suitability and costs and provide comments/recommendations back to Council:*

- *The potential to add washrooms, a stage and green room to Okanagan Park; and*
- *The potential for adding lights (e.g. motion) and outdoor fitness equipment at Gyro Park.*

17. **Business Arising**

18. **Council Round Table**

19. **Public Question Period**

20. **Adjournment**

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

**Tuesday, February 19, 2019**  
**at 1:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Kimberley  
Councillor Regehr  
Councillor Robinson  
Councillor Sentes  
Councillor Watt

**Staff:** Laurie Darcus, Director of Corporate Services  
Angie Collison, Corporate Officer  
Jim Bauer, Chief Financial Officer  
Blake Laven, Planning Manager  
Mitch Moroziuk, General Manager of Infrastructure (left the meeting at 2:56 p.m.)  
Bregje Kozak, Director Recreation & Facilities (left the meeting at 2:56 p.m.)  
Caitlyn Anderson, Deputy Corporate Officer

**1. Call to Order**

The Mayor called the Regular Council Meeting to order at 1:02 p.m.

**2. Introduction of Late Items**

**3. Adoption of Agenda**

49/2019

**It was MOVED and SECONDED**

THAT Council adopt the agenda for the Regular Council Meeting held on February 19, 2019 as presented.

**CARRIED UNANIMOUSLY**

**4. Recess to Committee of the Whole**

Council recessed to a Committee of the Whole Meeting at 1:04 p.m.

**5. Reconvene the Regular Council Meeting**

Council reconvened the Regular Council Meeting at 1:43 p.m.

**6. Adoption of Minutes:**

6.1 Minutes of the February 5, 2019 Regular Meeting of Council

50/2019

**It was MOVED and SECONDED**

THAT Council adopt the minutes of the February 5, 2019 Regular Meeting of Council as presented.

**CARRIED UNANIMOUSLY**

**7. Consent Agenda:**

51/2019

**It was MOVED and SECONDED**

THAT Council approve the Consent Agenda.

**CARRIED UNANIMOUSLY**

**8. Committee and Board Reports**

**9. Correspondence**

**10. Staff Reports:**

10.1 Flood Mitigation Plan – UBCM Grant

52/2019

**It was MOVED and SECONDED**

THAT Council support the application for grant funding from the UBCM for a Flood Mitigation Plan for the City of Penticton area.

**CARRIED UNANIMOUSLY**

10.2 Front Counter BC – Application for Amendment to Telus Easement Area on Crown Land

53/2019

**It was MOVED and SECONDED**

THAT Council endorse the “Application for Amendment to Telus Easement Area on Crown Land”;  
AND THAT Council direct staff to forward the “Application for Amendment to Telus Easement Area on Crown Land” to Front Counter BC for approval.

**CARRIED UNANIMOUSLY**

10.3 Fees and Charges Amendment Bylaw No. 2018-09

54/2019

**It was MOVED and SECONDED**

THAT Council rescind third reading and give third reading as amended to “Fees and Charges Amendment Bylaw No. 2018-09”.

**CARRIED UNANIMOUSLY**

10.4 Contract Award – Supply of Transit Stop Benches and Shelters and Associated Advertising Opportunities 2019-2034

55/2019

**It was MOVED and SECONDED**

THAT Council authorize staff to enter into an agreement with Pattison Outdoor Advertising LP based on their proposal for the provision the Supply of Transit Stop Benches and Shelters

and Associated Advertising Opportunities for a fifteen (15) year period commencing March 1, 2019;  
AND THAT the Mayor and Corporate Officer be authorized to execute the agreement on behalf of the City of Penticton.

**CARRIED UNANIMOUSLY**

10.5 30 kph Speed Limit in the Downtown Core

56/2019

**It was MOVED and SECONDED**

THAT Council instruct staff to make no changes with respect to the 30 kph speed limit in the Downtown Core.

**CARRIED**  
**Councillor Robinson, Opposed**

10.6 SILGA Resolutions 2019

57/2019

**It was MOVED and SECONDED**

THAT Council submit the following five resolutions to Southern Interior Local Government Association (SILGA) for consideration at the 2019 Convention:

**#1 - Building Act - Innovation Commitment**

WHEREAS the Building Act includes a provincial commitment to Innovation that supports local governments and other local authorities through the implementation of a provincial review process to evaluate innovative building proposals;  
AND WHEREAS the continued complexity of building design, new products and expansion of the Codes have made it difficult for some communities to provide a level of consistency, interpretation and alternate solution reviews;  
NOW THEREFORE BE IT RESOLVED that the Province outline and explain the review process to accept and evaluate innovative building proposals.

**# 2 - Full Social Support Services for Homeless Housing**

WHEREAS the Province through BC Housing has invested in creating housing for those individuals struggling with homelessness;  
AND WHEREAS individuals experiencing homelessness are often in need of social services;  
NOW THEREFORE BE IT RESOLVED that the Province ensure all forms of social services (mental health services, addiction services, social assistance services, employment services, etc.), also referred to as "wrap-around services", are available to individuals housed in homeless housing at the housing site or within a short walking distance.

**# 3 - Addition of Drug and Alcohol Recovery Facilities and Beds**

WHEREAS an opioid crisis has been identified in British Columbia, and addictions can also take many other forms such as alcohol and other drugs, with addictions being so detrimental to an individual's health and well-being;  
AND WHEREAS there are not enough Drug and Alcohol Rehabilitation/Recovery Facilities and spaces available for those who are seeking help to combat addictions;  
NOW THEREFORE BE IT RESOLVED that the Province fund significantly more licensed rehabilitation facilities and beds in every municipality to enable all those who seek assistance in recovering from addictions and opportunity to beat addictions.

**# 4 - Inspection of Rooming Houses by Ministry of Health (e.g. Interior Health) and Ministry of Social Development & Poverty Reduction**

WHEREAS Landlords may open rooming houses and accommodate low income individuals;  
AND WHEREAS Landlords may take advantage of the vulnerable individuals they house;  
NOW THEREFORE BE IT RESOLVED that the Ministry of Health (e.g. Interior Health) and Ministry of Social Development & Poverty Reduction create policy and an inspection process to ensure the integrity of the rooming houses.

**# 5 - Funding for Design of Cycling Infrastructure (Bike Lanes) for Municipalities**

WHEREAS the Province of BC is cost-sharing cycling infrastructure projects with local government through our BikeBC program to encourage healthy living and to help address climate change;

AND WHEREAS prior to building cycling infrastructure, such as bike lanes, it is necessary to conduct a design stage that can be a very expensive endeavor;

NOW THEREFORE BE IT RESOLVED that the Province cost-share not only cycling infrastructure but also the design of the infrastructure, especially as it relates to bike lanes.

**CARRIED UNANIMOUSLY**

10.7 Notice: Local Elections Campaign Financing Non-Compliance – Failure to File

58/2019

**It was MOVED and SECONDED**

THAT Council receive into the record the report titled “Notice: Local Elections Campaign Financing Non-Compliance – Failure to File” dated February 19, 2019.

**CARRIED UNANIMOUSLY**

10.8 Woodstock Road Upgrade

59/2019

**It was MOVED and SECONDED**

THAT Council approve the installation of roadway improvements on Woodstock Road in 2019 which consists of reducing the speed limit from 50km/h to 20km/h, ensuring at least 3.5m clear width is maintained the entire segment of the slope, installing waiting areas at the top and bottom of the hill at least 6.0m in width, installing a barrier along the outer edge of the road, installing a curb on the inside of the slope along the road, and developing an emergency plan to provide access to the area in the case of a geotechnical issue at a cost of \$40,000 to be funded by the Asset Emergency Reserve;

AND THAT commencing in 2020 the financial plan continue to set aside funds each year to fund a long term upgrade to Woodstock Road;

AND THAT staff be instructed to explore the use of a Local Area Service Bylaw to have benefitting property owners contribute funding to the project.

**CARRIED UNANIMOUSLY**

**11. Public Question Period**

**12. Recess to Closed Meeting**

60/2019

**It was MOVED and SECONDED**

THAT Council recess at 2:56 p.m. to a closed meeting of Council pursuant to the provisions of the *Community Charter* section 90 (1) as follows:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

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

**CARRIED UNANIMOUSLY**

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

Council reconvened the Regular Council Meeting at 7:22 p.m.

**14. Bylaws and Permits**

- 14.1 Official Community Plan Amendment Bylaw No. 2019-04  
Development Variance Permit PL2018-8336  
Re: 24 Front Street

61/2019

**It was MOVED and SECONDED**

THAT Council deny "Development Variance Permit PL2018-8336" for 24 Front Street.

**CARRIED UNANIMOUSLY**

62/2019

**It was MOVED and SECONDED**

THAT Council close and abandon "Official Community Plan Amendment Bylaw No. 2019-04" for 24 Front Street.

**CARRIED UNANIMOUSLY**

- 14.2 Zoning Amendment Bylaw No. 2018-78  
Re: 1473 Government Street

63/2019

**It was MOVED and SECONDED**

THAT Council adopt "Zoning Amendment Bylaw No. 2018-78".

**CARRIED UNANIMOUSLY**

64/2019

**It was MOVED and SECONDED**

THAT Council approve "Development Variance Permit PL2018-8310".

**CARRIED UNANIMOUSLY**

**15. Land Matters**

- 15.1 Zoning Amendment Bylaw No. 2019-05  
Official Community Plan Amendment Bylaw No. 2019-06  
Re: 484 Eckhardt Avenue West

65/2019

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2019-05", a bylaw to rezone Lot 8 Block B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 930, located at 484 Eckhardt Avenue West from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)," be given first reading and forwarded to the March 5, 2019 Public Hearing.

THAT prior to consideration of "OCP Amendment Bylaw No. 2019-06" 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. 2019-06," 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 March 5, 2019 Public Hearing.

**CARRIED UNANIMOUSLY**

- 15.2 Zoning Amendment Bylaw No. 2019-07  
 Development Variance Permit PL2018-8429  
 Development Permit PL2018-8430  
 Re: 253 Norton Street

66/2019

**It was MOVED and SECONDED**

THAT "Zoning Amendment Bylaw No. 2019-07", a bylaw to rezone Lot A District Lot 202 Similkameen Division Yale District Plan KAP83201, located at 253 Norton Street from RM4 (High Density Multiple Housing) to RM3 (Medium Density Multiple Housing), be given first reading and forwarded to the March 5, 2019 Public Hearing.

THAT delegations and submissions be heard at the March 5, 2019 Public Hearing for "Development Variance Permit PL2019-8429" for Lot A District Lot 202 Similkameen Division Yale District Plan KAP83201, located at 253 Norton Street, a permit that:

- Increases the allowable architectural projection that constitutes less than 25% of the wall face to which it is attached to less than 35% of the wall face to which the projection is attached,
- Decreases the minimum interior side yards from 4.5m to 2.0m; and,
- Increases the maximum hard surfacing of a lot from 60% to 69%,

AND THAT Council consider "DVP PL2018-8429" following the adoption of "Zoning Amendment Bylaw No. 2019-07."

THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2019-07" approve "Development Permit PL2018-8430" for 253 Norton Street, a permit that allows for the construction of a 16 unit, townhouse development.

**CARRIED UNANIMOUSLY**

**16. Notice of Motion**

Councillor Bloomfield provided the following Notice of Motion for consideration at the March 5, 2019 Regular Meeting of Council:

THAT Council direct staff to investigate funding opportunities from FCM for infrastructure developments of renewable energy production;  
 AND THAT Council refer the findings to future meetings with the Penticton Indian Band (PIB) for their consideration.

**17. Business Arising**

67/2019

**It was MOVED and SECONDED**

THAT Council direct staff to prepare a SILGA resolution to request that the Province amend legislation to allow for speed monitoring cameras.

**DEFEATED**

**Mayor Vassilaki, Councillors Robinson, Watt, Regehr, Sentes and Bloomfield, Opposed**

**18. Council Round Table**

**19. Public Question Period**

**20. Adjournment**

68/2019

**It was MOVED and SECONDED**

THAT Council adjourn the Regular Council meeting held on Tuesday, February 19, 2019 at 8:14 p.m.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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Angie Collison  
Corporate Officer

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John Vassilaki  
Mayor

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

**Tuesday, February 19, 2019**  
**Recessed from the Regular Council Meeting at 1:00 p.m.**

**Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Kimberley  
Councillor Regehr  
Councillor Robinson  
Councillor Sentes  
Councillor Watt

**Staff:** Laurie Darcus, Director of Corporate Services  
Angie Collison, Corporate Officer  
Jim Bauer, Chief Financial Officer  
Blake Laven, Planning Manager  
Mitch Moroziuk, General Manager of Infrastructure  
Bregje Kozak, Director Recreation & Facilities  
Caitlyn Anderson, Deputy Corporate Officer

1. **Call to order**

The Mayor called the Committee of the Whole meeting to order at 1:04 p.m.

2. **Adoption of Agenda**

**It was MOVED and SECONDED**

THAT the agenda for the Committee of the Whole meeting held on February 19, 2019 be adopted as presented.

**CARRIED UNANIMOUSLY**

3. **Delegations and Community Recognition**

3.1 Carmi Intensive Research Area as a Community Forest

Neda Joss, Carmi Recreation Trails and Andrew Drouin, South Okanagan Trail Alliance proposed that the Upper Carmi Intensive Recreation Area become a Community Forest.

**It was MOVED and SECONDED**

THAT Council direct staff to prepare a letter of support for the intent of the Upper Carmi Intensive Recreation Area Community Forest application for a Community Forest subject to future Council support of the business plan.

**CARRIED UNANIMOUSLY**

3.2 2019-2023 Five Year Financial Plan – Budget Primer

Jim Bauer, Chief Financial Officer provided Council with highlights of the 2019 Corporate Business Plan and the 2019-2023 Financial Plan.

4. **Adjourn to Regular Meeting**

**It was MOVED and SECONDED**

THAT Council adjourn the Committee of the Whole meeting held February 19, 2019 at 1:43p.m. and reconvene the Regular Meeting of Council.

**CARRIED UNANIMOUSLY**

Certified correct:

Confirmed:

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Angie Collison  
Corporate Officer

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John Vassilaki  
Mayor

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

**Tuesday, February 19, 2019**  
**at 6:00 p.m.**

- Present:** Mayor Vassilaki  
Councillor Bloomfield  
Councillor Kimberley  
Councillor Regehr  
Councillor Robinson  
Councillor Sentes  
Councillor Watt
- Staff:** Laurie Darcus, Director of Corporate Services  
Angie Collison, Corporate Officer  
Jim Bauer, Chief Financial Officer  
Blake Laven, Planning Manager  
Caitlyn Anderson, Deputy Corporate Officer

**1. Call to order**

Mayor Vassilaki called the public hearing to order at 6:00 p.m. for Official Community Plan Amendment Bylaw No. 2019-04. He explained that the public hearing was being held to afford all persons who considered themselves affected by the proposed bylaw an opportunity to be heard before Council.

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

**2. "Official Community Plan Amendment Bylaw No. 2019-04" (24 Front Street)**

The purpose of "Official Community Plan Amendment Bylaw No. 2019-04" is to amend Official Community Plan Bylaw No. 2002-20 as follows:

Amend Section 2.1.2 The Downtown and Urban Villages to include "A five storey high density format would be an option in the Downtown Commercial (DC) designated area of 24 Front Street." Lot 20, Block 5, District Lot 202, Similkameen Division Yale District, Plan 269, Except Plan KAP81855, Lot 20A, District Lot 202, Similkameen Division Yale District, Plan 1067, Except Plans

B262 and KAP81855 and That Part of Lot 20A Shown on Plan B262, District Lot 202, Similkameen Division Yale District, Plan 1067, Except Plan KAP81855.

The applicant is proposing to construct a five-storey mixed-use building.

The Corporate Officer advised that eight letters of concern has been received since the printing of the agenda and distributed to Council.

### **DELEGATIONS**

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

- Cal Meiklejohn, architect of Meiklejohn Architectural Design Studio Inc, provided Council with an overview of the proposed five storey building.

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

- Randy Manuel, Westview Drive, former Museum Curator, not in support of the application, provided Council with the history of the area.

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

- Lynn Kelsey, Oakville Street, provided a PowerPoint of historical images, concerns with the façade.
- Janette Beaven, Front Street, kept up the look of the historical building for 12 Front Street, 24 Front Street is huge, black shutters present an unfortunate view, could be nice behind but it's not presented nicely from the front. Buildings look different from aerial view compared to sidewalk view. Too modern and too tall for Front Street.
- Brigid Kemp, Warren Avenue Street, would like something that fits in.
- Martin Stevenson, Vancouver Avenue, built two buildings on Front Street, wants character and history of colourful Front Street. How does it relate and wants to continue the gas town history.
- Peter Achem, Front Street, lived at Empress Theatre for seven years, height of the building is a concern, three stories is the limit and how did they get to five stories, concerned about heritage, viability is a weak argument. None of the neighbours were approached by the developers or the architect. Parking is an issue downtown. Losing parking stalls beside the building.
- Gary Denton, Kendall Crescent, owns 25 Front Street, five stories is too high, keep to three. Viability is not good planning criteria.
- Katie Leroux, Haywood Street, only lived in Penticton for one year, like modern theme and five stories would be necessary for the future.
- Cal Meiklejohn, architect of Meiklejohn Architectural Design Studio Inc, good addition to Front Street, and Front Street is ready for a new building.
- Gary Denton, Kendall Crescent, owns 25 Front Street, downtown plan 2012, form and scale is three storey buildings, retain the integrity of heritage downtown.
- Rick Larsen, Front Street, owner of subject property, consider front street home, needs new fresh direction, addressed five stories by stepping back, adjusted side view, adds character to side view and lighting for walkway that ties Front Street to Backstreet Boulevard.
- Peter Achem, Front Street, jogs on the south side to break it up, are they going to terrace my building up.
- Dennis O'Gorman, Ferrell Street, future of Front Street is heritage or just a regular street.

- Lynn Kelsey, Oakville Street, Official Community Plan draft is coming forward, disagree with five, three is plenty.
- Randy Manuel, West View Drive, Mr. Wilson's presentation, corrected Schubert's landing is Wades landing.

The public hearing for "Official Community Plan Amendment Bylaw No. 2019-04" was terminated at 7:22 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

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Angie Collison  
Corporate Officer

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John Vassilaki  
Mayor

## Parks and Recreation Advisory Committee Meeting

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

Thursday, February 14, 2019  
at 2:00 p.m.

**Present:** Tyson Bull  
Donna Ritchie  
Gary Dean  
Lesley Chapman  
Robert Ross  
Lee Davidson  
Peter Osborne  
Shone Schleppe, Regional District of Okanagan Similkameen  
James Palanio, School District 67  
Councillor Jake Kimberley

**Staff:** Bregje Kozak, Director, Recreation and Facilities  
Len Robson, Public Works Manager  
Laurie Darcus, Director of Corporate Services  
Ben Johnson, Manager, Special Projects  
Ysabel Contreras, Parks Technician  
JoAnne Kleb, Engagement Strategist  
Todd Whyte, Parks Supervisor  
Caitlyn Anderson, Deputy Corporate Officer

1. **Call to Order:**

The Parks and Recreation Advisory Committee was called to order by acting chair Councillor Kimberley at 2:02 p.m.

2. **Adoption of Agenda:**

**It was MOVED and SECONDED**

THAT the Parks and Recreation Advisory Committee adopt the agenda for the meeting held on February 14, 2019 as amended to alter the order.

**CARRIED UNANIMOUSLY**

3. **Adoption of Minutes**

4. **Business Arising from Prior Meetings**

5. **New Business:**

5.1 Committee Orientation

The Director of Corporate Services provided an overview of an advisory committee, the process and requirements for electing a chair as well as the definition of quorum and the process for taking minutes.

5.2 Background Documents: Parks and Recreation Master Plan, Parks Land Protection and Use Policy and Park Dedication Bylaw No. 2018-37

The Director of Facilities and Recreation provided an overview of the three documents and mentioned the Director of Development Services will attend the next meeting to give a high-level summary and how they will be applied.

5.3 Skaha Lake Master Plan

The Manager of Special Projects provided a high-level overview of creating the master plan and mentioned it is in the early phase process. Discussion ensued regarding the creation of the master plan.

5.4 Robinson Property – Master Plan Update

The Parks Technician and Engagement Strategist provided an overview of the master plan for the Robinson property. The Parks Technician provided the background of the property and the Engagement Strategist explained the engagement was in process and the community workshops were well attended. The Engagement Strategist explained the top items were landscape, amenities, identity of the park, and transportation. The Parks Technician gave an overview of the three concept plans. The first concept plan theme is to maximize park-like setting and greenspace. The second concept plan theme is to maximize the recreational use. Discussion ensued regarding the use of the different courts. The third concept plan theme is a balance of the first and second concept plans. Next steps are the two open houses where the public can provide input.

Laurie Darcus left the meeting at 2:56 p.m.

5.5 Coyote Cruises

The Director of Facilities and Recreation mentioned that Coyote Cruises recently presented a preliminary concept to the Committee of the Whole for a re-development of their facility and request for a long-term lease. This is a topic that will likely be referred to this Committee and will be a test of the new Parks Land Protection and Use Policy. The Director of Development Services will discuss further at the next meeting. Questions were ensued on the property.

JoAnne Kleb left the meeting at 3:24 p.m.

Ysabel Contreras left the meeting at 3:35 p.m.

5.6 Election of Committee Chair and Vice-Chair

There was no decision at the time to elect a committee chair and vice-chair. This item will be brought forth to the next meeting.

6. **Council Outcome**

7. **Next Meeting:**

The next Parks and Recreation Advisory Committee Meeting is scheduled for Thursday, March 14, 2019 at 2:00 p.m.

8. **Adjournment:**

**It was MOVED and SECONDED**

THAT the Parks and Recreation Advisory Committee adjourn the meeting held on Thursday February 14, 2019 at 3:41 p.m.

**CARRIED UNANIMOUSLY**

Certified Correct:

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Caitlyn Anderson  
Deputy Corporate Officer



**United Way**  
Central & South  
Okanagan Similkameen



February 26, 2019

Dear Mayor Vassilaki & Council,

As per our recent communications with City of Penticton staff, I am forwarding a formal request for an agenda item for the March 5<sup>th</sup> Council Meeting as follows:

1. A motion made by the committee of **100 Homes Penticton** that: “The City of Penticton fully supports an application to the Ministry of Employment & Social Development by **100 Homes Penticton** under the conduit of United Way Central & South Okanagan Similkameen, for Penticton to be named as one of the additional “Designated Communities” in the federal Reaching Home strategy. United Way would act as “Community Entity” to receive and allocate funding to Penticton agencies and programs addressing homelessness, in accordance with agreed priority guidelines”
2. That the Mayor and Council submit a letter of support to 100 Homes/ United Way CSO for the above, to be used with the Call for Concept submission (deadline is March 8<sup>th</sup>) and with any subsequent invitation to submit a detailed proposal.

Below is background information on the Federal Reaching Home Strategy for reference. Attached is an overview of **100 Homes Penticton**, which is currently convened and facilitated with support from the United Way. I am also attaching the minutes of the most recent Community Entity meeting in Kelowna, which facilitates the Community Advisory Board on Homelessness – CAB-H (Kelowna is already one of the 61 current Designated Communities across Canada). These minutes show the distribution of funding across various programs that work with the homeless population in Kelowna, and give an idea of the kind of funding levels that may potentially be available, pro-rated for size of community, if Penticton were to be successful in this application.

Also to note is that the Canadian Alliance to End Homelessness, via the 20,000 Homes initiative, has indicated they will be writing a Letter of Support to the Minister Duclos in support of Penticton being one of 7 communities moved forward to submit full proposals at the second stage of application, as per this recent communication from 20,000 Homes:

***Hi friends from Penticton, Chatham-Kent, Lanark County, Leduc, Stratford, Northumberland County, and Kawartha-Haliburton.***

***In follow-up to my previous e-mail below, I wanted to let you know that CAEH (through the 20KHomes Campaign), is preparing a letter to Minister Duclos advocating that all 7 current non-Designated HPS communities participating in the 20KHomes Campaign who apply to be a Reaching Home Designated Community, be moved forward to Step #2 (Targeted Solicitation) for further consideration, based on your work to-date on the goals of Reaching Home through your participation in 20KHomes.***

**United Way Central & South Okanagan/Similkameen**

202-1456 St. Paul Street, Kelowna, BC V1Y 2E6

[unitedwaycso.com](http://unitedwaycso.com) | [info@unitedwaycso.com](mailto:info@unitedwaycso.com)

Charity No. 10688 7441 RR 0001



**United Way**  
Central & South  
Okanagan Similkameen



**The Government of Canada announces a call for concepts for Reaching Home: Canada's Homelessness Strategy News release**

**February 1, 2019 Gatineau, Quebec Employment and Social Development Canada**

Homelessness has an economic and social impact on every community in Canada. The Government of Canada is committed to helping those who are in need and believes that one homeless Canadian is one too many.

Today, the Honourable Jean-Yves Duclos, Minister of Families, Children and Social Development, launched a call for concepts to expand the Designated Communities stream of [Reaching Home: Canada's Homelessness Strategy](#).

On April 1, 2019, Reaching Home will replace the existing Homelessness Partnering Strategy, which is a community-based program aimed at preventing and reducing homelessness. Currently, the Government of Canada provides long term stable funding to 61 Designated Communities across Canada to support local solutions to homelessness. Under the redesigned strategy, the **Designated Communities Stream will be expanded to new communities**.

The first step for this process is a competitive call for concepts. Communities outside of Quebec and the territories with a population size of 25,000 and over who demonstrate a need for long-term stable federal homelessness funding are [encouraged to apply](#). Through this rigorous process, successful communities will be invited in the spring 2019 to develop and submit a full project proposal. [An application process](#) has been outlined to assist eligible communities to complete their submissions. Completed submissions with attachments can be sent to [hkd-dci@hrsdc-rhdcc.gc.ca](mailto:hkd-dci@hrsdc-rhdcc.gc.ca) or [mailed](#). The deadline for applications is March 8, 2019, at 11:59 p.m. Pacific Time.

Please let me know if there is anything else you might need in order that the Motion and Letter of Support could be included on the March 5<sup>th</sup> agenda?

Warm Regards

**Jude Brunt**

On behalf of **100 Homes, Penticton**

Manager, Community Investment, United Way CSO

Office: 250-860-2356 ext 106, Cell: 778-214-9749

**United Way Central & South Okanagan/Similkameen**

202-1456 St. Paul Street, Kelowna, BC V1Y 2E6

[unitedwaycso.com](http://unitedwaycso.com) | [info@unitedwaycso.com](mailto:info@unitedwaycso.com)

Charity No. 10688 7441 RR 0001



100 Homes Penticton is a collection of community leaders who came together in 2016, initially to provide housing and supports to 100 vulnerable people in Penticton by July 2018. In 18 months of collaborative working, 133 people have already been housed. However there is still a significant need in the community, so the work of 100 Homes will continue with a new goal of ending chronic homelessness in Penticton within a timeline to be agreed by end of 2018.

## Strategic Goals 2018/2019

### Vision

To work collaboratively to build a system of housing and supports to prevent and address homelessness in Penticton

### Values

- Every person in our community deserves to have a home
- Multisector collaboration with shared goals and priorities is essential
- The lived experience voice must be integral to the committee's work

### Strategic Goals

- 1) Increase housing and supports for those experiencing homelessness
- 2) Create a coordinated system of intake, assessment and supports
- 3) Produce consistent, reliable data
- 4) Enhance communication and education to the wider community

## Community Partners

The following community leaders and groups, non-profits and government agencies have a representative on the 100 Homes Penticton Steering Committee:

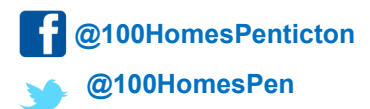
- ASK Wellness Society
  - BC Housing
  - City of Penticton
  - Canadian Mental Health Association - South Okanagan Similkameen
  - Downtown Penticton Association & Members
  - Interior Health
  - Ooknakane Friendship Centre
  - One Sky Community Resources
  - Pathways Addictions Resource Centre
  - Penticton Chamber of Commerce
  - RCMP
  - Salvation Army / Compass House
  - South Okanagan Similkameen Brain Injury Society
  - South Okanagan Women in Need Society
  - United Way of the Central & South Okanagan Similkameen
- The collective is based on the understanding that no single group or organization can end homelessness on its own**

### Online Resources:

- 100 Homes Penticton: [www.unitedwaycso.com/how-we-help/poverty/100-homes/](http://www.unitedwaycso.com/how-we-help/poverty/100-homes/)
- 20,000 Homes: [www.20khomes.ca/](http://www.20khomes.ca/)
- Canadian Alliance to End Homelessness: [www.caeh.ca/](http://www.caeh.ca/)
- Homeless Hub: [www.homelesshub.ca](http://www.homelesshub.ca)



Follow us:



**Kelowna Community Advisory Board on Homelessness Minutes**

DATE: October 11,2018

Chair: Randy Benson

Minutes Recorder: Mia Burgess, COF

**COMMITTEE MEMBERSHIP**

P = Present, A = Absent, R = Regrets

	<b>SECTOR REPRESENTATIVE:</b>	<b>NAME:</b>	<b>ORGANIZATION:</b>
P	Chair	Randy Benson	Kelowna Gospel Mission
P	Funder	Reanne Amadio	United Way
P	Rehabilitation	Mona Hennenfent	Brain Trust Canada
P	Housing / Shelter	Liz Talbott	NOW Canada
-	Provincial Government/Youth	<i>vacant</i>	<i>vacant</i>
-	Aboriginal	<i>vacant</i>	<i>vacant</i>
P	Aboriginal	Tina Larouche	Ki-Low-Na Friendship Society
P	Education	Phil Bond	UBC Okanagan
P	Provincial Government/Health	Sandra Robertson	Interior Health Authority
P	Mental Health/Housing	Mike Gawliuk	Canadian Mental Health Association
P	Faith	Don Richmond	Evangel Church
-	Corrections	<i>vacant</i>	<i>vacant</i>
P	Diversity/Community Information/Volunteerism	Ellen Boelcke	KCR-Community Resources
R	Provincial Government/Housing	Nanette Drobot	BC Housing
R	Front Line Youth	Diane Entwistle	Okanagan Boys & Girls Clubs
R	Municipal Government	Sue Wheeler	City of Kelowna
-	Provincial Government/Income Assistance	<i>vacant</i>	Ministry of Social Development and Social Innovation
<b>Non-Voting Members:</b>			
P	Central Okanagan Foundation	Cheryl Miller	Community Entity/Foundation / Funder
P	Central Okanagan Foundation	Mia Burgess	Community Entity/Foundation / Funder
P	Service Canada	Wayne Ackerman	Federal Government
R	Service Canada	Lisa McHaffie	Federal Government
<b>Alternates:</b>			
P	Provincial Government/Housing	Matt Camarind	BC Housing
P	Front Line Youth	Sarah McKinnon	Okanagan Boys & Girls Clubs
P	Municipal Government	Glenda Cooper	City of Kelowna

**MINUTES DISTRIBUTION**

- CAB-H Members, Steven Fuhr, MP

Meeting called to order at 10:05 am

AGENDA ITEM	ACTION
<p><b>1. Welcome to new members and guests and Introductions – Randy</b></p>	
<p>Ellen arrived at 10:15 Tina arrived at 10:40</p>	
<p><b>2. Approval of April 4, 2018 Minutes and October 11, 2018 Agenda – Randy</b></p>	
<p>No comments.</p>	
<p><b>3. April 2019-March 2020 Reaching Home funds-Mona</b></p>	
<p>Liz, Randy, Mike and Sarah left the room prior to the discussion as they are employed at agencies currently receiving HPS funds and cannot be involved in the funding discussion. Tina arrived at the meeting after this discussion concluded.</p> <p>Mia presented funding amounts and activities for current sub-projects funded for 2018-2019 as follows:</p> <p><b>Designated Communities stream:</b></p> <p><b>Canadian Mental Health Association-Kelowna: \$224,523</b></p> <p>From April 1, 2018 to March 31, 2019 the Canadian Mental Health Association will employ one full-time Housing Locator and two full-time Housing First Case Managers to deliver a Housing First program that meets fidelity standards.</p> <p><b>New Opportunities for Women-Canada Society: \$136,705</b></p> <p>From April 1, 2018-March 31, 2019 New Opportunities for Women Canada Society will utilize HPS funds to employ one part-time Client Support Worker, 7 nights of staffing at the Fuller House, 7 nights of staffing at Gail’s House and 4 nights per week of dinner staffing at Gail’s House.</p> <p><b>Okanagan Boys and Girls Clubs: \$122,400</b></p> <p>From April 1, 2018 to March 31, 2019, the Okanagan Boys and Girls Clubs will employ one full-time Program Coordinator and one full- time Residence Worker.</p> <p><b>Kelowna’s Gospel Mission: \$77,679</b></p> <p>From April 1, 2018 to March 31, 2019, Kelowna’s Gospel Mission will fund one full-time outreach worker to provide services to people who are homeless or at risk of experiencing homelessness.</p>	

AGENDA ITEM	ACTION
<p><b>Aboriginal Homelessness stream:</b></p> <p><b>Ki-Low-Na Friendship Society: \$198,461</b></p> <p>From April 1, 2018 to March 31, 2019, the Ki-Low-Na Friendship Society will employ three full-time Housing Support Outreach Workers.</p> <p><b>Discussion:</b></p> <ul style="list-style-type: none"> <li>• Employment and Social Development Canada (ESDC) confirmed Reaching Home will renew DC and AH funding at current Social Infrastructure top-up amounts annually:  <b>DC: \$561, 307</b>  <b>AH: \$198,461</b>  <b>= \$759, 768</b></li> <li>• ESDC states it is an option for communities to carry 2018-2019 projects over for 2019-2020 because the new directives for funding are in draft form and haven't been released</li> <li>• ESDC hasn't signed new funding agreements with CEs yet</li> <li>• ESDC hasn't released a new community plan template yet</li> <li>• When the Homelessness Partnering Strategy (HPS) was released in 2014, CAB-H voted to continue current projects for 2014-2015-the first fiscal year of the new HPS/CE agreement</li> <li>• Wayne identified options: could fund all or no current sub-projects, could carry-over sub-projects for a portion of a fiscal year or carry over for full fiscal year or could do a direct award</li> <li>• Contract negotiations and funding agreements must be completed and agreements signed by March 31, 2019 for a April 1, 2019 start date</li> <li>• Time constraints limit ability to run a call for proposals</li> <li>• CE has not signed new funding agreement with Ottawa yet</li> <li>• Question: are current sub-projects able to continue for one year? Mia: yes</li> <li>• If CAB-H carries sub-projects over for one year, the next call for proposals to allocate funds will be for fiscal year 2020-2021</li> <li>• Always seems to be a push to get money out to the community fast</li> <li>• Seems we have options but some not possible due to timeframes</li> </ul> <p>Motion: Continue current HPS agreements for 2019-2020 in the following amounts:</p> <p><b>Designated Communities:</b></p> <p><b>Priority 1:</b> Canadian Mental Health Association-Kelowna: \$224,523</p> <p><b>Priority 2:</b></p> <p>New Opportunities for Women-Canada Society: \$136,705</p> <p>Okanagan Boys and Girls Clubs: \$122,400</p> <p>Kelowna's Gospel Mission: \$77,679</p>	

AGENDA ITEM	ACTION
<p><b>Aboriginal Homelessness stream:</b> Priority 2: Ki-Low-Na Friendship Society: \$198,461</p> <p><b>Motion to renew currently funded HPS agreements for fiscal year 2019-2020:</b> <b>Ellen; seconded: Mona.</b></p>	
<b>4. Community Entity Update-Mia</b>	
<p>Mia was invited to be a member of two ESDC National Advisory committees. She traveled to Ottawa in September for initial meetings.</p> <ul style="list-style-type: none"> <li>• HPS/RH Coordinated Access Reference Group (asked to keep information discussed in this group confidential)</li> <li>• HIFIS Working Group</li> </ul> <p>The HIFIS meeting focussed on four major items:</p> <ul style="list-style-type: none"> <li>• The introduction of a HIFIS business model to manage HIFIS change requests and enhancements;</li> <li>• The importance of establishing a governance model in the implementation and maintenance of HIFIS; and</li> <li>• A discussion of changes to be included in the next releases of HIFIS, most significantly of which was the By-Name List (BNL).</li> <li>• Feedback on how to improve HIFIS.</li> </ul> <p>The BC10 has consulted with BCH and ESDC with the goal of determining how BCH and HPS/RH CEs will collect data from HIFIS. More information to come.</p> <p>BC10 Update:</p> <ul style="list-style-type: none"> <li>• Mia has been consulting with the BC10 to ensure collective community concerns are shared at the national tables she is a member of</li> <li>• Theresa and Mia (co-chairs) are currently undertaking an assessment of BC10 members' unique community needs to incorporate into a work plan</li> <li>• BCH staff attends quarterly meetings to participate in ongoing discussions regarding HIFIS, VAT and funding.</li> </ul> <p>Update on the roll out of VAT/CAA and HIFIS in BC communities:</p> <ul style="list-style-type: none"> <li>• The following communities have implemented or are in the process of implementing CAA: Surrey, Abbotsford, Maple Ridge, Chilliwack, Kelowna, Merritt and Kamloops.</li> <li>• CAA managers have been hired in the Fraser Valley, Kelowna/ Interior, Victoria, and the Lower Mainland.</li> <li>• BC Housing will follow up with the BC10 regarding rural and regional training.</li> </ul> <p>Provincial Homelessness Action Plan (HAP)</p>	

AGENDA ITEM	ACTION
<ul style="list-style-type: none"> <li>• In July, 2018 the BC10 meet with the HAP leads in Victoria</li> <li>• HAP builds off of what MSD heard during poverty reduction consultations and feedback from a HAP committee made up of 12 members across BC that met twice</li> <li>• There is intention to ensure the HAP is a provincial plan, not a ministry plan</li> <li>• Plan is considered a high level strategic policy plan and will not provide a great deal of community specific detail</li> <li>• Plan will be presented at fall 2018 cabinet</li> <li>• There are 4 pillars to the plan:               <ol style="list-style-type: none"> <li>1. Prevention</li> <li>2. Immediate response (rapid response to ensure access to housing)</li> <li>3. Stability (of people in housing)</li> <li>4. Working better together (which focuses on inter-ministry collaboration and more collaboration with communities)</li> </ol> </li> </ul>	
<b>5. CAB-H discussion of survey results &amp; vote: CE recommendation- Randy</b>	
<ul style="list-style-type: none"> <li>• The CAB-H chair, on behalf of the Kelowna Community Advisory Board on Homelessness (CAB-H), conducted a survey to assess the Community Entity’s delivery of the Homelessness Partnering Strategy and to determine whether the CAB-H supports the Central Okanagan Foundation to continue as the Community Entity for April 1, 2019-March 31, 2024 funding term.</li> <li>• The CAB-H chair shared the survey results with CAB-H members.</li> </ul> <p>Motion: CAB-H supports Central Okanagan Foundation to continue as the Community Entity for April 1, 2019-March 31, 2024 funding term. Mona: Phil seconded.</p>	
<b>6. Adjournment – Randy</b>	
<p><b>NEXT MEETING:</b>  <b>January 24, 2019</b>  <b>1633 Richter street</b>  <b>10am-12pm</b></p>	

# Council Report

penticton.ca

**Date:** March 5, 2019  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Tina Siebert, Bylaw Services Supervisor

File No: RMS

**Subject: Free Parking with Veteran Plates Policy**

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## Staff Recommendation

THAT Council approve "Free Parking with Veteran Plates Policy", a policy that provides Veteran license plates with free parking in City of Penticton paid parking lots and on street city metered parking spaces for the time period permitted.

## Strategic priority objective

Ensuring good governance and building strong community relationships are both Council priorities. Providing Veterans this parking service is recognition of their service to the community and our country.

## Background

On July 22, 2013 Council supported a staff recommendation for free parking for Veteran's displaying a valid BC license plate. The free parking was applied to Veteran plates in City of Penticton paid parking lots and on street metered spaces for the time period permitted by signage. Bylaw Enforcement Officers have been following this free parking practice for Veteran plates since 2013.

Staff are recommending that Council support the attached policy to formalize this issue through Council Approved Policy and continue to apply the parking service for Veteran plates.

## Financial implication

It is unknown how many Veteran plates have registered owners in the City of Penticton. The paid parking revenue loss is estimated at approximately \$2,000 per year.

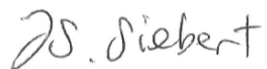
## Alternate recommendations

## Attachments

Attachment A – Free Parking with Veteran Plates Policy



Respectfully submitted

Tina Siebert



Bylaw Services Supervisor

Concurrence

<p>Director</p> 	<p>Chief Administrative Officer</p> 
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# Council Policy

[penticton.ca](http://penticton.ca)

Approval date: \_\_\_\_\_, 2019

**Resolution No.**

**Subject: Free Parking with Veteran Plates**

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## Goal

The goal of this policy to provide Veteran license plates with free parking in City of Penticton paid parking lots and on street city metered parking spaces for the time period permitted.

## Scope

This policy pertains to all valid BC Veteran license plates in the City of Penticton paid parking lots and on street metered spaces for the time period permitted by signage. This approval does not apply to private parking lots that have paid parking, city owned reserved scramble parking lots that have monthly or annual rentals, and does not allow parking for more than the hourly restrictions that exist in any area.

## Policy

Supported by Council, this policy will provide Veteran's license plates with free parking in City of Penticton paid parking lots and on street city metered parking spaces for the time period permitted.

## Previous revisions

Certified Correct

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Angie Collison, Corporate Officer

# Council Report

penticton.ca

**Date:** March 5, 2019  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** JoAnne Kleb, Engagement Strategist  
**Subject:** Community Engagement Policy

File No:

## Staff Recommendation

THAT Council approve the plan to create a Community Engagement Policy as outlined in the report dated March 5, 2019 titled "Community Engagement Policy".

## Strategic priority objective

Good Governance: Good governance refers to the system of municipal government in its role as a democratic institution, a public policy maker and a provider of public services.

## Executive Summary

The City of Penticton increased its focus on community engagement in 2016 with the introduction of an online engagement platform and the addition of a dedicated resource. Since then, the City has significantly increased the number of opportunities for residents to get involved in decisions that matter to them and participation has grown to include a broader cross-section of the population. This involvement has helped shape the direction of the City and has been an important consideration in staff recommendations and Council decisions. It has also raised questions about when the community should be involved in Council decisions and to what extent. Staff are recommending the City create a Council Policy to articulate the City's commitment to community engagement and create a sustainable approach for the future.

## Background

Community engagement is defined as any process that involves the public in problem-solving or decision-making and that uses public input to make better decisions. This definition is taken from the International Association of Public Participation (IAP2) which is widely recognized as the leader in public participation quality standards and best practices.

Historically, community engagement programs in the City were conducted as needed in support of major initiatives such as for the Downtown and Waterfront Revitalization Plans, or as required by the *Community Charter*. To increase community engagement in Council decision making, in 2016 Council endorsed the implementation of an online engagement platform ([shapeyourcitypenticton.ca](http://shapeyourcitypenticton.ca)) and the addition of a position to lead the engagement program.

With the addition of these resources, the City has established a robust program of engagement with increasing involvement by a broader cross-section of the population. Some of the highlights of the engagement program since 2016 include:

- The opportunities to get involved have increased significantly. More than 30 different engagement programs have been conducted including 40+ opportunities for in-person discussions with staff and 35 different opportunities for feedback in paper and online.
- More citizens are getting involved. Registration in the online engagement platform now exceeds 10% of the population at nearly 3,700 members. More than 3,800 people have provided input on different projects in 2018 alone.
- The feedback from citizens is making a difference. The City received record-level of participation in the survey gathering input on retail cannabis stores. The input was directly reflected in nearly all of the recommendations put forward by staff. Input from residents is also shaping the vision for the future of the City in the Official Community Plan now under development.

The engagement program has also raised a number of questions about when the community should be involved in Council decisions and to what extent. Currently, engagement programs are conducted at the request of staff or Council based on perceived interest of the community. For the next step of the engagement program, staff are recommending the City create a Council Policy to articulate the City's commitment to community engagement. A policy will assist with assessing the need for engagement, determining the level of engagement, and designing the engagement process. It will ensure the work aligns to best practices and that the engagement is meaningful and respects and values the contributions of citizens.

Many municipalities across Canada already have or are working on similar governing documents to formally adopt community engagement practices. Cities such as Calgary, Edmonton, Saskatoon, London, Victoria and Halifax have formal policies in place. Smaller centres such as Kelowna, Kamloops and the Comox Valley Regional District in British Columbia also have policies. (See Attachment A for a copy of the City of Kelowna Council Policy, Attachment B for a copy of the City of Kamloops Council Policy and Attachment C for a copy of the City of Edmonton City Policy.) According to a study by the Institute for Community Engaged Scholarship in 2012, municipalities are creating community engagement policies because they believe that the process contributes to decisions that are more informed and reflective of public concerns and values and that it helps:

- "community leaders and decision makers, such as local councillors, understand the perspectives, opinions and concerns of the citizens and stakeholders they represent"
- "strengthen networks and build cooperative and trusting relationships between public service sector organizations, community groups and organizations, and businesses"
- "lead to improved quality of life and promote the well being of the community"
- "overcome polarization and reduce conflict, and establish an environment where the public's opinions are valued and respected"
- "promote civic capacity through greater public understanding of and participation in political practices and civic affairs"

[\(Report for the City of Guelph: Community Engagement Policies in National and International Municipalities\)](#)

Staff identified this work as a priority in the 2019 Corporate Plan and 2019-2023 Financial Plan are proposing the following process to perform this work.



This process will take advantage of the work that has already been completed by other municipalities. It will ensure the community has a say in how they are involved in City decisions and initiatives and it will allow Council to set the direction for the program going forward.

**Analysis**

The City of Penticton can continue to provide the engagement program with the direction provided by a different governing document such as Guiding Principles or Values or without any governing documents as it is managed today. In the absence of a policy and framework the decision to involve the community and the process for involvement becomes more subjective.

**Alternate recommendation**

1. THAT Council approve the plan to create a Community Engagement Guiding Principles as outlined in the report dated March 5, 2019 titled "Community Engagement Policy".

**Attachments**

Attachment A – City of Kelowna Council Policy - Engage Policy

Attachment B – City of Kamloops Council Policy – Public Engagement

Attachment C – City of Edmonton City Policy – Public Engagement

Respectfully submitted,

JoAnne Kleb  
Engagement Strategist

Concurrence

Director	Chief Administrative Officer
PC	<b>DyD</b>



City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
250 469-8500  
kelowna.ca

# Council Policy

## Engage Policy

April 14, 2014

Contact Department: Communications

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### **Policy Statement**

The City of Kelowna's Engage Policy is guided by the Public Engagement Guiding Principles, IAP2 (International Association of Public Participation) Framework and Standards of Practice when engaging the community on City-led projects, policies, or initiatives to ensure there is a consistent and effective approach to public and stakeholder engagement.

### **Purpose**

Public engagement means to inform and/or involve those affected or interested in a decision. It leads to sustainable decisions by providing participants with the information they need to be involved in a meaningful way, early in the process and describes how citizen input affects the decision.

The City recognizes that the decision-making process is improved by engaging citizens and other stakeholder groups when appropriate. Public engagement will apply to four areas where Council has responsibility for the final decision making which include: project, policy or planning initiatives; customer service changes; volunteer participation; and community and neighbourhood development/programming.

The Engage Policy supports Council's decision making, balancing a range of key considerations including: technical feasibility, financial viability, environmental viability and socially acceptable.

The Engage Policy achieves the following:

- Aligns with City Council priorities and the City's corporate focus of "Engaged Communities"
- Supports City Council's decision making by providing information on citizens' and stakeholders' opinions
- Ensures consistent and clear practices for involvement and/or information sharing
- Ensures an appropriate level of engagement based on assessed community impact and benefit
- Identifies the parameters and resources for public engagement
- Ensures adherence to the Public Engagement Guiding Principles

### **Objective**

The City will use various techniques and channels to encourage information sharing and dialogue based on eight public engagement guiding principles. These principles outline what the public can expect from the City.

- **Accountability:** City leaders and staff are accountable for ensuring meaningful public engagement.
- **Inclusiveness:** Public dialogue and decision making processes, reach out to, and encourage participation of the community.
- **Transparency:** Public decision-making processes are accessible, honest and understandable.
- **Fiscally sustainable:** Ensure methods and resources for public notice and engagement reflect the magnitude and complexity of the initiative.
- **Early involvement:** Helps identify issues and look at opportunities and challenges during concept development, design and implementation of city policies, projects and initiatives.
- **Timely communications:** Ensure there is enough time within the engagement process to provide information to the community.

- Clear and accessible information: Ensures the use of plain language in a wide variety of formats and channels of communication.
- Suitable process: Design and implementation of public engagement processes and techniques that reflect the magnitude and complexity of the initiative. Processes adapt to changing needs and issues as they move forward.

**Process**

The strategies and methods that will be used to involve and inform those affected by a decision are based on the IAP2 Spectrum of Participation, an international standard. The City of Kelowna Engagement Guide and templates will support staff in delivering quality engagement practices in the community as outlined in three phases:

**Phase 1 - Assessing Community Impact**

The term 'level of community impact' refers to the magnitude of change citizens may experience as a result of a project/issue or change in policy or service.

The assessment criteria has four levels of impact which range from:

- Level 1 - High impact city wide
- Level 2 - High impact on select area and/or defined groups
- Level 3 - Moderate impact city wide
- Level 4 - Moderate impact on select area and/or defined groups

**Phase 2 - Identifying and Achieving Goal of Public Engagement, IAP2 Spectrum of Inform, Consult, Involve, Collaborate and Empower.**

This phase outlines the commitment(s) made to citizens and stakeholders and examples of techniques and tools that align to each goal.

*INFORM – GOAL: To provide balanced and objective information in a timely manner. “We will keep you informed.”*

*CONSULT – GOAL: To obtain feedback on analysis, issues, alternatives and decisions. “We will keep you informed, listen to and acknowledge concerns and preferences, and will provide feedback on how public input influenced the decision.”*

*INVOLVE – GOAL: To work with the public to make sure concerns and aspirations are considered and understood. “We will work with you to ensure your concerns and aspirations inform the outcome to the maximum extent possible.”*

*COLLABORATE – GOAL: To partner with the public in each aspect of the decision making. “We will look to you for advise and innovation and incorporate this in decisions as much as possible.”*

*EMPOWER – GOAL: To place final decision making in the hands of the public. “We will implement what you decide.”*

**Phase 3 – Developing the Public Engagement Plan**

Effective preparation and implementation of a public engagement process can provide City of Kelowna with perspectives from different points of view, based on knowledge and experiences and at the same time the ability to manage expectations by defining areas where the public can inform the outcome on an initiative.

This phase will help in the achievement of the engagement goals outlined in Phase 2 and set the expectation for projects in which public engagement is a consideration.

Implementation of the process makes decisions richer and the solutions more sustainable, effective and easier to implement.

**Resource Allocation**

Prior to committing to any level of public engagement on a project or initiative, the procedures will be used by the City to determine the level of investment and human resources required to support the appropriate level of engagement effectively and efficiently.

All engagement activities will occur within approved project plans. Project managers must secure resources, expertise in IAP2 practices and funding through annual work planning and budget processes.



# City of Kamloops

## COUNCIL POLICY

SUBJECT: PUBLIC ENGAGEMENT	NO. GGA-34
FUNCTION: GENERAL GOVERNMENT - ADMINISTRATIVE	
DATE: DECEMBER 17, 2013	Page 1 of 3

### POLICY STATEMENT

The City of Kamloops recognizes that effective public engagement enables Council and staff to make better-informed decisions. By receiving diverse perspectives and potential solutions, the quality of decisions improves and subsequently, a higher standard of citizen service is provided.

### PURPOSE

The purpose of this policy is to provide decision makers, City staff, residents, and other stakeholders with a consistent and genuine public engagement process that values input in decision making.

### GUIDING PRINCIPLES

The City's engagement initiatives and strategies will reflect the following eight principles of engagement:

1. Careful Planning and Preparation

Through adequate and inclusive planning, the City will ensure that the design, organization, and process serve both a clearly-defined purpose and the needs of the participants.

2. Inclusion and Demographic Diversity

The City will equitably incorporate diverse people, voices, ideas, and information to lay the groundwork for quality outcomes and legitimacy. Geographic, technological, social, financial, ethnic, cultural, and linguistic factors will be considered in the design of the participatory process.

3. Collaboration and Shared Purpose

The City will support and encourage participants, government, community institutions, and others to work together to advance the common good.

4. Openness and Learning

The City will help all involved listen to each other, explore ideas unconstrained by predetermined outcomes, and learn and apply information in ways that generate new options. The City will also evaluate public engagement activities for effectiveness.



# City of Kamloops

## COUNCIL POLICY

SUBJECT: PUBLIC ENGAGEMENT	NO. GGA-34
FUNCTION: GENERAL GOVERNMENT - ADMINISTRATIVE	
DATE: DECEMBER 17, 2013	Page 2 of 3

### 5. Commitment and Accountability

All citizens, stakeholders, Council, and City Administration and staff share the responsibility for providing a high quality of life for this community. The City is a responsible steward of public funds and is accountable for wisely choosing the means and extent of engagement and holding itself and others accountable for achieving optimal performance.

### 6. Transparency and Trust

The City will be clear and open about the process and provide a public record of the organizers, sponsors, outcomes, and range of views and ideas expressed.

### 7. Impact and Action

The City will ensure each participatory effort has real potential to make a difference and that participants are aware of that potential. Adequate time will be allocated to engagement activities to ensure a level playing field of understanding exists to ground dialogue and decision making.

### 8. Sustained Engagement and Participatory Culture

The City will promote a culture of participation with programs and institutions that support ongoing quality public engagement.

## PROCEDURES

A Public Engagement Handbook has been developed to support this policy. The handbook, available through the Business and Client Services Division, outlines procedures for developing public engagement plans and includes practical tools for implementation.

## RESPONSIBILITIES

The Chief Administrative Officer is responsible for:

- Implementing this policy;
- Verifying the implementation of this policy and the procedures outlined in the Public Engagement Handbook; and
- Ensuring policy and procedures reviews occur.



**City of Kamloops**

**COUNCIL POLICY**

SUBJECT: PUBLIC ENGAGEMENT	NO. GGA-34
FUNCTION: GENERAL GOVERNMENT - ADMINISTRATIVE	
DATE: DECEMBER 17, 2013	Page 3 of 3

Directors are responsible for:

- Understanding and adhering to this policy and the procedures outlined in the handbook;
- Ensuring employees are aware of and implementing this policy and these procedures;
- Ensuring that public engagement is considered at the appropriate stage in any project or process and that the outcome is taken into account in advising Council;
- Ensuring adequate time and resources are dedicated to planning, coordinating, and conducting engagement processes, whether internal or external; and
- Ensuring staff participation in recommended training.

The Business and Client Services Division is responsible for:

- Ensuring implementation of this policy and the procedures outlined in the handbook;
- Ensuring that these policy and procedures are reviewed at a minimum every five years;
- Making recommendations to the Chief Administrative Officer regarding necessary policy and/or procedure amendments;
- Providing support for departmental public engagement; and
- Distributing the handbook and identifying necessary training and support opportunities to ensure successful implementation.

All City of Kamloops employees are responsible for:

- Understanding and adhering to this policy and the procedures outlined in the handbook; and
- Implementing the policy and procedures for every project in which public involvement is expected/warranted.

# CITY POLICY



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**REFERENCE:**

Policy C513 City Council  
January 17, 2006

**POLICY NUMBER: C593**

**ADOPTED BY:**

City Council April 11/12/2017

**SUPERSEDES:**

Policy C513 - Public Involvement

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**PREPARED BY:** Communications and Engagement**DATE:** April 4, 2017

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**TITLE: Public Engagement Policy**

**Policy Statement:** The City of Edmonton values public engagement processes and activities that contribute to policy, program, service and project decisions by providing City Council and Administration with the best possible information to support decision making.

**The purpose of this policy is to ensure that the City of Edmonton:**

- Achieves a consistent, coordinated and outcomes-driven approach to public engagement;
- Facilitates public input to decision making through effective and efficient consultation, involvement, collaboration and empowerment processes, and
- Adheres to the public engagement requirements within the *Municipal Government Act* and other applicable legislation.

The policy does this by describing:

- When the policy applies,
- The role of decision makers in public engagement,
- The importance of respectful and safe discussion and debate,
- A clear definition of public engagement,
- A vision and guiding principles for public engagement,
- A public engagement spectrum, and
- Key supporting elements for public engagement.

The policy is supplemented by the City's:

- Public Engagement Procedure, which guides the implementation of the policy and outlines the key administrative components of public engagement.

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This policy is subject to any specific provisions of the *Municipal Government Act* or other relevant legislation or Union Agreement.

- Public Engagement Framework, which includes the Public Engagement Planning and Reporting Framework, the Public Engagement Learning and Training Framework, and the Public Engagement Evaluation Framework.

## **Application**

The policy applies to all of the City's policies, programs, projects and services that have an impact on the public. There are many reasons why public engagement may be undertaken, but they should all ultimately support a decision making process for the purposes of:

- Designing or implementing a new policy, program, project or service,
- Evaluating, changing or ending an existing policy, program, project or service,
- Fulfilling a legislated or regulated requirement, or
- Responding to a community-initiated request.

This Policy applies to public engagement regarding all of the City's policies, programs, projects and services whether it is planned and delivered by City staff, contractors or community volunteers.

## **Role of Decision Makers**

The role of decision makers - City Council or Administration - in public engagement is to strive for the best understanding of the public's views and perspectives on topics and issues, consider public input in decision making, and communicate to the public how their input was used and why decisions were made.

Public engagement is one factor in the decision making process and will have more or less influence relative to other factors for every specific decision.

Public engagement offers the opportunity for City Council to:

- Deepen its role as community representatives through enhanced understanding of the interests, values and perspectives of the public.
- Work with Administration to identify areas where public engagement can and will make a meaningful difference to Council decisions,
- Promote and direct the public to public engagement activities,
- Carefully and thoughtfully consider public input as part of the decision making process,
- Ensure public expectations for public engagement opportunities and influence are balanced with awareness of resource capacity, fiscal realities and other important context and considerations, and
- Clearly explain the rationale for decisions and how public input was used in decision making.

## **Respectful and Safe Discussion and Debate**

The policy also recognizes that the discussion and debate that underlies public engagement activities will be conducted in a respectful and safe manner by all participants - City staff, contractors, stakeholders and the general public.

## **Definition of Public Engagement**

*Public Engagement creates opportunities for people to contribute to decision making by City Council and Administration about the City's policies, programs, projects, and services, and communicates how public input is collected and used.*

## **Public Engagement Spectrum**

The Public Engagement Spectrum is a tool that explains the four roles the public can play when they participate in City of Edmonton public engagement activities. As you move within the spectrum, there is an increasing level of public influence and commitment from the City and the public.

*Advise* - The public is consulted by the City to share feedback and perspectives that are considered for policies, programs, projects, or services.

*Refine* - The public is involved by the City to adapt and adjust approaches to policies, programs, projects, or services.

*Create* - The public collaborates with the City to develop and build solutions regarding policies, programs, projects, or services. This can include community initiated engagement.

*Decide* - The public is empowered to make decisions directly or on behalf of the City about policies, programs, projects, or services.

## **Vision for Public Engagement**

*A City where we are connected, invested, and proud to participate in shaping our community.*

## **Guiding Principles for Public Engagement**

*A shared responsibility* - Engagement of people in an authentic way contributes to robust solutions to challenging issues and encourages participation that supports democratic decision making.

*Relationship-building and perspective seeking* - Meaningful engagement values various and local perspectives and community experiences; it recognizes that respect and equitable processes foster trust and stronger relationships.

*Proactive, timely, and transparent* - People have enough time and notice to engage early in the process which enables considered input and impact on decision making, and clearly communicates how input will be assessed and used during engagement and reported on afterwards.

*Inclusive and accessible* - Engagement planning and delivery is inclusive and accessible to best serve our City by encouraging two-way conversations and strategies that reach diverse communities and ensure people feel heard and know their input is valued.

*Innovative and continuously improving* - As Edmonton grows and evolves, we aspire to co-create and embrace new and better engagement processes, tools and tactics based on a sound approach to evaluating success.

## **Supporting Activities for Public Engagement**

The following are activities that support effective public engagement, but only doing these activities is not considered public engagement. Public engagement and its activities are described above in the definition of public engagement and the public engagement spectrum.

*Communications* - The City and the public are informed about, listen and learn about City policies, programs, projects and services through clear and transparent communications focused on plain language, active listening and responsiveness. This is a key activity underlying all four levels of the public engagement spectrum.

*Project management* - Carrying out engagement within an effective and aligned project management process.

*Decision making* - Clearly identifying decisions, decision makers and decision making processes for every public engagement process.

*Relationships* - Developing and enhancing relationships through meaningful dialogue that is based on respect and trust.

*Capacity Building* - Providing the knowledge and tools to engage by building capacity internally and within communities.

*Leadership Development* - Building community and staff leadership by facilitating leadership development opportunities.

## **Review**

This policy will be reviewed, at minimum, every three (3) years.

# Council Report

penticton.ca

**Date:** March 5, 2019 **File No:** 5340-04  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Ian Chapman, P.Eng City Engineer  
**Subject:** **Septage Fee Surplus**

## Staff Recommendation

THAT Council approve the transfer of the 2018 surplus of septage receiving fees to the Sewer Equipment Replacement Reserve in the amount of \$72,245.87;

AND THAT staff be instructed to explore the amendment of the Septic Waste Receiving Facility Cost Sharing Agreement to address transfer of any future surplus fees to the Sewer Equipment Replacement Reserve.

## Background

The Septic Waste Receiving Facility Cost Sharing Agreement dated February 6, 2006 sets out the terms under which the City would design, construct and operate a facility to receive septic waste originating from any location within the boundaries of the Regional District of Okanagan Similkameen (RDOS).

The agreement also states that the City is responsible to determine the fees (tipping fees) based upon its best estimate of all costs relating to the facility including the costs of borrowing amortized over 20 years for the initial design and construction of the facility and the annual operating costs. There is a further expectation stated that the City will endeavor to set the fees such that there will be no deficiency in any given financial year.

However the agreement does not address what action should be taken with respect to any surplus in any given financial year. This situation has arisen previously in 2015 and 2016 and the funds were transferred to an own reserve, the Sewer Equipment Replacement Reserve. There was no surplus in 2017 but there is a surplus from the 2018 financial year for which staff needs to address.

Staff needs to deal with the current surplus promptly as the window to post year end entries for 2018 is nearly closed. Staff will bring forward an amendment to the Septic Waste Receiving Facility Cost Sharing Agreement in the future to enable this matter to be dealt through a budget amendment for any future surplus fees.

## Financial Implication

The Sewer Equipment Replacement Reserve currently stands at \$108,000 and the 2018 surplus amounts to \$72,245.87. If Council approves the transfer of the 2018 surplus then the new balance in the reserve will be \$180,245.87.

If Council does not approve the transfer to the Sewer Equipment Replacement Reserve then the surplus fees will automatically flow through the Sewer Fund Surplus.

**Analysis**

The recommended resolution will allow staff to move the surplus septage fees to the Sewer Equipment Replacement Reserve prior to closing the books for 2018. Staff will, at a future meeting, bring a bylaw to amend the Financial Plan to address this issue.

City staff will work with RDOS staff to consider and compose an amendment to the existing agreement that will set the terms under which any future surplus will be addressed. This is expected to include the setting of maximum and minimum limits to the amount that should be accumulated in the reserve based on anticipated equipment replacement requirements. Any surplus amounts in future years would be dealt with by staff through the budget transfer process based upon the direction provided in the amended agreement rather than through a budget amendment supported by a Council Resolution.

In summary the conclusion of accounting for the 2018 financial year needs to be completed promptly and certainly before any amendment of the Septic Waste Receiving Facility Cost Sharing Agreement could be properly considered and formalized by the two parties to the agreement, the RDOS Board and City Council. Hence we are seeking a resolution from Council to allow the transfer to meet the approaching deadline.

If Council does not support the transfer of the surplus funds to the Sewer Equipment Replacement Reserve then these funds will automatically flow through the Sewer Fund Surplus.




**Alternate recommendations**

1. THAT Council instructs staff to take no action and allow the surplus funds to transfer to the Sewer Fund.

Respectfully submitted,

Ian Chapman  
City Engineer

Concurrence

General Manager of Infrastructure  	Chief Financial Officer  	Chief Administrative Officer  
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# Council Report

penticton.ca

**Date:** March 5, 2019  
**To:** Donny Van Dyk, Chief Administrative Officer  
**From:** Blake Laven, Planning Manager  
**Subject:** Street name request in honour of Rory Mclvor

File No: RMS 5445-20

## Staff Recommendation

THAT Council after reviewing this report provide direction from the following options:

Option 1: Support the renaming of the portion of Fairview Road running adjacent to the Museum and Library complex between Martin Street and Main Street as Rory Mclvor Way or Rory Mclvor Boulevard.

Option 2: Support the naming of the currently unnamed link road running through Gyro Park between Main Street and Martin Street as Rory Mclvor Way or Rory Mclvor Boulevard.

Option 3: Support the addition of the name Rory Mclvor to the "Street Name Reserve List" recognizing the contributions made to the community by Mr. Mclvor.

Option 4: Refer this item to the April 2, 2019 Council meeting so that Council may receive comments from the public prior to making a decision.

Option 5: Receive this report into the record as information and take no action at this time.

## Background

Council has received correspondence from the Chief Librarian and the Chair of the Penticton Public Library Board, requesting that a city street be named after Rory Mclvor (attached). Mr. Mclvor was the Library Director for 27 years and passed away in November 2017. The request was that a section of Fairview Road between Martin Street and Main Street be 're'named in honor of Mr. Mclvor.

In addition to being Library Director, a position he held from 1972 when he first moved to Penticton until 1998, Mr. Mclvor contributed to the community in a multitude of ways. He was on the Board of Governors for Okanagan College, the Director of the Okanagan Summer School of the Arts, the Chairman of South Okanagan Community Futures, served as a School Trustee for 11 years and was the Chairman of the Penticton School Board for 6 years. Mr. Mclvor was also a City Councilor from 2002-2008 and was the founder of the South Okanagan Community Foundation.

This item was considered by the Heritage and Museum Committee at their meeting of March 27, 2018. At that meeting the Committee passed a resolution supporting the naming of a street after Mr. Mclvor. Rather

than the road recommended by the Library representatives, however, the Committee recommend that the newly created 'link road' through Gyro Park connecting Main Street and Martin Street be named in his honor. The minutes of the meeting do not reflect why this street was preferred by the committee as opposed to the street proposed by the Library representatives.

### *City Policy*

According to the newly adopted "Civic Addressing and Street Naming Bylaw 2018-51", City Council has the authority to assign names to new roads as well as assign new names to existing roads. This authority is exercised through a Council resolution.

Where the renaming of an existing street is being considered, such as in the case of the section of Fairview Road, Council is obliged to follow the 2014 Street Name Change Policy, in addition to the bylaw. That policy requires that any impacted property owners be provided the opportunity to comment prior to a name change and that financial compensation be paid to any negatively affected persons. The policy provides a 30 day window where affected persons are provided the opportunity to provide comment. In this case, however, there are no affected property owners as no properties front onto or are addressed from this section of road.

In the case where a street is being assigned a name, the bylaw states that consideration of street names should be given to names that: "portray a strong positive image and have historical, natural, cultural or social significance or after persons who have made significant contributions to the community, province or country."

If Council were to move forward with the renaming of the sections of Fairview Road or the link road, Council will have to decide which suffix to use for the street. According to the bylaw, the most appropriate suffixes would be 'Boulevard' or 'Way', which are both defined as 'a through local road, collector or arterial running in any direction'. Other suffixes such as, Road, Drive, Place etc would not be appropriate, given their respective definitions under the bylaw.

### **Financial implication**

Given that neither of the two options (Option 1 or Option 2) would require the re-addressing of anyone's property, the cost to the City of naming these streets would consist of public notification of the change and installation of signage (< \$2000). These items would come out of existing department budgets.

Option 3 and 5 would not have any financial implications on the City's budget.

If Council were to decide on inviting public comment prior to making a decision on this question (Option 3), then there would be some minor costs associated with that process, depending on the level of engagement chosen, on top of the signage installation (<\$5,000). Again these funds would come out of existing department budgets.

### **Analysis**

Staff have provided 5 options for Council's consideration and have provided some analysis on each below.

*Option 1: Support the renaming of the portion of Fairview Road running adjacent to the Museum and Library complex between Martin Street and Main Street as Rory McIvor Way or Rory McIvor Boulevard*

This option represents the original request from the Library and would be relatively easy to implement. Given that there are no affected properties, Council could pass a resolution supporting the name change and staff will erect signage representing the new name in appropriate locations. The location of this road is in close proximity to where Mr. McIvor worked for over 27 years.

*Option 2: Support the naming of the unnamed link road running through Gyro Park between Main Street and Martin Street as Rory McIvor Way or Rory McIvor Boulevard*

This option was the option that was promoted by the Heritage and Museum Committee. The road through Gyro Park currently has no official name (it is often colloquially referred to as the 'link road') and is not actually dedicated road - it legally forms part of the park. The link road is only open to vehicular traffic during events. Most of the year the road is just a pedestrian walkway.

Again, this would be a relatively simple task to assign a name to the street as there are no lands actually addressed off of the street. This location is in close proximity to City Hall where Mr. McIvor served two terms on City Council.

*Option 3: Support the addition of the name Rory McIvor to the "Street Name Reserve List" recognizing the contributions made to the community by Mr. McIvor*

Under this option, the name Rory McIvor would be added to the "Street Name Reserve List", a list that includes: names of local flora and fauna; family names of persons and families that have contributed positively to the community or who represent historic, cultural or social importance to Penticton; or, which represent First Nations cultural understanding of the history of Penticton.

Names from the list are reviewed when new subdivision or new streets are created and developers have the opportunity to select names from the list to name streets within their subdivisions. Approval of the names still need to be approved through Council resolution.

Under this option, no streets in Penticton would be named after Mr. McIvor until such time as a developer selected the name from a list and made the proposal. The "Name Reserve List", however, would have a write up stating the contributions made by Mr. McIvor to the community.

*Option 4: Refer this item to the April 2, 2019 Council meeting so that Council may receive comments from the public prior to making a decision*

Council may wish to receive comment from the public prior to making a determination on this issue. If Council does select this option staff will advertise the desire for comment through a media advisory and through notification in the various media platforms used for such purposes. Those comments will be summarized for Council at an upcoming meeting. Council may also wish to receive delegations and submissions from the public at the April 2<sup>nd</sup> meeting prior to making a decision on this issue.

*Option 5: Take no action at this time*

Council may wish to take no action on this item at this time. If that is the case, this report should just be received into the record for information.

**Attachments**



Attachment A – Letters from Chief Librarian and Chair of the Penticton Library Board

Attachment B – Location maps showing the section of Fairview Road and the link road, which could potentially be renamed in honor of Rory McIvor

Respectfully submitted,

Blake Laven, MCIP, RPP  
Planning Manager

Concurrence

Director  	Chief Administrative Officer  
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Attachment A  
Letters from Chief Librarian and Chair of the Penticton Library

Mayor Vassilaki and City Council  
City of Penticton  
171 Main Street  
Penticton, BC V2A 5A9



7 February 2019

Re: Request for consideration of naming a street for Mr. Rory McIvor February 2018.

Dear Mayor and Council,

On February 2<sup>nd</sup> 2018, the Library Board requested that council consider naming a street in honour of Mr. Rory McIvor (a copy of this letter is attached). I was made aware that the council would forward this request to the Heritage and Museum Committee.

However, we have not received any further correspondence regarding this. The Library Board respectfully requests an update on our February 2<sup>nd</sup>, 2018 request.

Regards,



Heather Buzzell, Chief Librarian  
Penticton Public Library

Mayor Andrew Jakubelt and City Council  
City of Penticton  
171 Main Street  
Penticton, BC V2A 5A9



SENT VIA EMAIL

2 February 2018

Mayor and Council,

On behalf of the Penticton Public Library Board we would like to respectfully request that you consider naming a street after Mr. Rory McIvor. We suggest the street linking Fairview and Martin that runs along the west side of the Library, but understand that renaming a street can be costly and that there are other streets in Penticton that do not currently have names.

Mr. McIvor passed away suddenly at the end of November. He was our Library Director for 27 years, during the transition period from our city's membership in the Okanagan Regional Library to the municipal institution we are today. He took great pride in having professionalized the administration of the library and having increased our services and hours for the benefit of library users in Penticton.

Beyond his service here, Mr. McIvor was a dedicated community builder. He was an active member of the community serving on City Council and the School Board for School District 67. Mr. McIvor was also a founding member of Community Futures and the Community Foundation in Penticton.

We would be delighted to see his contribution to the community recognized and remembered in a way that could continue to inspire others in the future.

Thank you for your consideration,

Linda King, Chair  
Penticton Public Library Board

Cc:

Heather Buzzell, Chief Librarian  
Dana Schmidt, Corporate officer

Attachment B

Location maps showing the section of Fairview Road and the link road, which could potentially be renamed in honor of Rory McIvor



# Council Report

penticton.ca

**Date:** March 5, 2019 File No: 6520-20  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Anthony Haddad, Director of Development Services  
**Subject:** **300 Block – Main Street Local Area Service Parcel Tax Bylaw No. 2019-09**

## Staff Recommendation

THAT Council give first, second and third reading to “300 Block – Main Street Local Area Service Parcel Tax Bylaw No. 2019-09”;

THAT in accordance with Section 204 of the *Community Charter*, appoint 3 members of Council \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ as the parcel tax roll review panel;

THAT the sitting of the panel be held April 9, 2019 at 1:00 p.m. in Council Chambers, City Hall;

THAT Council direct staff to publish advance notice of the time and place in accordance with section 94 of the *Community Charter*;

AND THAT the Finance Department send letters to all impacted property owners identifying the full amount and payment options – providing a minimum of 30 days’ notice for the payment to be made in full.

## Background

On September 19, 2017 Council gave authorization for staff to proceed with a petition process in accordance with Section 211(1) (b) of the *Community Charter* to impose a local area service tax to offset the cost of street improvements for the 300 Blocks of Main Street.

The local area improvement petition process, for the landowner contribution, was completed in November 2017. At the conclusion of the petition process, a total of three (3) owners petitioned against the local area improvement tax, which represented six (6) votes of a possible 37, or 16%. Those three (3) owners represented \$2,070,800 of assessed value out of a total assessed value of \$22,173,200 or approximately 9% of the assessed value in the project area. 84% of the property owners chose not to petition against the project, which was the highest level of landowner support for a revitalization project since they commenced in 2012.

**Financial**

The local area improvement levy covered 25% of sidewalk and streetscape costs paid by local area landowners. A breakdown of the project costs is provided below:

Total Project Cost Estimate:	\$2,185,000
Landowner Contribution	\$298,960
City Contribution:	\$1,886,040

The 300 Block project commenced construction in spring 2018 and with the project now complete, on time, under budget and in accordance with the vision created by the Downtown Plan, staff are now able to proceed with applying the parcel tax.

With the cost savings resulting from the design and construction process, the following final costs are now applied:

Total Project Cost	\$2,102,607.87
Landowner Contribution	\$233,003.87
City Contribution:	\$1,869,604.00

Prior to commencement of the local area improvement process, each landowner was met with numerous times and provided with the cost information, including the breakdown of the payback over the 20 years period. All property owners were aware of this upcoming parcel tax.

**Analysis**

In accordance with Bylaw 2019-09, the landowner contribution for the 300 Block of Main Street – Downtown Revitalization Project can now commence. The adjacent landowner contribution will take place over a 20 year period.

Prior to the bylaw taking effect, notification of each of the owners will take place advising them that a complete contribution can be paid in full by May 31,2019, otherwise the contributions will be paid over 20 years with an interest rate of 5.70% per year.

In accordance with Section 204 of the *Community Charter*, Council must do the following:

- Appoint at least 3 persons as the members of the parcel tax roll review panel;
- Establish the time place for the sitting of the panel; and
- Have advance notice of the time and place published in accordance with Section 94.

A person may make a complaint to the parcel tax roll review panel on one or more of the following grounds:

- There is an error or omission respecting a name or address on the parcel tax roll;
- There is an error or omission respecting the inclusion of a parcel;
- There is an error or omission respecting the taxable area or the taxable frontage of a parcel; or
- An exemption has been improperly allowed or disallowed.

A complaint must not be heard by the parcel tax roll review panel unless written notice of the complaint has been given to the municipality at least 48 hours before the time set for the first sitting of the review panel.

The review panel must confirm and authenticate the parcel tax roll by certificate signed by a majority of its members.

**Attachments**

Attachment A – 300 Block– Main Street Local Area Service Bylaw No. 2017-62

Attachment B – 300 Block – Main Street Local Area Service Parcel Tax Bylaw No. 2019-09

Respectfully submitted,

Anthony Haddad  
Director of Development Services

Approvals

Director <i>AH</i>	CFO <i>JWB</i>	Chief Administrative Officer <b>DvD</b>
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## The Corporation of the City of Penticton

### Bylaw No. 2017-62

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

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

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

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

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

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

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

#### **Title**

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

#### **Definitions**

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

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

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

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

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

**“current tax year”** means:

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

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

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

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

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

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

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

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

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

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

### **Project description**

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

### **Project location**

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

**Total Project cost**

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

**Portion of cost of service recovered from land owners**

7. The total portion of the local area service cost that will be recovered from property owners under Section 9, through the local service tax shall be either:

- a) estimated owner supported cost of \$298,960, plus interest where applicable; or
- b) actual owner supported costs,

whichever is less.

8. The remaining portion of the local area service cost has been appropriated for that purpose in the annual budget and has been levied through the City's annual property tax bylaw.

**Form of local service tax and methods of cost recovery**

9. The local area service tax shall be imposed as a parcel tax on the frontage of each parcel in accordance with Section 202(2)(c) of the *Community Charter*.

10. Each year, property owners shall pay the annual tax rate/meter of frontage, including interest, for a period of 20 years.

11. As an alternative to Section 10, property owners may elect to pay their entire contribution prior to commencement of the first year, without any interest.

**Severability**

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

READ A FIRST time this 19 day of September, 2017

READ A SECOND time this 19 day of September, 2017

READ A THIRD time as amended this 7 day of November, 2017

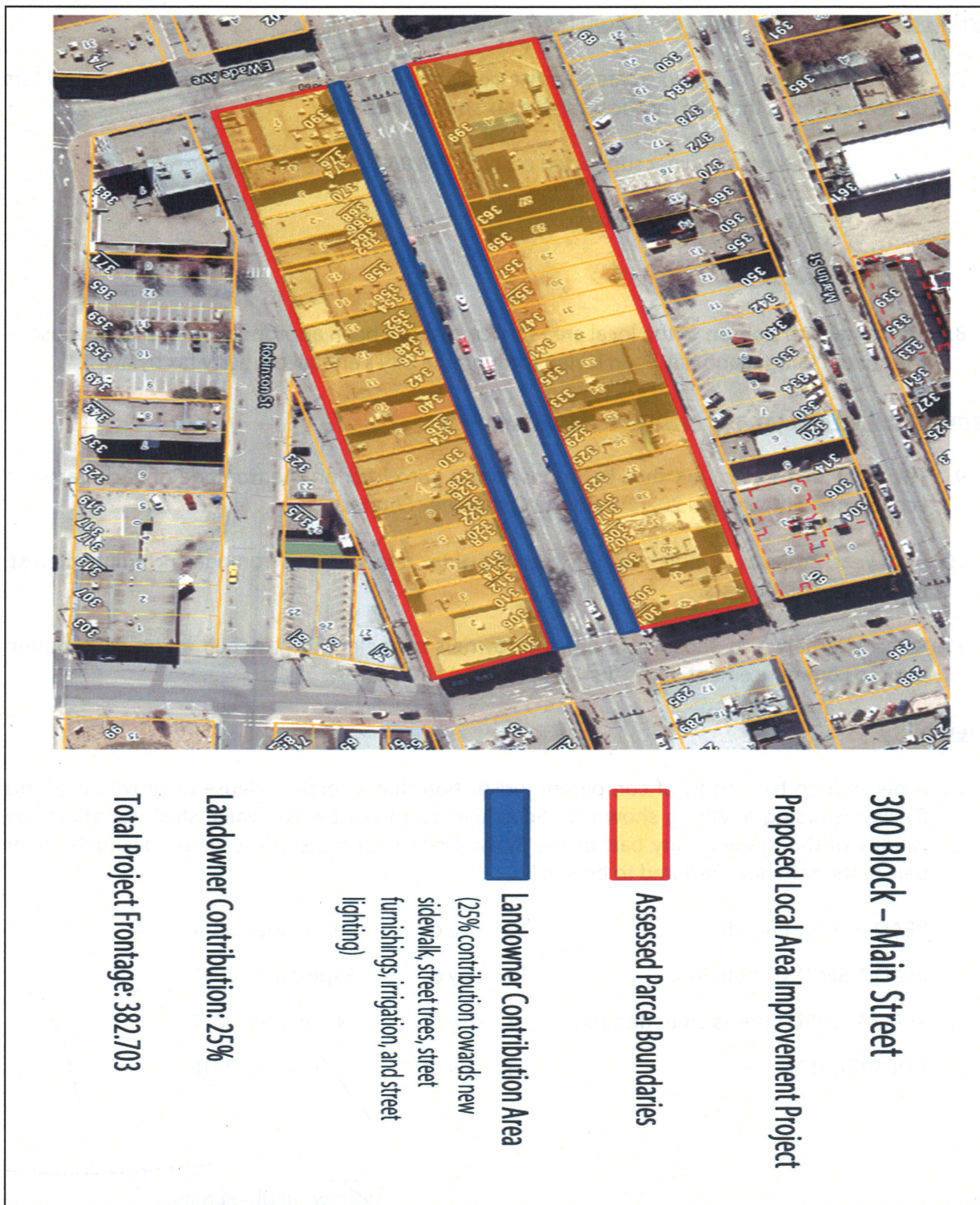
ADOPTED this 23 day of January, 2018

  
\_\_\_\_\_  
Andrew Jakubeit, Mayor

  
\_\_\_\_\_  
Dana Schmidt, Corporate Officer

Schedule A

Local Area Service Boundary





## Schedule A

### 300 Main Street Revitalization Project Parcel Tax Roll

Folio	House	Street	Frontage (metres)	Total Parcel Tax (without interest)	Total Per Year for 20 Years (inc. interest)
04932-010	399	MAIN ST	46.529	\$28,328.61	\$2,301.41
04938-000	363	MAIN ST	9.144	\$5,567.21	\$452.28
04939-000	359	MAIN ST	9.144	\$5,567.21	\$452.28
04940-000	357	MAIN ST	9.144	\$5,567.21	\$452.28
04941-000	353	MAIN ST	9.144	\$5,567.21	\$452.28
04942-010	347	MAIN ST	9.144	\$5,567.21	\$452.28
04943-000	341	MAIN ST	9.144	\$5,567.21	\$452.28
04944-000	333	MAIN ST	18.288	\$11,134.42	\$904.56
04946-000	329	MAIN ST	9.144	\$5,567.21	\$452.28
04947-000	325	MAIN ST	9.144	\$5,567.21	\$452.28
04949-000	317	MAIN ST	18.288	\$11,134.42	\$904.56
04950-000	309	MAIN ST	9.144	\$5,567.21	\$452.28
04953-000	301	MAIN ST	27.432	\$16,701.63	\$1,356.84
04954-000	302	MAIN ST	18.288	\$11,134.42	\$904.56
04956-000	310	MAIN ST	9.144	\$5,567.21	\$452.28
04957-000	314	MAIN ST	9.144	\$5,567.21	\$452.28
04958-000	318	MAIN ST	9.144	\$5,567.21	\$452.28
04959-000	322	MAIN ST	9.144	\$5,567.21	\$452.28
04960-000	326	MAIN ST	9.144	\$5,567.21	\$452.28
04961-000	330	MAIN ST	9.144	\$5,567.21	\$452.28
04962-000	334	MAIN ST	9.144	\$5,567.21	\$452.28
04963-000	340	MAIN ST	9.144	\$5,567.21	\$452.28
04965-000	342	MAIN ST	18.244	\$11,107.63	\$902.38
04966-000	350	MAIN ST	9.144	\$5,567.21	\$452.28
04968-000	354	MAIN ST	18.288	\$11,134.42	\$904.56
04969-000	362	MAIN ST	7.166	\$4,362.93	\$354.44
04970-000	366	MAIN ST	9.159	\$5,576.34	\$453.02
04971-000	370	MAIN ST	9.235	\$5,622.62	\$456.78
04972-000	374	MAIN ST	9.129	\$5,558.08	\$451.54
04974-100	390	MAIN ST	18.065	\$10,998.65	\$893.53
<b>TOTAL ( 30 )</b>			<b>382.703</b>	<b>\$233,004.00</b>	<b>\$18,929.22</b>

# Council Report

penticton.ca

**Date:** March 5, 2019  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Anthony Haddad, Director of Development Services

File No: 6420-20

**Subject: South Okanagan Performing Arts Centre Society (SOPAC)**

## Staff Recommendation

THAT Council direct staff to prepare an Area Redevelopment Plan for the 100, 200 & 300 Blocks of Ellis Street that will look at the future use of City lands and public infrastructure;  
AND THAT staff be directed to bring forward budget requests for this project as part of the 2020 Budget process;  
AND THAT the subject lands not be redeveloped until the completion of the Area Redevelopment Plan for the 100, 200 & 300 Blocks of Ellis Street.

## OR Alternative 1

THAT Council support holding the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East for the SOPAC project;

AND THAT Council direct staff to grant a Section 219 Covenant to itself on the subject properties limiting the use of the lands to a Performing Arts Centre and that the covenant not be discharged until a Referendum is completed.

## OR Alternative 2

THAT Council support holding the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East until March 31, 2020 to provide appropriate time for the South Okanagan Performing Arts Centre Society to coordinate and implement a Symposium regarding a proposed new facility and report back to Council.

## OR Alternative 3

THAT Council direct staff to bring forward an Official Community Plan and Zoning Bylaw Amendment restricting the use of the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East to only a Performing Arts Centre, so that for any change to take place in the future, a Public Hearing be required to change the permitted use of the site from a Performing Arts Centre to alternative uses.

## OR Alternative 4

THAT Council direct staff to take no further action on this matter at this time.

## Background

The lands subject to this report are located at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East (Attachment A). The lands were purchased by the City in 2007 where the following resolution was passed on August 7<sup>th</sup> 2007:

*THAT \$1,250,000 be expended from the Capital Reserve Fund for the purchase of lands located at 225-251 Ellis Street for recreational, social and cultural purposes.*

Prior to the lands being purchased, on July 3, 2007, Council considered a report from staff that looked at options for a new performing arts centre in the community, based on a 2005 needs assessment and 2006 facility feasibility study. Council passed the following resolution, providing direction for the eventual purchase of the subject lands:

*THAT the direction of the 2005 needs assessment and 2006 facility feasibility study for the performing arts and the goals of a new performing arts building for Penticton be supported in Principle;*

*AND THAT the City work towards identifying and securing of a potential site for a new performing arts building in the downtown district.*

The Ellis Street Cultural District Plan that was developed in 2010 also identified a Performing Arts Centre as a key function of the Ellis Street cultural corridor. The 2013 Downtown Plan also identified this area as a Creekside / Cultural corridor.

The initiative to improve the performing arts facilities in the community began in 1993 with the formation of an Ad Hoc Committee of the Performing Arts Council soon followed by the formation of the Penticton and District Performing Arts Facilities Society (PDPAFS) in 1994. In 2012 there was a name change to the South Okanagan Performing Arts Centre (SOPAC) Society. See Attachment B provides a chronology for details of the activities of these Society's between 1993 and 2017.

In early 2017, SOPAC requested that Council support its initiative to move forward with exploring the development of the Performing Arts Centre and to support an initiative to create a Symposium to better understand the needs and benefits of a performance facility in the South Okanagan. It was also set up to identify and recognize the changing needs and technologies that would go into creating a performing arts facility and to get an understanding of capital costs and ongoing operating models and funding requirements. The request was also to hold the subject lands at 99 Nanaimo Avenue East for the performing arts facility until the end of March 2019, so that the symposium and subsequent results of that process would be determined and presented back to Council. See Attachment C for further details on the request.

On November 21, 2017 Council heard from SOPAC representatives and passed the following resolution with regards to their request to hold the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East for a future Performing Arts Facility:

619/2017

***It was MOVED and SECONDED***

*THAT Council support holding the property at 99 Nanaimo Avenue until March 31, 2019 to provide appropriate time for the South Okanagan Performing Arts Centre Society to coordinate and implement a Symposium regarding a proposed new facility and report back to Council.*

***CARRIED***

***Councillors Picton and Martin, Opposed***

In early 2018, SOPAC commenced the process to hold a symposium, in accordance with the above Council direction. The Symposium was not able to move ahead, as noted in the letter and summary update provided to Council in January 2019 (Attachment D). As part of this update SOPAC have outlined a desire to continue moving forward with this initiative and in order to do so have requested that Council place a restrictive covenant on the subject lands to secure the land for the SOPAC project.

### **Analysis of January 2019 SOPAC Request**

Staff have completed an analysis of the proposed request to place a restrictive covenant on the land that would restrict the use and development of the subject lands to a Performing Arts Facility. There are a number of mechanisms available to Council, should they desire to hold these lands for a future Performing Arts Facility and the following provides a summary of each:

- Section 219 Restrictive Covenant (Land Title Act)
  - Section 219 specifically describes the entities that may avail themselves of a restrictive covenant such as the Crown, a Crown corporation or agency, a municipality, a regional district, etc. SOPAC could not qualify as a beneficiary of a Section 219 Covenant, so the City cannot enter into a covenant with SOPAC.
  - Council could however grant a Section 219 Covenant to itself on properties which the City owns. The covenant could contain a provision that the properties only be used for a specified purpose and could also specifically outline the process to have the covenant removed (e.g. referendum, public hearing / etc.)
- Council could pass a Resolution, similar to what it did in 2019 identifying a timeframe for the lands to be held and for which purposes. This however could be changed by Council at any given time, by unanimous Council approval.
- Council could rezoning the site through a Site Specific zoning amendment that would limit the use of the land to a Performing Arts Centre only and would need to be undertaken through a Zoning Bylaw Amendment and require a Public Hearing prior to making this change. Should Council support this, to make any change in the future, a Zoning amendment, including a Public Hearing would be required.

As noted above, in 2007 the lands were purchase specifically for the purpose of a Performing Arts Centre. There is however no commitment to ensure a performing arts facility gets built on this property, hence the request from SOPAC to ensure the original intent of the purchase of these lands remains formally intact.

### **Financial Implication**

Should Council wish to place some sort of restriction on these lands, there will be no financial consequence in the short term, other than any legal costs required. The process to commence the potential for a performing arts facility on this property will require some level of funding, which will need to be determined should Council wish to move forward with such an initiative.

Should Council wish to move ahead with an Area Redevelopment Plan for the 100, 200 and 300 Blocks of Ellis Street, staff will bring forward the appropriate budget request as part of the 2020 budget process.

## **Staff Recommendation**

Staff recognize that the original intent of the purchase of these lands was for the purpose of a Performing Arts Centre. With over ten years that have passed since the purchase of the lands, a performing arts centre has not been developed. Over the last few years the City's land ownership along Ellis Street has increased, more recently with the purchase of the Greyhound lands, as shown in Attachment E. With the City's land holdings now covering significant portion of the west side of the 100, 200 and 300 Blocks of Ellis Street, staff believe that a longer term planning exercise should be undertaken to determine future use and redevelopment opportunities.

As opposed to using a Section 219 Covenant to restrict the use of these lands for a performing arts facility, a community engagement and planning process should be undertaken to identify the long term use and development potential for this site and the surrounding area. Identifying one parcel of land for a specific use without clarifying the impact or role it plays on the surrounding area would be short sighted. Development in the area has changed significantly since the original vision was developed in 2007. Involving the community in these discussions will provide for momentum to be built around the future use of these lands, whether they include a Performing Arts Centre and/or a mix of other uses.

In 2010 the City undertook the Ellis Street Cultural District Plan and in 2013 adopted the Downtown Plan, which provides some policy direction for the future of the east side of downtown. The Penticton Creek Master Plan has also been completed providing a vision for the future restoration and public realm improvement along the creek corridor, which will positively impact Ellis Street. Downtown has also undergone a significant amount of redevelopment in and around Ellis Street, some of which may impact the original vision for the use of these lands.

Much of the historical planning work could be used, however some is out of date and updating the vision for Ellis Street with the new City land holdings is considered the best path forward. That way the community can be involved in helping to guide the vision and help determine if a performing arts facility is still the most appropriate use for the lands, if it should be a standalone facility, if it should be integrated into a mix of other uses and how surrounding lands that are continuing to change may be impacted by the future use of the City lands. SOPAC and their membership would be a key stakeholder in this process and in order to protect their interests it is also recommended that until the Area Redevelopment Plan process is complete, that the lands not be redeveloped.

Should Council support this proposal, staff would bring forward an item for budget consideration for commencement of a planning process in 2020. If Council would like to have this process completed in 2019, staff would need to alter existing work plans and identify resources to assist in moving this forward this year.

As part of the staff recommendation, it is noted that the land will not be redeveloped until after the planning process is completed, providing security to SPOAC Society that until the community engagement and planning process is complete, the lands will not be sold or redeveloped until the completion of the proposed 2020 planning process – without additional Council direction.

## **Alternative Recommendations**

### ***Alternative 1 – Section 219 Covenant***

Should Council support the letter of request coming from the SOPAC Society, Council could pass the following resolution:

*THAT Council support holding the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East for the SOPAC project;*

*AND THAT Council direct staff to grant a Section 219 Covenant to itself on the subject properties limiting the use of the lands to a Performing Arts Centre and that the covenant not be discharged until a Referendum is completed.*

Staff would then need to begin the development of a workplan and bring back to Council budget consideration and staffing resources to assist with moving this process forward. If Council wish to hold these lands indefinitely for a Performing Arts Centre, then it is recommended that short term action be taken to move this initiative forward. Staff cannot commit to this in 2019, given the current workplan, resource availability and budgets, and would need to prepare for this process as part of the 2020 budget process.

Should Council support this alternative, staff will work with legal counsel to draft the covenant and deposit it with the Land Title office.

### ***Alternative 2 – Council Resolution***

Should Council wish to provide SOPAC with an additional year to complete the Symposium and gain further progress on their project, similar to the previous resolution, Council could grant another year for the SOPAC Society to organize the symposium and build community momentum and support around this initiative. The following resolution should then be supported and passed by Council:

*THAT Council support holding the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East until March 31, 2020 to provide appropriate time for the South Okanagan Performing Arts Centre Society to coordinate and implement a Symposium regarding a proposed new facility and report back to Council.*

### ***Alternative 3 – Zoning Amendment***

Another mechanism available to Council is the ability to restrict the use of the lands through OCP and Zoning Amendments. To make this change and public hearing would be required, and should a Council of the future wish to remove this resection, a public hearing would be required to make that change back to its original zoning or an alternative. The following wording would achieve this objective:

*THAT direct staff to bring forward an Official Community Plan and Zoning Bylaw Amendment restricting the use of the properties at 225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East to only a Performing Arts Centre, so that for any change to take place in the future, a Public Hearing be required to change the permitted use of the site from a Performing Arts Centre to alternative uses.*

Staff would then need to bring back formal OCP and Zoning Bylaw amendments to limit the use of the lands to a Performing Arts Centre.

**Alternative 4 – Take No Further Action**

If Council does not wish to take any action on this proposal at this time, the current Council resolution holding these lands for SOPAC until March 31<sup>st</sup> 2019 will expire. Staff would not move forward with any further action on this matter at this time.

**Attachments**


- Attachment A – Subject Property
- Attachment B – PDPAFS/SOPAC Chronology for details of the activities between 1993 and 2017
- Attachment C – SOPAC Request (February 2017)
- Attachment D – SOPAC Request Letter (January 2019)
- Attachment E – 100, 200 & 300 Block of Ellis Street lands

Respectfully submitted,

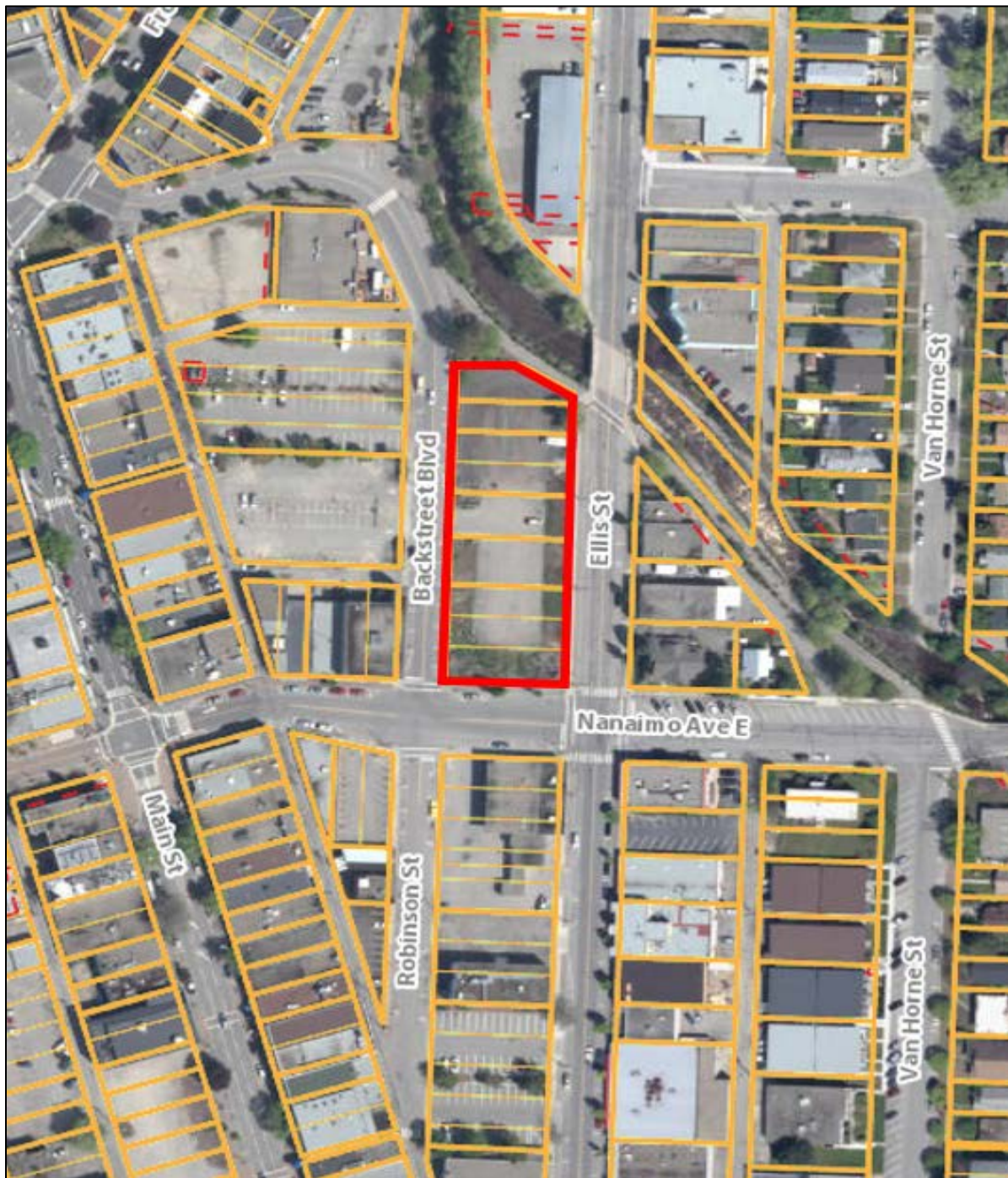
Anthony Haddad

Director of Development Services

Approvals

Director  	CAO  
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**Attachment A – Subject Properties**  
**225, 231, 235, 241, 251, 253, 271, 283 Ellis Street & 99 Nanaimo Avenue East**



**Attachment B – PDPAFS/SOPAC Chronology for details of the activities between 1993 and 2017**



**PDPAFS/SOPAC CHRONOLOGY: 1993-2017**

2017 11 12

**Overview**

- Early Years: needs, feasibility, organization
- Middle years: location, design, preliminary drawings, economic impact, business plan
- Later years: consolidation, reconceptualization, City Council request

**Delays, Pauses, and Distractions**

- 2008 Economic Downturn
- City Council turnover
- Penmar Option
- Penmar Community theatre project
- YES project

**Year 1993**

- 1993 Formation of *Ad Hoc Committee of Penticton Arts Council* to improve the existing status of the performing arts facilities in the community. Commissioned the Newman Study.

**Year 1994**

- 1994 Formation of the *Penticton and District Performing Arts Facilities Society*.
- 1994 07 *Building a Stronger Foundation for Growth*. Commissioned report completed by Wendy Newman for the Penticton Performing Arts Facility Strategic Planning Committee
- 1994 10 *Performing Arts Facilities for Penticton: Building a Foundation for Growth*. Performing Arts Strategic Planning Committee, of the Penticton and District Community Arts Council

**Year 1995**

- 1995 02 06: Incorporation of the *Penticton and District Performing Arts Facilities Society* under the British Columbia Society Act

From the Constitution-Clause 2:

The purposes of the Society are:

- (a) to encourage and facilitate the development of performing arts facilities and to assist in providing advice, service and support, in connection with the management thereof;
- (b) to act as a liaison among the owners and operators of performing arts facilities and to promote the optimum use thereof

2007 01 18 Clause 2 Replaced (Society Act) with ...

... page 2

-2-

The purpose of the Society is to work with the Penticton and District communities to create, expand and maximize the use of Penticton's performing arts facilities to enable the arts to flourish in the South Okanagan.

*Note: During the early years as a society the Penticton and District Performing Arts Facilities Society was an active force in the improvement of two major performing arts facilities, the Penticton Secondary School Auditorium, and the Cleland Theatre. The Society developed and financed improvements totaling over \$175,000 through pursuance of grants and donations from legacies and foundations. The Community Foundation of the South Okanagan, BC Festival of the Arts, and the BC Summer Games, were some of the Society's major supporters. No funds were gathered from bingo, or gaming revenues.*

**Year 1998**

- 1998 07 *PDPAFS* registered as a Charitable Society
- 1998 11 *Cultural Strategy for the City of Penticton*. Brenda Fredrick Consulting

**Year 2004**

- 2004 06 *Conceptual Estimate for Penticton Theatre Expansion, Penticton BC*. Speigel Skillen & Associates Limited

**Year 2005**

- 2005 08 *Penticton and District Performing Arts Needs Assessment: Final Report*. Yates, Thorne & Associates. (Funded by \$40,000 Provincial Government Grant)

The study's recommendations are:

1. Strengthen the emerging Downtown Cultural District
2. Build a Downtown Performing Arts Centre to include 700/750 seat main stage and 150 seat studio theatre
3. Build a small 200 seat recital hall
4. Create a not-for-profit management structure to act as facility managers of the Downtown Community Arts Centre. Their mandate could also include the management of the recital hall, depending on its eventual location.
5. Establish a community grant program to assist other venues used for the performing arts in the City to upgrade.
6. Maintain Cleland Theatre until such time as the all three new venues are built and operating.
7. Review the staffing levels of the City Leisure Services Department re arts and culture, and expand as necessary to ensure there is adequate City staff support to drive forward the performing arts facility planning proposed in this report.
8. Consider establishing a separate Arts and Culture Committee to drive forward these recommendations

Benefits:

- an aging but more active population, with changing leisure time preferences,
- greater linkage between culture and personal health, and the realization that arts and culture contribute to a healthy wellness quotient and a primary way of celebrating togetherness,

... page 3

-3-

- major growth in 'close to home' tourism with one day and weekend breaks spread throughout the year,
  - a greater sense of place and role of the arts in defining it – people are not choosing 'faceless suburbia' and will use the arts to define the communities where they live,
  - newcomers to the region, attracted by its quality of life, with arts and culture being high priorities,
  - improved partnerships between sectors; health, recreation, education, social services, tourism, etc., working together for joint benefits.
- **2005 10 Founding Partners Program** created. \$17,500 raised initially (35 corporate and individual members @ \$500)
  - **2005 *Penticton Heritage Strategy***, Hobson & Associates

#### Year 2006

- **2006 07 *South Okanagan Performing Arts Centre Feasibility Study***. (including site fitting and preliminary drawings) Proscenium Architects/Interiors with Lamont Management, Douglas Welch Design Associates and James Bush & Associates. (Funding: \$45,000 from the Federal Government through Western Economic Diversification Fund. City dedicated \$30,000 to support).

#### Year 2007

- **2007 05 *Cleland Theater Expansion and Renovation Option***. Cost estimate (excluding Studio Theatre): \$11,074,163.
- **2007 07 16 *City Purchase of Ellis Street Property***. When combined with City-owned land to the South (former Nanaimo Hall site) a sufficiently large footprint was made available to enable locating SOPAC in the downtown.

#### Year 2008

- **2008 03 *Economic Impact of the South Okanagan Performing Arts Centre***. Lamont Management
- **2008 05 *South Okanagan Performing Arts Centre-Business Plan: Final Report***. Lamont Management

#### Year 2010

- **2010 01 *Cultural Tourism District Plan*** (Cultural Corridor). CTQ Consultants, in collaboration with Ecoscape Environmental Consultants Ltd. and Mould Engineering. SOPAC designated at key component.

#### Year 2011

- **2011 12 *Penmar Option***. Proposal from to Wildstone Construction and Engineering of Penticton to SOPAC Society Board to consider the concept of renovating the Penmar cinema theatre to accommodate the SOPAC concept including a studio theatre. During 2012 preliminary site viability work undertaken by Meiklejohn Architects, with a gaming grant application submitted 2012 02 10 (unsuccessful). In the end, concept considered unfeasible on several grounds.

**Year 2012**

- **2012 01 05 Name Change:** From *Penticton and District Performing Arts Facilities Society* to *South Okanagan Performing Arts Centre Society* (Society Act)
- **2012 City of Penticton Downtown Plan.** Action Plan: 8.3. "Promote and encourage the development of a performing arts centre in the Downtown to provide this much needed amenity for our community."

**Year 2013**

- **2013-2016 Penmar Community Theatre.** Conceptually different for the SOPAC plan, a new proposal was developed, assisted in part by seed money from the City of Penticton, to convert the Penmar building and property into a multi-purpose community theatre. In the end, unsuccessful, despite several imaginative initiatives.

**Year 2015**

- **2015 11 18 SOPAC Managed Fund.** Established with the Community Foundation of the South Okanagan.

**Year 2016**

- **2016 01 2008 Business Plan updated**
- **2016 04 SOPAC Society President and Vice-President Meeting with City Staff** (CAO, Director Development Services, General Manager Infrastructure). Encouraged to submit request.
- **2016 10 Request of City Council** (project support in principle, secure property, staff resources for proposed Symposium). Referred to Staff.

**Year 2017**

- **2017 01 SOPAC-Penmar Community Arts Society Memorandum of Agreement.** Penmar Society agrees to support the SOPAC project.
- **2017 02 07 Staff Recommendations to Council.** (largely supportive of SOPAC Society request). No action. Again, referred to staff. (context: competing request for Nanaimo Ave./Ellis St. property)

**Attachment C – SOPAC Request (February 2017)**



**SOUTH OKANAGAN PERFORMING ARTS CENTRE SOCIETY**

*a new kind of PAC*

**REQUEST OF CITY COUNCIL: 2017 02 07**





## SOUTH OKANAGAN PERFORMING ARTS CENTRE SOCIETY

*a new kind of PAC*

### REQUEST OF CITY COUNCIL: 2017 02 07

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#### I. The SOPAC Project

*Strengthening the link between the performing arts and the creative economy*

As presented at the October 18<sup>th</sup> Council Meeting, it is the intention of the SOPAC Society to re-vitalize and update the 2008 plan to construct and operate a performing arts facility in Downtown Penticton for the enrichment of the residents of, and visitors to the Region of the South Okanagan and beyond. We have reviewed the original project and have concluded that it remains valid and doable. But, in keeping with cotemporary trends in both the arts and the economy, the original vision will be augmented by creating a better balance between consumption and production, between creators and performers, leading, in turn to (1) a greatly expanded user base and (2) a reinforcing of recent City and regional initiatives, including efforts to grow the creative and high-tech economy. In a word, we envision a *meaningful infrastructure investment*.

*So, what is SOPAC and how does it relate to the community?* Specifically, the proposed facility will provide:

1. State-of-the-art technology and spaces for *local performing and creative arts groups* to enable *achieving their full potential*, whether via music, theatre, dance, film or newly emerging electronic platforms. SOPAC can justify its existence only to the extent it provides a balance between the *creation* and the *consumption* of the arts.
2. A centre-piece and a catalyst for a *re-developed and enhanced downtown*:
  - As a unique and critical component of the *cultural infrastructure* of the City as presented in the *Downtown Plan* approved in 2012.
  - As an *entertainment destination*: for residents and visitors alike.
  - As an integral component of a long-term plan for the development of the *Ellis/Creekside cultural tourism project* as powerfully presented in the City's 2010 CTQ Study.
  - As an *architecturally significant landmark*, and all that implies, particularly civic identity.

3. State-of-the-art performance spaces sufficiently large and fully provisioned to attract *live performances of the highest calibre*, in a facility meeting high standards for acoustics, lighting, projection and sound systems, sight lines and full back-of-house amenities.
4. A *regional training and innovation centre* for arts production and presentation. In collaboration with educational institutions, a *laboratory* for linking the performing arts with the wide array of new technology, from new media, virtual reality, and artificial intelligence to robotics, web interface and virtual theatre, all with the potential for economic spinoffs.
5. Substantial and attractive *public spaces* for gatherings of all kinds.
6. An environment for *public art*, in and outside of the Centre.
7. An adjunct *display space for visual arts*, such as in partnership with the *Penticton Art Gallery*.
8. An exemplar of the **highest environmental standards**, including
  - Construction: LEED
  - Neighbourhood: LEED- ND (Neighbourhood Development)
9. A dedicated space for a tasteful *showcase for local enterprises*, such as the wine industry.
10. A model of systematic *involvement of the local and regional arts community* in all aspects of the planning, implementation, and programming.

## II. Request of Council

### That Council:

- A. **Supports** the initiative of the SOPAC Society to explore fully and recommend the best options for realizing the SOPAC project with special reference to:
  1. Financing: Construction, Management, Operation
  2. Operating
  3. Programming
- B. **Agrees**, to refrain from selling, leasing or taking any other measures pertaining to City lands on or adjacent to Ellis Street and Nanaimo Avenue which would inhibit the future realization of the SOPAC project, for the period ending no sooner than at the conclusion of Phase Two (Year End 2018).
- C. **Provides** access to staff resources, with special reference to:
  1. **Supplying information** on current official plans, policies, by-laws, data bases, regulations, etc.;
  2. **Sharing expertise** on urban planning and cultural development;
  3. **Identifying external sources of funding**; and
  4. **Assisting** with possible applications for project development support.

Continued ...

#### D. Requires of SOPAC Society:

1. To organize and convene a **Workshop/Symposium** designed to find the best fit between the special characteristics of the Region and successful experience elsewhere, and how that might shape the features of the SOPAC project. (See brief outline in Appendix 3) Such an event would bring together experts in contemporary creation and presentation of the performing arts with representatives of the area's arts community, the tourism industry and local planning professionals, all leading toward identifying the **best options for realizing the SOPAC project**, all in the context of current long range planning of the City of Penticton and surrounding communities of the Region. Target: On or before November 30, 2017.
2. To provide a **Post-Symposium Report**, setting out:
  - The **best options** for financing, operating and programming the SOPAC facility, and
  - A **detailed way forward**, including an implementation schedule and a clear indication of required resources. Target: Three months after the event.

### III. Background and Support



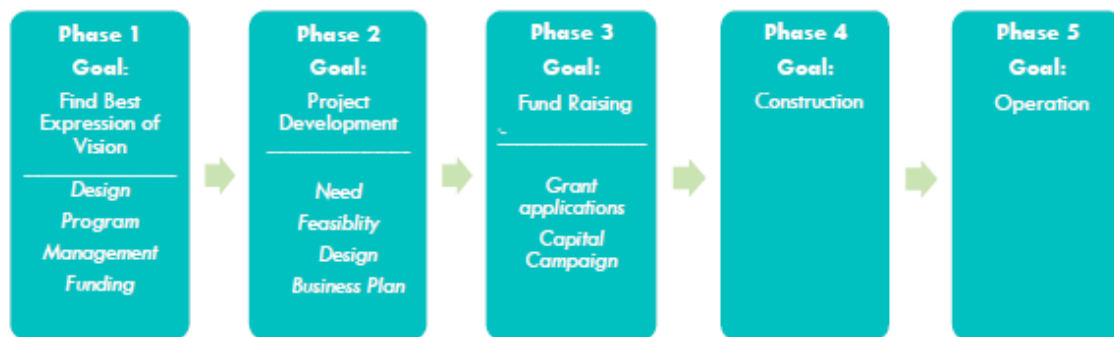
#### 1. Why Council Support:

In order for the SOPAC project to make a successful transition to the next phase of identifying the best options with respect to designing, financing, and creating an operational plan and implementation schedule, it is essential that the Penticton City Council expresses its support of the SOPAC vision. This expression of support would, ideally, reference the elements articulated in the previous section entitled *Request of Council*. It would be difficult, if not impossible, for the SOPAC team to move forward without being able to assure participants, supporters, potential funders, volunteers, and experts in the fields of designing and operating modern performing arts facilities that the Penticton City Council is supportive of the SOPAC vision and the next phase of research and planning that will identify the best options for a performing arts centre in Penticton and the South Okanagan. *Fully recognizing the fiscal demands upon the City at this time, funding is not a part of our request.*

Upon Council approval of this request, SOPAC will begin immediately to consult with and seek formal support of the project, of all relevant agencies and organizations in the Region. At the same time, we will be applying for funds from appropriate sources to support the work planned for the Initial phase. In the meantime, initial conversations have been underway with representative of the *Penticton and District Arts Council*, *The Penticton Art Gallery*, and *The Downtown Penticton Association*. In addition, the SOPAC Society and the PenMar Society have recently signed a *Memorandum of Understanding*, which provides for PenMar Society support of the project, and commitment to work together to achieve the goal. (see Appendix 5)

## 2. Time Line

At this time, there are too many unknowns to commit to a definitive time schedule. However, it is imagined that the work of Phase One can be completed by Spring, 2018. Given a favourable climate at that time, a rough estimate suggests that *Project Development* would require approximately 9 months; *Fund Raising*, 6-9 months and ongoing; and *Construction*, approximately one year. Allowing for some lag, this would suggest an opening in early 2021.



## 3. On Need:

### Background Studies:

Over the past three decades, several efforts were undertaken to assess the arts and cultural needs of the City and Region, including:

- *Penticton and District Performing Arts Needs Assessment Report* August 2005, completed by Yates, Thom & Associates
- *Penticton Heritage Strategy*, Hobson & Associates 2005
- *Conceptual Estimate for Penticton Theatre Expansion*, Penticton BC, June 2004, completed by Speigel Skillen & Associates Limited.
- *Penticton Official Community Plan, 2002*.
- *Community Centre*, prepared by Vic Davies Architect Ltd. for The City of Penticton, February 2002.
- *The Cultural Strategy*, 1998, commissioned through the City of Penticton, Parks, recreation and Culture Department and prepared by Brenda Fredrick.
- *Building a Stronger Foundation for Growth*, completed by Wendy Newman for the Penticton Performing Arts Facility Strategic Planning Committee, 1994

### 2008 Analysis:

Since 1994, several studies have been commissioned to provide professional guidance in creating the best possible performing arts facility for this community. A needs assessment performed by Yates, Thom & Associates in 2005 clearly established that there is a need for such a facility to serve not just Penticton but the South Okanagan area in general. Following this needs assessment,

**Proscenium Architecture + Interiors Inc.**, in conjunction with **Meiklejohn Architecture Inc.** were contracted to conduct a comprehensive conceptual planning and feasibility study.

Proscenium conducted a full review of the previous studies together with extensive interviews throughout the region. Twenty-four 24 sites were visited in Penticton and all relevant performance venues in Oliver. Osoyoos and Summerland were toured.

In addition, Proscenium did a full assessment of the South Okanagan marketplace, including demographics and expected growth patterns. Based on these reviews and assessments, Proscenium has concluded that, in the case of Penticton and the South Okanagan region, the conditions seem well suited to support a new performing arts facility. Further, Proscenium states that they concur with the previous seven studies which state that, in order for the performing arts in Penticton to thrive, a new facility in the downtown cultural precinct is needed. Moreover, their conclusion is consistent with the 2002 Official Community Plan that emphasized the need to achieve an active, vibrant and economically viable Downtown area that draws its energy from exciting and innovative downtown artistic and cultural venues within a Downtown cultural precinct. Proscenium determined that the ideal venue configuration should contain two main components: a 750-seat main stage, and a 100-150 seat studio theatre. Future generations will salute this foresight and commitment to the development of quality facilities and infrastructure, and its result an enhanced quality of life in our communities.

#### 2018 and Beyond

There can be little doubt that the current need for a performing arts facility will remain, if not be greater in the years to come. How best to fulfil that need will depend to a large extent on (1) the outcome of the Symposium and (2) the plans in place for the future of the City (e.g., the revised OCP) and of the Regional communities. Obviously, the feasibility of implementing the best options will depend on the reasonably availability of funds for designing, constructing and operating the facility, together with development priorities of the time.

#### 4. Business Plan

In May of 2008, Lamont Management submitted a detailed business plan for the SOPAC project. The arrival of the Business Plan together with preliminary design concepts from Proscenium Architecture + Interiors Inc. and Meiklejohn Architecture Inc. coincided with the economic downturn, causing the project to be put on hold. In 2016, the SOPAC Society Board commissioned an update of that plan, which concluded that the project remains viable, although estimated construction and operational cost have risen. Obviously, an **updated business plan** will be needed, the nature of which will depend upon the degree to which the new design departs from the original as well as cost changes over the period. Although the best combination of funding sources has yet to be determined, typically the major sources will be: a Capital Campaign, government grants, sponsorships and fund raising events. On the operating side, the typical model is some combination of event revenue, rentals, project contracts, concessions, partnerships, special services, and annual municipal grants.

#### 5. On Community Response

Support for the development of the 2008 project came from a variety of sources: citizens, the private sector and governments. Several thousand dollars were raised from individuals and area businesses, and strong support came from the City of Penticton consisting of both generous staff

support as well as a \$30,000 grant. In addition, \$40,000 came from the Federal Government's Western Diversification Fund, with City support.

## 6. SOPAC in the Context of City Planning

### Culture and Development:

*"... a consistent and effective integration of culture in development policies cannot wait any longer."*  
Françoise Rivière, UNESCO, 2010

The SOPAC project has figured prominently in all major **planning initiatives** of recent years

- Official Community Plans
- Cultural Tourism Plan 2010
- The Downtown Plan of 2012

Further, with the updating of the **Official Community Plan** now getting underway, we suggest that the results of our Phase One initiative could make a significant contribution.

## 7. On Economic Impact of the SOPAC Project

*"Human creativity, in all of its forms, is the prime driver of economic and social growth. This oft-repeated affirmation has been proven at every stage of humanity's development. Without new ideas, it is impossible to generate supplementary economic wealth, and to increase shared social capital."* Simon Brault

### A. In general:

1. The **direct economic benefits** of profitable arts and cultural industries are economic growth and promotion of the arts and culture
2. Profitable arts and cultural industries create **job growth** in the cultural sector and subsequently expand the sector as a whole
3. **Public and private assistance** can facilitate the growth of arts and culture as a strong, interconnected, and legitimate industry.
4. Cities that distinguish themselves from other cities based on strong or profitable identities, cultures, or arts and crafts, **gain a competitive advantage** as "destination cities" for cultural tourism.
5. Municipalities that adopt **Community and Cultural Economic Development** frameworks have observed a significant increase in success in the arts and culture because of the closer connection between arts and business
6. The recent trend in **creative cities** has anchored the arts and culture as key industries in municipal economic development
7. The arts and culture can lead to subsequent economic regeneration through **urban revitalization** in cities.

8. An emerging body of research links arts amenities and the availability of cultural initiatives to the ability of urban centres to **attract skilled workers** (human capital).

9. Extremely popular arts and cultural initiatives can **spawn “spinoff” businesses**, fortifying and diversifying the original initiatives’ strengths.

... from Creative City Network: *Culture as an Economic Engine*.

#### **Culture and the Canadian Economy:**

- \$46 billion is contributed to the GDP by our cultural sector
- 600,000 Canadians work in cultural sector jobs
- \$1.00 invested, generates \$3.20 in economic activity
- 35,000 volunteers contribute 51.9 million hours per year
- Two-thirds of all international tourists participate in a cultural activity

#### **B. In Particular ... SOPAC:**

The July 2006 Feasibility Study prepared by Proscenium Architects and its team of consultants (including Lamont Management) outlined estimates for the capital and operating costs for a new South Okanagan Performing Arts Centre. The concept has subsequently been refined to include a 750 seat Main Theatre, a 150 seat Studio and appropriate support facilities including a licensed public lobby space and a box office operation. The purpose of this current work is to review the economic impact that the construction and operation of a new Performing Arts Centre will bring to Penticton and the South Okanagan.

Economic impact benefits are generally described in three ways:

- direct economic benefits
- indirect economic benefits
- “public good” benefits

The **direct economic impacts** are those that result from the performing arts as an economic activity and they fall into three groups; employment for those who work in arts activity, business activity that supplies arts organizations with goods and services and businesses that provide services to arts consumers. In the case of the South Okanagan Performing Arts Centre, wages, supplies and services required to construct the centre are the first measure, followed by those required to program and operate the theatre. These investments will strengthen Penticton’s performing arts producers and will help to develop new presenters. Together these producers and presenters will deliver more and better programs to audiences. Finally, local restaurants, accommodation providers and retailers will benefit from the increased traffic.

**Indirect benefits** are those that result when the arts attract individuals and firms to locations where the arts are available. These benefits range from bringing theatre-goers from outside the community to see performances (cultural tourism), to attracting to the community skilled workers and the firms they work for, thereby enhancing economic development. The pro forma says that initially 45,000 people will attend performances at the SOPAC, and estimates that the number will grow to nearly 60,000 when the operation is mature. This will result in a real increase in downtown spending associated with theatre going by people from outside the community. The business community can be prevailed upon to support the Centre because it raises the QOLI

(quality of life indicator) in the trading area.

**“Public good” benefits** are good for the whole community, both those who are involved in the arts and those who are not. For example, studies have shown that the development of an arts facility in a neighbourhood can contribute to increases in employment rates, land values and income levels, while helping to lower crime rates and vacancies.

The sum of these benefits is sometimes calculated and called the “multiplier effect”. Economists are not all agreed on what number might represent a reasonable multiplier effect; the circumstances of each project are unique, particularly when “bang for buck” is used to compare the value of competing projects. **Nevertheless, studies consistently show that a strong arts community and a healthy arts sector contribute to economic growth.** As we have noted, economists are not agreed on one “multiplier effect” number. GPM Consulting shows a range between 1.3 and 3.0. The Sport Tourism Economic Assessment Model (STEAM) has developed a model which produces a 1.5 multiplier number. While this model is intended to measure the impact of “one-off” sports events, it does relate to the business of a performing arts centre in the sense that people come to town to attend the event and buy tickets to it. Like sports events, shows at performing arts centres produce “spin-off” spending in relation to local restaurants, accommodation providers and retailers. Applying the 1.5 STEAM factor to the construction and operations of a new South Okanagan Performing Arts Centre, produces the following economic impact results (including direct, indirect and induced effects):

Construction (\$ millions):	48.0
Operations: first 4 years:	7.1

Total economic impact of the project over the two years of construction and first four years of operations is calculated at \$55,126,000

... from Lamont Management Inc., *Business Plan 2008 03 01*

## 8. Recent Experience Elsewhere

Over the past few years, across Canada and beyond, a remarkable number of new performing arts facilities have been built. An early appraisal suggests that each was unique when it came to designing, funding and programming. Some were part of downtown renewal projects, others worked out productive relationships with educational Institutions, and some have won architectural awards. The experience in developing these projects together with analyses of already well-established PACs should contribute substantially to the discussions at the proposed *Symposium*.

## IV. Appendices

1. What is a modern performing arts centre?
2. On the Nature of Thriving Downtowns
3. Proposed Symposium
4. The Data: Participation in the Performing Arts
5. Memorandum of Understanding: SOPAC/PenMar

### 1. What is a modern performing arts centre?

- Multiple performance spaces
- Flexible performance spaces
- Rehearsal and creative spaces
- Experience-optimizing audience amenities
- Full back-of-house and front-of-house spaces
- Diverse programming
- Diverse clientele
- Generous public spaces
- Sophisticated technology

### 2. On the Nature of Thriving Downtowns

*"My own blunt evaluation of regeneration programs that don't have a cultural component is that they won't work. Communities have to be energized, they have to be given some hope, they have to have the creative spirit released."* Robert Hughes, cited by Simon Brault.

For several years sociologists, urban planners, and others have been hard at work to determine what makes for a successful urban spaces. Although there are always location-specific factors at play, most would agree that those cities contributing most to life satisfaction are often *creative communities*, characterized by:

- A substantial creative infrastructure
- A substantial creative economy
- A good proportion creative workers
- A feature(s) making it distinctive in one of more ways
- A diverse and tolerant population

Or, in Richard Florida's terms: "talent, technology, and tolerance."

A SOPAC with a heavy commitment to the creative side of the performing arts would do much to support this approach, with a more thriving Penticton and Region as the result.

### 3. Proposed Symposium (Draft Outline)

#### EXPLORING THE POTENTIAL OF A PERFORMING ARTS CENTRE IN THE 21<sup>ST</sup> CENTURY

WHEN:	Fall, 2017: 3 days
WHERE:	Penticton Trade and Convention Centre (?)
CONVENED BY:	SOPAC Society, (City of Penticton?)
SUPPORTED BY ( <i>for example</i> ):	City of Penticton Regional District of the South Okanagan and Similkameen UBCO Okanagan College Other Educational Institutions Penticton and District Arts Council Downtown Penticton Association Other
POTENTIAL FINANCIAL SUPPORT:	Canada Cultural Spaces Fund, Department of Canadian Heritage Community Foundation of the South Okanagan Creative BC: BC Music Fund Sponsors Other
PARTICIPANTS:	Theatre architects Incubation/start-up specialists Creative Economy specialists Artistic Directors: music, dance, theatre Actors, performers, dancers Theatre managers Urban planners Property developers Arts Presenters Other
PROGRAM:	Latest technology: creating, design, presentation, sharing. For example: <ul style="list-style-type: none"><li>• New media</li><li>• Virtual reality</li><li>• Artificial intelligence</li><li>• Robotics</li><li>• Web interface</li><li>• Virtual theatre</li></ul> Collaboration models Latest design options Funding models Management models Operating models Best synthesis for the Okanagan

#### 4. The Data: Participation in the Performing Arts ... from *Canadian Arts Presenting Association*

"This page presents short excerpts of relevant performing-arts-related research, including some exclusive data that isn't available in published reports."

[Attendance and Importance of the Performing Arts](#)  
[Attendance at Festivals](#)  
[Economic Impact of the Performing Arts](#)  
[Public Benefits and Social Impacts of the Performing Arts](#)  
[Public Benefits of Performing Arts Facilities](#)  
[Performing Arts and Health](#)  
[Public Support to the Arts](#)  
[Other Sources of Arts Statistics](#)

##### Attendance and Importance of the Performing Arts

Three in four Canadians (75%) attended a performing arts performance by professional artists in 2011.

- 44% attended a theatrical performance, such as a drama, musical theatre, dinner theatre, comedy;
- 42% attended a popular musical performance such as pop, rock, jazz, blues, folk, country and western;
- 20% attended a symphonic or classical music performance;
- 15% attended a dance performance.

86% of Canadians are accessing performing arts presentations via television, Internet or other media channels. Yet, they are twice as likely to ascribe a high importance to live performing arts attendance than to any media-based consumption.

79% of Canadians say they would miss it if there were no live, professional performing arts available in their community (21% to a moderate extent and 58% to a high extent).

Source: EKOS Research Associates, [Survey of the General Public](#), *The Value of Presenting*, 2012.

37% of Canadians (10.4 million) attended a cultural or artistic festival in 2010. This represents an increase of 57% since 2005. In comparison, Canada's gross domestic product grew by 18,3% over the same period.

Source : Statistics Canada, [General Social Survey](#), 2010.

##### Economic Impact of the Performing Arts

- The live performance domain contributed \$2.5 billion to the Canadian Gross Domestic Product in 2014.
- The live performance domain accounted for 55,000 jobs in 2014.

Source: Statistics Canada, [Provincial and Territorial Culture Indicators](#), 2016.

The average Canadian household spent \$116 on live sporting and performing arts events in 2014. This down 8.7% from \$127 in 2013, but up from \$91 in 2012.

Source: Statistics Canada, [Survey of Household Spending](#).

- In 2008, Canadians spent more on performing arts (\$1.426 billion) than on movie theatre admissions (\$1.216 billion) or live sports events (\$0.645 billion).

- A considerable percentage of lower-income households choose to spend some money on live performing arts. Households with incomes of \$25,000 or less are more likely to spend any money on live performing arts (15%) than on museum admissions (12%) and live sports (4%).

Source: Hill Strategies Research, [Patterns in Performing Arts Spending in Canada in 2008](#).

- The average Ontario arts and culture tourist spends twice as much per trip as does a typical tourist – \$667 per trip versus \$374.

Source: Research Resolutions & Consulting, [Ontario Arts and Culture Tourism Profile](#), 2013.

- 65% of businesses and skilled workers agree that a thriving arts and culture scene is a driving factor when considering relocation.

Source: Nanos Research, [Culture for Competitiveness: How Vibrant Culture Attracts Top Talent](#), 2016.

### Public Benefits and Social Impacts of the Performing Arts

- Nine in ten Canadians believe they get personal benefits out of attending professional performing arts. Most perceive the main benefit to be the entertainment experience of it (84%), but other benefits are recognized, such as emotional, spiritual or intellectual stimulation, an opportunity to experience something new, providing exposure to different cultures, and providing an opportunity to socialize.
- 2 in 3 Canadians (65%) believe that the community as whole benefits more or as much as individual attendees from the presentation of the performing arts.
- Canadians believe that the presentation of performing arts brings energy and vitality to communities, improves quality of life and well-being of residents, makes communities more creative and fosters a stronger sense of pride and identity.

Source: EKOS Research Associates, [Survey of the General Public, The Value of Presenting](#), 2012.

- 82% of Canadians believe engagement with the arts leads to good health and well-being
- 95% of Canadians say arts education assists in the intellectual development of children
- 88% of Canadians believe youth engagement with the arts helps reduce youth crime and alienation

Source: The Strategic Counsel, [Building a Case for Business Support to the Arts](#), 2015.

- 92% of Canadians believe that arts and culture make a community a better place to live.
- 92% of Canadians believe that arts experiences are a valuable way of bringing together people from different languages and cultural traditions.
- 92% of Canadians believe that arts are an important way of helping people think and work creatively.
- 90% of Canadians believe that exposure to arts and culture is important to individual well-being.
- 87% of Canadians believe that the arts and culture help us express and define what it means to be Canadian.
- 86% of Canadians believe that the arts and cultural activities are important to a community's economic well-being.

Source: Phoenix Strategic Perspectives, [The Arts and Heritage in Canada – Access and Availability 2012](#).

- 8 of 10 Canadians believe that live theatre is important to making communities vibrant places to live.

Source: Nanos Research, [Canadian Theatre: Creating Vibrant Communities](#), 2014.

### More theatre statistics:

- Festival attendees are twice as likely as non-attendees to volunteer, even accounting for other factors.

- Classical music attendees are 29% more likely to report very strong satisfaction with life than non-attendees, even accounting for other factors.
- In general, arts goers have better health, higher volunteer rates, and stronger satisfaction with life.

Source: Hill Strategies, [The Arts and Individual Well-Being in Canada](#), 2013.

- Adults who attend live arts performances, art museums or art galleries are far more likely than non-attendees to vote [38% more, in the case of live arts attendees], volunteer, or take part in community events.

Source: National Endowment for the arts, [Art-Goers in Their Communities: Patterns of Civic and Social Engagement](#), 2009.

- Participation in the arts, especially as audience, predicts civic engagement, tolerance and altruism.

Source: University of Illinois at Chicago, "[Interest in arts predicts social responsibility](#)," *Science Daily*, 16 Aug. 2012.

### Public Benefits of Performing Arts Facilities

- Canadians believe that performing arts venues provide community-wide benefits, such as improved quality of life (87% say moderate to high importance), fostering a sense of community pride (87%), contributing to economic development (88%), and greater community safety through increased activity at night (60%).

Source: EKOS Research Associates, [Survey of the General Public, The Value of Presenting](#), 2012.

- 86% of Canadians feel that live performance spaces in their community contribute to quality of life.

Source: Phoenix Strategic Perspectives, [The Arts and Heritage in Canada – Access and Availability 2012](#).

- 80% of Canadians agree theatres are important for attracting visitors to communities.

Source: Nanos Research, [Canadian Theatre: Creating Vibrant Communities](#), 2014.

### Performing Arts and Health

- People who attend theatre, pop music concerts or cultural festivals are up to 32% more likely to report very good or excellent health, even accounting for other factors.<sup>1</sup>
- People who attend theatre/dance and pop or classical concerts are more likely to report good health and quality of life, even after adjusting for other factors.<sup>2</sup>
- People who attend concert, theatre or film are significantly healthier, have lower anxiety and are less subject to depression.<sup>3</sup>
- The more frequently people attend performing arts and other receptive arts, the more likely they are to report good health.<sup>3,4</sup>
- Attending concerts and theatre increases perceived vitality.<sup>5,6</sup>
- Attending cultural events is linked with longevity. People who rarely attend such events run a nearly 60% higher mortality risk than those attending most often.<sup>7</sup>
- Rare and moderate cultural events attendees in urban areas are 3 times more likely to die of cancer over time than frequent attendees.<sup>8</sup>
- [More arts and health facts](#)

Sources:

<sup>1</sup> Hill Strategies, [The Arts and Individual Well-Being in Canada](#), 2013.

<sup>2</sup> Tellervo Nenonen et al., [Cultural services and activities: The association with self-rated health and quality of life](#), 2014.

<sup>3</sup> Koenraad Cuypers et al., [Patterns of receptive and creative cultural activities and their association with](#)

[perceived health, anxiety, depression and satisfaction with life among adults](#), 2011.

<sup>4</sup> Anna Wilkinson et al., [Are variations in rates of attending cultural activities associated with population health in the United States?](#), 2007.

<sup>5</sup> Lars Olov Bygren et al., [Cultural participation and health: a randomized controlled trial among medical care staff](#), 2009.

<sup>6</sup> Töres Theorell et al., [A note on designing evaluations of health effects of cultural activities at work](#), 2009.

<sup>7</sup> Lars Olov Bygren et al., [Attendance at cultural events, reading books or periodicals, and making music or singing in a choir as determinants for survival](#), 1996.

<sup>8</sup> Lars Olov Bygren et al., [Attending cultural events and cancer mortality: A Swedish cohort study](#), 2009.

### Public Support to the Arts

- Volunteers are crucial in performing arts presentation: for each paid staff member working in the field, there are 17 volunteers giving their time, thereby enabling a broad range of benefits for their community.

Source: Strategic Moves, [Interim Report of Findings, The Value of Presenting](#), 2012.

- Canadians volunteered 107 million hours for arts and culture organizations in 2013. This is the equivalent to 56,000 full-time jobs.
- Those Canadians who volunteered gave on average more time for arts and culture than any other sector in 2013 (120 hours).
- Between 2004 and 2013, the number of volunteers in arts and culture organizations increased by 23%, much higher than the 7% increase in all volunteers.
- One million Canadians (3%) donated \$162 million to arts and culture organizations in 2013.
- The total donations and the number of donors have increase at higher pace for arts and culture organization than for other not-for-profit organizations between 2007 and 2013 (respectively 46 vs. 16% and 34 vs. 6%).

Source: Statistics Canada, [General Social Survey on Giving, Volunteering and Participating](#), 2013.

- 70% of Canadians consider that Canada still needs specific protection policies and support from government for Canadian culture to survive.
- There is a very strong relationship between attachment to Canada and assessment of its culture. Canadians who have a deep emotional attachment to Canada are more likely to believe that there is a unique Canadian culture (84% vs. 76%, n=1525). They are also more likely say that there is "something special" to it (86% vs. 74%).

Source: Angus Reid Institute, [Culture, the CBC & the CRTC: both institutions get good marks, but future relevance seen as a challenge](#), 2015.

- Nine in ten Canadians (90%) agree with governments providing support for the arts and culture.

Source: Phoenix Strategic Perspectives, [The Arts and Heritage in Canada – Access and Availability 2012](#).

- 81% of Ontarians agree that the government should spend public dollars to support the arts.

Source: Environics, [The Arts And The Quality Of Life: The Attitudes Of Ontarians](#), 2010.

### Other Sources of Arts Statistics

#### Arts Facts

Recent and relevant statistics compiled by CAPACOA for the Canadian Arts Coalition, for Arts Day on Parliament Hill 2014. [Arts Research Monitor](#) Database of research on the arts, indexed by theme. [Benefits Hub](#)

Lots of source on community benefits, managed by Canada Parks and Recreation Association.

5. Memorandum of Understanding: SOPAC Society/PenMar Society

**Memorandum of Understanding**

This Memorandum of Understanding (MOU) is made on Jan 24/17 by the Penmar Community Arts Society, hereinafter referred to as PENMAR, and the South Okanagan Performing Arts Centre Society, hereinafter referred to as SOPAC.

PENMAR and SOPAC agree to work together to combine resources to develop a centre for the creative and performing arts in downtown Penticton, serving all communities in the South Okanagan. For the purposes of this agreement this proposed centre will be called THE PROJECT.

It is agreed that:

1. Upon the signing of this MOU, SOPAC will be the organization of record for the project, with the clear public understanding that the two organizations will work in a true "spirit of partnership" and collaboration to achieve their mutual interests to design, develop, finance, and construct a creative and performing arts centre in downtown Penticton.
2. This MOU does not include any contractual relationship between PENMAR and SOPAC.
3. PENMAR members are welcome to join SOPAC under the same terms, conditions, and privileges that are currently enjoyed by SOPAC members.

  
\_\_\_\_\_ for PENMAR



  
\_\_\_\_\_ for SOPAC



Attachment D – SOPAC Request Letter (January 2019)



sopac

TO MAYOR AND COUNCIL

CITY OF PENTICTON

January 10, 2019

On behalf of the South Okanagan Performing Arts Centre Society, I am pleased to provide you with a brief summary of SOPAC'S work to date, including an explanation of why we had to cancel the symposium that we had planned for September, 2018. We had to make this decision when it became apparent that we would be unable to raise sufficient funds to cover costs. If we had proceeded we would have placed SOPAC Directors in a position of significant personal financial liability.

Much was achieved prior to cancellation. A comprehensive symposium program was developed, with enthusiastic participation by key representatives of the Canadian arts world. Many of these individuals expressed profound disappointment when we informed them of the cancellation. However, some of these leaders from Canada's arts sector and leading architectural firms specializing in theatre design and management stand ready to assist if the symposium project were to continue. The overall aspirations of the symposium and the SOPAC vision, to create a new kind of purpose-built creative and performing arts centre in downtown Penticton remains valid today.

It is unfortunate that the tight timelines imposed on us did not give us enough time to fully explain our mission and plans to all major stakeholders and to the community in general. However, we do not regard the symposium cancellation as a failure of the plan we presented to the City, but a consequence of a tight timeline from the moment of the City's formal expression of support for our plan in April, 2018 to the September 2018 symposium date. The September completion date was imposed on us by the terms of a \$30,000 grant from CREATIVE BC. This completion date was inflexible. As we worked on the project we were mindful of the March 31, 2019 date as well, at which time Council would consider other options for use of the Nanaimo Ave. property.

It must be noted that the City and the Lakeside Hotel were generous in providing in kind support. Beyond this the minimum cash required to meet program costs was determined at approximately \$60,000.

We did our very best to seek out many other funding sources; both public and private opportunities were explored. We discovered that a number of government funding sources for the Arts do not fund symposiums. We contacted several others only to learn that our short timeline placed us outside their budget cycle. That left us trying to raise funds in the

community for a symposium designed to help community leaders understand the value of a purpose built performing arts facility, and point to the planning and design next steps that would lead to the construction of an iconic creative and performing arts centre in downtown Penticton. Suffice it to say, we were not successful in achieving our financial objectives.

I am pleased to report that the SOPAC Society has elected new directors and we expect that they will bring an infusion of energy, creative ideas and vision that will breathe new life into the Society, enabling it to continue building on the work that SOPAC has done to date, and to develop a realistic plan that will engage our citizens and arouse their excitement about the value of a purpose-built creative and performing arts facility to our quality of life and to our economy.

We therefore urge the City to enact a restrictive covenant that will secure the Nanaimo Avenue land that was designated for the SOPAC project, and to work with the 2019 SOPAC Board of Directors to ensure that this land fulfills its potential to anchor an imaginative Ellis/Creekside creative corridor for the City.

It is our belief that a purpose-built creative and performing arts facility on this land would, in the context of this cultural corridor, represent the highest and best use of this land.

Thanks you in advance for your anticipated support.

Sincerely,

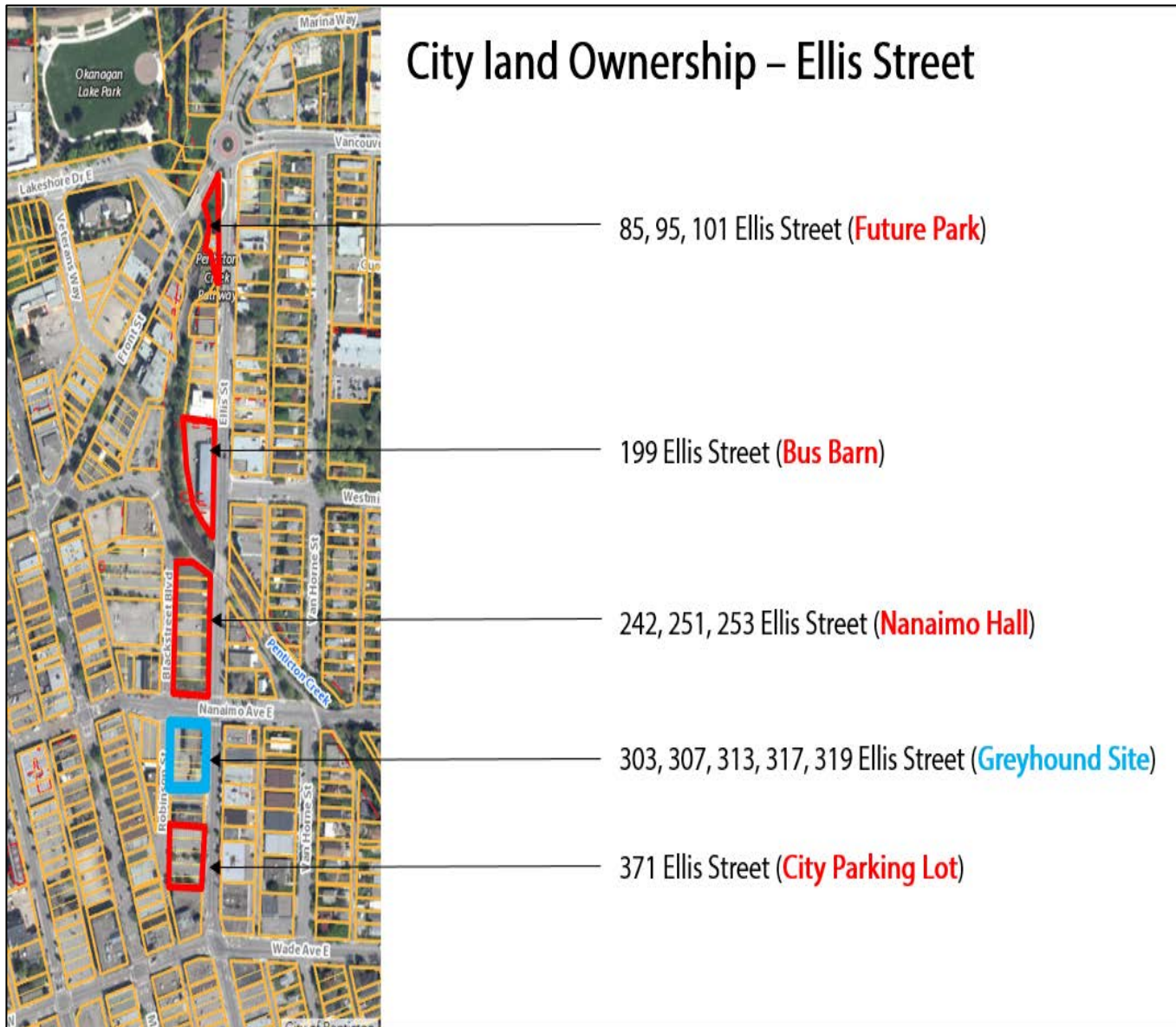
Allan Markin, PhD  
Past President  
SOPAC SOCIETY

**South Okanagan Performing Arts Centre Society**

765-650 Duncan Avenue West  
Penticton BC V2A 7N1

[www.sopac.ca](http://www.sopac.ca)

### Attachment E – 100, 200 & 300 Block of Ellis Street: City owned lands



# Council Report

penticton.ca

**Date:** March 5, 2019 **File No:** 4200-20/2018  
**To:** Donny van Dyk, Chief Administrative Officer  
**From:** Laurie Darcus, Chief Election Officer  
**Subject:** **Updated Notice: Local Elections Campaign Financing Non-Compliance – Failure to File**

## Staff Recommendation

THAT Council receive into the record the report titled “Updated Notice: Local Elections Campaign Financing Non-Compliance – Failure to File” dated March 5, 2019.

## Executive Summary

It is a requirement under legislation that a report be prepared to provide Council with the names of individuals who have failed to file Candidate Disclosures Statements prior to the legislated deadlines. In the report received by Council on February 19, 2019, there were two candidates who had not filed acceptable Campaign Financing documents with the Province within the penalty free time period:

Duffy Baker

Connie Sahlmark

Since that time, both candidates have filed late the acceptable documents and were subject to the \$500 penalty which was not paid. They are both disqualified from running for municipal office until after the next General Local Election.

## Background

To ensure transparency in Local Government Elections, all Candidates are required to file Candidate Disclosure Statements. Under the Local Elections Campaign Financing Act (LECF):

### **Time limits for filing disclosure statements – filing on time, late filing on payment of penalty fee, compliance deadline**

**47.(1)**A disclosure statement must be filed

- (a) within 90 days after general voting day for the election or assent voting to which it relates, or
- (b) if applicable, within the period established under section 90 [*late filing extensions in extraordinary circumstances*],

in order to avoid a late filing penalty fee.

- (2) If a disclosure statement is not filed within the applicable time period under subsection (1), it may be filed within 120 days after general voting day for the election or assent voting on payment to the BC chief electoral officer of a late filing penalty fee of \$500.

The 90 day period for the 2018 Local Government Election was January 18, 2019. The late filing date (with penalty) was February 18, 2019.

The Chief Election Officer was required to provide the local authority, in this case City Council, with a report on non-compliance of candidates once notified by the BC chief electoral officer as per the LECF. At the February 19, 2019 meeting Council received into the record a report that stated:

“In Penticton there are two candidates who have not filed within the penalty free time period:

Duffy Baker

Connie Sahlmark”

At the February 19, 2019 Regular Council Meeting the Director of Corporate Services advised Council that both of these candidates had resubmitted required documents by the late filing date. Due to timing of the Council meeting so close to the filing deadline the Province did not have updated information. Since that time it has been confirmed that both candidates had resubmitted campaign disclosure documents that have been accepted by the Province, but both candidates have failed to pay the late filing fee and are now disqualified from running for local office until after the next Local Government Election as per S.64 of LECF:

**Disqualification  
penalties for failure  
to disclose**

- 64.** (1) Subject to a court order for relief under section 68 (1) (c) [*relief from obligation to file*], the penalties under this section apply to a candidate, elector organization, third party sponsor or assent voting advertising sponsor for which a disclosure statement or supplementary report in accordance with Part 5 [*Transparency Requirements for Local Elections and Assent Voting*] has not been filed by the compliance deadline.
- (2) The following penalties apply in relation to the failure to file a candidate disclosure statement or supplementary report:
- (a) in the case of a candidate who was declared elected, the candidate ceases to hold office on the local authority and the seat of the member becomes vacant;
  - (b) in all cases, the candidate is disqualified until after the next general local election from being nominated for, elected to or holding office on a local authority.

Respectfully submitted,

Laurie Darcus

Chief Election Officer

Concurrence

Chief Administrative  
Officer

**DyD**

Bylaw No. 2019-05

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. 2019-05".

2. Amendment:

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

Rezone Lot 8, Block B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 930, located at 484 Eckhardt Avenue West from R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane).

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

READ A FIRST time this	19	day of	February, 2019
A PUBLIC HEARING was held this	5	day of	March, 2019
READ A SECOND time this		day of	, 2019
READ A THIRD time this		day of	, 2019
RECEIVED the approval of the		day of	, 2019
Ministry of Transportation on the			
ADOPTED this		day of	, 2019

Notice of intention to proceed with this bylaw was published on the 22 day of February, 2019 and the 27 day of February, 2019 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i>  this _____ day of _____, 2019</p> <p>_____</p> <p>for Minister of Transportation &amp; Infrastructure</p>
--

Rezone 484 Eckhardt Avenue West  
From R2 (Small Lot Residential) to RD2 (Duplex Housing: Lane)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-05

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

Bylaw No. 2019-06

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. 2019-06."

2. **Amendment:**

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

2.1 Amend Schedule 'H' Development Permit Area Map for Lot 8 Block B District Lot 4, Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 930, located at 484 Eckhardt Avenue West, identified in Schedule A of this bylaw, and include in the Downtown Multiple Family Development Permit Area.

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

READ A FIRST time this	19	day of	February, 2019
A PUBLIC HEARING was held this	5	day of	March, 2019
READ A SECOND time this		day of	, 2019
READ A THIRD time this		day of	, 2019
ADOPTED this		day of	, 2019

Notice of intention to proceed with this bylaw was published on the 22 of February, 2019 and the 27 of February, 2019 in the Penticton newspapers, pursuant to Section 94 of the *Community Charter*.

\_\_\_\_\_  
John Vassilaki, Mayor

\_\_\_\_\_  
Angie Collison, Corporate Officer

484 Eckhardt Avenue West

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



City of Penticton – Schedule 'A'

Official Community Plan Amendment Bylaw No. 2019-06

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

**Bylaw No. 2019-07**

*A Bylaw to Amend Zoning Bylaw 2017-08*

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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. 2019-07".

2. **Amendment:**

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

Rezone Lot A, District Lot 202 Similkameen Division Yale District Plan KAP83201, located at 253 Norton Street from RM4 (High Density Multiple Housing) to RM3 (Medium Density Multiple Housing).

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

READ A FIRST time this	19	day of	February, 2019
A PUBLIC HEARING was held this	5	day of	March, 2019
READ A SECOND time this		day of	, 2019
READ A THIRD time this		day of	, 2019
ADOPTED this		day of	, 2019

Notice of intention to proceed with this bylaw was published on the 22 day of February, 2019 and the 27 day of February, 2019 in the Penticton Western newspaper, pursuant to Section 94 of the *Community Charter*.

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John Vassilaki, Mayor

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Angie Collison, Corporate Officer

# Rezone 253 Norton Street

From RM4 (High Density Multiple Housing) to RM3 (Medium Density Multiple Housing)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2019-07

Date: \_\_\_\_\_

Corporate Officer: \_\_\_\_\_

## Development Variance Permit

**Permit Number: DVP PL2018-8429**

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 A District Lot 202 Similkameen Division Yale District Plan KAP83201

Civic: 253 Norton Street

PID: 026-991-403

3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2017-08, to allow for the construction of a multi-family development.

- Section 4.9.1 (Table 4.1): to increase the allowable architectural projection that constitutes less than 25% of the wall face to which it is attached to less than 35% of the wall face to which the projection is attached.
- Section 10.9.2.7.i: to decrease the minimum interior side yards from 4.5m to 2.0m.
- Section 10.9.4.1: to increase the maximum hard surfacing of a lot from 60% to 69%.

### 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 05 day of March, 2019.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2019

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Angie Collison,  
Corporate Officer