



Electronic Regular Council Meeting

to be held via Zoom

City of Penticton

171 Main Street, Penticton, B.C.

To view the Council Meeting, visit www.penticton.ca

Tuesday, January 19, 2021

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 December 8, 2020 Regular Council Meeting	1-8	Adopt
6.2	Minutes of the December 10, 2020 Special Council Meeting	9-10	Adopt
6.3	Minutes of the January 8, 2021 Special Council Meeting	11-12	Adopt

7. **Consent Agenda:**

Recommendation: THAT Council approve the Consent Agenda. 13-30

Consent Agenda:

1. *Minutes of the December 7, 2020 Public Hearing;*

2. *Minutes of the December 8, 2020 Committee of the Whole Meeting;*

Robinson 3. *Safety and Security Advisory Committee Meeting Draft Minutes of December 7, 2020;*

Vassilaki 4. *Parks and Recreation Advisory Committee Meeting Draft Minutes of December 10, 2020;*

Watt 5. *Economic Prosperity and Development Services Advisory Committee Meeting Draft Minutes of December 11, 2020;*

Regehr 6. *Penticton and Ellis Creek Restoration Select Committee Meeting Draft Minutes of January 8, 2021;*

8. **Committee and Board Recommendations**

9. **Correspondence**

10. **Staff Reports:**

Collyer	10.1	Development Variance Permit PL2020-8854 Re: 718 Chase Avenue <i>Staff Recommendation: THAT Council deny "Development Variance Permit PL2020-8854" for Lot 29 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 718 Chase Avenue, a permit to vary Sections 10.2.2.6.ii and 10.2.2.7.ii of Zoning Bylaw 2017-08 to reduce the side yard setback for an accessory structure from 1.2m to 0m, and to reduce the rear yard setback for an accessory structure from 1.5m to 0m, in order to legalize an unpermitted accessory building on the subject property.</i>	31-42	Applicant
Goodwin	10.2	Vancouver Foundation Grant Application on Behalf of Community Action Team <i>Staff Recommendation: THAT Council direct staff to apply for three years of funding, on behalf of the Community Action Team, through the Vancouver Foundation's Systems Change Test Grants program for the creation of a substance use response strategy.</i>	43-44	
Watkinson	10.3	Emergency Operations Centre (EOC) Grant <i>Staff Recommendation: THAT Council support the application for grant funding from UBCM for Emergency Operations Centre (EOC) costs for equipment, supplies and training for the City of Penticton EOC.</i>	45-46	
Goodwin	10.4	Emergency Support Services (ESS) Review of 2020, and Priorities and UBCM Grant for 2021 Alida Erickson, Emergency Support Services Director <i>Staff Recommendation: THAT Council direct staff to apply for the Emergency Support Services/Community Emergency Preparedness Fund grant from the Union of BC Municipalities (UBCM) for \$25,000 in funding for equipment, planning, recruitment, training, and other eligible and related expenses for Penticton's Emergency Support Services team; AND THAT Council direct the Fire Chief as Emergency Planning Coordinator for the City of Penticton to sign and submit the application document; AND THAT a letter be sent from Council to the members of the Penticton Emergency Support Services team thanking them for their services in 2020.</i>	47-50	
Mercier	10.5	Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement <i>Staff Recommendation: THAT the Mayor and Corporate Officer be authorized to execute the "Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement" to continue with the Dispute Adjudication System from January 1, 2021 until December 31, 2024; AND THAT Council designates Tina Mercier, Bylaw Services Supervisor (or acting staff member) as the City's Screening Officer and designate Ken Kunka, Deputy Director Development Services (or acting staff member) as alternate Screening Officer.</i>	51-64	
Goodwin/Lewis	10.6	Penticton Child Care Assessment and Action Plan Representatives from Social Planning and Research Council of BC (SPARC BC) <i>Staff Recommendation: THAT Council endorses the "Penticton Child Care Action Plan"; AND THAT Council direct staff to collaboratively work with community partners on implementing the Penticton Child Care Action Plan; AND THAT a final Union of BC Municipalities (UBCM) grant report is submitted to UBCM and the Province of British Columbia in order to meet the UBCM grant program obligations.</i>	65-148	

Capewell	10.7	<p>Edmonton Avenue Child Care Centre: Zoning Amendment Bylaw No. 2020-42 Public Engagement Results Re: 470, 490 and 500 Edmonton Avenue <i><u>Staff Recommendation:</u> THAT Council receive into the record the results of the public engagement completed in accordance with the Parkland Protection and Use Policy for the Edmonton Avenue Child Care Centre, located at 470, 490 and 500 Edmonton Avenue;</i> <i>AND THAT Council give second reading as amended to 'Zoning Amendment Bylaw No. 2020-42', a bylaw that adds the use 'day care centre, major' as a site specific use in the P2 (Parks and Recreation) zone for Lot 6 and the western portion of Lot 5 District Lots 202, 249 and 250 Similkameen Division Yale District Plan 1410, located at 470 and the western portion of 490 Edmonton Avenue, and be forwarded to the February 1, 2021 Public Hearing.</i></p>	149-167
Collyer	10.8	<p>Zoning Amendment Bylaw No. 2021-03 Development Permit PL2020-8882 Re: 533 Forestbrook Drive <i><u>Staff Recommendation:</u> THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-03", a bylaw to rezone Lot 3 District Lots 202 and 249 Similkameen Division Yale District Plan 3350, located at 533 Forestbrook Drive, from R2 (Small Lot Residential) zone to RM2 (Low Density Multiple Housing) zone, with the following site-specific provision:</i></p> <ul style="list-style-type: none"> • <i>A maximum of four (4) dwelling units shall be permitted.</i> <p><i>AND THAT Council forward "Zoning Amendment Bylaw No. 2021-03" to the February 1, 2021 Public Hearing. AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2021-03", approve "Development Permit PL2020-8882", to allow the construction of a 4 unit cluster housing development.</i></p>	168-194
Collyer	10.9	<p>Zoning Amendment Bylaw No. 2021-04 Re: 487 Churchill Avenue <i><u>Staff Recommendation:</u> THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-04" for Lot 14 District Lots 2 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4075, located at 487 Churchill Avenue, a bylaw to rezone the subject property from RM2 (Low Density Multiple Housing) zone to R2 (Small Lot Residential) zone, in order to proceed with the construction of a single detached dwelling;</i> <i>AND THAT Council forward "Zoning Amendment Bylaw No. 2021-04" to the February 1, 2020 Public Hearing; AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2021-04", a 1.5m road dedication be registered with the Land Titles Office.</i></p>	195-206
Laven	10.10	<p>Development Variance Permit PL2020-8874 Re: 1712 Ridgdale Avenue <i><u>Staff Recommendation:</u> THAT Council approve "Development Variance Permit PL2020-8874" for Lot 5 District Lot 2710 Similkameen Division Yale District Plan 8796 Except Plan 20465, located at 1712 Ridgedale Avenue, a permit to vary Section 8.2.3.9 of Zoning Bylaw 2017-08, to increase the maximum carriage house floor area from 135m² to 178.5m² to allow additional living space in the basement of an existing carriage house.</i></p>	207-220
Kunka	10.11	<p>Manufacturing Brewery Lounge Endorsement for Highway 97 Brewing Company Ltd. Liquor Licence Re: 200 Ellis Street <i><u>Staff Recommendation:</u> THAT Council provide a recommendation to the Liquor and Cannabis Regulation Branch (LCRB) to support the Brewery Lounge endorsement application from Highway 97 Brewing Company Inc. located at 200 Ellis Street with restrictions on exterior patio service hours of 11:00pm and no exterior amplified music past 09:00pm.</i></p>	221-233

Haddad 10.12 BC Transit City of Penticton 2020-2021 Amended Annual Operating Agreement & Safe Restart Contribution 234-249
Staff Recommendation: THAT Council authorize the Mayor and Corporate Officer to execute the amended 2020 - 2021 Annual Operating Agreement Conventional and Custom Transit as contained in Attachment 'A'; THAT any excess Provincial funds received over and above expected revenue shortfalls will be transferred into deferred revenues and used to offset future transit expenditures or continued revenue shortfalls; AND THAT the 2021-2025 Financial Plan be amended accordingly.

11. **Bylaws and Permits:**

Laven	11.1	Zoning Amendment Bylaw No. 2020-51 Development Permit PL2020-8812 Re: 575 Ellis Street	250-251 252-262	2 nd /3 rd /Adopt Approve
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12. **Notice of Motion**

13. **Business Arising**

14. **Council Round Table**

15. **Public Question Period**

*** NEW *** If you would like to ask Council a question with respect to items that are on the current agenda, please visit our website at www.penticton.ca to find the telephone number or Zoom link to ask your question before the conclusion of the meeting. Please do not try to join the meeting early, you will not be let in to participate electronically until Council approaches the Public Question Period. Watch the livestream on our website and prepare to call or join during the Council Round Table.

16. **Adjournment to a Closed Meeting:**

Resolution: THAT Council adjourn to a closed meeting of Council pursuant to the provisions of the Community Charter as follows:

Section 90 (1) (g) litigation or potential litigation affecting the municipality;

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

Section 90 (2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

Regular Council Meeting¹
held at City of Penticton Council Chambers
171 Main Street, Penticton, B.C.

Tuesday, December 8, 2020
at 1:00 p.m.

- Present:** Mayor Vassilaki
Councillor Bloomfield
Councillor Regehr
Councillor Robinson
Councillor Sentes
Councillor Watt
- Regrets:** Councillor Kimberley
- Staff:** Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Jim Bauer, CFO/ General Manager, Finance & Administration
Blake Laven, Director of Development Services
Anthony Haddad, General Manager, Community Services
Mitch Moroziuk, General Manager of Infrastructure
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

455/2020

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on December 8, 2020 as amended and remove item 10.3 Development Variance Permit PL2020-8854 for 718 Chase Avenue and add item 10.16 Penticton COVID-19 Safe Restart Task Force.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

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

¹ In accordance with the Province of BC Ministerial Order No. M192, the Council of the City of Penticton is participating in the meeting without public attendance.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:40 p.m.

6. Adoption of Minutes:

6.1 Minutes of the November 17, 2020 Regular Meeting of Council

456/2020

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 17, 2020 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.2 Minutes of the November 24, 2020 Special Meeting of Council

457/2020

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 24, 2020 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

6.3 Minutes of the November 25, 2020 Special Meeting of Council

458/2020

It was MOVED and SECONDED

THAT Council adopt the minutes of the November 25, 2020 Special Meeting of Council as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

459/2020

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the November 16, 2020 Public Hearings;
2. Minutes of the November 17, 2020 Committee of the Whole Meeting;
3. Economic Prosperity and Development Services Advisory Committee Meeting Draft Minutes of October 23, 2020;
4. Penticton and Ellis Creek Restoration Select Committee Meeting Draft Minutes of November 9, 2020;
5. Community Sustainability Advisory Committee Meeting Draft Minutes of November 18, 2020;
6. Arts, Creative and Cultural Innovations Advisory Committee Meeting Draft Minutes of November 20, 2020;

7. Release of Items from Closed Meeting:

THAT Council reappoint Jeannette LeBlanc to the Penticton Public Library Board for a one-year term expiring November 2021;

THAT Council reappoint David Folstad to the Penticton Public Library Board for a two-year term expiring November 2022;

THAT Council appoint Darcie Johnson, Kelly Catherwood and Linda King to the Penticton Public Library Board for a two-year term expiring November 2022;

AND THAT Council appoint Councillor Sentes to the Penticton Public Library Board.

THAT Council accept the resignation of Ryan Smid, Brad Dollevoet and Jacqueline Duncan;

AND THAT Council appoint Lyndie Hill, Amelia Boulton, Tracy Van Raes and Anne Hargrave to the Community Sustainability Advisory Committee;

THAT Council appoint Kelly Mercer, Sean Ingraham, and Alexandra Nuth to the Economic Prosperity and Development Services Advisory Committee;
AND THAT Council accept the resignation of Drew Nagy from the Penticton and Ellis Creek Restoration Select Committee.

CARRIED UNANIMOUSLY

8. Committee and Board Recommendations:

8.1 Economic Prosperity and Development Services Advisory Committee Recommendation from October 23, 2020

The Chief Administrative Officer provided an update to Council on the newly appointed Economic Development Manager.

9. Correspondence

10. Staff Reports:

10.1 Electric Utility Master Plan (2020-2045)

Jonathan Palmer, P. Eng., MBA – Senior Manager/Energy – T&D – Electricity, CIMA+ (via Zoom)
Wesley Nygaard, P. Eng. – Intermediate Engineer – Energy – Generation, Transmission & Distribution, CIMA+ (via Zoom)

Johnathan Palmer and Wesley Nygarrd joined the meeting via zoom at 1:55 p.m.

460/2020

It was MOVED and SECONDED

THAT Council approve the Electric Utility Master Plan (2020-2045) dated December 1, 2020, as contained in Attachment B to this Council report, as a guiding document.

CARRIED UNANIMOUSLY

10.2 Development Variance Permit PL2020-8806

Re: 2985 Juniper Drive

Lillian Hunchak joined the meeting via zoom at 2:12 p.m.

Owner/Representative (via Zoom): Lillian Hunchak, owner, spoke in support of the variance. The owner requested to store items/machinery under cover. The applicant said they paid the application fee back in December 2016, however nothing was followed through.

461/2020

It was MOVED and SECONDED

THAT Council deny "Development Variance Permit PL2020-8806" for 2985 Juniper Drive.

CARRIED UNANIMOUSLY

10.3 Development Variance Permit PL2020-8854

Re: 718 Chase Avenue

This item has been removed as the applicant was unable to participate via zoom.

10.4 Youth Homelessness Project Update and Questionnaire
Kim Lyster, Kim Conroy and Melisa Edgerly (via Zoom)

Kim Lyster, Kim Conroy and Melisa Edgerly joined the meeting via zoom at 2:55 p.m.

462/2020

It was MOVED and SECONDED

THAT Council receive the report "Youth Homelessness Project Update and Questionnaire", dated December 8, 2020 for information;
AND THAT Council direct staff to work with School Board 67 (Okanagan Skaha) on the youth homelessness questionnaire.

CARRIED UNANIMOUSLY

10.5 Penticton Indian Band (PIB) Fire Service Agreement renewal

Fire Chief Watkinson joined the meeting via zoom at 3:12 p.m.

463/2020

It was MOVED and SECONDED

THAT Council approve the Fire Service Agreement with the Penticton Indian Band for the term January 1, 2020 – December 31, 2025;
AND THAT Council authorize that the Mayor and Corporate Officer execute the agreement.

CARRIED UNANIMOUSLY

Council recessed the meeting at 3:14 p.m. and reconvened at 3:31 p.m.

10.6 Lake-to-Lake All Ages and Abilities Bicycle Route – Project Update

464/2020

It was MOVED and SECONDED

THAT Council receive into the record the report dated December 8, 2020 titled "Lake-to-Lake All Ages and Abilities Bicycle Route – Project Update";
THAT Council endorse the plan to involve the affected residents and businesses in the detailed design of the Lake-to-Lake AAA Bicycle Route beginning with Section 4 – Martin St. and Section 3 – Fairview Road;
AND THAT staff be directed to bring back to Council the results of the detailed design and landowner consultation before moving ahead with construction.

CARRIED UNANIMOUSLY

10.7 Development Variance Permit PL2020-8868
Re: 4041 Lakeside Road

465/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8868" for Lot 23 Block 209 District Lot 190 Similkameen Division Yale District 466, located at 4041 Lakeside Road, a permit to vary Zoning Bylaw No 2017-08, Section 5.6.2.1 to increase the maximum height of a retaining wall within a required yard from 1.2m to 3.66m above building grade;
AND THAT Council direct staff to issue the permit.

CARRIED UNANIMOUSLY

10.8 Development Variance Permit PL2020-8840
Development Permit PL2020-8839
Re: 129-2203 Dartmouth Drive

466/2020

It was MOVED and SECONDED

THAT Council approve "Development Variance Permit PL2020-8840" for Strata Lot 8 District Lot 3821S Similkameen Division Yale District Strata Plan KAS3795, located at Unit 129-2203 Dartmouth Drive, a permit to vary Section 8.5.1 of Zoning Bylaw 2017-08 to increase the maximum gross floor area for a security/operator dwelling unit from 100m² to 120m²; AND THAT Council direct staff to issue "Development Variance Permit PL2020-8840"; AND THAT Council, subject to approval of "Development Variance Permit PL2020-8840", approve "Development Permit PL2020-8839", a permit to allow for the construction of a security/operator dwelling unit.

CARRIED UNANIMOUSLY

10.9 Temporary Use Permit PL2020-8875
Re: 269 Haynes Avenue

467/2020

It was MOVED and SECONDED

THAT Council approve "Temporary Use Permit PL2020-8875", a permit to allow 'motor vehicle and equipment repair shop' as a temporary permitted use, to allow the continued operation of a mechanic shop on Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP9348, located at 269 Haynes Street, for a three (3) year period; AND THAT staff be directed to issue the permit.

**CARRIED
Councillor Robinson, Opposed**

10.10 Zoning Amendment Bylaw No. 2020-51
Development Permit PL2020-8812
Re: 575 Ellis Street

468/2020

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2020-51", for Lot 15 Block 19 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP80716, located at 575 Ellis Street, a bylaw to rezone the subject property from C1 (Commercial Transition) to RM5 (Urban Residential); AND THAT Council forward "Zoning Amendment Bylaw No. 2020-51" to the January 18, 2021 Public Hearing; AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2020-51", approve "Development Permit PL2020-8812", a permit to allow the construction of an 8-unit multifamily development.

CARRIED UNANIMOUSLY

Mayor Vassilaki declared a conflict of interest and left the meeting at 4:05 p.m. as his family owns business that sell liquor. Deputy Mayor Robinson chaired the meeting.

10.11 Manufacturing Brewery Lounge and Special Event Area Endorsement for Highway 97 Brewing Company Ltd Liquor Licence

Re: 200 Ellis Street

469/2020

It was MOVED and SECONDED

THAT Council direct staff to commence public notification of the proposed Brewery Lounge endorsement application from Highway 97 Brewing Company Inc. located at 200 Ellis Street with restrictions of exterior patio service hours of 11:00pm and no exterior amplified music past 09:00pm;

AND THAT staff report back on the results of the public consultation at the January 19, 2021 Council meeting.

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 4:15 p.m.

10.12 Parking Covenant and Easement Registered on 143 Front Street

Re: 135 and 143 Front Street

470/2020

It was MOVED and SECONDED

THAT Council approve the strata conversion at 135 Front Street to create fourteen (14) residential strata lots and one (1) commercial strata lot.

CARRIED UNANIMOUSLY

10.13 Latecomer's Agreement for Provision of Water and Sewer Main Extension Along Juniper Drive

Re: 3110 Valleyview Road

471/2020

It was MOVED and SECONDED

THAT Council direct staff create a latecomers agreement affecting properties along Juniper Drive for the proposed installation of water and sewer infrastructure constructed by the Developer as part of an approved subdivision at 3110 Valleyview Road.

CARRIED UNANIMOUSLY

The Chief Administrative Officer left the meeting at 4:23 p.m.

10.14 Lakeside Road Traffic Safety Improvements

472/2020

It was MOVED and SECONDED

THAT Council receive this report as information;

AND THAT Council instruct staff to undertake engagement with the community at large and the Lakeside Road residents regarding the possible Safety Improvements as part of the work being done on the Transportation Section of the Integrated Master Plan;

AND THAT staff bring back a report on the results of the engagement and a recommendation on which options to pursue and when to pursue them.

CARRIED UNANIMOUSLY

The Chief Administrative Officer returned to the meeting at 4:41 p.m.

10.15 2021-2025 Five Year Financial Plan Bylaw No. 2020-50

473/2020

It was MOVED and SECONDED

THAT Council direct staff to reflect the 0% tax increase and a 3% reduction to electrical rates for 2021 using reserves;
AND THAT staff bring the appropriate bylaw to a Special Council Meeting next week;
AND THAT Council direct staff to focus all available resources to seek all available funds from the billions of dollars committed by the Federal and Provincial Governments in their relief programs.

DEFEATED

Councillors Bloomfield, Regehr, Robinson, and Sentes, Opposed

474/2020

It was MOVED and SECONDED

THAT Council support a 3% reduction in electric utility rates and reduce taxes to 1.75%;
AND THAT a Special Council Meeting be held on December 10, 2020 to consider the bylaws.

CARRIED

Mayor Vassilaki, and Councillor Watt, Opposed

10.16 Penticton COVID-19 Safe Restart Task Force

475/2020

It was MOVED and SECONDED

THAT Council support the creation of the Penticton COVID-19 Safe Restart Task Force;
AND THAT Council direct staff to advertise for up to 12 Task Force members.

CARRIED UNANIMOUSLY

11. Bylaws and Permits:

Mayor Vassilaki declared a conflict of interest as he is part owner of the building across the street, and left the meeting at 5:27 p.m.

11.1 Official Community Plan Amendment Bylaw No. 2020-49

Development Variance Permit PL2020-8866

Re: 603 Main Street

476/2020

It was MOVED and SECONDED

THAT Council give second and third reading to "Official Community Plan Amendment Bylaw No. 2020-49";
AND THAT Council adopt "Official Community Plan Amendment Bylaw No. 2020-49".

CARRIED

Deputy Mayor Robinson, and Councillor Sentes, Opposed

477/2020

It was MOVED and SECONDED

THAT Council direct staff to bring back the Development Permit prior to consideration of Development Variance Permit PL2020-8866 for 603 Main Street.

CARRIED UNANIMOUSLY

Mayor Vassilaki returned to the meeting at 5:49 p.m.

12. Notice of Motion

13. Business Arising

13.1 Congratulations to new Penticton Indian Band Council

478/2020

It was MOVED and SECONDED

THAT Council send congratulations and invitation to meet with the new Penticton Indian Band Council.

CARRIED UNANIMOUSLY

13.2 From December 8, 2020 Committee of the Whole item 3.2 Mountain Biking Skills Park – Campbell Mountain

479/2020

It was MOVED and SECONDED

THAT Council refer the request from the Penticton and Area Cycling Association for assistance in securing a location for a mountain biking skills park at the north end of Campbell mountain to the Parks and Recreation Advisory Committee.

CARRIED UNANIMOUSLY

14. Council Round Table

15. Public Question Period

The Public Question Period was held via Zoom.

16. Adjournment to a Closed Meeting:

480/2020

It was MOVED and SECONDED

THAT Council adjourn at 6:12 p.m. to a closed meeting of Council pursuant to the provisions of the Community Charter section 90 (1) as follows:

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

90(2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

John Vassilaki
Mayor

Special Council Meeting¹
held electronically at City of Penticton
171 Main Street, Penticton, B.C.

Thursday, December 10, 2020
at 12:00 p.m.

- Present:** Mayor Vassilaki
 Councillor Bloomfield (via Zoom)
 Councillor Regehr (via Zoom)
 Councillor Robinson (via Zoom)
 Councillor Sentes
 Councillor Watt
- Regrets:** Councillor Kimberley
- Staff:** Donny van Dyk, Chief Administrative Officer
 Caitlyn Anderson, Acting Corporate Officer
 Jim Bauer, CFO/General Manager, Finance & Administration
 Cheryl Hardisty, Senior Executive Assistant

1. Call Special Council Meeting to Order

The Mayor called the Special Council Meeting to order at 12:01 p.m.

2. Adoption of Agenda

481/2020

It was MOVED and SECONDED

THAT Council adopt the agenda for the Special Council Meeting held on December 10, 2020 as presented.

CARRIED UNANIMOUSLY

3. Staff Reports:

- 3.1 Fees and Charges Amendment Bylaw No. 2020-52
2021 – 2025 Five Year Financial Plan Bylaw No. 2020-50

482/2020

It was MOVED and SECONDED

THAT Council give first, second and third reading to “Fees and Charges Amendment Bylaw No. 2020-52”;
 AND THAT Council adopt “Fees and Charges Amendment Bylaw No. 2020-52”.

CARRIED
Councillor Watt, Opposed

¹ In accordance with the Province of BC Ministerial Order No. M192, the Council of the City of Penticton is participating in the meeting without public attendance.

483/2020

It was MOVED and SECONDED

THAT Council give first, second and third reading to "2021 – 2025 Five Year Financial Plan Bylaw No. 2020-50";

AND THAT Council adopt "2021 – 2025 Five Year Financial Plan Bylaw No. 2020-50".

CARRIED
Councillor Watt, Opposed

4. Public Question Period via Zoom

The Public Question Period was held via Zoom.

5. Adjournment:

484/2020

It was MOVED and SECONDED

THAT Council adjourn the Special Council Meeting held on Thursday, December 10, 2020 at 12:21 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Caitlyn Anderson
Acting Corporate Officer

John Vassilaki
Mayor

Electronic Special Council Meeting¹

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

Friday, January 8, 2021
at 1:00 p.m.

Present: Mayor Vassilaki
(via Zoom) Councillor Bloomfield
Councillor Regehr
Councillor Robinson
Councillor Sentes
Councillor Watt

Regrets: Councillor Kimberley

Staff: Donny van Dyk, Chief Administrative Officer
(via Zoom) Angie Collison, Corporate Officer
Jim Bauer, CFO/General Manager, Finance & Administration
Mitch Moroziuk, General Manager of Infrastructure
Kristen Dixon, General Manager of Infrastructure
Blake Laven, Director of Development Services
Adam Goodwin, Social Development Specialist
Cheryl Hardisty, Senior Executive Assistant
Caitlyn Anderson, Deputy Corporate Officer

1. Call Special Council Meeting to Order

The Mayor called the Special Council Meeting to order at 1:00 p.m.

2. Application of rules of procedure

01/2021

It was MOVED and SECONDED

THAT open meetings of the City of Penticton be conducted in person and/or by electronic means allowing members of Council to attend electronically if necessary;
AND THAT Council restrict public attendance at open meetings during the British Columbia provincial state of emergency in response to the COVID-19 pandemic as capacity in Council Chambers is limited when maintaining the physical distancing requirements;
AND THAT Council ensure openness, transparency, accessibility and accountability by recording and streaming open meetings on the City's website;
AND THAT Council temporarily suspend the voting at meeting procedures (Council Procedure Bylaw No. 2018-35 25.(1)(b)) and when ready to vote and the question is called those in favor will say "In favour" and those opposed will say "opposed" for the duration of the British Columbia provincial state of emergency in response to the COVID-19 pandemic.

CARRIED UNANIMOUSLY

¹ In accordance with the Province of BC Ministerial Order No. M192, the Council of the City of Penticton is participating in the meeting without public attendance.

3. Adoption of Agenda

02/2021

It was MOVED and SECONDED

THAT Council adopt the agenda for the Special Council Meeting held on January 8, 2021 as presented.

CARRIED UNANIMOUSLY

Councillor Sentes entered the meeting at 1:02 p.m.

4. Staff Reports:

4.1 Penticton Creek Adaptation, Resilience and Disaster Mitigation Grant

03/2021

It was MOVED and SECONDED

THAT staff submit an application for grant funding for Penticton Creek Flood Mitigation: Reach 3AU/ 3B and Structure 3 and 4 through the COVID-19 Resilience Infrastructure - Adaptation, Resilience and Disaster Mitigation program; AND THAT Council supports the project and commits to cover any cost overruns or any ineligible costs.

CARRIED UNANIMOUSLY

4.2 Letter of Support for Brain Injury Society Grant Application

04/2021

It was MOVED and SECONDED

THAT Council direct staff to prepare a letter of support from the City for the Brain Injury Society's grant application to the Government of British Columbia's Community Housing Fund for the purchase of the remainder of the land available at 2509 South Main Street and for the project.

CARRIED UNANIMOUSLY

5. Public Question Period via Zoom

The Public Question Period was held via Zoom.

6. Adjournment:

05/2021

It was MOVED and SECONDED

THAT Council adjourn the Special Council Meeting held on Friday, January 8, 2021 at 1:16 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

John Vassilaki
Mayor

Public Hearing
held at Penticton Trade and Convention Centre
273 Power Street, Penticton, B.C.

Monday, December 7, 2020
at 6:00 p.m.

- Present:** Deputy Mayor Robinson
Councillor Bloomfield
Councillor Regehr
Councillor Sentes (via Zoom)
Councillor Watt
- Regrets:** Mayor Vassilaki
Councillor Kimberley
- Staff:** Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Blake Laven, Director of Development Services
Caitlyn Anderson, Deputy Corporate Officer

1. Call to order

Deputy Mayor Robinson called the public hearing to order at 6:01 p.m. for Official Community Plan Amendment Bylaw No. 2020-49.

The Corporate Officer read the opening statement and introduced the purpose of the bylaw. She then explained that the public hearing was being held electronically 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. 2020-49" (603 Main Street)

The purpose of "Official Community Plan Amendment Bylaw No. 2020-49" is to amend Official Community Plan Bylaw No. 2019-08 as follows:

Add the following site specific policy statement to Land Use Designations,
Downtown Mixed Use

Site-Specific Downtown Mixed Use Policy Statement:

603 Main Street: Allow up to a maximum height of 5 storeys.

The applicant is proposing to construct a 5-storey, mixed-used development with street level commercial and residential units above.

The Corporate Officer advised that nine letters have been received since the printing of the agenda and distributed to Council.

DELEGATIONS

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

- Lynn Allin, on behalf of Downtown Penticton Association, Main Street, spoke in opposition to the development, submitted a letter to Council, housing is important but location is too, applicant chose this location for cost, should cost be the main consideration.
- Mark Christian, on behalf of M'akola Housing Society and M'akola Development Services, provided Council with a presentation on their proposal. Spoke in support of the application, 5 storeys 28 unit building, will seek funding from BC Housing, but operated by M'akola Housing Society, chose 603 Main Street for the amenities, price was a factor but not the complete picture, designs will come as the project progresses.
- Debbie Scarborough, on behalf of South Okanagan Women In Need Society, Westminster Avenue West, spoke in favour of the development, hard to attract employers as it's hard to find housing, this would allow them to have more people, any housing at this point is positive, designs could be discussed afterwards, potentially using one floor for women and children and would consider office space, need affordable office space and housing units to attract staff and assist women and children, will help with the environmental impact with not needing a vehicle.
- Dan Barwell, on behalf of Phil Locke, Eckhardt Avenue, wish to register objections to the building, apartments do not belong in the downtown, they belong in residential neighbourhood, parking will be a problem, can't make Main Street as residential, too many negatives to this building in this location.
- Rob Kushner, Main Street, currently runs business downtown, living in Penticton since about 2003, very difficult environment downtown for businesses, after hours' city closes down, any building that was burnt down in the past 28 years has not been rebuilt, like idea of mixed use, don't think should be more than three stories.
- Steve Brown, on board of directors for Downtown Penticton Association, Fairview Road, business downtown, deadlines make it difficult to solicit membership to get appropriate feedback from proposals, businesses that were directly affected only found out 2 weeks ago, received responses as late as today, non-confirming to Official Community Plan, have been proposals on the property in the past, push is on due to BC Housing deadlines, shouldn't be the catalyst for Council to make these decisions quickly, much larger issues than the height of building, how does it fit in the downtown core, downtown core will be changed forever, don't see the plan for where this fits in.
- Ken Wagner, Main Street, opposed to the application, developer should follow the Official Community Plan land use, should respect the issues of the community, opening the door for any developer to build downtown.
- Calvin Meiklejohn, business on Backstreet Boulevard, great to see housing in town, important to have downtown densification, not a problem with mixed use, don't have a problem with parking, developer hires a great architect so not worried about the design, problem with process and have to approve height variance with no tie in to height on all sides of the street, neighbours concerned with shadows, three bedroom units on high floors tough as no outdoor space, could make parking off the alley on White Avenue, retail space rather than office space, City needs to look into the future for housing.

- Linda Sankey, Quebec Street, spoke in support of the application; height makes the project viable, in short supply of affordable housing, difficult to find affordable places to live.

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

- Kaela Schramm, M'akola Housing Society, when determining the location they searched around the area, cost was a determining factor and must be with affordable housing, close to amenities is important as well, mixed use development proposed is vibrant and will help re-vitalize downtown, office space downtown is good and works quite well, committed to completing a parking study, some stepping back at the higher level to make a 3 story feel at the ground floor, opportunity to develop a lot that has been vacant for years, and providing residences in the downtown core.

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

- No one spoke.

The public hearing for "Official Community Plan Amendment Bylaw No. 2020-49" was terminated at 6:51 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

Katie Robinson
Deputy Mayor

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

Tuesday, December 8, 2020
Recessed from the Regular Council Meeting at 1:00 p.m.

- Present:** Mayor Vassilaki
Councillor Bloomfield
Councillor Robinson
Councillor Regehr
Councillor Sentes
Councillor Watt
- Regrets:** Councillor Kimberley
- Staff:** Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Jim Bauer, CFO/General Manager, Finance & Administration
Blake Laven, Director of Development Services
Anthony Haddad, General Manager, Community Services
Mitch Moroziuk, General Manager of Infrastructure
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 December 8, 2020 be adopted as presented.

CARRIED UNANIMOUSLY

3. **Delegations:**

3.1 Interior Health Update

Dr. Sue Pollock, Medical Health Officer and Carl Meadows, Executive Director, Clinical Operations, Acute & Community, South Okanagan presented to Council to review some of the collaborative initiatives undertaken by the City of Penticton and Interior Health during 2020, specifically COVID-19 and Christie Mountain Fire.

3.2 Mountain Biking Skills Park – Campbell Mountain

Patrick Dowler, Skills Subcommittee, Penticton and Area Cycling Association provided Council with overview of a mountain biking skills park.

Council agreed by consensus to refer the request to Business Arising.

4. **Adjourn to Regular Meeting**

It was MOVED and SECONDED

THAT Council adjourn the Committee of the Whole meeting held December 8, 2020 at 1:40 p.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

John Vassilaki
Mayor

Safety and Security Advisory Committee Meeting

held via Zoom
Monday, December 7, 2020
at 10:30 a.m.

Present: Matt Taylor, Chair
Deirde Riley, Vice Chair
Aaryn Secker
Adam Power
Cheryl Watts
Daryl Clarke
Susan Brown

Council Liaisons: Katie Robinson, Councillor

Staff: Blake Laven, Director of Development Services
Adam Goodwin, Social Development Specialist
Tina Siebert, Bylaw Supervisor
Supt. Brian Hunter, RCMP
Staff-Sgt Kirsten Marshall, RCMP
Larry Watkinson, Fire Chief, Penticton Fire Department
Angie Collison, Corporate Officer
Alysa Wardley, Legislative Assistant

Regrets: John Vassilaki, Mayor
Jake Kimberley, Councillor
Lynn Allin
Nicolette Rodriguez

Guest: Katya Irwin, Word Count Consulting

1. **Call to Order**

The Safety and Security Advisory Committee was called to order by the Chair at 10:34 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Safety and Security Advisory Committee adopt the agenda for the meeting held on December 7, 2020 as presented.

CARRIED UNANIMOUSLY

Katie Robinson, Councillor entered the meeting at 10:38 a.m.

3. **Adoption of Minutes**

3.1 Minutes of October 19, 2020 Safety and Security Advisory Committee

It was MOVED and SECONDED

THAT the Safety and Security Advisory Committee adopt the minutes of the October 19, 2020 meeting as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 "Where Are We Now" Updates from Primary Service Departments

The Bylaw Supervisor provided the following updates:

- Bylaw has been helping the public with managing questions regarding COVID Provincial health orders.
- Foot patrols have been monitoring downtown Penticton from 3PM-7:30/8AM. Patrols have also had success in making contacts with downtown groups and businesses.
- Industrial area signs "See Something, Say Something" have been instituted.
- Now working on an order for "Smile You're On Camera" signs for private businesses.

The Fire Chief provided the following updates:

- Department has been working on a comprehensive program regarding homeless living in backcountry areas and will aid in the field management of campers in those areas.
- Actively responding to synthetic drug crisis in community, especially with regard to the high risk population who is further exposed due to COVID.

Staff-Sgt Marshall provided the following updates:

- Working through ongoing changes with Provincial Health Orders, especially with regards to enforcement by ticketing.
- Education with public regarding COVID Provincial Health Orders, only a select few of individuals have been refusing to wear masks and becoming volatile.
- There has been an increase in calls regarding anti mask protests by Cherry Lane mall.
- Realigning resources and targeting certain areas
- Overdoes concerns expressed ie. Prisoners in cells, Officers are spending time in the hospital with them in recovery

4.2 Role of Council Advisory Committees – Angie Collison, Corporate Officer

The Corporate Officer provided a presentation outlining the role of the Council Advisory Committee. This presentation provided an overview of the responsibilities of the Committee, Committee Chair, Council Liaison, and Staff Liaison.

Angie Collison, Corporate Officer left the meeting at 11:16 a.m.

4.3 Safety & Security Advisory Committee 2021 Strategic Planning Exercise – Blake Laven, Director of Development Services

The Committee engaged in a strategic planning exercise intended to identify priority items to focus on for 2021. Topics identified included:

- How to deal with the communities 'prolific offender group' (some initial ideas: Community impact statements. Judicial branch/lobby efforts at provincial level).
- Housing issues
 - Long term emergency shelter (location/ permanent) and long term winter shelter (location / permanent)
 - Defining different types and criteria of supports for each type of housing (expectations for Penticton)
 - Supportive housing as a response to safety / security issues
 - Educating the public on a housing first approach
 - More mental health supports for supportive housing.
 - Audit / impacts of housing that has been built past few years
- Public education initiatives re safety
- Exploring history and future of a Community Block Watch program
- Intimate partner violence
- South Okanagan Treatment Centre – City as lobby effort
- Education campaign on homelessness and addictions - People first approach
- Symposium with regional leaders on safety and security issues- Bring in subject matter experts / regional partners. How to meet regional needs
- Penticton Channel / Skaha Beach– improve safety (parking issues, rescues)
- Toxic drug supply – data / education
- Traffic safety / intersections

4.4 2021 Safety & Security Advisory Committee Meeting Schedule – Alysa Wardley, Legislative Assistant

It was MOVED and SECONDED

THAT the Safety and Security Advisory Committee 2021 meetings be held on January 11, February 1, March 1 and 29, May 3 and 31, July 5 and 26, August 30, October 4, November 1 and December 6 at City Hall or electronically at 10:30 a.m. unless otherwise specified.

CARRIED UNANIMOUSLY

6. **Next Meeting**

The Next Safety and Security Advisory Committee meeting is tentatively scheduled to be held on January 11, 2021 at 10:30 a.m. via Zoom.

7. **Public Question Period**

8. **Adjournment**

It was MOVED and SECONDED

THAT the Safety and Security Advisory Committee adjourn the meeting held on Monday, December 7, 2020 at 11:58 a.m.

CARRIED UNANIMOUSLY

Certified Correct:

Alysa Wardley
Legislative Assistant

Parks and Recreation Advisory Committee Meeting

held via Zoom
Thursday, December 10, 2020
at 3:00 p.m.

- Present:** Isaac Gilbert, Chair
James Palanio, Vice Chair
Tyson Bull
John Archer
Robert (Sandy) Ross
Michaela Wooldridge
Drew Barnes
Susan Fraser
- Council Liaison:** John Vassilaki, Mayor
- Staff:** Len Robson, Public Works Manager
Kelsey Johnson, Manager of Recreation, Arts & Culture
Anthony Haddad, General Manager of Community Services
Blake Laven, Director of Development Services
Michael Hodges, Development Infrastructure Manager
Adam Goodwin, Social Development Specialist
JoAnne Kleb, Public Engagement Program Manager
Nicole Capewell, Planner II
Alysa Wardley, Legislative Assistant
- Regrets:** Jake Kimberley, Councillor
Laura Harp
Gary Dean
Julia Barber
Lee Davidson
- Guest:** Katya Irwin, Word Count Consulting

1. **Call to Order**

The Parks and Recreation Advisory Committee was called to order by the Chair at 3:04 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 December 10, 2020 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee adopt the minutes of the November 2, 2020 meeting as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 Roundtable Introductions

Roundtable introductions were done by the Committee Chair to introduce Committee members and a new Member at Large, Susan Fraser.

John Vassilaki, Mayor entered the meeting at 3:17 p.m.

4.2 EOI Okanagan Lake Park Washrooms – Blake Laven, Director of Development Services

The Director of Development Services provided the Committee with a memo on the Okanagan Lake Park washrooms, which have been a consistent target of vandalism, and passed on a recommendation from the Safety and Security Committee to include a concession site to this facility as a level of security. It was proposed that an Expression of Interest be issued to encourage the public and organizations to bring forward rental or retail ideas for the space. It is intended for the EOI to be passed this month in order to bring something to Council by February 2021 and to have something in operation by May 2021.

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee support the development of a concession in the general vicinity of the Okanagan Lake Park public washroom facility and that the developer / operator be selected through an expression of interest process.

**CARRIED
James Palanio, Opposed**

4.3 Zoning Amendment Bylaw No. 2020-42 – Adam Goodwin, Social Development Specialist, Nicole Capewell, Planner II and JoAnne Kleb, Public Engagement Program Manager

The Director of Social Development, the Public Engagement Program Manager, and Planner II provided the Committee with an update on the Edmonton Avenue centre. This included a suggestion for a site specific rezoning of the park to allow for a daycare centre to be added to this location. The City of Penticton received \$2.9M for 116 additional spaces for childcare as a part of the Provincial grant 'Childcare BC New Spaces Fund' which will be used for the daycare centre. An overview of this facility plan was presented which included preschool and after school facilities and washroom amenities for the neighbouring park and baseball field.

The platform 'Shape Your City' has provided neighboring residents and the community at large an opportunity to provide feedback and concerns, such as parking, staffing, and the interim operation of Little Triumphs and Safety Village.

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee accept, for information and consideration, the summary of results from the public engagement process in accordance with the Parkland Protection and Use Policy;
Continued...

AND THAT the Committee support amending "Zoning Amendment Bylaw No. 2020-42" to reduce the area from all of 470, 490 and 500 Edmonton Avenue to only those areas intended to accommodate the new childcare facility (all of 470 Edmonton Avenue and a portion of 490 Edmonton Avenue);

AND THAT the Parks and Recreation Advisory Committee support the amended version of "Zoning Amendment Bylaw No. 2020-42", a bylaw that adds the use "day care centre, major" as a site specific use in the P2 (Parks and Recreation) zone for the consolidated Lot, located at 470 and 490 Edmonton Avenue;

AND THAT the Parks and Recreation Advisory Committee provide support for adding 'day care centre, major' as a permitted use on the consolidated Lot and has been completed in alignment with the Parkland Protection and Use Policy.

CARRIED UNANIMOUSLY

Amendment:

It was MOVED and SECONDED

THAT the following language be inserted: "affordable" before "day care centre, major".

The motion was withdrawn based on the information provided by the Director of Development Services that the term "affordable" would have to be more clearly defined and "*affordable* day care centre, major" is not a zoning classification.

5. **Next Meeting**

The next Parks and Recreation Advisory Committee meeting is tentatively scheduled to be held on January 18, 2020 at 3:00 p.m.

6. **Public Question Period**

7. **Adjournment**

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee adjourn the meeting held on December 10, 2020 at 4:39 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Alysa Wardley
Legislative Assistant

Economic Prosperity and Development Services Advisory Committee Meeting

to be held via Zoom
Friday, December 11, 2020
at 8:00 a.m.

Present:

Frank Conci, Chair
Sharon Fletcher, Vice Chair
Brian Murphy
Chris Allen
Sandra Oldfield
Diane Kereluk
Derek Badger
Drew Barnes
Josie Tyabji
Cary Berger
Judy Richards
Larry Olson
Kelly Mercer
Sean Ingraham
Alexandra Nuth

Council Liaison:

John Vassilaki, Mayor
Campbell Watt, Councillor

Staff:

Blake Laven, Director of Development Services
Anthony Haddad, General Manager Community Services
Carly Lewis, Economic Development Manager
Ken Kunka, Deputy Director of Development Services
Audrey Tanguay, Planning Manager
Nicole Capewell, Planner II
Steven Collyer, Planner I
Alysa Wardley, Legislative Assistant

Regrets:

Eric Corneau
Nathan Little
Jeff McGinley

Guest(s):

Katya Irwin, Word Count Consulting

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

The Economic Prosperity and Development Services Advisory Committee meeting was called to order by the Chair at 8:01 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Economic Prosperity and Development Services Advisory Committee adopt the agenda for the meeting held on December 11, 2020 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

- 3.1 Minutes of the October 23, 2020 Economic Prosperity and Development Services Advisory Committee

It was MOVED and SECONDED

THAT the Economic Prosperity and Development Services Advisory Committee adopt the minutes of the October 23, 2020 meeting as amended for item 4.4.

CARRIED UNANIMOUSLY

4. **New Business**

- 4.1 Economic Development Update – Anthony Haddad, Community Services

Anthony Haddad, Community Services Manager, provided the Committee with an update on Staff Liaisons to the Committee by introducing Carly Lewis as the new Economic Development Manager.

- 4.2 October 2020 Monthly Building Statistics

This item was provided for information purposes only.

- 4.3 Zoning Amendments – Nicole Capewell, Planner II

The representative from the Planning Department provided Committee members with a presentation to update City bylaws from those defined in 2017 to more current zoning needs. Amendments suggested include definitions, text changes, interpretation concerns, references, redundancies, new regulations to fill gaps, retaining walls, vacation rental parking, multifamily zones (cluster housing and single detached houses) and agricultural zones (accessory buildings for residential purposes).

Following questions regarding the proposed amendments Committee members were prompted to send any further queries and comments to Nicole Capewell, Planner II.

It was MOVED and SECONDED

THAT the Economic Prosperity and Development Services Advisory Committee supports the proposed Zoning Bylaw Amendments.

CARRIED UNANIMOUSLY

- 4.4 Development Permit Process – Audrey Tanguay, Planning Manager

The Planning Manager provided the Committee with a presentation on the OCP and Development Permit Areas (DPA), as well as Development Permit Areas Guidelines. This included general guidelines of Development Permits within Local Government legislation and statistics of types of Development Permit applications between 2019 and 2020.

Cary Berger, Member at Large left the meeting at 8:59 a.m.

4.5 Economic Strategy Review Ideas – Josie Tyabji, Member at Large

Josie Tyabji, Member at Large, shared with the Committee Strategy Review ideas for the yearly economic plan and put forward an intention to create a subcommittee with more of a focus on economic priorities rather than development.

The General Manager of Community Services requested that members who are interested in such an appointment email him. A list of interested members will be compiled in early January.

4.6 Committee Role Discussion
Re: Item 4.5 of October 23, 2020 Meeting Minutes – Sharon Fletcher, Vice Chair

The Vice Chair reviewed items from the meeting on October 23, 2020. The Spiller Road development will be brought back to the Committee in the New Year once the application has been more thoroughly reviewed by Council and is ready to be discussed. Members shared concerns that developers are not being required to contribute back to the community and would like to pursue 'Community Amenity Contributions' from developers.

4.7 2021 Economic Prosperity & Development Services Advisory Committee Meeting Schedule – Alys Wardley, Legislative Assistant

It was MOVED and SECONDED

THAT the Economic Prosperity and Development Services Advisory Committee 2021 meetings be tentatively held on January 15, February 5, March 5, April 9, May 7, June 11, July 9, August 6, September 10, October 8, November 5 and December 10 at City Hall or electronically at 8:00 a.m. unless otherwise specified.

CARRIED UNANIMOUSLY

4.8 Covid-19 Restart Task Program – Blake Laven Director of Development Services

The Director of Development Services is looking for Committee members for the City of Penticton's COVID-19 Restart Task Program which will cover recovery moving into the New Year. Members are encouraged to send an email to Blake Laven, Director of Development Services or Anthony Haddad, General Manager Community Services if they are interested in the appointment.

5. **Next Meeting**

The next Economic Prosperity and Development Services Advisory Committee meeting is scheduled to be held on Friday, January 15, 2021 at 8:00 a.m.

6. **Public Question Period**

7. **Adjournment**

It was MOVED and SECONDED

THAT the Economic Prosperity and Development Services Advisory Committee adjourn the meeting held on December 11, 2020 at 9:31 a.m.

CARRIED UNANIMOUSLY

Certified Correct:

Alysa Wardley
Legislative Assistant

Penticton and Ellis Creek Restoration Select Committee Meeting

held via Zoom
January 8, 2021
at 9:00 a.m.

Present: Voting Members

Paul Askey, Freshwater Fisheries Society of BC (*Chair*)
Camille Rivard-Sirois, Okanagan Nation Alliance (*Vice Chair*)
Maryssa Bonneau, Penticton Indian Band Natural Resources
Sophie Fillion, South Okanagan Conservative Program
Bill Wickett, Alternate, Penticton Fly Fisheries Association
Doug Maxwell, Member at Large

Non-Voting Members

Rick Peleshytuk, Alternate, Ministry of FLNRO, Regional Water Management

Council: Frank Regehr, Councillor (*Liaison*)

Staff: Kristen Dixon, General Manager of Infrastructure
Ian Chapman, City Engineer
Alysa Wardley, Legislative Assistant

Regrets: Bruce Turnbull, Penticton Fly Fisheries Association
Gerry Turchak, Penticton Industrial Development Association
Sandy Ross, Parks and Recreation Advisory Committee Member
Tara White, Ministry of FLNRO – Fish & Wildlife Division
Bryn White

Guests:

1. **Call to Order**

The Penticton and Ellis Creek Restoration Select Committee was called to order by the Chair at 9:14 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Penticton and Ellis Creek Restoration Select Committee adopt the agenda for the meeting held on January 8, 2021 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

3.1 Minutes of the November 9, 2020 Penticton and Ellis Creek Restoration Select Committee Meeting

It was MOVED and SECONDED

THAT the Penticton and Ellis Creek Restoration Select Committee adopt the minutes of the November 9, 2020 meeting as presented.

CARRIED UNANIMOUSLY

Sophie Fillion, South Okanagan Conservative Program, entered the meeting at 9:17 a.m.

4. **New Business**

4.1 Introduction of the New General Manager of Infrastructure, Kristen – Ian Chapman, City Engineer

Committee members participated in roundtable introductions to welcome the new General Manager of Infrastructure, Kristen Dixon. Committee members were also introduced to a new Voting Member, Sophie Fillion.

4.2 Penticton Creek Structure 3 and 4 Emergency Work – Ian Chapman, City Engineer

The City Engineer provided the Committee with a presentation on the Penticton Creek Structures 3 and 4 which suffered significant deterioration during the 2020 freshet. Structure 3 has suffered crest erosion and needs repair in preparation for the 2021 freshet to protect vulnerable material below the surface from further erosion. Structure 4 has been more substantially eroded; the breakdown of concrete elements and erosion of vulnerable material exposed beneath those elements has been significant and there is concern that another high freshet flow would expedite erosion upstream toward Structure 5. These failures have caused a transport of eroded materials downstream and could cause future problems if larger material impedes the flow within the narrow sections downstream together with deposition of smaller material in the existing spawning beds if left unattended. Planned emergency works include excavation and shaping of the channel, as well as the installation of river rock, rip rap, and drain rock.

A question period was opened for Committee members following the presentation where members provided feedback for the emergency work plans, including ideal times for works. Questions were generally focused on concerns for fish and fish habitat. Although fish did not spawn in the direct area of the works, there are eggs incubating directly downstream below the concrete chute.

Comments raised included:

- Importance of integrating placement of spawning gravel within the restoration of Structures 3 and 4.
- Importance of post re-vegetation after any "emergency works".
- Ensuring the riffles are built to concentrate low flow (V-shape).
- Support for keeping the deep holes (2 scour holes according to drawings).
- Okanagan Nation Alliance/ Penticton Indian Band has capacity to be involved in any of the environmental monitoring and fish salvage during construction or post-construction monitoring (if put to tender separate from engineer contract).

- Concerns that conducting emergency works on a section of concrete that is only 50m above the end of the current project was not cost effective and in future work to larger sections would be preferable.

It was noted that the reduced gradient when replacing drop structures with riffle-pools has used up a significant portion of the spawning bed above Structure 2 (in 3a/3b project design) and the emergency works will significantly impact the spawning habitat above Structure 3. Since low gradient spawning habitats that can retain gravel are extremely rare in Penticton Creek, it is important that designs by Mould Engineering show how they will result in no net loss of spawning habitat once construction is complete.

4.3 Penticton Creek Reach 12A French Drain Update– Ian Chapman, City Engineer

The City Engineer provided the Committee with a presentation on the French drain at Reach 12a, which was required following restoration works that broke through an underground layer causing a neighbouring resident to report flooding in their basement. The French drain was designed by Mould Engineering in order to intercept and divert groundwater back into the creek. Works to the French drain were completed in December 2020 and finishing touches to the asphalt pathway and surrounding vegetation will continue in the Spring of 2021.

4.4 Enhanced FFSBC and ONA Fish and Fish Habitat Monitoring 2021 – Paul Askey, Chair

The Chair informed the Committee that he has been in communication with Okanagan Nation Alliance members and that there are plans for future Kokanee and habitat monitoring which will include detailed monitoring using drone footage. This form of data collection will allow habitat monitoring to determine how fish use certain features rather than just fish counts. Contracts are being developed for environmental monitoring which will include annual reports and a summary after three years. The Freshwater Fisheries Society of BC is in the process of securing funding grants for this monitoring. The Chair emphasized that it is important that there is clear communication between City staff and the Committee about which monitoring elements are part of construction versus monitoring by ONA/FFSBC so that work is not accidentally duplicated.

5. **Next Meeting**

The next Penticton & Ellis Creek Restoration Select Committee meeting is scheduled to be held on Friday, February 12, 2021 at 9:00 a.m.

6. **Public Question Period**

7. **Adjournment**

THAT the Penticton and Ellis Creek Restoration Select Committee adjourn the meeting held on January 8, 2021 at 10:34 a.m.

Certified Correct:

Alysa Wardley
Legislative Assistant

Date: January 19, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 718 Chase Avenue

File No: RMS/718 Chase Ave

Subject: Development Variance Permit PL2020-8854

Staff Recommendation

THAT Council deny “Development Variance Permit PL2020-8854” for Lot 29 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1049, located at 718 Chase Avenue, a permit to vary Sections 10.2.2.6.ii and 10.2.2.7.ii of Zoning Bylaw 2017-08 to reduce the side yard setback for an accessory structure from 1.2m to 0m, and to reduce the rear yard setback for an accessory structure from 1.5m to 0m, in order to legalize an unpermitted accessory building on the subject property.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to legalize an existing, unpermitted accessory structure on the subject property. The structure is built closer to the side and rear property lines than permitted. As such, the applicant is requesting to vary Sections 10.2.2.6.ii and 10.2.2.7.ii of Zoning Bylaw 2017-08 to reduce the required rear yard setback from 1.5m to 0m and to reduce the required side yard setback from 1.2m to 0m in order to legalize the existing setbacks prior to proceeding with a building permit application.

Background

The subject property is located on the south side of Chase Avenue near Railway Street/Highway 97



Figure 1 - Location Map

(Figure 1). The property contains a single detached dwelling and an accessory structure. Surrounding land uses are residential in nature, primarily consisting of single detached dwellings with several multifamily developments to the north across Chase Avenue and to the south across the lane at the rear of the property. The property is zoned R2 (Small Lot Residential) and is designated 'Ground Oriented Residential' by the Official Community Plan.

A building permit was issued for a storage shed on the property in 1961. The permit allowed a 4.5m² (48ft²) storage shed, with an attached 2.23² (24ft²) lean-to. The approved shed's setback was 0.9m to the side property line. Based on aerial imagery, sometime between 2008 and 2013 the structure was expanded without the benefit of a building permit to its current 23m² configuration – the building labelled as a 'carriage house' in Attachment 'D'. Staff confirmed through a site inspection on June 9, 2020 that the building is being used as a carriage house, without the proper permits. A letter was sent to the property owner on July 9, 2020 regarding the Zoning Bylaw infractions and the letter outlined various options to remedy the situation. The applicant originally proposed to legalize the building as a carriage house, however due to the anticipated challenges of meeting BC Building Code requirements to convert the building into a permitted dwelling unit, the applicant decided the required upgrades were too extensive to pursue. The applicant now intends to decommission the unpermitted carriage house and retain the structure as an accessory building. The applicant intends to use the building as storage for his business, 'Maximum Plumbing and Heating' (Attachment 'E'), which is permitted under the home occupation regulations of the Zoning Bylaw and subject to retaining an active business license. The decommissioning of the carriage house will require a building permit, which will remain in the property file to confirm the building is not approved and should not be used as a dwelling unit.

This application was previously deferred from the December 8, 2020 Council meeting.

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). Staff noted concerns about the proximity of the building to property lines. The Building Department provided comments regarding Building Code requirements for structures within a certain distance to property lines. The intent of these requirements is to reduce the likelihood of fire spreading between nearby structures on adjacent properties. The applicant will be required to meet the applicable BC Building Code requirements for an accessory building, should Council choose to approve the Development Variance Permit.

The TPC had additional comments related to the original proposal to keep the building as a carriage house, however the applicant has since changed their plans to keep the building as an accessory structure. As such, those comments no longer apply.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:

	Accessory Structure Requirements (R2 Zone)	Provided on Plans
Maximum Floor Area: *all accessory structures on a property	75m ²	23 m ²
Maximum Lot Coverage: * Primary and accessory structures	40%	36%
Required Setbacks: Front Yard (Chase Avenue): Side Yard (east): Side Yard (west): Rear Yard (lane):	4.5 m 1.2 m 1.2 m 1.5 m	27 m 0 m – Variance Requested 4.46 m 0 m – Variance Requested
Maximum Building Height:	4.5 m	3.35 m

Analysis

When considering a variance to a City bylaw, staff encourages Council to consider if approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

The applicant has requested the following variances from the Zoning Bylaw regulations for a property within the R2 (Small Lot Residential) zone:

- Section 10.2.2.6.ii: to reduce the minimum side yard setback for an accessory structure from 1.2m to 0m; and
- Section 10.2.2.7.ii: to reduce the minimum rear yard setback for an accessory structure from 1.5m to 0m.

Staff have reviewed the requested variances required to proceed with legalizing the structure as an accessory building to the primary residence and are recommending that Council deny the Development Variance Permit for the following reasons:

1. The intent of the Zoning Bylaw is not maintained through this proposal.

The intent of the setback regulations in the Zoning Bylaw are to ensure that new buildings and structures are compatible with the surrounding neighbourhood. Maintaining physical distance between buildings, and between buildings and property lines, has a number of advantages. The minimum requirements for building setbacks help to ensure that an accessory structure does not impose on adjacent neighbours and is kept within an appropriate scale for the lot. The R2 (Small Lot Residential) zone requires accessory structures such as storage sheds and detached garages to be a minimum of 1.2m (4 feet) from the side property lines and 1.5m (5 feet) from the rear property line. These requirements allow sufficient room for access around the entire building from within the private property for maintenance. In addition, the minimum setback requirements reduce the clustering of structures on adjacent properties in an effort to reduce the likelihood of a possible fire spreading between properties. Although the unpermitted building has existed in its current form since around 2013, staff do not consider that the building setbacks of 0m meet the intent of the Zoning Bylaw regulations.

- 2. Approval of the requested variances could set an undesirable precedent for future accessory structures.

While each development variance permit application is reviewed with consideration to its unique site-specific circumstances, staff are wary of supporting the requested variances for the existing accessory building to be legalized in its current location. The opportunity for perceived precedent is a concern considering that the requested variances do not maintain the intent of the Zoning Bylaw: the building is difficult to maintain from within the private property, the roof may lead to drainage onto the neighbouring property, and the risk of a fire spreading is greater without a physical separation between the structure and adjacent property lines.

Staff consider that the proposed legalization of the unpermitted building does not meet the intent of the Zoning Bylaw regulations, and that approval of the requested variances could set a precedent for future applications for accessory structures located closer to property lines than normally permitted. Given the reasons above, staff are recommending that Council deny "Development Variance Permit PL2020-8854".

If this application is denied, the applicant will have the option to reduce the size of the structure to 10m² or less, as structures this size are exempt from the setback requirements as per the Zoning Bylaw. The applicant may instead choose to demolish the building if their variance application is denied. If this action is taken, the applicant will have the opportunity to construct a new building which meets the Zoning Bylaw regulations. These options have been shared with the property owner, who understands the implications.

Alternate Recommendations

Council may consider the requested variances are appropriate in this instance in order to legalize an existing accessory building. If this is the case, Council may approve the Development Variance Permit. If this decision is made, the applicant will continue to work with City staff to obtain the required building permits to decommission the 'carriage house' use and to legalize the building as an accessory structure.

- 1. THAT Council approve "Development Variance Permit PL2020-8854".

Attachments

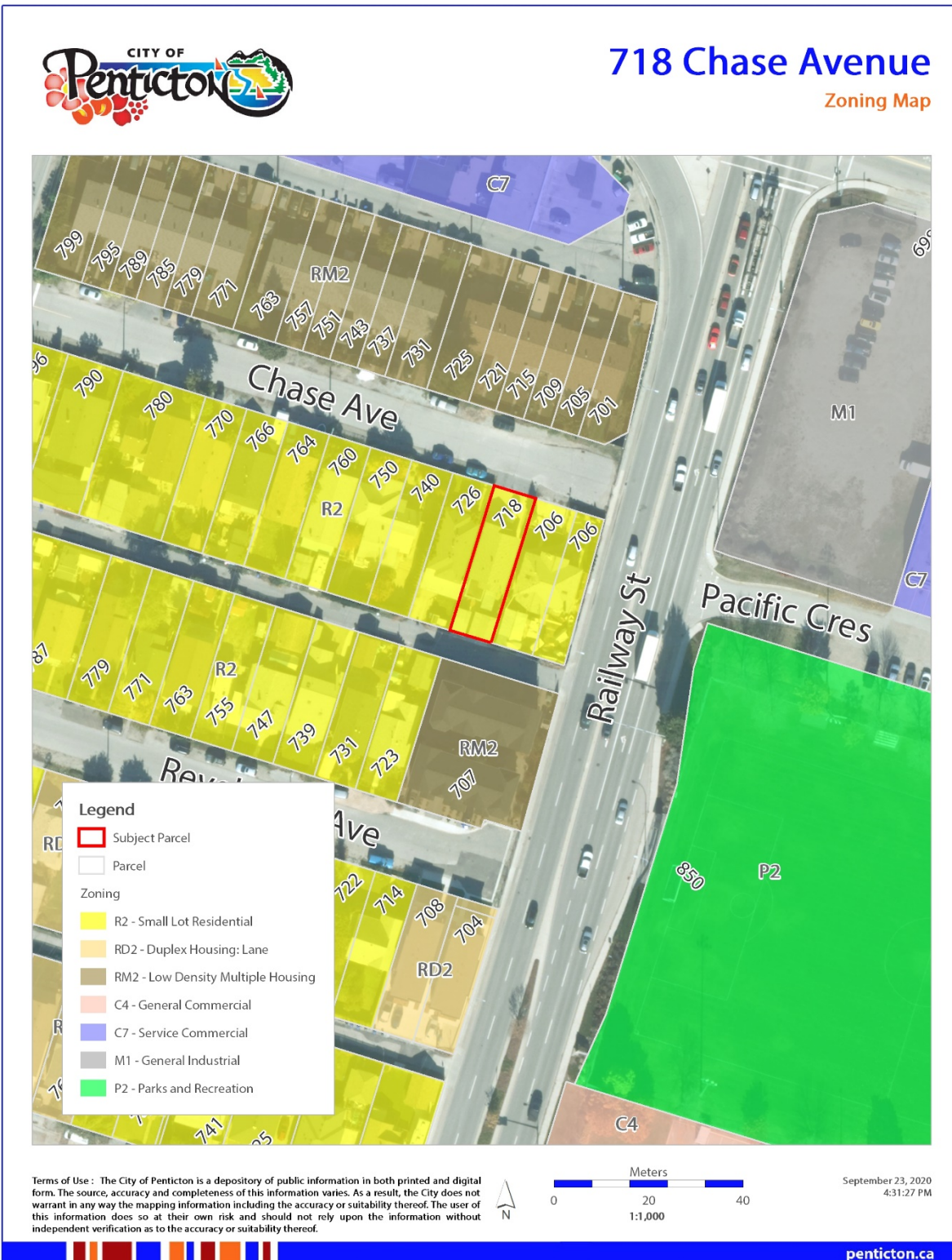
- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Image of Existing Building
- Attachment D – Survey Plan
- Attachment E – Letter of Intent
- Attachment F – Draft "Development Variance Permit PL2020-8854"

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Director <i>BL</i>	Chief Administrative Officer DyD
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Attachment A – Zoning Map of Subject Property

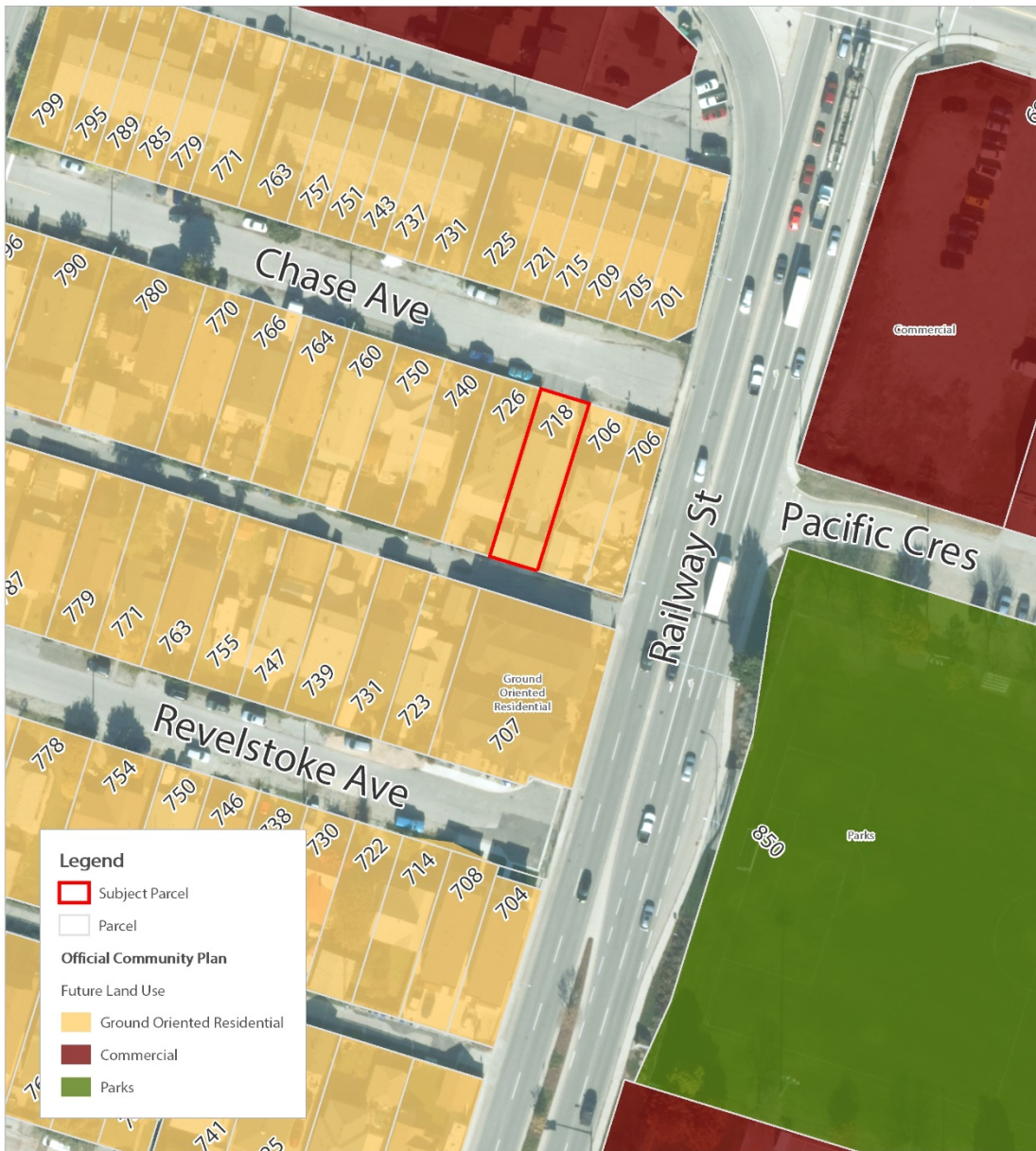


Attachment B – Official Community Plan Map of Subject Property



718 Chase Avenue

Official Community Plan Map



Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.

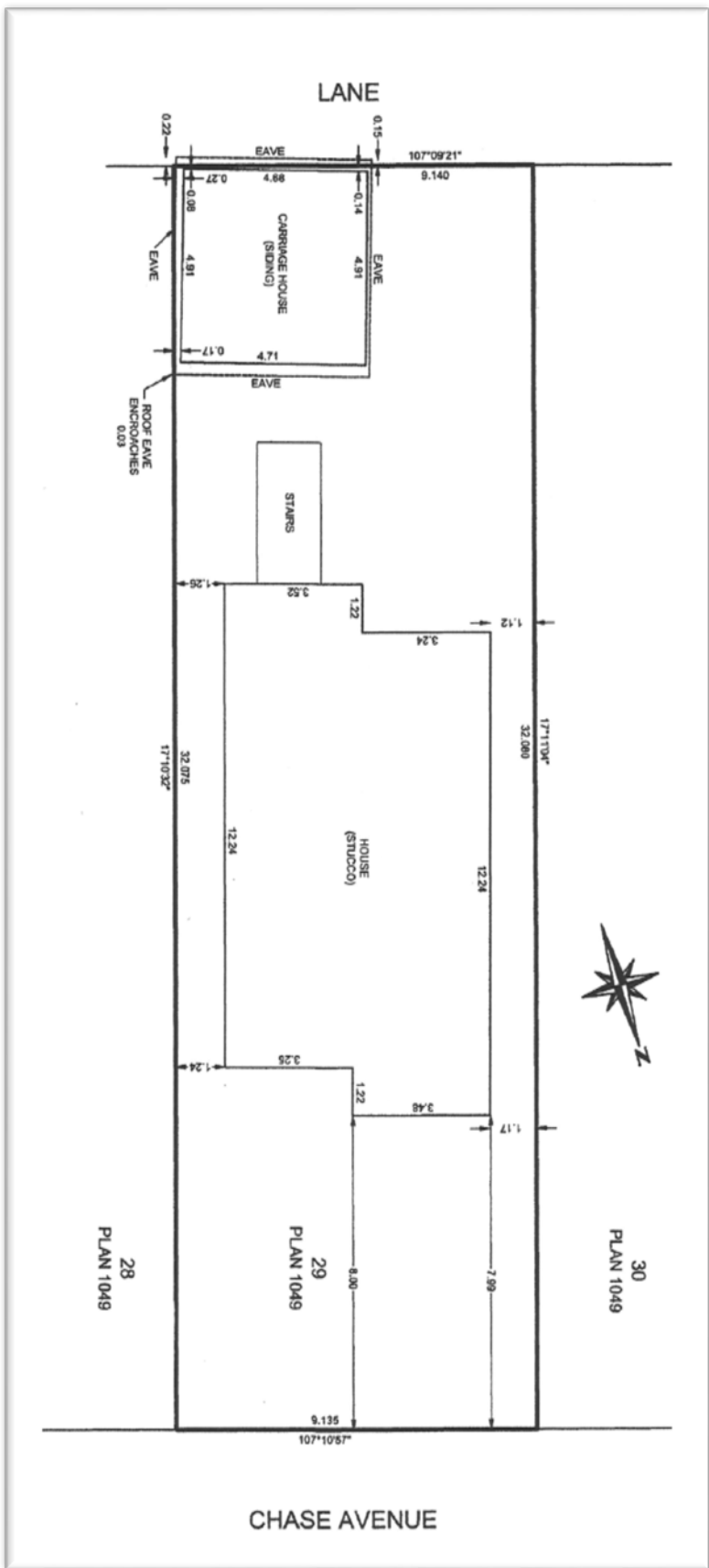


September 23, 2020
4:32:06 PM

Attachment C – Image of Existing Building



Attachment D – Survey Plan



Attachment E – Letter of Intent

Nov. 3, 2020

I am writing regarding the carriage house at 718 Chase Ave. I wish to keep the existing structure and apply for a Decommissioning permit and use the building for my plumbing and heating business. This would allow me to store tools there and empty the storage unit i have been renting. It would be much more convenient having my tools and supplies on site. Its going on 21 years in business in the Penticton area. Thank you for your consideration of my request,

Sincerely, Robert Leenhouts.

Development Variance Permit

Permit Number: DVP PL2020-8854

Owner Name
Owner 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 29 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton)
District Plan 1049
 - Civic: 718 Chase Avenue
 - PID: 011-796-529
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 legalization of an existing accessory building, as shown in the plans attached in Schedule 'A':
 - a. Section 10.2.2.6.ii: to reduce the minimum side yard setback for an accessory structure from 1.2m to 0m.
 - b. Section 10.2.2.7.ii: to reduce the minimum rear yard setback for an accessory structure from 1.5m to 0m.

General Conditions

4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development

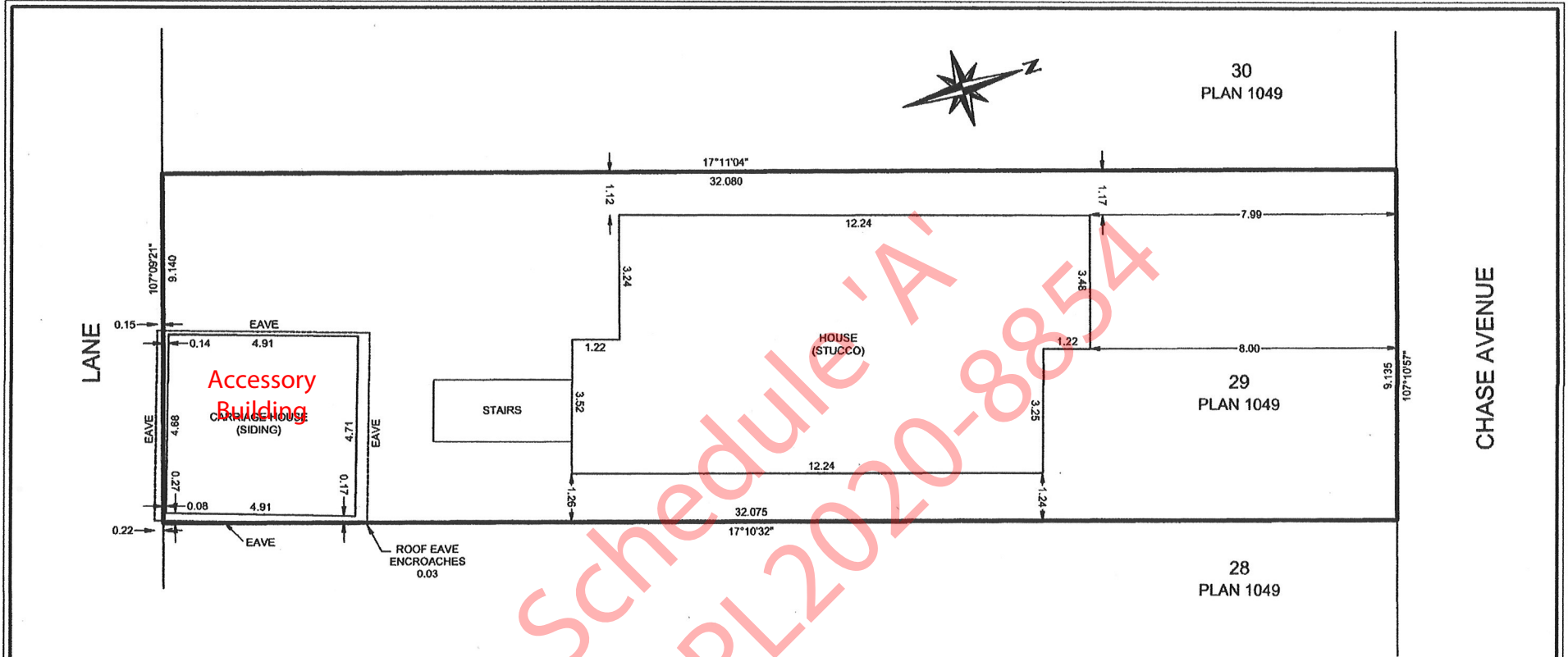
Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of _____, 2020.

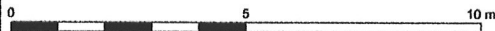
Issued this ____ day of _____, 2020.

Angela Collison
Corporate Officer

DRAFT



SCALE 1 : 100



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF

**BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDINGS ON
 LOT 29 DISTRICT LOT 2 GROUP 7 SIMILKAMEEN DIVISION YALE (FORMERLY YALE LYTTON) DISTRICT PLAN 1049**

THIS LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE PROFESSIONAL REFERENCE MANUAL AND IS CERTIFIED CORRECT THIS 25th DAY OF AUGUST, 2020

Jonathan Austin
 MITDXS
 Digitally signed by Jonathan Austin MITDXS
 Date: 2020.08.25 16:05:07 -07'00'

B.C.L.S.

JONATHAN M. AUSTIN

(819)

THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

PID NO. 011-796-529
 DATE OF FIELD SURVEY: AUGUST 18, 2020
 PARCEL DIMENSIONS ARE FROM FIELD SURVEY.

PREPARED FOR: ROBERT LEENHOUTS
 CIVIC ADDRESS: 718 CHASE AVENUE, PENTICTON, BC

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 Penticton BC
 Canada V2A 1N5
 Tel 250 492 7399

FILE NO. 2422-03791-00
 DRAWING NO. 3791-00-V-CERT.DWG

Item 10.1 - Late Correspondence - Development Variance Permit PL2020-8854
Re: 718 Chase Avenue

From: Eric
Sent: Friday, January 15, 2021 12:30 AM
To: corpadmin
Subject: Development variance pl2020-8854 718 chase ave

Hello and good day

Not quite sure if this is the proper email address to send my opinion to on this application for variance permit pl2020-8854 but it was the one listed on the mail I received.

I received a letter stating my neighbour has requested a zoning bylaw change so he can have the existing building made legal that has been there for multiple years, I do not think it should be allowed due to the fact he had no building permit in the first place and it is against bylaws, he also dug out a basement under the main house that was against bylaws. So he can just break the bylaws then ask for changes to zoning or forgiveness after the fact is not fair or proper, why have the bylaws in the first place? He in fact phones on every one in the neighbourhood that breaks a bylaw so it would be unfair to allow him to have a bylaw amendment when he makes sure every one else follows the bylaws. Before a final decision is made I think it would be fair to ask the other people that live close to him and that he has made complaints on, their opinions on him breaking bylaws and just being allowed to get away with it in one way or another.

Thank you for your time

Sent from my iPhone

Council Report

pentiction.ca

Date: January 19, 2021 File No: 5080-01
To: Donny van Dyk, Chief Administrative Officer
From: Adam Goodwin, Social Development Specialist
Subject: **Vancouver Foundation Grant Application on Behalf of the Community Action Team**

Staff Recommendation

THAT Council direct staff to apply for three years of funding, on behalf of the Community Action Team, through the Vancouver Foundation's Systems Change Test Grants program for the creation of a substance use response strategy.

Strategic priority objective

Vision: A vibrant, innovative, healthy waterfront city focused on sustainability, community and economic opportunity.

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Community Safety: The City of Penticton will support a safe, secure and healthy community.

Background

The BC Government, in April 2016 declared a public health emergency in response to the opioid overdose epidemic. Since that time, nearly 6,000 British Columbians have died due to an overdose from an illicit substance. Interior Health estimates 108 overdose deaths in the South Okanagan between April 1, 2016 and November 30, 2020, with two-thirds of those deaths in Penticton. The opioid crisis is a complex issue that impacts the entire community in many negative ways. In Summer 2019, the City and other communities collaborated to convene a Community Action Team in an effort to respond to the crisis. Using provincial funds, the team's purpose is to share experiences related to the overdose crisis and co-design solutions. Participants include the City (Social Development and Bylaw departments), Indigenous organizations and communities, Royal Canadian Mounted Police (RCMP), Interior Health, and service delivery organizations (e.g., Brain Injury Society, Pathways Addictions Resource Centre, OneSky Community Resources, South Okanagan Women in Needs Society).

Community Action Team participants have identified the need for a comprehensive strategy to have greater influence on the system of care in place for individuals with substance use dependence and at high risk of overdose. The development of this strategy will include understanding the current system of care (e.g., current harm reduction initiatives, treatment and recovery options, prevention opportunities) and

opportunities to leverage change that will lead to improved and more pathways of care. This important work will provide concrete, evidence-based, and actionable plans to improve Penticton’s and the South Okanagan’s responses to the opioid overdose crisis.

The Community Action Team recently became aware of a grant from the Vancouver Foundation that can help fund costs associated with completing the work and also provide funding to pilot some of the actions identified through the project. The City has applied for funding on behalf of the Community Action Team in the past (e.g., Community Action Initiative’s Community Wellness and Harm Reduction Grant) and would play a similar role in the granting process with this grant.

Financial implication

The grant will provide up to \$100,000 per year for three years. In the 2021 budget, Council approved the inclusion of \$25,000 in the social development budget to go towards substance use plans/strategies. Combined with a contribution of approximately \$80,000 from the Community Action Team (from the Province, and Overdose Emergency Response Centre), and contributions from service delivery organizations, it is anticipated that a total of approximately \$718,500 over three years will be focused on positive solutions to this crisis. As noted, the City’s contribution would be approximately \$25,000 (approved in the 2021 budget) plus staff time (e.g., Bylaws Supervisor, Social Development Specialist). The Community Action Team would continue to seek out other funding opportunities to enhance the impact of the project over the three years.

Analysis

Should the grant application be successful, the Community Action Team will have an additional \$300,000 over three years to complete work that will influence the substance use system of care. These funds will be used for research (e.g., to better understand what is happening in the community and what services are available) and more importantly, to influence changes in the system and pilot new (or re-imagined) initiatives. It would help leverage the City’s \$25,000 investment into over \$700,000 of contributions from different partners. The funds would be used towards supporting the costs of having individuals with lived experience (e.g., used opioids in the past) participate in the process, to cover some of the costs with coordinating new initiatives, and to hire experts and others to help with understanding some of the opportunities to improve the system.

Should the grant not be successful, staff and the Community Action Team will still proceed with the work, but with a reduced scope and likely reduced impact.

Staff are recommending that Council pass a resolution supporting the City’s lead in applying for the grant.

Respectfully submitted,

Adam Goodwin
Social Development Specialist

<p>Director, Development Services</p> <p><i>BL</i></p>	<p>General Manager, Administration and Finance</p> <p><i>JWB</i></p>	<p>Chief Administrative Officer</p> <p>DyD</p>
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Council Report

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Date: January 19, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Larry Watkinson, Fire Chief/EPC
Subject: **Emergency Operations Centre (EOC) Grant**

File No:

Staff Recommendation

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

Background

Under the *Emergency Program Act*, municipalities, First Nation communities and regional districts are responsible for responding to emergencies in their area.

Over the past four years, the fire department has developed an Emergency Operations Centre (EOC) for the City of Penticton in order to coordinate emergency response and recovery actions. The EOC supports emergency response personnel in the field and coordinates all official communications regarding the emergency.

This funding will allow for the improvement and capacity of the City of Penticton EOC for increased preparedness and ability to respond to emergency incidents.

Financial implication

The Community Emergency Preparedness Fund (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments and their residents in responding to emergencies. Funding is provided by the Province of BC and is administered by Union of BC Municipalities (UBCM).

The grant funding can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$25,000.00.

- UBCM Grant Contribution / Request	\$25,000.00
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Eligible Activities & Expenditures

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

Eligible activities must be cost-effective and may include:

- Purchase of equipment & supplies to maintain or improve EOCs;
- Training and exercises to increase EOC capacity;
- Establishing public emergency communications systems or programs.

The following expenditures are also eligible provided they relate directly to the eligible activities identified above:

- Consultant costs;
- Applicant staff and administration costs;
- Public information costs.

A completed submission will be submitted by March 1, 2021 with the approval of the Council Resolution.

Deny/Refer Recommendations

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

Respectfully submitted,

Larry Watkinson,
Fire Chief / Emergency Planning Coordinator

Approvals

<p>Fire Chief</p> <p>LW</p>	<p>CFO/GM Finance & Administration</p> <p><i>LWB</i></p>	<p>Chief Administrative Officer</p> <p>DvD</p>
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Council Report

penticton.ca

Date: January 19, 2021 **File No:** 1855-03
To: Donny van Dyk, Chief Administrative Officer
From: Adam Goodwin, Social Development Specialist & Emergency Supports Services Coordinator
Subject: **Emergency Support Services (ESS) Review of 2020, and Priorities and UBCM Grant for 2021**

Staff Recommendations

THAT Council direct staff to apply for the Emergency Support Services/Community Emergency Preparedness Fund grant from the Union of BC Municipalities (UBCM) for \$25,000 in funding for equipment, planning, recruitment, training, and other eligible and related expenses for Penticton's Emergency Support Services team;

AND THAT Council direct the Fire Chief as Emergency Planning Coordinator for the City of Penticton to sign and submit the application document;

AND THAT a letter be sent from Council to the members of the Penticton Emergency Support Services team thanking them for their services in 2020.

Strategy Priority Objective

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Community Safety: The City of Penticton will support a safe, secure and healthy community.

Penticton's Emergency Support Services Team in 2020

Penticton's Emergency Support Services (ESS) team has been supporting Penticton residents for over two decades. During emergencies, the ESS team is activated by the City's Emergency Operations Centre, Province of British Columbia, City's Emergency Planning Coordinator, Penticton Fire Department, City's Emergency Support Services Coordinator, and/or 9-1-1 dispatch. While other emergency services (e.g., fire department, paramedics, police) will typically deal with immediate protection of property and life, the ESS team provides important and essential supports to individuals for the 72 hours after an emergency if an individual has no other sources of support (e.g., family, friends, insurance). Its focus is on ensuring our community's residents who have no other form of support, receive basic short-term supports during and/or immediately after an emergency to help residents re-establish themselves as quickly as possible.

The team works in close partnership with:

- Province of British Columbia via BC Housing, Emergency Management BC, and Provincial Health Services Authority,
- Penticton Fire Department,
- Royal Canadian Mounted Police (RCMP),
- Interior Health Authority,
- BC Ambulance,
- Penticton Search and Rescue,
- Disaster Psychosocial Services,
- Justice Institute of British Columbia,
- Animal Lifeline Emergency Response Team (ALERT)
- Other municipalities and local governments (e.g., Regional District of Okanagan-Similkameen (RDOS)),
- Numerous businesses that provide services and goods to evacuees, and supplies for ESS volunteers during emergencies (e.g., Starbucks, Superstore/Loblaws),
- Community partners (e.g., Red Cross Canada, The Salvation Army), and
- Other ESS teams across the region and province.

In 2020, the 35 active Penticton ESS team volunteers contributed over 2300 hours of volunteer time to our community by supporting 13 call outs during the year:

- Christie Mountain wildfire - the ESS team was the first in BC to use the Province's new Evacuee Registration and Assistance (ERA) tool for a large emergency (pre-registering approximately 4,000 Pentictonites on Evacuation Alert to help the City's Emergency Operations Centre with its emergency planning), and provided significant leadership and volunteers to support the RDOS's evacuation of Heritage Hills,
- COVID-19 emergency response - adapted its processes to minimize the risk as much as possible for both volunteers and evacuees,
- Elm Ave apartment fire,
- Level One emergencies (e.g., single house fires, single motel room fire),
- Regional emergencies such as the Sage Mesa wildfire, and
- Other emergency management related activities (e.g., stand-by when the City's Emergency Operations Centre is on stand-by).

During all of these call outs, Penticton's dedicated and experienced ESS volunteers had a 100% success rate in that it was able to fully mobilize for each call out to meet the community's needs. This was regardless of the weather conditions (e.g., snow on the road), time of day (e.g., 4 a.m.), the location of the emergency, or the potential number of evacuees that could be involved (e.g., nearly 3,700 properties on Evacuation Alert during the Christie Mountain wildfire).

ESS Team Priorities for 2021 and UBCM Grant Opportunity

To ensure the team has the training, equipment, and personnel to continue providing exemplary service to the community, in 2021, the ESS team has several priorities:

- Transitioning to new senior volunteer leadership on the ESS team due to the retirement of the team's current lead (Alida Erickson, ESS Director),
- Recruiting new ESS volunteers for both Level One emergencies (e.g., single house fire) and Level Two and Three emergencies (e.g., Christie Mountain wildfire),
- Providing opportunities for introductory and advanced training for ESS volunteers,
- Refining the team's Standard Operating Guidelines with a focus on evacuee care, COVID-19 safety, and integrating technology in the team's operations,
- On-boarding the ESS Coordinator role (a role added to the Social Development Specialist position), and
- Using learnings from 2020 events to target investments and improvements for 2021.

Based on learnings from the 2020 events, the City is enhancing its support for emergency management and the ESS team by developing an ESS Coordinator role. This role has been added to the Social Development Specialist position. The ESS Coordinator role will focus on supporting the Emergency Planning Coordinator (Fire Chief Watkinson) and the ESS team in terms of its planning, volunteers, relationships with partners, integration of technology in responses, among other responsibilities.

Additionally, based on the 2020 event learnings, there is a need for investments in the City's ESS program to resolve some of the challenges that these events revealed. The Union of BC Municipalities (UBCM) currently has a funding program available through the Community Emergency Preparedness Fund (CEPF) that the ESS team is eligible to apply for. The deadline for the grant is January 29, 2021. This grant can help pay for some of the costs to help strengthen the team in 2021-2022. The City was successful in receiving a CEPF grant in 2020-2021 worth \$21,500.00 going towards equipment, planning, recruitment, and training for the ESS team. Due to the COVID-19 pandemic, some of the activities that ESS proposed to complete under the 2020-2021 CEPF grant were not possible (e.g., in-person training, in-person recruitment of volunteers). Some of these postponed activities will be completed under the 2021-2022 CEPF grant, if COVID-19 health orders allow and the City is successful in receiving the grant.

Financial Implication

The grant funding can contribute 100% of the cost of eligible activities to a maximum of \$25,000.00. Eligible expenditures include consultant costs, relevant equipment costs, administration costs, costs related to COVID-19 safety, expenses for the City's reception centre, technology purchases, and public information costs. The ESS team has identified over \$25,000 in urgent investment needs. Based on the UBCM funding guidelines, the \$25,000 in anticipated expenses are eligible under the CEPF program. Staff time will be required to write the grant application, and support the ESS team in purchasing the items should the grant application be successful.

Should the City not be successful with this grant application, and/or should UBCM determine that not all proposed expenses are eligible, staff will work with the ESS team to research alternative options to support the team in 2021.

Analysis

One of Council’s strategic priorities is community safety. Applying for this UBCM grant will enhance Penticton’s ESS team. This will increase the team’s ability to support residents during emergencies and contribute to a safer and healthier community. As a team of 35 active volunteers (and over 55 registered volunteers), this grant, should the application be successful, will help ensure the volunteers have the resources and tools available to provide a high-level of care for our community during emergencies.

The City is required to include a certified resolution in the grant application from Council that directs the City to apply for this UBCM funding. The deadline for the application to be submitted to UBCM is January 29, 2021. Staff are working closely with the ESS team to complete the application.

Summary

Staff are recommending that Council approve the grant application to ensure the continued quality and readiness of Penticton’s ESS team. The funds will provide essential financial resources to the team and enable it to make important improvements.

Staff are also recommending that Council send a letter to each ESS team member active in 2020 as a thank you from Council and the City. Simply, without the volunteers there would be a very limited ESS team. A letter from Council would indicate the City’s gratefulness and appreciation for everything that the ESS volunteers do for Penticton and the City.

Alternate Recommendations

THAT Council directs staff to bring back additional information.

Respectfully submitted,

Adam Goodwin
Social Development Specialist
Emergency Support Services Coordinator

Concurrence

<p>Fire Chief & Emergency Planning Coordinator <i>LW.</i></p>	<p>General Manager, Finance & Administration <i>LWB</i></p>	<p>Director, Development Services <i>BL</i></p>	<p>Chief Administrative Officer DyD</p>
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Council Report

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Date: January 19, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Tina Mercier, Bylaw Services Supervisor

File No: 4020-40

Subject: Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement

Staff Recommendation

THAT the Mayor and Corporate Officer be authorized to execute the "Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement" to continue with the Dispute Adjudication System from January 1, 2021 until December 31, 2024;

AND THAT Council designates Tina Mercier, Bylaw Services Supervisor (or acting staff member) as the City's Screening Officer and designate Ken Kunka, Deputy Director Development Services (or acting staff member) as alternate Screening Officer.

Strategic priority objective

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Community Safety: The City of Penticton will support a safe, secure and healthy community.

Background

On October 5th, 2009 Council endorsed partnering with several other Okanagan local governments in establishing a Bylaw Dispute Adjudication System. Approval for the adjudication process was received from the province on December 10, 2009 and the City has participated in the Dispute Adjudication System since. The goal of the adjudication model is to create simple, fair, and cost-effective systems for dealing with minor bylaw infractions. The adjudication model:

- Acts as an alternative to using the court system for bylaw violation disputes;
- Establishes a dedicated forum for resolving local bylaw enforcement disputes;
- Uses a dispute resolution based approach to obtaining independently adjudicated decisions;
- Avoids the unnecessary attendance of witnesses;
- Avoids the need to hire legal counsel; and
- Promotes the timely resolution of bylaw enforcement disputes.

The “Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement Bylaw” was in effect from January 1, 2016 but expired on December 31, 2020. The Registry includes the following participating Okanagan “Parties”: Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream and Enderby. Each of the Parties appoint one representative to serve on the Committee. Serving on the Committee for the City of Penticton is Tina Mercier. The role oversees expenditures during the budget year, annual operating budget oversight, AGM participation, best practice, etc.

Further, the Parties agree that screening of Bylaw Offence Notices prior to proceeding to adjudication will be established as a function of each Party. The powers, duties and functions of Screening Officers are outlined in the Bylaw Notice Enforcement Bylaw No. 2012-5037. Tina Mercier, Bylaw Services Supervisor (or the staff member in the position) has been appointed as the Screening Officer for the City of Penticton since 2014, and will continue in the role to prepare Bylaw Offence Notice dispute packages for Adjudication hearings. Alternatively, Ken Kunka, Deputy Director of Development Services (or the staff member in the position) will act as the designated Screening Officer. This includes tickets issued by other city departments including Building/Licensing, Fire, RCMP. The Screening Officer has the authority to cancel a Bylaw Offence Notice under specific circumstances, and/or enter into a Compliance Agreement with the disputant where the goal of the infraction is compliance.

A brief summary of the Bylaw Violation Dispute Adjudication System is outlined in Attachment A which is provided to the public when a Bylaw Offence Notice is disputed.

Financial implication

City of Kelowna will ensure that it’s Director of Financial Services or the designate will conduct and oversee the financial reporting and recording of the Registry based on normal procedure.

Adjudication costs are shared with each Contributing Partner and based on the prior year BC Regional District and Municipal Population Estimates. (2020= \$4,446.30). This is an annual budget item in the Bylaw Services Department budget.

Analysis

With the recent expiration of the “Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement Bylaw”, the plan is to continue with the participation in the Dispute Adjudication System as it has been operating effectively over the years to resolve bylaw disputes by keeping matters out of the Provincial Court setting. The Ministry of Attorney General’s Tribunal Transformation and Supports Office (TTSO) of the Justice Services Branch has been designated as the roster organization for the Bylaw Adjudication Program.

Ultimately, the system has offered procedural fairness, administration of justice, and fosters community harmony.

As such the new “Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement Bylaw” has been provided requiring City of Penticton Mayor and Corporate Officer to sign in order to execute the new agreement. (Attachment B).

Attachments

Attachment A – City of Penticton Bylaw Violation Dispute Adjudication System

Attachment B – “Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement”

Respectfully submitted,

Tina Mercier
Bylaw Services Supervisor

Concurrence

Director <i>BL</i>	Chief Administrative Officer DyD
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Attachment A – City of Penticton Bylaw Violation Dispute Adjudication System



Bylaw Violation

DISPUTE ADJUDICATION SYSTEM

HOW IT WORKS

The City of Penticton participates in a process to dispute most minor bylaw violations. The system is intended to streamline the process associated with minor bylaw offence disputes and assigning the appropriate penalty.

Those wishing to dispute Bylaw Offence Notices must complete the dispute/request for adjudication section on the back of the notice and submit it to the City in person, by mail, fax or email within 14 days of issuance.

Disputes will follow a three step process:

1. The individual disputing their Bylaw Offence Notice (disputant) will speak with a Screening Officer. This officer will review the Bylaw Offence Notice for accuracy and revoke if appropriate.
2. If the screening officer upholds the Bylaw Offence Notice, the disputant can choose to pay it, or have it processed for adjudication. If the disputant chooses the adjudication process, they will be notified of how to present their case and informed that they can present their case in writing, by phone, or in person.
3. A date, time and location for an adjudication will be provided to the disputant.

Independent adjudicators will determine whether a bylaw infraction did or did not occur. If the adjudicator upholds the infraction, the full penalty will be applied as well as an adjudication fee of \$25. If the adjudicator determines that no bylaw violation has occurred, no fine or adjudication fee will be applied.



A MORE EFFICIENT SYSTEM

The Bylaw Dispute Adjudication process allows the City to deal with most bylaw disputes at the local level rather than through the Provincial Court system.

WHAT

Residents who receive a Bylaw Offence Notice have the opportunity to dispute their violations out of court through an independent adjudicator appointed by the Province.

WHY

The system is intended to resolve disputes in a simple, cost-effective manner. The system will improve efficiency in the areas of applying and collecting fines as well as delivering a streamlined process by reducing:

- the incidence of the costly, time consuming process of disputing minor offences through the Provincial Court System
- the costs associated with using a Judicial Justice of the Peace to hear a minor bylaw dispute in court
- the time bylaw officers spend in court, allowing them to concentrate on serving the public in other capacities

SUMMARY

This process saves taxpayer dollars and allows provincial and municipal time and resources to be used more efficiently and effectively. Additionally, those challenging bylaw offence notices issued for minor infractions will receive enhanced service through this process.



Attachment B – “Southern Interior Bylaw Notice Dispute Adjudication Registry Agreement”

**SOUTHERN INTERIOR BYLAW NOTICE DISPUTE ADJUDICATION
REGISTRY AGREEMENT BYLAW**

This Agreement, dated 7th day of December, 2020

BETWEEN:

CITY OF KELOWNA, 1435 Water Street, Kelowna, British Columbia V1Y 1J4
("Kelowna")

AND:

CITY OF PENTICTON, 171 Main Street, Penticton, British Columbia V2A 5A9
("Penticton")

AND:

CITY OF VERNON, 3400 30th Street, Vernon, British Columbia V1T 5E6
("Vernon")

AND:

CITY OF WEST KELOWNA, 2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6
("West Kelowna")

AND:

DISTRICT OF LAKE COUNTRY, 10150 Bottom Wood Lake Road, Lake Country, British Columbia
V4V 2M1
("Lake Country")

AND:

DISTRICT OF SUMMERLAND, 13211 Henry Avenue, Summerland, British Columbia VoH 1Z0
("Summerland")

AND:

DISTRICT OF PEACHLAND, 5806 Beach Avenue, Peachland, British Columbia VoH 1X7
("Peachland")

AND:

REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEN, 101 Martin Street, Penticton, British Columbia V2A
5J9
("RDOS")

AND:

TOWN OF OLIVER, 35016 97th Street, Oliver, British Columbia VoH 1To
("Oliver")

AND:

REGIONAL DISTRICT OF CENTRAL OKANAGAN, 1450 KLO Road, Kelowna, British Columbia V1W 3Z4
("RDCO")

AND:

DISTRICT OF COLDSTREAM, 9901 Kalamalka Road, Coldstream, British Columbia, V1B 1L6
("Coldstream")

AND:

CITY OF ENDERBY, 619 Cliff Avenue, Enderby, British Columbia VoE 1Vo
("Enderby")

WHEREAS:

- A. The *Local Government Bylaw Enforcement Act* permits local governments to create a bylaw designating certain bylaw contraventions that can be enforced by way of bylaw notice as an alternative to traditional bylaw enforcement mechanisms;
- B. The Act also permits two or more local governments to enter into an agreement, adopted by a bylaw of each local government that is party to it, to provide for the joint administration of a local government bylaw notice dispute adjudication system:
- C. Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDCO, Oliver, RDCO, Coldstream and Enderby wish to:
 - a. share the costs and administration of such a system; and
 - b. enter such an agreement to establish such a system, to be called the Southern Interior Bylaw Notice Dispute Adjudication Registry, and to provide for the joint administration of the Registry.

NOW THEREFORE in consideration of the mutual promises contained herein, the Parties agree as follows:

PART I – INTRODUCTORY PROVISIONS

Definitions

1. In this Agreement, the following definitions apply:
 - a. "**Act**" means the Local Government Bylaw Notice Enforcement Act;
 - b. "**Adjudication**" the process where the disputant and the local government are provided opportunity to present evidence to the adjudicator who will decide whether he or she is satisfied that the contravention occurred as alleged;
 - c. "**Adjudication Fee**" means the sum of \$25.00 payable to each Party for each adjudication

scheduled to be conducted by the Registry;

- d. **"Agreement"** means this Agreement;
- e. **"Authorizing Bylaws"** means the bylaws adopted by the Councils/Boards of each the parties authorizing this Agreement;
- f. **"By Law Enforcement Officer"** means a person in a class prescribed under section 273 (c) of the *Community Charter* who is designated by a local government as a bylaw enforcement officer;
- g. **"Committee"** means the Southern Interior Bylaw Notice Dispute Adjudication Registry's Administrative Committee;
- h. **"Contribution Adjustment Amount"** means, for each Party, the amount calculated in accordance with Section 22 herein in any year of the Term;
- i. **"Contributing Parties"** means all of Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream and Enderby, except Kelowna;
- j. **"Parties"** means all of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream and Enderby;
- k. **"Party"** means any one of Kelowna, Penticton, Vernon, West Kelowna, Lake Country, Summerland, Peachland, RDOS, Oliver, RDCO, Coldstream and Enderby;
- l. **"Registry"** means the Southern Interior Bylaw Notice Dispute Adjudication Registry established by this Agreement;
- m. **"Revenues"** means any revenue actually received or estimated to be received, as the case may be, by the Registry, excluding Initial Contributions, Contribution Amounts, or Contribution Adjustment Amounts;
- n. **"Terms"** means the term of this Agreement as set out herein;

Establishment of the Registry

- 2. Subject to the Act and to the adoption of the Authorizing Bylaws, the Parties agree that the Registry is hereby established.

PART II – ADMINISTRATION

- 3. The Parties agree to establish the Committee to implement and administer the Registry.
- 4. The Parties agree that authority of the Committee will include but not be limited to:
 - a. preparing operational budgets; and
 - b. setting policy as authorized under this Agreement and the Act.

Representation

5. Each of the Parties will appoint one representative to serve on the Committee. The Parties agree that representatives will be paid employees of their respective local governments and will not be remunerated by the Registry.

PART III – ADJUDICATION

Screening Officers

6. The Parties agree that screening of notices prior to proceeding to adjudication will be established as a function of each Party. Screening officers will be appointed by the individual Party administrative committee.

Bylaw Notice Dispute Adjudication Registry

7. The Parties agree that a dispute adjudication system will be established as a function of the Registry, and that disputes will be heard by a bylaw notice dispute adjudicator in the circumstances prescribed in the Act and Authorizing Bylaws.
8. The Parties agree that the Committee will select a roster of adjudicators who may hear and determine disputes from the provincial roster of adjudicators to be established by the Attorney General of the Province of British Columbia.
9. Adjudicators will be assigned to individual disputes in the manner prescribed by any applicable regulation and policy established by the Committee.

PART IV - OPERATIONS

Location

10. The location of the Registry will be the municipal offices of the City of Kelowna, 1435 Water Street, Kelowna, British Columbia V1Y 1J4.

Administrative Services

11. Kelowna will provide and supervise all administrative services required by the Registry, subject to the following:
 - i. the collection of any fees, fines or penalties levied against an unsuccessful party in the dispute adjudication process will be the responsibility of the relevant municipality if not collected by the Registry immediately following the adjudication; and
 - ii. any penalty arising directly out of the bylaw notice itself may be paid to the relevant Party or to the Registry,

and any amounts collected by or paid to the Registry pursuant to 11.i and 11.ii will be credited to the relevant Party's Contribution Adjustment Amount.

Financial Reporting

12. Kelowna will ensure that it's Director of Financial Services or the designate will conduct and oversee the financial reporting and record keeping of the Registry based on normal procedure, subject to the requirements outlined herein.

PART V – FINANCIAL PLANNING

Start-up Costs

13. Each Party will be responsible for its own start-up costs.

Budget Year

14. The budget year of the Registry is December 1st to November 30th of each year.

Operating Budget

15. The Parties agree that, no later than September 30th of each year, the Committee will prepare a draft operating budget for the following budget year, setting out in detail the operational funds required by the Registry for the carrying out of its mandate and responsibilities, including
 - a. the estimated operational expenditures for
 - i. office and administration including financial reporting and administrative services;
 - ii. Registry administration travel costs;
 - iii. bylaw dispute adjudicators; and
 - iv. other functions of the Registry;
 - b. the anticipated revenues (if any) of the Registry;
 - c. the difference between estimated revenues and operational expenditures for the Registry; and
 - d. the Contribution Amount required from each of the Parties.

Budget Submissions

16. The Committee will prepare the operating budget in a manner satisfactory to, and in such detail as requested by, the Directors of Finance of each of the Parties, and submit the draft operating budget to the Directors of Finance of each of the Parties each year where required.

Budget Approval and Adjustments

17. The Parties will consider and approve, or recommend amendments to, the Registry's operating budget.
18. The Parties agree that all recommendations by them for adjustments to the Registry's draft operating budget will
 - a. be reasonable and made in good faith; and
 - b. ensure that a reasonable level of service quality can be maintained by the Registry.

Use of Funds

19. The Committee and Kelowna may make only those expenditures during the budget year for the purposes and up to the amounts authorized in the approved operating budget. The Registry (or the Committee or Kelowna on behalf of the Registry) will not incur any other indebtedness or liability, or make any further expenditure, except that:
 - a. Kelowna may make a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$1,000 limit; and
 - b. the Committee may
 - i. make a further reasonable expenditure or contract a further indebtedness or liability that it deems necessary or prudent, subject to a \$5,000 limit.
 - ii. re-allocate funds within categories of the operating budget as reasonably required; and
 - iii. make a further expenditure or contract a further indebtedness or liability without limitation if approved in advance by all Parties.

PART VI – COST ALLOCATION

Funding Contributions and Adjustments

20. The Parties agree that costs relating to legal counsel, witnesses, screening officers and bylaw enforcement officers as they pertain to the dispute adjudication process, and to the activities of the Registry more generally, will be borne by the relevant Party which issued the bylaw notice in question and will not be borne by the Registry or by Kelowna on behalf of the Registry.
21. Kelowna will, as soon following the end of a budget year as practical, invoice the parties for their respective Actual Expenditures Contribution where the proportion is calculated on the basis of each Party's population for the budget year in relation to the population of each of the other Parties except the calculation for RDOS and RDCO will exclude incorporated areas.
22. Each of the Contributing Parties will, within 30 days of receipt of its respective Contribution invoice, pay to Kelowna its respective Contribution Amount.

Maintenance of Records

23. The Director of Financial Services of Kelowna will
- a. exercise the duties and powers of the officer responsible for financial administration as provided in the Community Charter, in maintaining the financial records for the Registry on behalf of the Parties;
 - b. ensure that accounting and payroll records of the Registry are properly prepared and maintained, such records to include payroll, accounts payable, cash receipts and disbursements, accounts receivable, general ledger, subsidiary cost ledger, financial statements and reports and supporting documents to the foregoing;
 - c. provide, when possible, any additional financial systems that have been requested by the Committee;
 - d. direct employees and officers of the Registry to the extent necessary to ensure that the systems and procedures established for financial controls are in effect and are in accordance with the Community Charter.

Examination of Records

24. The Director of Finance of any of the Contributing Parties may, acting reasonably with regard to minimizing the administrative burden on the Kelowna, and no more frequently than once in each year of the Term, conduct audits or examinations to obtain information or determine that adequate financial controls are being maintained for the Registry. Kelowna will cooperate with any reasonable request by any of the Contributing Parties or the Contributing Parties' Director of Finance for access to financial records, user statistics and other information of the Registry.

PART VII – GENERAL PROVISIONS

Insurance

25. Kelowna will ensure that the Registry and its activities are covered under Kelowna's general liability policy and will provide copies of all relevant insurance policies and changes thereto to the Directors of Finance of the Contributing Parties upon request.

Amendments

26. The Parties will, in good faith, negotiate any proposed amendment to this Agreement upon request of any Party, all amendments to be in writing and executed by the Parties.

Dispute Resolution

27. The Parties will submit any dispute arising out of the interpretation or application of this Agreement:
- a. first, to the Committee to resolve the dispute;

- b. second, if the Committee is unable to resolve the dispute within 60 days, to the Chief Administrative Officers of the Parties; and
- c. third, if the Chief Administrative Officers are unable to resolve the dispute within 60 days, to the Inspector of Municipalities, or at the election of the Parties, to a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the *Commercial Arbitration Act*, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the Parties.

Term

28. This Agreement comes into effect on January 1, 2021 and continues in effect until December 31, 2024. Any Party may withdraw from this Agreement upon six months' written notice to the other Parties.

IN WITNESS WHEREOF all Parties have executed this Agreement on the date first above written.

THE CITY OF KELOWNA

(Mayor)

(City Clerk)

THE CITY OF VERNON

(Mayor)

(City Clerk)

THE DISTRICT OF SUMMERLAND

(Mayor)

(City Clerk)

THE CITY OF WEST KELOWNA

(Mayor)

(City Clerk)

THE CITY OF PENTICTON

(Mayor)

(City Clerk)

THE DISTRICT OF LAKE COUNTRY

(Mayor)

(City Clerk)

THE DISTRICT OF PEACHLAND

(Mayor)

(City Clerk)

THE REGIONAL DISTRICT OF CENTRAL OKANAGAN

(Mayor)

(City Clerk)

THE REGIONAL DISTRICT OF OKANAGAN SIMILKAMEEEN

(Mayor)

(City Clerk)

THE DISTRICT OF COLDSTREAM

(Mayor)

(City Clerk)

THE TOWN OF OLIVER

(Mayor)

(City Clerk)

THE CITY OF ENDERBY

(Mayor)

(City Clerk)

Council Report

pentiction.ca

Date: January 19, 2021 File No: RMS 4750-01
To: Donny van Dyk, Chief Administrative Officer
From: Adam Goodwin, Social Development Specialist and Carly Lewis, Economic Development Manager
Subject: **Penticton Child Care Assessment and Action Plan**

Staff Recommendations

THAT Council endorses the "Penticton Child Care Action Plan";

AND THAT Council direct staff to collaboratively work with community partners on implementing the Penticton Child Care Action Plan;

AND THAT a final Union of BC Municipalities (UBCM) grant report is submitted to UBCM and the Province of British Columbia in order to meet the UBCM grant program obligations.

Executive Summary

The City convened and coordinated work to develop a Penticton Child Care Action Plan in response to Penticton's urgent demand for more child care options, and the economic and social benefits of a strong child care sector in the community. Furthermore, the City's Official Community Plan recognizes child care as both an important component of healthy neighbourhoods and a strong business and investment community. Using grant funds from UBCM, the City worked with the Social Planning and Research Council of British Columbia (SPARC BC) to complete an assessment of child care currently available in Penticton, identify priorities to support the development of more affordable and accessible child care, and develop actions to further increase the number of child care spaces and the quality of child care in the community. Some of the key components of this work include:

- Many community leaders are doing good work around child care in Penticton - there is, however a need for more coordinated efforts to make continued progress.
- Approximately 500 individuals participated in the assessment and development of the action plan through surveys, interviews, a workshop, validation activities, and other one-to-one engagements.
- 83% of families who participated in the surveys identified that they find it hard to find child care in Penticton.
- 81% of child care centres in Penticton who participated in the project identified that they have a waitlist of at least six months (if they have not closed their waitlist because it was too long).

- Penticton has approximately 1,064 child care spaces, and it is anticipated that Penticton requires at least 722 net new spaces over the next ten years, to meet expected demand (this is not an uncommon ratio for BC communities).
- Using the input from the nearly 500 participants and a review of best practices from other communities, SPARC BC recommends that there are four major priorities for child care in Penticton: increasing access to child care; making child care more affordable; focus on quality; and strengthen collaborations and partnerships. It identified specific actions to address each of the four priorities.
- SPARC BC has recommended that the City work collaboratively with community partners such as the school district, health authority, child care operators, parents, other regional local governments, and community partners to collectively make a positive impact in terms of the quality and affordability of child care in Penticton.

Strategic priority objective

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Community Safety: The City of Penticton will support a safe, secure and healthy community.

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Background

Council has received extensive communication related to Penticton's child care needs. This includes letters and emails from the public, Committee of the Whole presentations from groups such as Childcare Advocates of BC and the Waitlisted Project, findings in economic development reports, communications from other orders of government, and through public feedback during public engagement activities related to projects such as Edmonton Avenue child care centre. Based on this interest, Council gave staff direction to apply for a UBCM grant focused on providing communities with resources to assess the child care situation and develop action plans to achieve improvements. The grant is specifically to support local governments, the child care sector, parents, and other community partners to better understand the child care sector and to assist in making informed decisions on child care planning. The City received \$25,000 from UBCM in April 2020 for these purposes.

Additionally, child care is noted in the Official Community Plan as both a positive contributor to healthy neighbourhoods and important in creating a positive business climate. From an economic development perspective, child care plays an important role in attracting and retaining families to the community and providing local businesses with a larger pool of prospective employees to employ. Child care was also identified as a priority in recent surveys with businesses in terms of what they need to remain operational and plan for growth through the hiring of more local employees. From a safe and healthy communities perspective, child care is important as a preventative and intervention tool. Research shows, effective child care plays an important role in the early development of a child's brain, provides a safe and healthy environment for young children during the day, and is important to help young children develop socialization skills.

The UBCM grant was used to hire a consultant (Social Planning and Research Council of BC/SPARC BC) to⁶⁷ support the community and City in completing the assessment and developing the action plan. The project included:

- Public engagement with families, child care operators, and community partners,
- An inventory of existing child care spaces,
- Review of practices from other communities and provinces,
- Establishment of net space creation targets over the next 10 years, and
- Development of actions to meet some of the priorities.

Public Engagement

Public engagement was an integral component of developing the Penticton Child Care Action Plan and included approximately 500 individuals throughout the community in the various activities. The public was engaged through surveys, interviews, a solutions workshops, one-to-one engagement conversations, inventory of current spaces, conversations with other municipalities about their plans and efforts, and a validation activity (see Appendix B in the Penticton Child Care Action Plan for specific results). The engagement activities included a collaboration between the City and SPARC BC (e.g., shapeyourcitypenticton.ca was used for members of the public to answer questions developed by SPARC BC). Some of the highlights of the engagement process include:

- Through the 386 surveys completed with families (representing 528 children), 83% of families find it difficult to find child care and nearly half (46%) are on a waitlist for more than a year;
- Through the 30 surveys completed by child care operators (72% of centres in Penticton), 81% have waitlists of over six months and 63% of over one year. Furthermore, zero centres identify as having extended hours or overnight care options.
- During the inventory of current spaces, 1,064 existing spaces were identified in Penticton, and a need for an additional 722 spaces over the next ten years.

Financial Implication

This project was largely covered by a grant provided by the Union of BC municipalities and did not impact City finances, other than the staff time, and a small amount of funds directed towards some of the public participation components of developing the plan. If there are financial implications associated with any of the components of the Action Plan that staff wish to bring forward in the future, staff would bring forward a recommendation at a future meeting.

Analysis

Council has heard from the community about the shortages in child care spaces in Penticton. While there are currently projects in the works to increase the number of spaces in the community, no inventory has been undertaken nor a coordinated plan developed to respond to the shortages. The plan from SPARC BC (see Attachment A) provides an important roadmap that multiple community partners can use to support their own efforts and investments. Additionally, the Province has indicated that communities with child care action plans may have a competitive advantage in receiving provincial capital dollars to build new child care centres. This action plan will help fulfill this requirement of the capital grant applications.

During the planning process, several community partners inquired about the City's role in child care. As noted by SPARC BC in the Penticton Child Care Action Plan, the City does not have the direct mandate nor resources to fully address child care needs in Penticton. However, the City can play important roles in advocating (e.g., to the Province), capacity building (e.g., supporting child care operators in expanding the number of spaces they offer), convening, coordinating, educating (e.g., how to open a child care centre), and regulating (e.g., land use policies) child care. This plan helps to clarify the City's role in child care.

As a part of the grant agreement between the City and UBCM, the City's Chief Financial Officer must submit a grant report, a copy of the assessment/inventory, and a copy of the final Penticton Child Care Action Plan to both UBCM and the Government of British Columbia. Once these documents are submitted, the City will have completed its obligations under the grant.

Summary and Staff Recommendations

Staff recommend that Council support accepting the Penticton Child Care Action Plan and giving direction for staff to work collaboratively with community partners on implementing actions. This will benefit the community both economically and socially. Moving forward, the City can play an important role in convening and coordinating work to move forward on some of the actions, and support partners in finding ways to expand the number of spaces in the community.

Alternate recommendations

THAT Council direct staff to bring back additional information.

Attachments

Attachment A – Penticton Child Care Action Plan

Respectfully submitted,

Adam Goodwin
Social Development Specialist

Carly Lewis
Economic Development Manager

Concurrence

<p>Director of Development Services BL</p>	<p>Chief Financial Officer / General Manager, Finance and Administration <i>JWB</i></p>	<p>General Manager, Community Services <i>ALH</i></p>	<p>Chief Administrative Officer DvD</p>
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Penticton Child Care Action Plan

January 19, 2021

Contents

<i>Acknowledgments</i>	3
<i>Executive Summary</i>	3
<i>About the Child Care Action Plan</i>	5
Why is child care important?	5
Scope and Purpose of the Child Care Action Plan.....	5
Process of Developing the Child Care Action Plan	7
Policy Context	8
<i>Child Care Priorities and Actions</i>	10
Priority 1: Increase Access to Child Care	11
Priority 2: Make Child Care More Affordable.....	19
Priority 3: Focus on Quality.....	22
Priority 4: Strengthen Collaborations and Partnerships	26
<i>Child Care Space Targets</i>	28
<i>Monitoring and Reporting</i>	31
<i>Appendix A – Glossary of Types of Child Care</i>	32
<i>Appendix B – Engagement Summary Report</i>	34
<i>Appendix C - Community Profile</i>	50
<i>Appendix D – Summary of all Recommendations</i>	73

Acknowledgments

The Penticton Child Care Action Plan was prepared by SPARC BC in collaboration with Sandra Menzer.

The City would like to thank the many community members and partners agencies, including our child care providers, who shared their experiences, ideas, and insights.

This project was funded with a Child Care Planning Grant from the Union of BC Municipalities (UBCM).

Thank you to OneSky Community Resources for providing photographs for the report cover.

Executive Summary

High-quality, accessible, and affordable child care is essential to the well-being of children, their families, and the broader community. Research also confirms that child care plays a critical role in economic development, poverty reduction, gender equality, social inclusion, and healthy child development. In recognition of the importance of child care, the City has committed to exploring the current situation in Penticton to inform a concrete set of actions for the City and its community partners, to help address some of the challenges and barriers facing families.

Penticton does not have enough child care spaces available to meet the needs of its families. Today, there are approximately 1000 licensed spaces providing care for 29 % of the total child population. This includes 719 group child care spaces, serving 26% of the children but only 15% of children under three years old. In addition, waitlists are long, with over 79% of parents reporting waits of over six months and 46% reporting waiting one year or more to secure a space. There are no programs offering extended or non-traditional hours of care.

The numbers of group child care spaces will need to increase by 722 over the next ten years to better meet the needs of families in Penticton.

The City of Penticton Child Care Action Plan is organized around four priorities.

- Increasing accessibility
- Improving affordability
- Focusing on quality
- Strengthening partnerships

Thirty-one supporting actions provide a pathway toward meeting more of the needs of Penticton families over the next ten years. Key recommendations focus on making child care a priority in the City and other public systems' decision-making and policies, increasing the supply of child care spaces, and developing solutions through partnerships.

Some of the actions include:

- Develop a City of Penticton Child Care Policy providing a consolidated statement of the community's vision, goals, strategies and commitments.
- Through strong leadership, work with the community to collaboratively achieve targets of 722 new spaces for Penticton by 2030

- Work with other public partners (e.g., Interior Health, School District 67, local First Nations, Okanagan College) to create an inventory of prospective opportunities for child care development on public land.
- Identify opportunities for the City and its community partners to access Provincial Capital funding
- Explore the feasibility of establishing and maintaining a centralized, community child care waitlist to support families looking for child care.
- Advocate to other orders of governments to reduce the cost of child care for families and increase compensation for child care workers.
- Develop new partnerships with the public education systems to offer local ECE training programs.
- Consider the needs for Early Childhood Educators and child care in a formal Workforce Development or Business and Economic Development Strategy.
- Work together with School District 67 to identify the local meaning associated with the Province's recent announcement that child care is moving to the Ministry of Education by 2023 and there will be universal before and after school care with a priority on school grounds.
- Develop a Child Care Action/Planning Table that brings child care providers, and support services together with City staff.

While the provincial and federal governments have the primary roles to play in the policy and funding of child care, as a local government, the City of Penticton does have authority over local planning and land-use, as well as in-depth understanding of local context, needs, and economy. Municipalities can also play an important community planning role and help coordinate local efforts that will help improve the social and economic well-being of the community.

With support from other orders of governments and by working closely with local partners, City of Penticton can work collaboratively to improve the child care situation for families in Penticton.

About the Child Care Action Plan

Why is child care important?

High-quality, accessible, and affordable child care is essential to the well-being of children, their families, and the broader community. Safe, high-quality learning environments support child development, especially during the critical early years, and provides life-long benefits for children's health and academic success.

Accessible, affordable child care also supports labour force participation, especially for mothers, which contributes to gender equality, social inclusion, and reduces poverty rates for families with children. The entire community benefits from the social and economic contributions of parents and caregivers in the workplace. Child care can also help attract young families to the region and is itself a source of local employment.

Scope and Purpose of the Child Care Action Plan

The entire province of British Columbia has a child care crisis. There is a shortage of spaces, and fees have been driven by the market, resulting in costs that are unaffordable for many families, especially for lower income and more vulnerable populations. Historically low wages have also made it difficult to recruit qualified educators to work in licensed child care programs.

We recognize that there are many child care providers in Penticton providing quality services for families however there is a need to identify ways to add more licensed spaces and staff to support more families.

While the provincial and federal governments have the primary roles to play in the policy and funding of child care, as a local government, the City of Penticton does have authority over local planning and land-use, as well as in-depth understanding of local context, needs, and economy. Municipalities can also play an important community planning role and help coordinate local efforts that will help improve the social and economic well-being of the community.

The City of Penticton has already provided leadership in child care with supportive by-laws and programs, including partnering with local not-for-profits to secure Provincial capital funding for new spaces. However, the City does not have the mandate and resources to fully address the gaps in child care availability, affordability, and quality in Penticton on its own. Support from other orders of governments and strong partnerships with Indigenous governments, other jurisdictions, the School District, post-secondary institutions, community service providers, and local child care providers are critical to success. By working with these partners, with a defined plan and coordinated approach, Penticton can make significant progress in improving the child care situation for families in Penticton.

This Action Plan will provide the City and the community with evidence-based, concrete, and actionable recommendations to improve accessibility, affordability, and quality of child care. The Plan is informed by research and best practices in child care but is ultimately grounded in the unique needs and opportunities available to the residents and communities of Penticton.

This a 10-year plan and includes actions for the short term (by 2022) medium term (2023 to 2025), and long term (2026 to 2030). The development of this Child Care Action Plan for City of Penticton coincides

with the development of Child Care Action Plans covering the entire South Okanagan Similkameen region¹. Due to timing and City priorities, the child care planning work was initiated prior to the start of the regional report. However, City staff sit on the Steering Committee for the South Okanagan Similkameen Child Care project and once the final report for the regional project is complete, it can be consulted in conjunction with this report for further regional context.

It is also important to note that this Child Care Action Plan was finalized during several important periods of uncertainty and announcements from other orders of government:

- The COVID-19 pandemic. While it is difficult to predict what child care will look like post-pandemic, it is now, more than ever, widely recognized that child care is critical to full economic recovery and therefore will remain a priority for families and communities.
- The Federal government committing to developing a Canada - wide early learning and child care system.
- The Provincial government confirming:
 - Child care will move into the Ministry of Education by 2023.
 - Work towards universal access to before and after school care, prioritized on school grounds will begin.
 - Families will pay no more than \$10 per day for licenced child care when the 10 year plan is implemented.
 - The number of spaces will be expanded by developing a capital plan and modular strategy and by ensuring whenever government builds a new school, hospital or other public project, child care is considered.
 - The ECE Wage Enhancement Program will be expanded.

¹ This regional project excludes Osoyoos.

Process of Developing the Child Care Action Plan

The research and engagement activities informing this Action Plan are described below.

Review of Best Practices

The Review of Best Practices summarized recent research and policy work to identify a) elements of quality in early learning and child care at both the system and program-level and b) promising practices used by local governments around the province and beyond to support child care planning and service delivery. These findings are incorporated throughout the recommended actions.

Review of Local Government Bylaws and Planning Policies

The Review of Bylaws and Policies Report outlines current zoning bylaws, Official Community Plans, other local policies and makes recommendations relevant to child care for the City of Penticton.

Child Care Services Inventory

The Child Care Inventory incorporates data from the Ministry of Child and Family Development, Interior Health Community Care Licensing, and the local Child Care Resource & Referral program to provide an overview of all licensed child care facilities in Penticton, including number of spaces by license type, auspice, and location. For a list of child care facilities in Penticton, please refer to the BC Child Care Map: <https://maps.gov.bc.ca/ess/hm/ccf/>.

Community Profile

The Community Profile highlights important data about the residents of Penticton to inform child care planning, including child population, socio-economic and labour force data, indicators of childhood vulnerability, and an overview of child care programs and spaces currently available in Penticton. Please refer to **Appendix C** for the complete Community Profile.

In addition to these research activities, the consulting team also conducted a range of community engagement activities to better understand local context, facilitate relationship-building, and allow key players in the City to share action ideas.

Parent and Caregiver Survey

To better understand the experiences and needs of parents and caregivers in Penticton, the consulting team developed and launched an online survey through ShapeYourCity. This survey was open from August 10 to August 31, 2020 and received 386 responses, sharing information about 528 children (or about 15% of all children under 12 in Penticton).

Child Care Operators Survey

The consulting team also worked directly with the Child Care Resource & Referral program and through ShapeYourCity to conduct an online survey of child care providers. The survey was open from August 10 to August 31, 2020. This survey received responses for 30 licensed and license-not-required facilities (72% of all licensed facilities in Penticton).

Key Informant Interviews

The consulting team interviewed 20 individuals from 16 organizations who were identified as ‘key informants’, i.e. with experience, knowledge, and organizational perspectives that would allow them to speak to the child care needs of families and children in their community. These key informants were asked a range of questions about the state of child care and needs of families in their communities and were invited to share their suggestions for action.

For a detailed overview of the methodology and findings from the parent and caregiver survey, child care operator survey, and key informant interviews, please refer to **Appendix B**.

Child Care Solutions Workshop

The City of Penticton hosted a virtual Solutions Workshop on September 23, 2020 with City staff and community partners. The Solutions Workshop allowed participants a chance to explore the current state of child care in Penticton, potential opportunities and partnerships, space targets, and actions to address child care gaps. The workshop had 17 participants from eight organizations, the City of Penticton and Interior Health.

Policy Context

Federal and Provincial governments have the primary responsibility for child care policy and funding for programs; however, local governments also have strong roles to play, as do other local authorities (e.g. school districts, health authorities) and community child care providers.

Federal Government

The federal government provides direct child care funding support to some specific population groups, including First Nations, Metis, and Inuit children and families. It also provides maternity and parental benefits to eligible parents through Employment Insurance. Additionally, the Federal government has allocated funds to implement the [Multilateral Early Learning and Child Care Framework](#) and the [Indigenous Early Learning and Child Care Framework](#), identified school age care as a priority, and most recently in the throne speech (September 2020), announced plans to invest in a national child care system.

Provincial Government

In BC, child care spans three ministries (Children and Family Development, Health, and Education), all of which have different responsibilities, including the development of legislation, policy and regulations; monitoring services; funding programs and services; providing capital grants; and providing fee subsidies and program support for families with lower incomes.

In 2018, the Province made a commitment to build a universal, high quality, publicly funded child care system that makes child care affordable and available for any family that needs or wants it. To meet this commitment, the Provincial government has developed a 10-year plan, [Child Care BC](#), which included a \$1.3 billion dollar investment in the first three years. This plan incorporates several initiatives to increase the number child care spaces, reduce parent fees, and improve quality.

Capital funding for new child care spaces is distributed through the [Child Care BC New Spaces Fund](#). Child care expenses for families have been reduced through the Child Care Fee Reduction Initiative and Affordable Child Care Benefit, as well as the establishment of \$10-a-day universal child care prototype sites. The Province has also worked to address staffing challenges in the child care sector with a wage

enhancement for early childhood educators and increased support for training. The Provincial Government also provides funding for Aboriginal Head Start programs to include child care, which is the first Provincial investment toward Indigenous-led child care.

Local Governments

Under Provincial legislation, local governments do not have a legislated role or mandate in child care. They lack the mandate and resources required to fully address child care needs. However, municipalities are the order of government closest to the people and they generally have the most in-depth understanding of the local context. With the support of other orders of government and in collaboration with other jurisdictions, school districts, and other community partners, there are many actions local governments can take help improve the accessibility, affordability, and quality of child care for families in their communities.

The City of Penticton has already taken several positive steps towards facilitating child care in the community. Child care facilities are permitted in several zoning districts. Supportive financial programs, including Community Grants and permissive property tax exemptions, are available to not-for-profit child care providers. The City also directly leases space to child care operators and has recently partnered with OneSky Community Resources to successfully apply for Provincial capital funding to create 116 new child care spaces.

This Action Plan builds on the existing policy framework and tools already used to support child care in Penticton and also incorporates promising practises from other municipalities around the Province.

Other Partners

Several other parties are involved with the planning, development, support, and operation of child care. Examples include First Nations, regional health authorities, school districts, child care providers and operators, not-for-profit organizations, parents, and the broader community. Additional information on these key child care partners is provided throughout this report. It is worth noting that in November 2019, the Province announced an increasing role in school age child care for school districts and expanded this now to confirm a commitment to universal before and after school age care and that all of child care will be moving to the Ministry of Education by 2023. The Federal Government also recently announced that a national early learning and care system will be developed.

Child Care Priorities and Actions

This Action Plan is organized around four priorities, closely aligned with the Province's child care commitments:

- Increasing accessibility
- Improving affordability
- Focusing on quality
- Strengthening partnerships

The sections below summarize information and community engagement gathered in this project that are relevant to each child care priority. This is followed by a series of recommended actions, with suggested timeframes. As many of the actions involve collaboration and partnership, key partners the City should approach are noted for each recommendation where applicable.

Overarching Recommendation

While Penticton has limited resources to address the issues pertaining to child care on its own, the City clearly has an interest in child care and has already taken several positive steps towards facilitating child care in the community, like the partnership with OneSky Community Resources to develop new spaces. In addition, the City has some supportive planning policies and programs already in place, like grants and working with child care providers to identify potential sites for new child care centres. There are however also many opportunities to make positive improvements.

To provide a sound policy footing for change, it is recommended that the City of Penticton develop a comprehensive Child Care Policy.

This policy should include, but not necessarily be limited to:

- *A clear statement that the development of child care is a priority for the City;*
- *A commitment to increased accessibility, affordability, quality and partnerships;*
- *A clear commitment to support and encourage the child care sector*
- *The identification of community space targets, and other measurable goals.*
- *A general outline of resources which need to be obtained by the community;*
- *A commitment to inter-jurisdictional cooperation and partnerships.*

A shorter version of this recommendation is included in the table presented below.

Priority 1: Increase Access to Child Care

Many families need but cannot access child care. When parents and caregivers cannot find care, they may stay home with their children instead, which can cause immediate financial hardship and negatively impact their employment and income prospects long-term. This can also decrease the number of potential employees available to participate in the local economy or create a large barrier that prevents entrepreneurs from starting a new, local business. Parents and caregivers who need to work but who cannot access suitable care may also be forced to rely on whatever care arrangements they can find, even if those arrangements do not fully meet their family’s needs. While access to child care is a challenge for all families, underserved populations often face additional barriers to accessing care.

Current Status

Across Canada, there is an average of 27 licensed child care spaces of all types for every 100 children under 12. In BC, there are only 18 spaces for every 100 children. The South Okanagan Similkameen Region (excluding Penticton and Osoyoos) has 20 spaces for every 100 children, slightly higher than the provincial average. The City of Penticton is closer to the national average, with 29 licensed child care spaces of all types for every 100 children aged 12 and under; however, the spaces available for three to five year olds disproportionately affects this average.

The recommendations in this report focus on group child care spaces as local governments and other public authorities have greater ability to plan for and facilitate group child care than family child care. In addition, this plan recommends that licensed school age space development focuses on younger school age children, up to 9-years-old, as older children are typically served by recreational and less formal activities.

In 2020, there are 719 group child care spaces in Penticton for a total population of 2,718 children 0 to 9-years-old, a coverage rate of 26%.

Figure 1: Current Group Child Care Spaces vs 2020 Child Population

Age Group	Current Situation		
	Number of Children (2020) ²	Number of Spaces	Current Spaces per 100 (2020 Population)
Under 3 years	728	108	15
3 to 4 years (and half of all 5-year-olds)	702	301	43
5 to 9 years (and half of all 5-year-olds)	1288	310	24
Total (0 to 9 years)	2718	719	26

However, child care spaces are not equally available for all age groups. For example, there are 43 group (30 month to school age) spaces for every 100 children in the preschooler age groups, but there are only

² The 2020 child population numbers are estimates based on 2016 Census data for child population in Penticton and population projections from BC Stats for the Penticton Local Health Area in 2020. We assume that the projection trend for the City of Penticton is the same as that of the entire Penticton LHA (which includes the City of Penticton, Penticton First Nation, Electoral Area E, and Electoral Area F).

24 group (school age) spaces for every 100 school age children and only 15 group (birth to 36 month) spaces for every 100 children under 3.

While there are only child care spaces available for 15 to 43% of children, depending on age group, most parents and caregivers are working. For families with children under the age of six, 77% of couple families had at least two earners and 75% of lone parent families had at least one earner. In addition, many parents and caregivers who are home with their children indicated that they would prefer to work but cannot due to lack of affordable child care. In the Penticton Parent and Caregiver survey, 72% of respondents whose primary care arrangement is a parent or caregiver at home reported that they would change this care arrangement if they could, with 69% indicating group child as their preference.

“I couldn’t find any infant toddler for my son when he was younger and now to find after school care is almost impossible.”

- *Penticton Parent & Caregiver Survey respondent*

Waitlists

The limited availability of child care spaces is corroborated by child care operators and by parents and caregivers. For example, in the Child Care Operator survey, 86% of facilities reported having waitlisted children. Of these facilities, 63% were currently accepting new applications for the waitlist and 37% had closed their lists. 81% of facilities reported average waitlist times of over 6 months. 63% of facilities had average waitlist times of over one year. This is consistent with wait times reported by parents and caregivers. In the Parent and Caregiver Survey, 72% of respondents using some form of non-parental or non-relative care reported previously being on a waitlist to access their current arrangement. 79% reported wait times of over 6 months and 46% reported wait times of over one year.

Hours of Operation

Many families struggle to access child care during hours that fit their work schedules. This is especially true for those who work non-traditional hours, including shift workers (e.g., nurses at the hospital). There are no child care providers in Penticton offering extended hours of care or overnight care. Only one facility is open on statutory holidays. 45% of respondents to the Parent and Caregiver Survey identified extended hours and/or days of operation as one of the factors that would most help improve their child care situation.

“Affordable, licensed, care seems impossible. I feel very lucky that I don't work shift work anymore, I can only imagine how much more difficult it would be.”

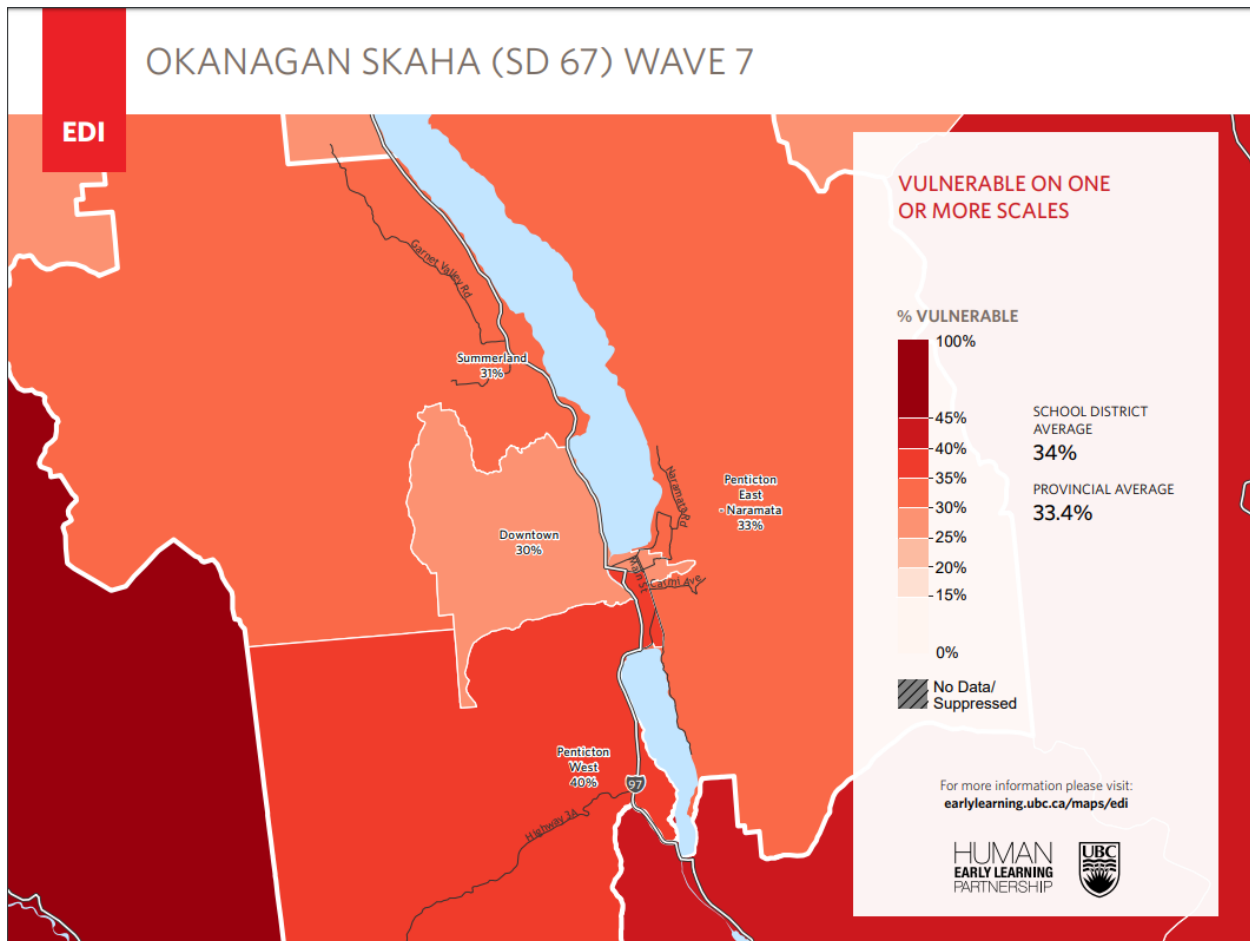
- *Penticton Parent & Caregiver Survey respondent*

Access for All Populations

While lack of child care spaces negatively impacts the entire community, some children and families face additional challenges to accessing care that meets their needs.

There are about 460 Indigenous children aged 0 to 12 living in Penticton, making up about 13% of the total child population, which is significantly higher than in other parts of BC. The Penticton Indian Band runs a child care facility that includes group (birth to 36 months), group (30 months to school age), and Aboriginal Head Start preschool programs, with priority given to band members living on or off-reserve. However, overall, access to culturally safe and appropriate child care for Indigenous families in Penticton remains limited.

In addition, according to The University of British Columbia's [HELP Early Development Instrument](#), about 34% of kindergarten students in the Okanagan Skaha District are vulnerable on one or more scales of well-being and development, which means they may experience future challenges in school and society without additional support and care. The vulnerability rate was highest in Penticton West (40%), followed by Penticton East-Naramata (33%), Summerland (31%), and Downtown (30%). Children who are vulnerable benefit the most from high quality early childhood education experiences.



Nearly one-third (29%) of all children 0 to 14 years live in lone parent families. Child care is especially critical for lone parent families that are dependent on one income. However, lone parents also often face additional barriers to accessing child care, including unaffordable fees, difficulties navigating the child care system, and lack of 'back-up' in terms of flexibility in drop-off and pick-up times.

Families with children who require additional supports also face greater challenges to accessing child care. Overall, 10% of all elementary school children in School District 67 were reported to have special needs in the 2019/20 school year. The Okanagan Similkameen Neurological Society (OSNS) Child and Youth Development Centre offers programs for children with special needs, including an integrated child care program which is also a universal child care prototype site. However, as of fall 2020, waitlists for this child care facility are full and closed. Children with special needs can also access additional support in a child care setting through the Supported Child Development (SCD) program, though this program also has a waitlist which means that families have to struggle with two waitlists – one for a child care space and then one to receive additional support for the child to be fully included in the program. The Parent Survey also indicated that children with special needs are often denied access to the limited number of child care spaces that are available. It is very difficult for families to find spaces that they can afford and that offer an adequate level of support that meets their child's needs.

“My child has autism. Placements in this town discriminate against children with autism. They often refuse to work with Supported Child Development. My child was removed before attending but upon learning he had autism (even though SCD was secured) and was discriminated against multiple times due to high demand in town and the centers ability to choose easier kids.”

- *Penticton Parent & Caregiver Survey respondent*

Recommendations

The following actions will facilitate the creation of new child care spaces overall, create new spaces for the most under-served groups and address some locational priorities. For the purposes of this plan, short term is defined as within 1 to 2 years (by 2022) , medium term is 3 to 5 years (2023 to 2025), and long term is 6 to 10 years (2026 to 2030).

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
<p>1. Develop a stand-alone Penticton Child Care Policy, providing a consolidated statement of the City’s vision, goals, strategies and commitments to child care.</p>	Short	School District 67, Child care operators, Community Service Providers
<p>2. Endorse the space creation targets of 722 new spaces for Penticton by 2030:</p> <p>Infant/Toddler: 33% coverage = 131 spaces Preschooler: 75% coverage = 236 spaces School Ager: 50% coverage = 355 spaces</p>	Short	None
<p>3. Work with other Public Partners (e.g., Interior Health, School District 67, local First Nations, Regional District) to create an inventory of prospective opportunities for child care development by identifying:</p> <ul style="list-style-type: none"> a) potential land or facilities that could be used for child care b) underutilized or vacant spaces or land, including schools, parks or crown land that could be repurposed for child care c) public assets (buildings and land) that are slated for capital redevelopment d) existing child care facilities that have expansion potential e) buildings that may be slated for demolition 	Short	Interior Health, School District 67, First Nations, community service agencies

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
<p>4. Work in close partnership with School District 67 to assess opportunities to increase the numbers of licensed before and after school programs as part of the Province’s commitment to move child care to the Ministry of Education to lead universal before and after school care, including innovative opportunities on professional development days, school breaks, and summer.</p>	<p>Short, Medium</p>	<p>School District 67, Child Care Operators</p>
<p>5. Link child care to new housing developments. This includes the City’s affordable housing strategies, affordable housing plans and other multi-family residential developments. Child care should be considered and included where possible in all new family housing and neighbourhoods.</p>	<p>Medium/Long</p>	<p>Housing Developers, BC Housing, Housing Operators, Province</p>
<p>6. Work with public partners to identify opportunities to access Provincial Capital funding to build child care spaces and develop a structured partnership with the Province to replicate the process for multiple programs and sites</p>	<p>Short/Medium</p>	<p>Province, First Nations, School District 67, Interior Health, not-for-profit child care operators</p>
<p>7. Identify a City staff position(s)* as the child care facilitator/point person to provide leadership on child care in the City organization, including but not limited to assisting applicants with City processes and supporting other City staff who are engaged with child care.</p> <p>* This could be a function added onto an existing position.</p>	<p>Short</p>	<p>None</p>

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
<p>8. Identify and implement changes to local government processes and regulations for facilitating /developing child care, including alignment with Interior Health Licensing; and review of bylaws as detailed in the Planning Framework and Bylaw Review Report.</p> <p>Examples:</p> <ul style="list-style-type: none"> • coordinate building/facility inspections between the City including fire, electrical, and plumbing, and Interior Health to streamline and remove any redundancies • host joint child care development information meetings on a regular basis with City inspectors, CCR&R, and Interior Health for people who are interested in opening child care centres to explain the processes and the various jurisdictional roles • eliminate the distinction between major and minor facility categories (with the exception of RM2 areas, all zones allowing child care to permit both major and minor child care operations) • identify child care as a community amenity in the Official Community Plan • ensure child care is prioritized in the City’s review of the permissive tax policies and application fees • review existing Community Grant Program to ensure it supports child care and actively promote the program to the not-for-profit child care sector 	Short/Medium	Consultation with recent applicants, Interior Health, City building, plumbing, electrical, and fire inspectors
<p>9. Update the City’s website to add child care information for providers who are interested in opening spaces and parents who are looking for care:</p> <p>a) ensure the information for opening spaces is based on the assumption that applicants have limited prior knowledge (e.g.: a step by step guide to procedures and submission requirements, link to licensing authorities)</p>	Short	Child care providers, Interior Health, Child Care Resource & Referral Program

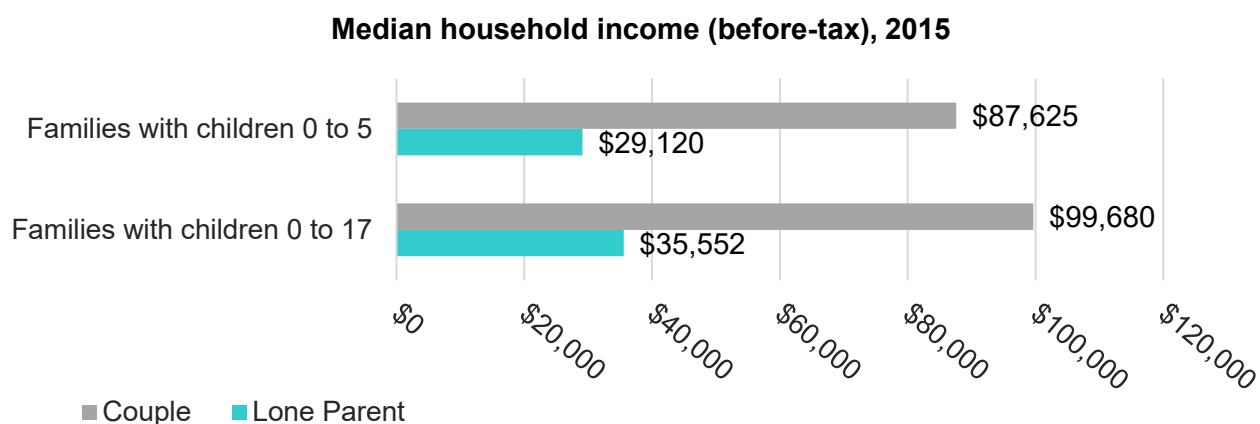
Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
b) provide links to the CCR&R programs and MCFD child care map for parents looking for child care		
10. Work with community partners, City departments, library staff and public partners, to develop a variety of after-school programs to support children aged 10-12	Medium	Library staff, Public Partners, Community Service Providers and School District 67
11. Work with the new Community Child Care Planning Table (see recommendation #24) and local, large employers (like the Penticton Regional Hospital) to explore and then pilot child care that offers longer hours, non-traditional hours and/or flexible hours.	Medium	Child Care Providers, Local Employers, Province
12. Increase partnerships with the Child Care Resource and Referral program, the Supported Child Care Programs and other community organizations to: a) bring child care operators together more regularly for information sharing, joint training and education; with a particular focus on inclusion of children with additional support needs; and b) provide more information for parents about accessing child care, especially targeted at more vulnerable populations. (i.e.: lower income families and those with special needs children)	Short	Community Agencies, child care operators, Child Care Resource and Referral
13. Explore the feasibility of establishing and maintaining a centralized child care waitlist to support families who are looking for child care	Medium	Child Care Resource and Referral Program, Child Care Providers

Priority 2: Make Child Care More Affordable

High costs are a major barrier for many families who need child care. In addition to the general lack of spaces, high costs mean many parents are not able to participate in the labour force as it simply does not make financial sense for their families. Other families may be forced to rely on care arrangements that do not meet their child’s needs simply because they are not able to afford preferred alternatives. When child care is unaffordable, families experience stress and financial strain. Unaffordable child care also has disproportionate negative impacts on low income families and families already facing additional challenges.

According to the 2016 Census, 21% of children under 18 lived in low-income families, including 22% of all children under the age of 6. Figure 2 below shows median before-tax incomes by family type for families in Penticton in 2015. There is a stark gap between median income for couple families with children (\$87,625 for those with children under six, \$99,680 for those with children under 18) and for lone parent families (\$29,120 for those with children under six, \$35,552 for those with children under 18), bearing in mind that nearly one-third of all children aged 14 and younger in Penticton are living in lone parent families.

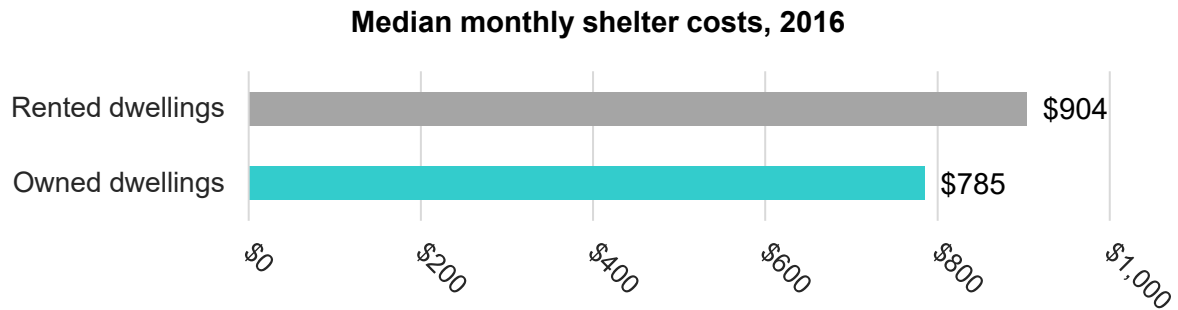
Figure 2: Median household income (before-tax), City of Penticton, 2015



Families in Penticton face simultaneous affordability crises in both child care and housing. Figure 4 shows median monthly shelter costs for rented and owned dwellings in 2016. Median monthly rent is 37% of median before-tax income for a lone parent with a child under six. To minimize the risk of housing instability, the maximum rate a family spends should be no higher than 30%³.

³ About Affordable Housing In Canada: CMHC http://www.cmhc-schl.gc.ca/en/inpr/afhoce/afhoce_021.cfm

Figure 3: Median monthly shelter costs, City of Penticton, 2016



The most recent data on monthly child care fees for the entire South Okanagan Similkameen region comes from a fee survey conducted by the Child Care Resource & Referral (OneSky Community Resources) in 2017 (Figure 4). Since 2017, several Provincial initiatives to address child care affordability have lowered costs for many families, especially those with lower incomes. Despite this progress on affordability, high costs remain a challenge, and 68% of respondents to the Parent & Caregiver Survey selected lower fees as one of the factors that would most help improve their child care situation.

Figure 4: Monthly child care fees, South Okanagan Similkameen, 2017

Age Group	Family Child Care	Group Child Care
Infant/Toddler	\$600 - \$1000	\$800 - \$1065
3-5 years	\$600 - \$1000	\$600 - \$950
School Age (before or after)	\$175 - \$500	\$270 - \$330
School Age (before and after)	\$210 - \$540	\$400 - \$500

“At this moment when my maternity leave ends, I will not be able to return to work as the childcare costs will be too expensive.”

- Penticton Parent & Caregiver Survey respondent

Recommendations

Local governments have limited opportunities to directly affect the cost of child care for families; key tools and responsibility rest with senior levels of government. As such, the actions that can be considered are to review internal processes and provide some supports to not-for-profit operators to help to make their child care operations feasible and to advocate to the Province for continued and expanded investments.

Recommendations to Improve Affordability		
Action	Time Frame	Potential External Partners
<p>14. Assist prospective child care operators with identifying potential lands that may be available and suitable (through Action #3). This may include working with private and/or public land owners to identify opportunities to offer affordable lease rates.</p> <p>If suitable sites are found (through Action #3) then lease local government and other public spaces/land to non-profit child care providers at below-market and affordable lease rates; and ensure that the Child Care Operator is offering fees that are as affordable as possible.</p>	Ongoing	Not -for – profit child care providers
15. Monitor child care fees in Penticton	Ongoing	Child Care Resource and Referral Program
16. Advocate to other orders of governments to reduce the cost of child care and increase compensation for child care workers	Short/Medium/Long	Community-wide, General Public, community agencies and public partners
<p>17. Partner with the local Child Care Resource and Referral Program to enhance the promotion of the BC’s Affordable Child Care Benefit Program so that:</p> <p>a) More families are aware of the subsidy program that is available</p> <p>b) More child care providers are aware of the program and can help parents with the application processes</p>	Short	Child Care Resource and Referral Program and local child care operators

Priority 3: Focus on Quality

The research is clear that high quality child care is linked to positive outcomes for children, while poor quality care can have negative long-term effects. Moreover, parents dropping off their children at a child care centre each working day want to feel secure knowing their children will receive safe, high-quality care.

Quality Child Care Systems

The Province of BC has committed to an ambitious “systems” approach to universal child care with a focus on quality, affordability, and accessibility. *Child care BC: A New Day for Families & Providers in BC* is a Provincial plan specifically focused on establishing a quality child care system and adheres to eight commonly accepted elements of a quality child care system, graphically presented below. These elements are: (1) Ideas, (2) Governance, (3) Infrastructure, (4) Planning and Policy development, (5) Financing, (6) Human Resources, (7) Physical environment, and (8) Data, Research and Evaluation. All elements are interconnected and fit together to create a strong system; individually, each component has a limited impact. Strong public policy is needed to provide the foundation to build a quality child care system that incorporates all of these components.

Figure 5: Elements of Quality Child Care System



(Source: Martha Friendly and Jane Beach, (2005). Elements of a high quality early learning and child care system. Childcare Resource and Research Unit.)

Quality Child Care Programs

At the program level, research confirms that positive relationships between families and providers, among colleagues, and between children and staff is strongly indicative of quality care. Additionally, when staff have higher levels of education and training, feel appreciated, and are well-supported, the quality of care increases. Planned programming and a strong curriculum that is tailored to meet the diverse needs of children further enhances quality. There is also ample evidence that a well-designed indoor/outdoor space is critical to supporting the development of children under five.

In order to facilitate the quality criteria identified, special attention should be paid to the following considerations regarding staff:

- Staff should have ECE (Early Childhood Education) training
- At least some staff should have special needs and cultural/ESL skills
- Wages should be a living wage and commensurate with the level of training
- There should be written policies and formal procedures, which give staff a feeling of worth and certainty, such as: job descriptions, contracts, salary schedule, performance reviews, and a staff manual
- Opportunities for continued learning and professional development.

Auspice

Child care auspice is critically important to the quality of child care programs. In BC (and Canada), three types of child care auspices exist:

1. Non-profit child care services, including indigenous non-profits
2. For-profit child care services, including Family Child Care
3. Publicly operated child care services (i.e. services directly operated by a public entity such as a city government or school board, or indigenous government)

While we recognize that many for-profit child care centres provide high quality and reliable care to families and the community, broader research on auspice has consistently demonstrated that non-profit and publicly operated centres perform better on global evaluation scales when compared to for-profit centres. In British Columbia, studies have found that the reliability of non-profit centres is much higher: Non-profit centres are 97 times more likely than for-profit centres to continue long term operation and parent fees are lower. In addition, the Province has prioritized funding for public and non-profit child care, in a long term investment in quality child care.

Across British Columbia about 50% of the child care facilities are operated on a not-for profit or public basis. Similarly, in Penticton, about half of all programs (44%) and spaces (51%) in are managed by not-for-profit operators. For-profits account for 35% of programs and 41% of spaces. The remaining 8% of child care spaces are family and in-home care.

Figure 6: Child care programs and spaces by service type and auspice

Service Type & Auspice	Programs	Spaces
Family and in-home multi-age	11 (20%)	79 (8%)
Group and multi-age: For-profit	19 (35%)	409 (41%)
Group and multi-age: Non-profit	24 (44%)	499 (51%)
Total	54 (100%)	987 (100%)

“I feel like here you are stuck with the first place that accepts you, whether you really like it or not. Childcare is a huge stress... At one time we had to use care I didn’t even really trust for three months because there was no other option.”

- Penticton Parent & Caregiver Survey respondent

Recommendations

The following actions will assist in promoting and influencing the quality of child care.

Recommendations to Promote Quality		
Action	Time Frame	Potential External Partners
18. Work with, support, and encourage the non-profit and public sector in developing new facilities to meet the child care space targets	Ongoing	Non-profit organizations, local First Nations, Public Partners
19. Explore feasibility and options for creating guidelines for child care spaces that may be developed or facilitated (e.g., program mixes, operating expectations like affordable fees, good wages and working conditions, program curriculum)	Medium	Interior Health, Non-profit providers, child care providers
20. Support the Province in its “Early Care and Learning Recruitment and Retention Strategy” initiative through joint efforts	Short	Public education systems (i.e.: School District 67, Okanagan College), child care providers
21. Work with School District 67 to explore a dual credit ECE Program for local high school students to encourage a career and local employment and work with local child care providers to offer ECE Practicums	Short	School District 67, Province, child care providers
22. Develop new partnerships with public post-secondary training institutions to offer local ECE training programs	Short/Medium	Okanagan College, The University of British Columbia’s Okanagan Campus
23. Consider the needs for Early Childhood Educators and child care in a formal Workforce Development or Business and Economic Development Strategy	Ongoing	Local business, planners, researchers

Priority 4: Strengthen Collaborations and Partnerships

Child care involves many parties playing various roles, which means it requires intentional relationships and collaboration between and across jurisdictions. Local governments cannot act alone. By working in collaboration with Indigenous governments, researchers, the School District, Okanagan College, the University of British Columbia, provincial government, federal government, child care providers, Interior Health, community agencies, and others, the City of Penticton can significantly improve accessibility, affordability, and quality of child care available to families.

Recommendations

The following actions bring focus and attention to the essential relationships and partnerships for a coordinated approach to child care that meets families’ needs.

Recommendations to Strengthen Collaborations and Partnerships		
Action	Time Frame	Potential External Partners
Actions # 3, 4, 6, 8, 10, 12, 13 & 17 outlined earlier also all involve strong collaboration and partnerships		
24. Develop a local Child Care Action/Planning Table that brings child care providers, support services like supported child care, Interior Health Licensing, family support agencies, the School District and Indigenous Partners together with the City to focus on child care needs and the implementation of the child care action plan	Short	School District 67, child care providers, non-profit agencies, family support, Interior Health, First Nations, Ministry of Children and Family Development
25. Continue to build supportive and learning relationships with First Nations and Indigenous partners to support Indigenous perspectives, history and culturally appropriate and supportive child care in Penticton	Ongoing	First Nations, in particular the Penticton Indian Band, child care operators
26. Work together to identify the local meaning associated with the Province’s recent announcement that child care is moving to the Ministry of Education by 2023 and there will be universal before and after school care with a priority on school grounds	Short/Medium	School District 67, non-profit operators and community

<p>27. Consider the development of a public education/communication campaign that informs on the needs for child care, the importance of child care to the community, and the actions that are underway to improve the child care situation in Penticton</p>	<p>Short/Medium</p>	<p>The new Child Care Action Planning Table (as noted in # 24)</p>
<p>28. Provide regular briefings to elected officials on the child care situation (City, provincial, federal, and School Board) and commit to offer an orientation on child care after each election to elected officials</p>	<p>Ongoing</p>	<p>The new Child Care Action/Planning Table as noted in # 24)</p>
<p>29. Recognize and honour the value of child care workers and the child care in the community by supporting Child Care month on an annual basis</p>	<p>Short</p>	<p>Child Care Resource and Referral Program, the new Child Care Action / Planning Group as noted in # 24</p>
<p>30. Coordinated advocacy to other orders of governments to provide support to the child care sector and families in the following areas, and other priorities that arise:</p> <ul style="list-style-type: none"> a) Ensuring that the needs of Penticton’s children are a priority for new spaces in provincial planning and funding b) Recruitment and remuneration of ECEs c) Increased resources to support children with additional needs through the Supported Child Development d) Lower fees for families e) Funds needed to support non-traditional hours of care 	<p>Short/Medium</p>	<p>Local Governments, including First Nations, Public Partners</p>
<p>31. Share information and collaborate where possible with the local governments in the South Okanagan-Similkameen</p>	<p>Ongoing</p>	<p>RDOS, Summerland, Keremeos, Oliver, Princeton</p>

Child Care Space Targets

Purpose of targets

Targets for additional child care spaces assist with planning and prioritization to meet community needs over the coming years. Additionally, the Provincial government has requested local governments to identify targets as part of the scope of project work that was funded by the UBCM Child Care Planning grant.

Local governments do not have the mandate and resources to address child care needs alone. The child care space targets described here are contingent on senior levels of government continuing to commit capital funding to child care space creation and operating support for the delivery of services. The support of Indigenous and local governments, Interior Health, the School District, and community agencies and child care providers will also be critical to achieving these targets.

Process for creating targets

There are no Federal or Provincial standards or recommendations for child care space targets or coverage in Canada. The targets presented here are informed by standards in other jurisdictions, the local context in Penticton, and consultation with local stakeholders and partners at the Child Care Solutions Workshop.

For reference, in the European Union, where many countries have publicly funded child care systems, the target established is 33 spaces per 100 for children under the age of 3, 90 spaces per 100 children for 3 years to school age, and no targets for school age children. In Quebec, the only publicly funded child care system in Canada, there is an average of 55 spaces per 100 children aged 0 to 12.

The targets proposed here are intended to be both aspirational and realistic for the ten-year planning cycle.

Targets for City of Penticton

The target is to create 722 new licensed spaces over the next 10 years (by 2030) as follows:

Figure 7: Space Targets for Penticton, 2020-2030

Program Type	Current Coverage Rate	Target Rate by 2030	Number of New Spaces Needed to Meet 2030 Target
Infant and Toddler (under 3 years old)	15 spaces per 100 children	33 spaces per 100 children	131 new spaces
Preschooler (3 – 4, and half of all 5-year-olds)	43 spaces per 100 children	75 spaces per 100 children	236 new spaces
School age (6 – 9, and half of all 5-year-olds) ⁴	24 spaces per 100 children	50 spaces per 100 children	355 new spaces

⁴Note that this target includes children aged 6-9 years old only. It is recognized that 10 to 12-year-olds can more easily and preferably access other non-licensed opportunities for before and after school.

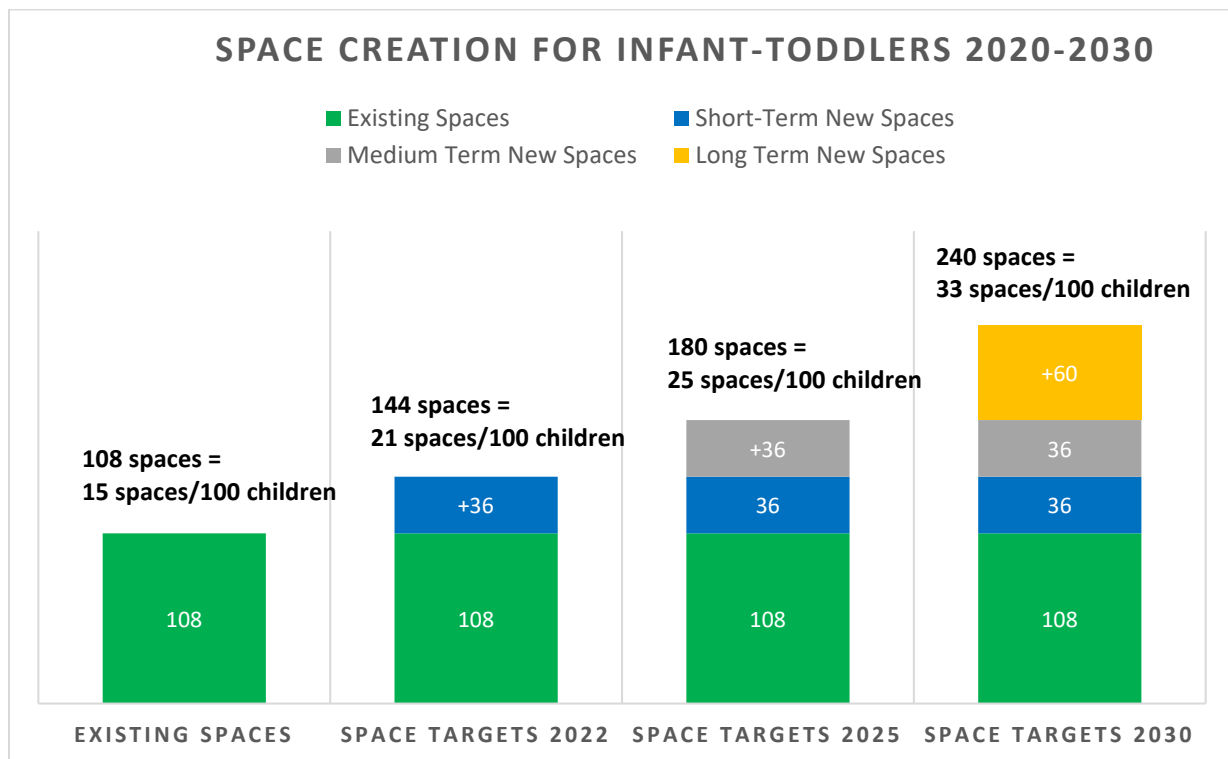
For each age group, we suggest the number of spaces to be created in the short, medium, and long term to meet these targets. We calculate the number of spaces proposed for each time period with reference to the maximum group sizes for each program type as set by Licensing (i.e. 12-space infant-toddler programs, 25-space preschooler age programs, 24-space school age programs). Because of this planning method, the total number of new spaces shown in the targets below may vary by a few spaces from the numbers of new spaces required shown above in Figure 7.

Progress towards the space targets is already underway. Notably, the City of Penticton was recently awarded Provincial funding to create 116 new child care spaces. While the mix of spaces by type associated with this funding may change, it is currently expected to include 12 infant-toddler, 24 group care (30 month to school age), and 60 school age spaces.

Infant-Toddler Program Targets

By facilitating the creation of eleven 12-space infant toddler programs in the next ten years, including three in the short term (2020 to 2022), three in the medium term (2023 to 2025) and five in the long term (2026 to 2030), Penticton could have child care spaces for 21% of children under 3 by 2022, 25% of children by 2025, and for 33% of children under 3 by 2030.

Figure 8: Space Creation Targets for Infant-Toddlers 2020-2030

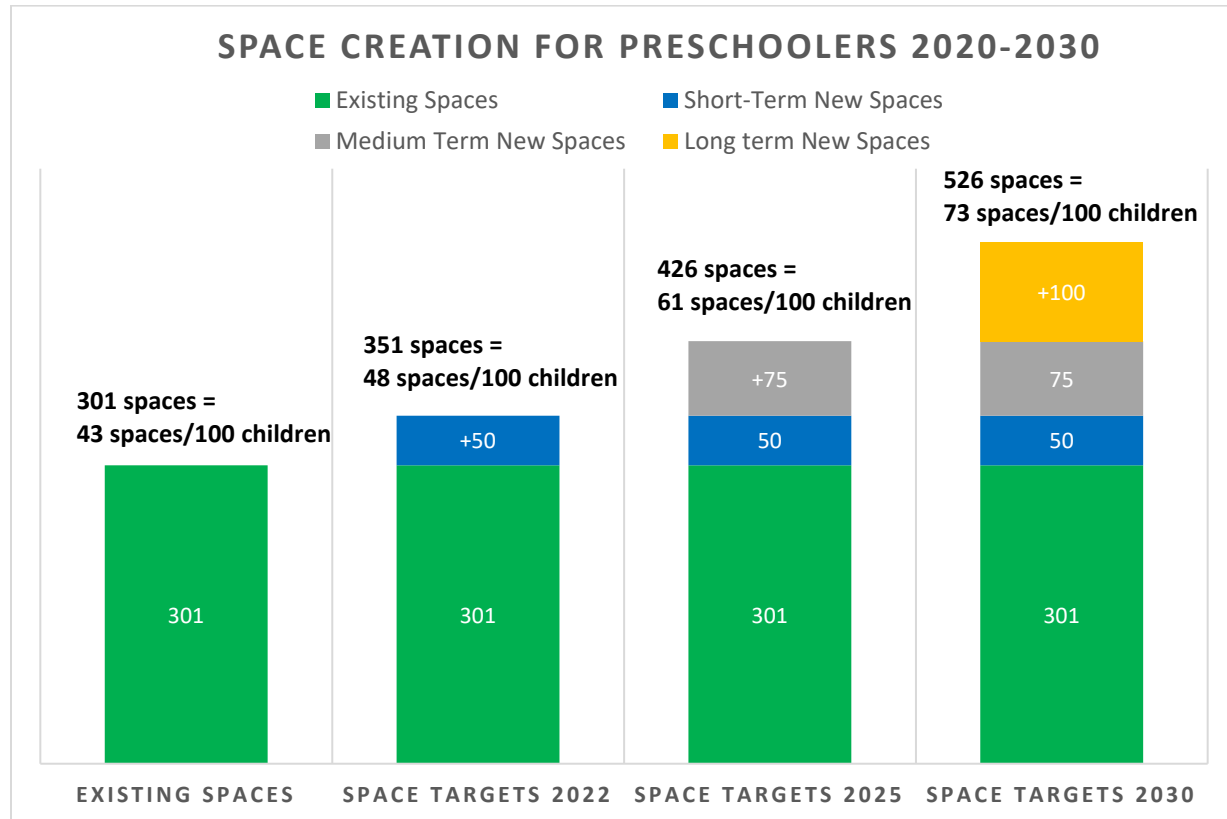


*The City of Penticton already has one 12-space infant-toddler program in development in the short-term, one of three new programs to be facilitated by 2022.

Preschool Age (3-5 years) Program Targets

By facilitating the creation of nine 25-space full-day preschooler age programs in the next ten years, including two in the short term (2020 to 2022), three in the medium term (2023 to 2025) and four in the long term (2026 to 2030), Penticton could have child care spaces for 48% of all preschooler age children by 2022, 61% by 2025, and 73% by 2030.

Figure 9: Space Creation Targets for Preschoolers 2020-2030

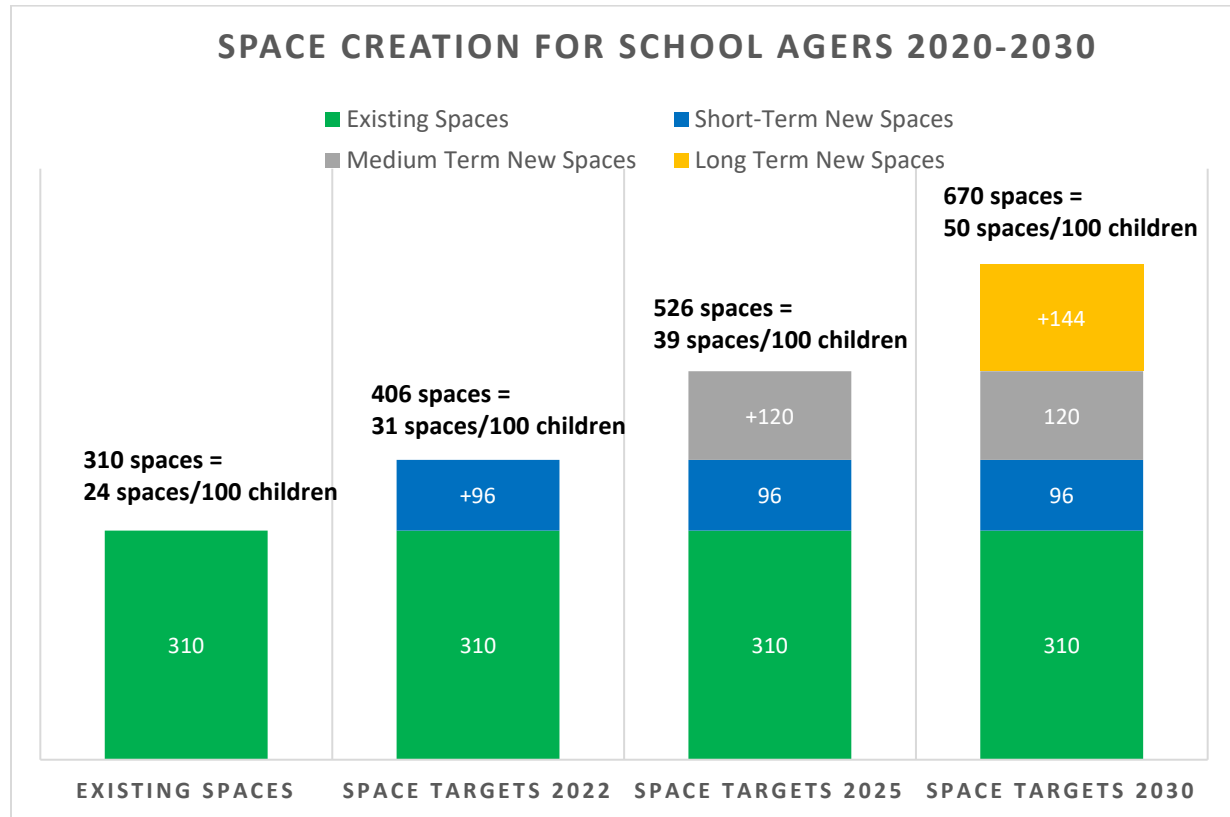


*The City of Penticton already has one 24-space group (30 month to school age) program in development in the short-term, one of the two new programs to be facilitated by 2022.

School Age (Ages 6-9) Program Targets

By facilitating the creation of fifteen 24-space school age programs by 2030, including four programs by 2022, five programs between 2023 and 2025, and six programs between 2026 and 2030 Penticton could reach targets of child care spaces for 31% of school age children by 2022, 39% by 2025, and 50% by 2030.

Figure 10: Space Creation Targets to School Ageds 2020-2030



*The City of Penticton already has 60 school age spaces in development in the short-term, which is 63% of the new school age spaces to be facilitated by 2022.

Monitoring and Reporting

This Action Plan, developed in the context of increased commitments from other orders of government to child care, represents an important opportunity to enhance the social and economic well-being of residents of Penticton and to support the healthy development of children. As the Plan is implemented, it will be important for the City of Penticton and community to monitor and report on progress.

The City can develop simple tools to conduct ongoing monitoring and reporting on implementation of this plan. Annual reports on progress can be shared with City Council and, upon approval, with partners across the region, including Indigenous and other local governments, the School District, community agencies, and other orders of government. These reports can incorporate reflection on successes, challenges, and learnings. In this way, the Action Plan can be adjusted to reflect emerging circumstances and needs in the community.

Appendix A – Glossary of Types of Child Care

Child Care Type	Ages	Max Group Size
<p>LICENSED CHILD CARE</p> <p>Licensed child care facilities are monitored and regularly inspected by regional health authorities. They must meet specific requirements for health and safety, staffing qualifications, record keeping, space and equipment, child-to-staff ratios, and programming.</p>	Group child care – under 3 years	From birth to 36 months 12 children
	Group child care – 2.5 years old to school age	From 30 months to school age (Kindergarten) 25 children
	Group child care – school age (before- and-after school care)	School age (Kindergarten and up) 24 children from Kindergarten and Grade 1 or 30 children from Grade 2 and older with no Kindergarten or Grade 1 children present
	Multi-age child care	From birth to 12 years old 8 children, having no more than 3 children younger than 36 months old and, of those 3, no more than one child younger than 12 months old or having no more than 3 children younger than 36 months old
	In-home multi-age child care	From birth to 12 years old 8 children, having no more than 3 children under 36 months old and, of those 3, no more than one child younger than 12 months old; or having no more than 3 children younger than 36 months old
	Family child care	From birth to 12 years old 7 children, having no more than 3 children younger than 48 months old and, of those 3, no more than one child younger than 12 months old; or having no more than 4 children younger than 48 months old and, of those 4, no more than 2 children younger than 24 months old
	Preschool – 2.5 years old to school age	From 30 months to school age (Kindergarten) 20 children
	Occasional child care	18 months old and up 16 children if children under 36 months are present or 20 children if children under 36 months are not present

<p style="text-align: center;">REGISTERED LICENSE-NOT-REQUIRED CHILD CARE</p> <p>These are unlicensed care providers. They must have registered with a Child Care Resource and Referral Centre. To register, operators must have completed: criminal record checks (for everyone over age 12 living in the home), character references, a home safety assessment, first aid training, and child care training courses or workshops.</p>	<p>From birth to 12 years</p>	<p>Only 2 children or a sibling group who are not related to them</p>
<p style="text-align: center;">LICENSE-NOT-REQUIRED CHILD CARE</p> <p>These child care providers can operate legally in B.C. They are not registered or licensed and are not monitored or inspected. Unlicensed child care providers do not have to meet health or safety standards. Parents and guardians are responsible for overseeing the care and safety of their children in these care arrangements.</p>	<p>From birth to any age</p>	<p>Only two children or a sibling group who are not related to them</p>
<p style="text-align: center;">IN-CHILD’S-OWN-HOME CARE</p> <p>This unlicensed care is when parents arrange for child care at home – like a nanny or a baby-sitter. Children from other families cannot be included in this care. It is not legally required to monitor this care. No specific qualifications are required for the child care provider. Parents or guardians must decide how to screen and hire the child care provider who becomes their employee.</p>	<p>N/A</p>	<p>Children from other families cannot be included in this care.</p>

Appendix B – Engagement Summary Report

The Engagement Summary Report can be found on the next page.

Penticton Child Care Planning:

Community Engagement Report

Prepared by the Social Planning and Research Council of BC
In collaboration with Sandra Menzer
Updated November 3, 2020

Contents

Introduction	36
Penticton Child Care Key Informant Interviews.....	37
Penticton Parent & Caregiver Survey Summary.....	44
Penticton Child Care Provider Survey	46
Appendix: Key Informant Interviewees	49

Introduction

This report summarizes findings from three key community engagement activities for the City of Penticton Child Care Planning Project. Specifically, this report comprises summary analysis of:

- Interviews with key stakeholders;
- Online survey of parents and caregivers; and,
- Online survey of child care providers.

Comprehensive analyses of the two online surveys are presented in a separate survey report. The input gathered through these engagement activities is intended to inform Penticton’s child care planning processes, to ensure the child care strategy best reflects and responds to local community need.

Penticton Child Care Key Informant Interviews

Background

To better understand the local child care context, the consulting team interviewed 20 individuals from 16 organizations that were identified by the City of Penticton as 'key informants' (i.e. individuals with experience, knowledge, and organizational perspectives that would allow them to speak to the child care needs of families and children in their community). A full list of the individuals interviewed and the organizations they represent is available in the Appendix.

Key informants were asked a range of questions about the current state of child care in their communities, including the greatest challenges facing parents, operators, and their own organizations. Informants were asked to share their vision for child care in their community and suggest actions to be taken by municipalities, the school board, senior levels of government, child care operators and community groups. See Appendix B for the Key Informant Interview Guide.

Roles of each organization in child care and in supporting children and families

Interior Health Community Care Licensing holds all responsibilities for licensing child care programs to ensure they meet the Province's requirements. MCFD funds services for children with special needs and the local Child Care Resource & Referral Program as well as other early years programs. School District 67 rents space and land to child care operators, helps fund an on-site child care program for young parents, and delivers StrongStarts. Okanagan College offers an ECE program in Kelowna and is exploring bringing an ECE program to Penticton as well. The College also has a child care centre for staff and students, operated in partnership with OneSky Community Services.

Key informants from several not-for-profit organizations were interviewed. YMCA Okanagan, Okanagan Similkameen Neurological Society (OSNS), Foundry, South Okanagan Immigrant and Community Services, and OneSky Community Services all provide a range of services to families across the region and some also directly provide child care. OneSky Community Services also holds the contracts for the Child Care Resource & Referral program, which provides information and referrals to families looking for child care, as well as training to child care providers and the Supported Child Care Development Program. The OSNS Child & Youth Development Centre provides a range of supports for children with developmental challenges, including a \$10-a-day BC Prototype Pilot child care centre for all children. The consulting team also interviewed three child care operators, the Executive Director of the Penticton Chamber of Commerce, a director of the Regional Hospital, a representative from the Parent Advisory Council for Wiltse Elementary, and City staff.

Greatest organizational successes

All of the child care providers reported that their greatest success is providing an essential service and quality care to the children and families in their programs. Specialized programs such as the integrated child care at OSNS (a universal child care prototype site) are important community assets.

Many of the key informants cited collaboration and strong partnerships with other organizations as their greatest success, enabling them to provide quality services to the children and families in the community. Key informants from the non-profit organizations were proud of their quality programs and the supports they provide to families and child care providers, including outreach, therapeutic services, and educational opportunities.

Many of the interviewees, both child care providers and organizations, reported that they have been successful at investing in their own staff, often training former clients or participants who then return as employees. Strong relationships with families were also cited as an integral part of supporting children and their families, with most that provide child care or other services reporting that this was a very important and rewarding aspect to their work.

Greatest organizational challenges

Many reported insufficient funding to operate current spaces, run innovative programs (e.g. outdoor education), and open new child care spaces. In addition, it is often challenging and time-consuming to open a new child care centre. These challenges have contributed to a lack of child care spaces, particularly infant-toddler, and long waitlists in all programs (with many waitlists closed). Key informants whose organizations provide other services report challenges equipping their staff to support children and families with very complex needs.

Staffing was also cited as a major challenge by most key informants, particularly for infant-toddler care, reporting that there is a limited pool of qualified ECEs, leaving child care providers and organizations struggling to recruit and retain staff. Some child care centres are not at capacity but cannot fill the empty spots because they do not have enough staff. Many key informants stated that ECE work is challenging and the low wages cause people to leave the field or deter many from entering the field. Some providers support their current staff to do on-line training, but this can be a challenge for both the providers and the staff.

The state of child care in the community

Many key informants described the child care situation in their community as “in crisis”. There are simply not enough child care spaces available to meet the needs of families, particularly for infant-toddler care, out of school care, and for children with special needs. While there are wide variety of types and curriculums offered in local child care programs (e.g. registered, family, Reggio, Montessori), due to the lack of spaces, parents often take whatever space comes up first, taking away their choice of their preferred neighbourhood or philosophy. There are very few options for parents who work outside traditional operating hours.

There is an overall lack of Early Childhood Educators for operators to hire. Some key informants felt that the lack of child care staff, both ECEs and qualified one-on-one support workers, in addition to the lack of funding to provide innovative programs, affects the quality of care. Furthermore, the lack of professional development opportunities for ECE staff also has a negative impact on the quality of care. Although the Child Care Fee Reduction Initiative and the Affordable Child Care Benefit program have helped with affordability, the cost of child care remains a challenge for many families.

Changes over the past 3 years

Most key informants felt that the demand and need for child care has increased in recent years, particularly for infant-toddler care, children with special needs, and for child care outside of traditional hours, as more people have jobs that require shift work.

Interviewees also reported that there has recently been more interest in the child care situation from various levels of government. The City of Penticton is seen as very supportive and forward-thinking and there is increased funding for child care from the senior levels of government. Key informants suggested these changes have led more child care providers to explore expanding programs. Provincial initiatives like the Affordable Child Care Benefit and Child Care Fee Reduction Initiative have also helped make child care more affordable for parents.

New partnerships (e.g. between child care providers and the School Board, the City, and Okanagan College) have helped with the opening of new child care spaces, however, the cost of land, lease rates of commercial spaces, and lack of qualified staff have made opening new spaces challenging overall.

A few key informants reported that licensing changes have also recently improved the support for child care operators and the new provincial Wage Enhancement Initiative has helped current ECEs feel validated. Although caseloads are still heavy for licensing officers, new funding has allowed Interior Health to hire more staff to support new spaces in the community. In addition, relationships between licensing officers and child care operators have improved; many expressed appreciation for this more supportive approach to addressing complaints and improving quality.

Key challenges and success for parents

Key informants reported that the opening of a new large centre helped alleviate some of the pressure of child care needs, and that care for children ages 3 to 5 is widely available. Many also reported that affordability of child care has improved for parents (particularly for families with low incomes) with the new government funding initiatives and one centre in Penticton being a universal child care prototype site offering \$10/day child care. This prototype site is also an integrated child development centre, which is a great asset for some parents with children with special needs. The Child Care Resource and Referral (CCRR) is an important and stable source of information and support services for many families. However, most of the key informants reported that parents are frustrated with the lack of spaces available. Because there are so few spaces, parents often end up settling for whatever care they can get, not necessarily care they are happy with. It is especially challenging to find child care for parents who need infant-toddler or school age care, have children with special needs, single parents, or parents that work outside of regular hours (e.g. shift work).

Key informants cited that the openness to commuting varies among families, stating that some families are more open to commuting to other communities, while others prefer to stay local. Many families live and work in different communities and look for child care with a larger geographic area.

Families in the community generally find out about child care through word of mouth, CCRR, and social media.

Key challenges and successes for operators

Key informants reported that Interior Health licensing is very supportive and has streamlined a process for child care operators to get licensed, with good regulations in place. Key informants also stated that the City of Penticton has focused on the child care situation and has been very helpful with planning, development, and community engagement processes to address child care needs. In addition, government funding such as capital funding for new spaces, the Child Care operating fund, and Wage Enhancement Initiative have assisted new and existing operators with some of the financial challenges that they face.

Informants also highlighted many challenges for child care operators. Most stated that the greatest challenge for operators is recruiting and retaining qualified staff. This was attributed to several factors, such as low wages and lack of benefits, and a lack of training opportunities for both new and existing ECEs. Some operators report that lack of qualified staff has limited their ability to open additional child care spaces.

Many key informants reported that the local ECE program (run by a private college) is very expensive. Some key informants would like to see curricular changes to increase training on behaviour management, child development, communication with parents, and trauma-informed practice.

Most key informants also reported that the cost of operating child care and finding appropriately zoned space in the community (especially close to downtown where people work, in schools, and in commercial space with outdoor space) is challenging. Operators that want to open centres in residential areas often face resistance from residents of that community, who are worried about noise and traffic increases. In addition, the City permit and application process is a long, challenging, and costly process for many operators.

Key stakeholders were asked to suggest actions or initiatives that various groups could undertake to facilitate or support child care in Penticton.

Local Municipalities

- Providing land and facility space
 - Provide land and capital assets they already own for child care
 - Provide land below market rent or rent-free to non-profit child care operators
 - Help find space for child care in other buildings, especially schools, libraries, and community centres, but also in commercial buildings
- Prioritize child care in all planning and policy decisions
 - Identify child care as a community amenity
 - Create inventory of existing public spaces that could be used for child care.
 - Include ECEs in Workforce Development Strategy
- Address zoning challenges for operators trying to open new spaces
- Help address challenges to gaining community support
 - Lead public awareness and education campaign about child care
- Streamline City permit and application process
 - Make the process easier to navigate; more supportive
 - Incorporate flexibility in requirements and building codes
- Conduct an environmental scan of practices in other municipalities (e.g. municipalities in Alberta with many young families)

- Provide financial support to child care operators
 - Offer municipal grants for child care
 - Offer property tax relief for child care operators
 - Support child care operators for city-related costs (e.g. bus tickets, discounts to access recreational facilities)
- Offer incentives for employers to create child care for employees
- Advocate and lobby to senior levels of government based on local need
- Build on and facilitate partnerships:
 - Strong existing partnerships between Recreation department and operators
 - Participate in planning and action at the regional level
 - Partner with other organizations to provide child care
 - Facilitate regular information-sharing, collaboration, and partnerships between service providers and other stakeholders
- Ongoing monitoring of this action plan – keep things moving forward
 - Hire quality control person to oversee child care programs

School Districts

- Facilitate and provide more child care on school grounds – every school should have on-site child care, especially after school care
 - Continue building on current successes (e.g. existing school age programs; Hand in Hand program for young parents)
 - Conduct an inventory of existing spaces that could be used (e.g. Shadford Centre)
 - Reduce rent for facility space on school grounds
- Directly build and operate more before and after school spaces
 - However, some do not think this is the right role for school districts. Others suggest this could only be done gradually with additional resources from government.
 - If offering own programs, provide adequate notice to current operators.
- Address staffing challenge creatively: part-time school staff could be given after-school care positions, creating full-time work positions.
- More partnerships between schools and colleges for ECE training (e.g. dual credit in grade 12 for ECE)
- Participate in broader needs assessment and planning work in the community

Senior Levels of Government

- Provincial government should continue working toward universal child care, continue investments in child care
 - Ensure investment is accompanied by good monitoring and oversight
 - Prioritize child care for more vulnerable families
- Place child care under jurisdiction of the Ministry of Education
 - Create more child care at schools
- Continue to work to address recruitment and retention challenges for ECEs
 - More investment in ECE education and training programs, including more online options and financial support for tuition
 - Continue to enhance ECE wages
 - Offer pandemic pay to ECEs

- Offer grants to employees who wish to take ECE
 - Public campaigns to attract new people to the ECE field
- Adjust funding for operators
 - Allow not-for-profits the same amount of capital funds as public entities
 - Offer more financial support for centres
 - Offer more grants and incentives to open new spaces
- Increase child care subsidy for parents
- Provide more support for programs for children with special needs
 - Increase funding for Supported Child Development and other support programs
- Streamline health and safety inspections
 - Remove any redundancies between municipal and provincial inspections
 - Incorporate more flexibility in licensing regulations where reasonable

Community Agencies, Child Care Operators, and Others

- Advocate together to senior levels of government for more child care spaces
- Collaborate to share information and pool resources
- Improve quality of services – provide ongoing training
- Centralize information for and about families in need through CCR&R
- Help families navigate the process of finding care
- Work with current and future local training programs to strength curriculum, offer practicum and mentorship opportunities

Others

Educational institutions

- Allow ECE students to be paid for practicum work (including at their own facilities for those already working)

Businesses / key employers

- Donate funds toward child care
- Offer on-site child care to employees

Interviewees where asked to identify their 'Top 3' suggested changes to improve the child care situation. The responses are grouped by themes.

- Free, high-quality universal child care
 - Improve affordability for parents
- Create more child care spaces
 - Pursue funding opportunities to build new spaces
 - Incentivize organizations to help with child care operations
 - Prioritize more infant toddler spaces
 - Prioritize more before and after school spaces at schools
 - Offer diversity of approaches and options
 - Create more spaces with extended hours, evenings, and weekends - 24 hour support
 - Increase support for existing centres
- More qualified staff
 - Make quality education and training more accessible

- Create a public ECE college program in Penticton
 - Include second level specialization for infant-toddler care
 - Improve curriculum and strength of ECE certification
 - Allow students to be paid during practicums
- Improve pay for child care workers
- Increase respect for child care workers
- More options for facility space
 - Create inventory of land and properties that could be used
 - Identify priority spaces for child care development
- Help parents navigate the child care system
 - Central place where parents can find providers
 - Fair and transparent waitlists
- Strengthen licensing regulations and increase enforcement to stop repeat offenders
- More community collaboration and partnership
 - Collaboration on needs assessment and action planning
 - Collaboration on spaces (e.g. more community spaces willing to house child care) – “more spaces in places we want our kids to be”
- More collaboration between Ministries responsible for child care

Additional comments

Interviewees expressed excitement about this needs assessment and action planning work, emphasizing the importance of commitment to action. One key informant reiterated the importance of prioritizing the needs of vulnerable populations in the community. Another noted that the diagnostic rate for children with developmental challenges is much higher than before, which creates need for models of support that go beyond one-on-one supports (e.g. higher staff-child ratios, supports in child care centres), especially to help children with special needs transition into school.

Penticton Parent & Caregiver Survey Summary

Survey Respondents

- The final valid sample for this survey consisted of 386 parents and caregivers, providing information about the care arrangements of 528 children aged 12 and younger. This represents 15% of all children 12 and younger in Penticton.
- 82% of the respondents live in Penticton; the remainder live in nearby communities. 64% of the respondents have lived in their community for less than 10 years.
- 86% of the respondents are mothers and 19% are single parents.
- In 52% of the respondents' families, all parents work full-time. In 11% at least one parent is home full-time with the children.
- 35% of respondents have a household income under \$75,000 per year.
- 7% of children were identified as having a special need or disability.

Current Child Care Arrangements

- The most common care arrangement for children under 3 is parent care (51%), followed by unlicensed care, including relatives other than the parents (28%) and some form of licensed care (22%).
- The most common care arrangement for children 3 to 5 years not yet in school is some form of licensed care (53%), followed by parental care (26%) and unlicensed care (21%).
- The most common care arrangement for school age children in some form of licensed care (41%), followed by parental care (35%) and unlicensed care (24%).
- For those with a care arrangement other than a parent or relative, the most common reasons for choosing the arrangement were convenience (55%) that the program was the first one to offer the family a space (50%) and reputation (31%).
- 85% of children are transported to their child care arrangement by car.

Finding Care

- 83% of respondents reported it was somewhat (32%) or very difficult (51%) to find care for their child.
- 62% of parents of children under 3 reported care was very difficult to find, compared with 51% of parents of children 3 to 5 but not yet in school and 40% of parents of school age children.
- Parents and caregivers mostly common find information about child care through word of mouth (friends, neighbours, other parents) (75%); the Child Care Resource and Referral program (70%); and social media (63%).

Waitlists

- Over half of all children whose primary care is from a parent or relative are on waitlists for other forms of care (52%). 82% of these children have been on waitlists for over 6 months and 42% have been on the waitlist for more than 13 months.
- 72% of children using all other care arrangements were on waitlists for child care. 79% were on waitlists for over 6 months and 45% were on the waitlist for more than 13 months.

Child Care Preferences and Needs

- Overall, 57% of parents are very satisfied with the location of their child's current care arrangement, 57% are very satisfied with the quality
- 53% are very satisfied with the hours of care, but only 26% are very satisfied with the cost.

- 59% of respondents would change their child's current care arrangement if a preferred option became available at a price they could afford. 72% of respondents using parents care and 77% of respondents using some form of unlicensed care would change their arrangement if they could.
 - The most common preferred first choice for those who would change their arrangement was some form of licensed child care centre (62%). Overall, 79% would prefer some form of licensed care (including child care centres, preschool, or family care).
- When asked what would help improve their child care situation, 68% of respondents selected lower fees; 48% selected increase availability of part-time child care; 45% selected extended hours and day of operation; and 41% selected increased availability of full-time child care.
- 75% reported staff are very important to them when considering child care programs. Other aspects that many parents consider very important include reputation of the program (62%), quality of the outdoor space (59%), hours the program is open (56%), and quality of the indoor space (53%).
- Overall, the most common child care need for children not yet in kindergarten was for full day care, five days a week (57%), followed by full day care one to four days a week (24%).
- Overall, the most common child care need for school age children was for out of school care five days a week (57%), followed by out of school care one to four days a week (19%).

Penticton Child Care Provider Survey

Survey Respondents

- The final valid sample for this survey consisted of 30 facilities (i.e., child care centres and family child care homes), including 4 facilities that were the second centre for the respondent. This accounts for 72% of all licensed child care facilities in Penticton.
- 28 of the 30 facilities were in Penticton; the other facilities were in Naramata and Kaleden.
- There was a good representation across all child care license types. The most common program types were school age care (50%), group care for children 30 months to school age (47%), and group care for children under 36 months (20%). 13% of respondents provide licensed family child care and 13% provide registered license-not-required care.
- 28% of facilities had been operating at the current location for over 10 years.
- 85% of facilities are closed during statutory holidays. 46% are closed during school winter break.
- 36% of the facilities offered dedicated part time care.

Facility Buildings and Ownership

- The most common physical location was a house or townhouse (30%), followed by in a school or on school property (23%). The latter is where 7 of 15 facilities with school age programs were located.
- 27% were located in purpose-built child care or in another public building like a community centre.
- 63% lease or rent their facilities; one program leases or rents a space that is provided for free or near free.
- Challenges relating to the building or space were reported for 46% of facilities with size or design noted as the biggest challenge.
- 49% of the programs have been in their current location for more than 6 years – with half of those for more than 11 years.

Plans for Relocation, Expansion, Renovation, or Opening a New Facility

- 60% of the respondents have no plans to expand their current facility and 10% reported (3 facilities) that relocation in the next two years was likely.
- When asked about whether they would open another child care facility, 23% (9 facilities) reported that they were very likely to do so.

Child Care Fee Reduction Initiative

- 58% of facilities have opted into to the Child Care Fee Reduction Initiative. The remaining 33% reported that they do not qualify, while others report that they do not know about the program or how to apply.

Capacity and Enrolment

- 36% of facilities offer dedicated spaces for part-time or drop-in care.
- In calculating the percent of spaces enrolled, each child was counted the same, whether their enrolment was full-time, part-time or drop-in.
 - Enrolment was around 100% of capacity for four licence types: group care for children under 3, group care for children 3 to 5, school age care, multi-age care, and occasional care.
 - Licensed preschool and licensed family child care programs had enrolment at about 60% of capacity.

Children Currently on Waitlists

- Currently waitlisted children were reported for 86% of facilities. Of these, 63% are currently accepting new applications for the waitlist; 37% have closed their lists.
- 81% of facilities had average waitlist times over 6 months; 63% had an average wait time of over one year.

Child Care Workforce – In-Home Child Care (Licensed Family Child Care, In-Home Multi-Age Care, Registered License-Not-Required Care)

- 82% had at least some workshops relating to family child care; 2 had no formal education.
- 2 in-home care providers had an ECE certificate or diploma and 2 had ECE courses or workshops, but no credential as of yet.
- 50% reported that they were very likely to still be providing family child care in three years.

Child Care Workforce - Centre-based Care

- The number of staff per facility ranged from 2 to 17, with a median of 5 staff.
- 27% of staff working directly with children were either part-time or casual.
- 63% of full-time staff working directly with children have some courses towards an ECE or school-age related credential. 21% have a 1-year certificate and 8% have a two-year diploma or post-Basic certificate.
- 92% of part-time staff working directly with children have some courses towards ECE or a school-age related credential. The remaining part-time staff person had no specific formal training in the field.

Wages and Benefits

- Hourly wages for staff working with children who are certified ECEs ranged from \$18.50 to \$24.00.
- Hourly wages for staff working with children who are not certified ECEs ranged from \$16.00 to \$20.00.
- 27% of facilities offered no health or pay-related benefits.
- Of 17 listed benefits that could be offered to staff, there were eight that were offered at most of the of facilities:
 - Paid program planning and preparation time (90%)
 - Paid staff meetings (90%)
 - Financial assistance with First Aid certification (82%)
 - Financial assistance to attend ECE-related workshops and conferences (73%)
 - Reduced child care fees (73%)
 - Paid sick leave (64%)
 - Paid personal leave days (55%)
 - Financial assistance to take courses or post-basic training (55%)
- There were no unionized staff at any of the facilities in the survey

Staff Turnover

- 55% of the facilities reported staff turnover in the past year. All of the staff who left were full-time staff working with children.
- 45% of operators reported staff recruitment and retention challenges have impacted their ability to operate their program. Full -time positions were reported as the most difficult to fill, with few applicants to choose from, especially candidates with sufficient skills and experience.

Appendix: Key Informant Interviewees

Organization	Name, Role
YMCA Okanagan	Allyson Graf – Vice President
Breanne’s Family Day Care	Breanne Rozander
Circle of Friends (Day Care)	Cindy Schlamp
Okanagan College	Eric Corneau: Regional Dean - South Okanagan Similkameen
Foundry	Kim Conroy
OneSky Community Services	Ian Gerbrandt, Director
Leapin’ Lizards (OSC)	Robin Kroon
Interior Health	Nicole Byrne – Licensing Team Lead
MCFD	Michelle Erridge, Director of Operations
OSNS	Manisha Willms
School District 67	Allen Beckingham, director Instruction, Teaching and Learning
City of Penticton - Development Services	Blake Laven
City of Penticton - Recreation	Bregje Kozak
OneSky – Child Care Resource & Referral	Carrie Reiter, Coordinator of CCR&R
Chamber of Commerce	Diane Kereluk
Regional Hospital, Interior Health	Jill Pascoe, Director of Regional Hospital
Parent Advisory Council for Wiltse	Sara Belhorec
School District 67	Shaune Gowe – District Principal of Student Services
South Okanagan Immigrant and Community Services	Aiza Regala and Martina Mosna

Appendix C - Community Profile

The Community Profile can be found on the next page.

Penticton Child Care Planning:

Community Profile

*Prepared by the Social Planning and Research Council of BC
in collaboration with Sandra Menzer*

October 26, 2020

Contents

Table of Figures	53
Introduction	54
Child population	54
Children in Lone Parent Families	56
Median Family Income	57
Low-Income Measure	58
Housing.....	58
Languages Spoken Most Often at Home	59
Indigenous Population.....	60
Immigration	61
Residential Mobility	62
Employment.....	62
EDI (Early Development Instrument) for School District 67.....	65
MDI (Middle Years Development Instrument) for School District 67.....	66
Special Needs	69
Elementary Schools and Licensed Child Care.....	70
Child Care 2019	71
Child Care Auspice	71
Child Care Fees	72

Table of Figures

Figure 1: Child population by age range, City of Penticton, 2016	54
Figure 2: Changes over the past 2 censuses (2011-2016) in child population by age group, City of Penticton	55
Figure 3: Child population projections (0 to 12-year-old population), Penticton Local Health Area, 2020 to 2030	55
Figure 4: Number of children (0-14 years old) in lone parent families, City of Penticton, 2016	56
Figure 5: Median income (before-tax) by family type, City of Penticton, 2015	57
Figure 6: Number and percentage of children in low income families, based on the low-income measure after tax, City of Penticton, 2015	58
Figure 7: Median monthly shelter costs, City of Penticton, 2016.....	58
Figure 8: Top ten languages spoken at home, City of Penticton, 2016	59
Figure 9: Indigenous children (0-12 years old), City of Penticton, 2016.....	60
Figure 10: Residents – breakdown by generation status, City of Penticton, 2016.....	61
Figure 11: Children (0-12 years old) - broken down by immigration status, City of Penticton, 2016	61
Figure 12: Residents who moved from outside the City of Penticton within the past year and within the past 5 years, 2016	62
Figure 13: Percent of population (15+ years old) and number of individuals by work activity in 2015, City of Penticton.....	62
Figure 14: Number and percentage of families with at least one child 0 to 5 years, by family type, by number of earners in 2015, City of Penticton	63
Figure 15: Workers by commute destination for workers (with a usual place of work outside the home) who lived within the City of Penticton, 2016.....	64
Figure 16: Commuting duration for employed residents of the City of Penticton, aged 15+, 2016	64
Figure 17: Map of EDI for School District 67 (Okanagan Skaha School District), Wave 7 (2016-2019)	65
Figure 18: EDI (by HELP Neighbourhood), School District 67 (Okanagan Skaha School District), Wave 7 (2016-2019).....	66
Figure 19: MDI, School District 67 (Okanagan Skaha School District), 2019/2020.....	67
Figure 21: Map of MDI for School District 67 (Okanagan Skaha School District), 2019/2020.....	68
Figure 22: MDI (by HELP Neighbourhood), Well-Being Index, School District 67 (Okanagan School District), 2019/2020	69
Figure 22: Children who had special needs, School District 67 (Okanagan Skaha School District) elementary schools, 2019/2020	69
Figure 23: Children using IDP and SCD programs	70
Figure 24: Public elementary schools within School District 67, with enrollment in 2019/20 and licensed capacity by child care program type.....	70
Figure 25: Child care spaces (2020) by type versus child population by age group (2016), City of Penticton	71
Figure 26: Child care programs and spaces by service type and auspice, City of Penticton, 2020	71
Figure 27: Monthly fees for child care by facility type and age group, 2017, South Okanagan-Similkameen	72

Introduction

The purpose of this Community Profile is to highlight important data about the community to inform child care planning. It includes information about the child population, socio-economic and labour force data, indicators of childhood vulnerability, and an overview of child care programs and spaces currently available in Penticton. This Profile draws on a variety of data sources, including the 2016 Census, BC Stats, the Human Early Learning Partnership (HELP) at UBC, and child care information provided by Interior Health Community Care Licensing.

Child population

Child population is an important starting point for assessing child care need. **Figure 1** below shows the absolute number and the share of 0 to 12-year-olds in each age range. There were a total of 3,460 children 0 to 12-years-old in the City of Penticton in 2016, out of a total population of 33,761 (10.2%)⁵.

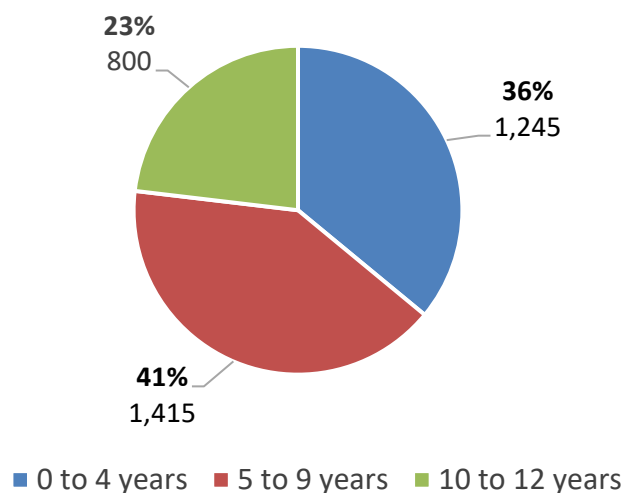
The largest number of children were in the 5 to 9-year-old age range (1,415 children, 40.9% of the 0 to 12-year-old population), followed by the 0 to 4-year-old age range (1,245 children, 36.0%) and the 10 to 12-year-old age range (800 children, 23.1%).

Figure 11: Child population by age range, City of Penticton, 2016

	Number	Percent
0 to 4 Years	1,245	36.0%
5 to 9 Years	1,415	40.9%
10 to 12 Years	800	23.1%
Total 0 to 12 Years	3,460	100.0%

**Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-400-X2016004.*

Child population by age range, 2016



⁵ By comparison, in 2016, the City of Penticton had 9,805 individuals aged 65 and over, accounting for 29% of the total population.

To get a sense of how community demographics are changing over time, **Figure 2** presents the absolute and relative changes in number of children by age group between 2011 and 2016. Overall, the 0 to 12-year-old population remained stable between 2011 and 2016. However, while the number of 0 to 4-year-olds (-90 children, -6.7% change) and 10 to 12-year-olds (-90 children, -10.1%) decreased between 2011 and 2016, the number of 5 to 9-year-olds increased (+175 children, 14.1% change).

Figure 12: Changes over the past 2 censuses (2011-2016) in child population by age group, City of Penticton

	Change in number of children, 2011-2016 (#)	Change in number of children, 2011-2016 (%)
0 to 4 Years	-90	-6.7%
5 to 9 Years	175	14.1%
10 to 12 Years	-90	-10.1%
Total 0 to 12 Years	-5	-0.1%

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-400-X2016041.

BC Stats provides population projections the Penticton Local Health Area, which includes the City of Penticton, as well as Okanagan-Similkameen Electoral Area E and Electoral Area F and the Penticton 1 First Nations Reserves⁶. This data is presented in **Figure 3**. Between 2020 and 2030, the 0 to 12-year-old population in the Penticton Local Health Area is increase slightly, increasing by 105 children or 2.3%.

Figure 13: Child population projections (0 to 12-year-old population), Penticton Local Health Area, 2020 to 2030

Projected Child Population (0 to 12 years)			2020 – 2030 (#)	2020 – 2030 (%)
2020	2025	2030		
4,605	4,643	4,710	+105	+2.3%

*Source: BCStats Population Projection, last updated October 2020.

⁶ Unfortunately, population projections are not available at the municipal level. For a map showing the boundaries of the Penticton Local Health Area, please see: https://www2.gov.bc.ca/assets/gov/data/geographic/land-use/administrative-boundaries/health-boundaries/132_penticton.pdf.

Children in Lone Parent Families

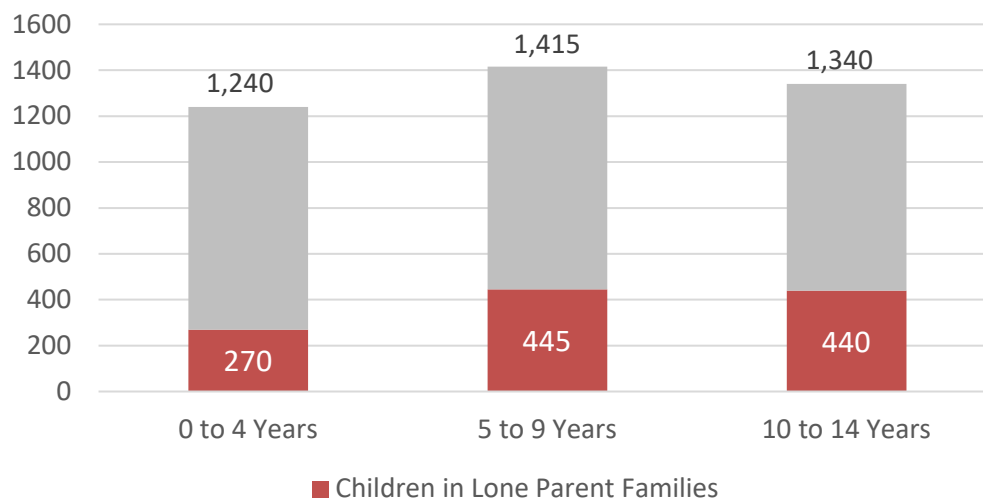
As shown in **Figure 4**, in 2016, 28.9% of all children aged 14 and under lived in lone parent families (1,155 children). The share of children living in lone parent families ranged from 21.8% of all 0 to 4-year-olds (270 children), to 31.4% of all 5 to 9-year-olds (445 children) and 32.8% of all 10 to 14-year-olds (440 children).

Figure 14: Number of children (0-14 years old) in lone parent families, City of Penticton, 2016

	Number of Children	Number of Children in Lone Parent Families	Percent of Children in Lone Parent Families
0 to 4 Years	1,240	270	21.8%
5 to 9 Years	1,415	445	31.4%
10 to 14 Years	1,340	440	32.8%
Total 0 to 14 Years	4,000	1,155	28.9%

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue No. 98-400-X2016041

Children in lone parent families, 2016



Median Family Income

Figure 5 presents median income (before-tax) for all families with children 0 to 17 years and for all families with children 0 to 5 years in the City of Penticton in 2015. Median incomes are shown for couple families, lone parent families, and all families.

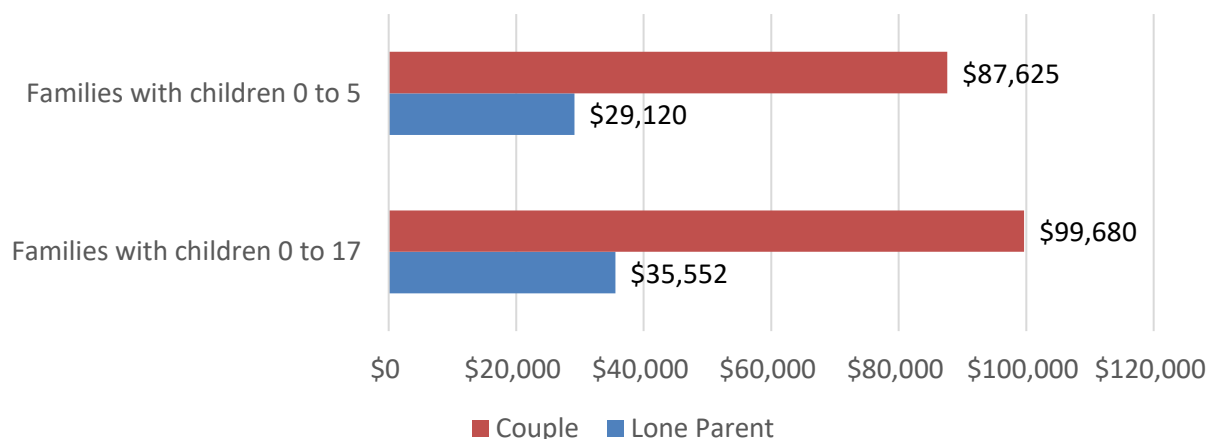
Couple families with children 0 to 17 years had a much higher median before-tax family income (\$99,680) than lone parent families with children 0 to 17 years (\$35,552). This was also true for families with children 0 to 5 years. Couple families with children 0 to 5 years had a median income of \$87,625, compared with \$29,120 for lone parent families with children 0 to 5.

Figure 15: Median income (before-tax) by family type, City of Penticton, 2015

Family Type	Median Income (Families with children 0 to 17-years-old)	Median Income (Families with children 0 to 5-years-old)
Couple families with children	\$99,680	\$87,625
Lone parent families	\$35,552	\$29,120
Total families	\$74,915	\$72,192

**Source: Statistics Canada. Census Family Total Income Groups (22) in Constant (2015) Dollars, Census Family Structure (7), Family Size of Census Family (4), Ages of Census Family Members (18), Number of Earners in the Census Family (5) for Census Families, 2006, 2016 Census. Downloaded from Community Data Program.*

Median household income (before-tax), 2015



Low-Income Measure

Figure 6 shows the percent and number of children who lived in families that fell under the after-tax low-income measure in 2015. This data is shown for children 0 to 17 years and for children 0 to 5 years. In 2015, there were 1,060 children (0 to 17 years) in low income families in Penticton (21.4% of all 0 to 17-year-olds), including 330 children under 6 (21.8% of all 0 to 5-year-old).

Figure 16: Number and percentage of children in low income families, based on the low-income measure after tax, City of Penticton, 2015

	Number of Children in Low Income Families	Percent of Children in Low Income Families
0 to 17 Years	1,060	21.4%
0 to 5 Years	330	21.8%

* Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

Housing

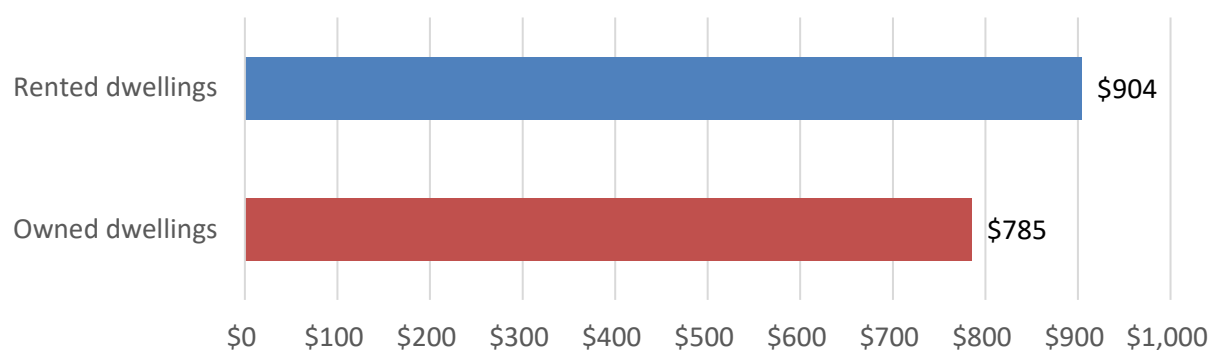
To contextualize child care affordability, **Figure 7** shows median monthly housing costs for owners and renters in Penticton. The median monthly shelter cost for owned dwellings was \$785, while the median monthly shelter cost for rented dwellings was \$904. For context, 63.2% of households in Penticton were owner households (9,955 households) and 36.8% were renter households (5,785 households)⁷.

Figure 17: Median monthly shelter costs, City of Penticton, 2016

Median monthly shelter cost for owned dwellings	Median monthly shelter cost for rented dwellings
\$785	\$904

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

Median monthly shelter costs, 2016



⁷ Statistics Canada defines shelter cost as the average monthly total of all shelter expenses paid by households that own or rent their dwelling. Shelter costs for owner households include, where applicable, mortgage payments, property taxes and condominium fees, along with the costs of electricity, heat, water and other municipal services. For renter households, shelter costs include, where applicable, the rent and the costs of electricity, heat, water and other municipal services.

Languages Spoken Most Often at Home

Figure 8 displays the ten most common languages spoken at home and the number of speakers for each language in the City of Penticton in 2016. English was the most common language at home by a large margin (31,085 people in total most commonly spoke English at home), although there were also hundreds of Punjabi (435 people), French (180 people) and German (100 people) speakers.

Figure 18: Top ten languages spoken at home, City of Penticton, 2016

Language	Number of Speakers
English	31,085
Punjabi	435
French	180
German	100
Portuguese	85
Tagalog	80
Korean	50
Cantonese	45
Vietnamese	40
Spanish	35

* Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

Indigenous Population

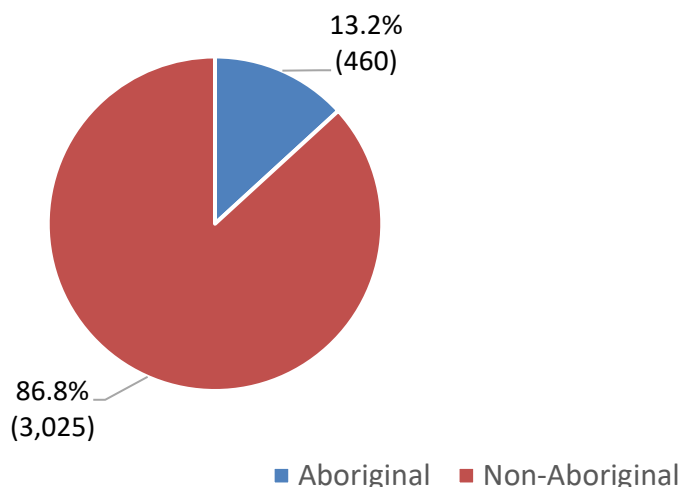
According to Statistics Canada, Aboriginal identity includes persons who are First Nations, Metis, Inuk and/or those who are Registered or Treaty Indians, and/or those who have membership in a First Nation or Indian band.⁸ The number and percentage of children (0 to 12-years-old) with Aboriginal identity is shown in **Figure 9**. In 2016, there were 460 Indigenous children 0 to 12 years, making up 13.2% of all children 0 to 12 years in Penticton.

Figure 19: Indigenous children (0-12 years old), City of Penticton, 2016

Number Aboriginal Identity	Percentage Aboriginal Identity
460	13.2%

**Source: Statistics Canada, 2016 Census of Population, Statistics Canada CPP Table 1: Age Groups (23), Sex (3), Income status in 2015-CPP (7) and Selected cultural and demographic characteristics (48) for the Population in Private Households, 2016 Census. Downloaded from Community Data Program.*

Children (0 to 12 years) by Aboriginal identity, 2016



⁸ For definition of Aboriginal identity, see: <https://www12.statcan.gc.ca/census-recensement/2016/ref/dict/pop001-eng.cfm>

Immigration

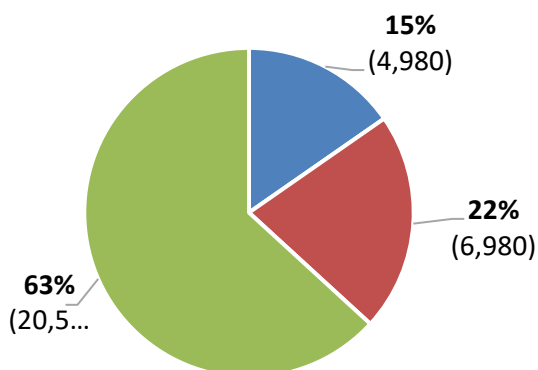
Figure 10 displays the number and percent of individuals who were first, second, or third-generation or more residents of Canada in the City of Penticton in 2016. The majority of the City of Penticton’s residents (63.2%) were third (or more) generation Canadians. 15.3% (4,890 individuals) were first-generation.

Figure 20: Residents – breakdown by generation status, City of Penticton, 2016

Generation Status	Number	Percentage
First generation	4,980	15.3%
Second generation	6,980	21.5%
Third generation or more	20,530	63.2%
Total	32,490	100.0%

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

Residents by generation status, 2016



■ First generation ■ Second generation ■ Third generation or more

Figure 11 displays the number of children (0 to 12-years-old) by immigrant status in the City of Penticton in 2016. Almost all children (98.3%) were non-immigrants.

Figure 21: Children (0-12 years old) - broken down by immigration status, City of Penticton, 2016

Immigration Status	Number	Percentage
Non-immigrant	3,430	98.3%
Immigrant	50	1.4%
Non-Permanent Resident	10	0.3%
Total	3,490	100.0%

*Source: Source: Statistics Canada, 2016 Census of Population, Statistics Canada CPP Table 1: Age Groups (23), Sex (3), Income status in 2015-CPP (7) and Selected cultural and demographic characteristics (48) for the Population in Private Households, 2016 Census. Downloaded from Community Data Program.

Residential Mobility

Figure 12 displays the number of residents, as of 2016, who had moved to the City of Penticton within the past year and within the past five years. 2,745 Penticton residents (1+ years old) had moved to Penticton within the past year (8.5% of all Penticton residents). 7,595 Penticton residents had moved to Penticton within the past five years (24.3% of all Penticton residents).

Figure 22: Residents who moved from outside the City of Penticton within the past year and within the past 5 years, 2016

	Number	Percentage
Moved to Penticton past year (among residents 1+ years old only)	2,745	8.5%
Moved to Penticton past 5 years (among residents 5+ years old only)	7,595	24.3%

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

Employment

Figure 13 shows the number and share of City of Penticton residents 15 years and older who worked full year, full time; part year and/or part time; and who did not work in 2015. The largest number of 15+ year olds did not work in 2015 (11,465 residents, 40.2% of residents 15+ years old), followed by part year/part time workers (9,615 residents, 33.7%) and full year, full time workers (7,410 residents, 26.0%).

Figure 23: Percent of population (15+ years old) and number of individuals by work activity in 2015, City of Penticton

Employment Status	Number	Percentage
Worked full year, full time	7,410	26.0%
Worked part year and/or part time	9,615	33.7%
Did not work	11,465	40.2%
Total	28,495	100.0%

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

To assess child care need, it is helpful to know the number of earners in families with children. While we do not have perfect data on the number of stay-at-home parents, in most couple families with children who have one or no earners, at least one parent is home with the children. The same is true of most lone parent families with no earners. This data is presented in **Figure 14** for families with children 0 to 5 years and for families with children 0 to 17 years.

The majority of couple families with at least one child 0 to 17 years old (84.1% of such families) and with at least one child 0 to 5 years old (77.3% of such families) had two or more earners. The majority of lone parent families with at least one child 0 to 17 years old (85.6% of such families) and at with at least one child 0 to 5 years old (75.0% of such families) had one or more earners.

Figure 24: Number and percentage of families with at least one child 0 to 5 years, by family type, by number of earners in 2015, City of Penticton

	Couple families		Lone parent families	
	At least one child 0 to 17 years	At least one child 0 to 5 years	At least one child 0 to 17 years	At least one child 0 to 5 years
No earners	20 (0.1%)	10 (1.1%)	140 (14.4%)	75 (25.0%)
One earner	290 (14.9%)	190 (21.6%)	640 (65.6%)	215 (71.7%)
Two or more earners	1,640 (84.1%)	680 (77.3%)	195 (20.0%)	10 (3.3%)
Total	1,950 (100.0%)	880 (100.0%)	975 (100.0%)	300 (100.0%)

**Source: Statistics Canada. Census Family Total Income Groups (22) in Constant (2015) Dollars, Census Family Structure (7), Family Size of Census Family (4), Ages of Census Family Members (18), Number of Earners in the Census Family (5) for Census Families, 2006, 2016 Census. Downloaded from Community Data Program.*

Figure 15 displays the percentage of workers who lived within the City of Penticton (with a usual place of work outside the home) and their commuting destinations. The majority of these workers (85.3%) commuted within the City of Penticton.

Figure 25: Workers by commute destination for workers (with a usual place of work outside the home) who lived within the City of Penticton, 2016

	Number	Percentage
Commute within Penticton	10,070	85.3%
Commute to a different community within Okanagan-Similkameen	1,090	9.2%
Commute outside Okanagan-Similkameen	640	5.4%
Total	11,800	100.0%

*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

Figure 16 displays the commuting duration for employed residents of the City of Penticton who commuted to work in 2016. The majority of commuters had a commute of less than 15 minutes (8,855 out of 13,615 commuters, or 65.0% of commuters).

Figure 26: Commuting duration for employed residents of the City of Penticton, aged 15+, 2016

	Number	Percentage
Less than 15 minutes	8,855	65.0%
15 to 29 minutes	2,975	21.9%
30 to 44 minutes	970	7.1%
45 to 59 minutes	320	2.4%
60+ minutes	495	3.6%
Total	13,615	100.0%

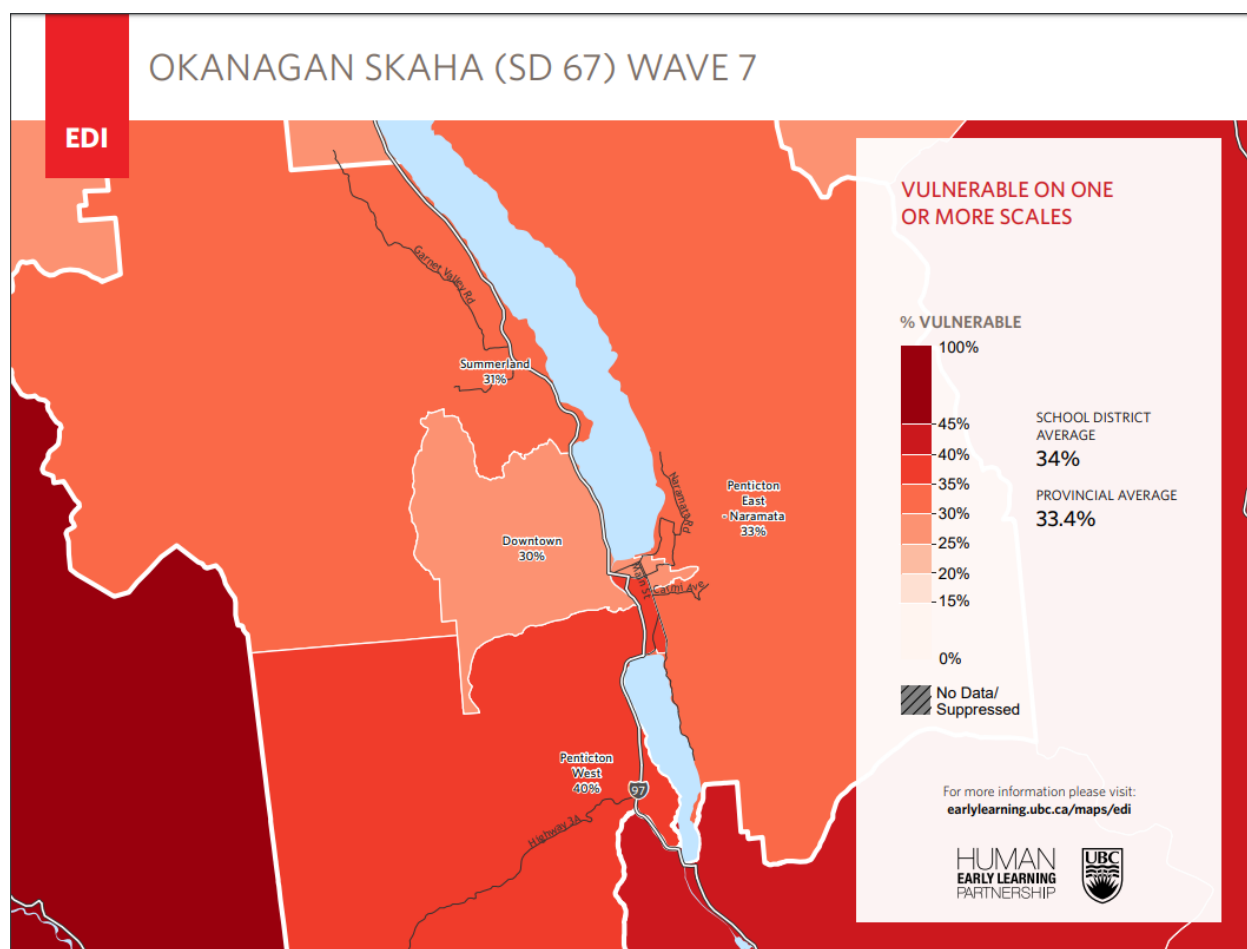
*Source: Statistics Canada, 2016 Census of Population, Statistics Canada Catalogue no. 98-401-X2016055.

EDI (Early Development Instrument) for School District 67

The Early Development Instrument (EDI) is used to assess childhood vulnerability by surveying kindergarten children around the province. Vulnerable children are defined as those who, without additional support and care, are more likely to experience challenges in their school years and beyond. EDI is measured along five scales: Physical Health & Well-Being, Social Competence, Emotional Maturity, Language & Cognitive Development, and Communication Skills & General Knowledge. A complete description of the EDI can be found at <http://earlylearning.ubc.ca/maps/data/>. This section presents an overview of the number and share of kindergarten children surveyed who were vulnerable on at least one of the five scales in the School District during Wave 7 (2016-2019).

During Wave 7 (2016-2019), 34% of kindergarten students in the Okanagan Skaha School District (which includes the City of Penticton areas as well as some nearby areas such as the District of Summerland) were vulnerable on at least one of the five scales (**Figure 17**). This is similar to the rate across the province as a whole (33%). Of the EDI neighbourhoods of the Okanagan Skaha School District (**Figure 18**), Penticton West had the highest vulnerability rate (40% of kindergarten students there were vulnerable on at least one of the five scales), followed by Penticton East – Naramata (33%), Summerland (31%) and Downtown (30%).

Figure 27: Map of EDI for School District 67 (Okanagan Skaha School District), Wave 7 (2016-2019)



*Source: UBC (University of British Columbia). HELP (Human Early Learning Partnership). EDI (Early Development Instrument). Website. Okanagan-Skaha School District. Wave 7 Community Profile.

http://earlylearning.ubc.ca/media/edi_w7_communityprofiles/edi_w7_communityprofile_sd_67.pdf

Figure 28: EDI (by HELP Neighbourhood), School District 67 (Okanagan Skaha School District), Wave 7 (2016-2019)

Neighbourhood	Number of Children	Vulnerable on One or More Scales (%)
Downtown	162	30%
Penticton East -Naramata	220	33%
Penticton West	160	40%
Summerland	160	31%
School District 67	702	34%
All participating BC School Districts	43,377	33%

*Source: UBC (University of British Columbia). HELP (Human Early Learning Partnership). EDI (Early Development Instrument). Website. Okanagan-Skaha School District. Wave 7 Community Profile.

http://earlylearning.ubc.ca/media/edi_w7_communityprofiles/edi_w7_communityprofile_sd_67.pdf

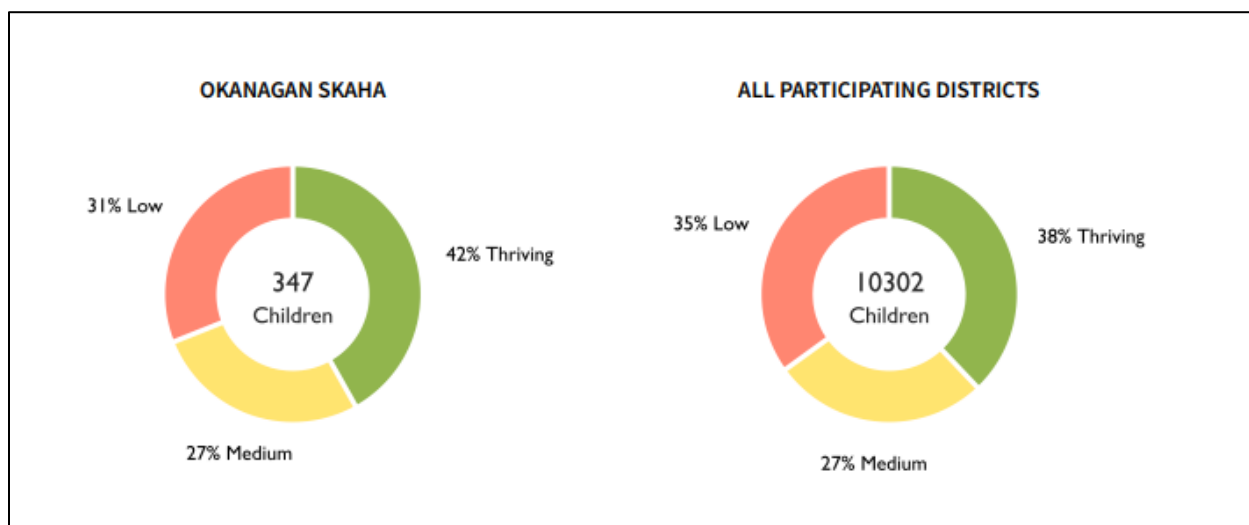
MDI (Middle Years Development Instrument) for School District 67

The Middle Years Development Instrument (MDI) is a survey of children in Grades 4 and 7 developed by the Human Early Learning Partnership (HELP) at UBC to measure children’s social-emotional health and well-being. The MDI results are summarized in two indices: the Well-Being Index and the Asset Index.

The MDI Well-Being Index combines measures of Optimism, Happiness, Self-Esteem, Absence of Sadness, and General Health to provide a holistic summary of children’s mental and physical health. Index scores are reported by three categories: high well-being or thriving, medium well-being, and low well-being. A complete description of the MDI Well-Being Index can be found at <http://earlylearning.ubc.ca/mdi/>. This section presents an overview of well-being levels of participating children in Grade 4 in School District 67 based on the surveys completed in 2019/2020.

Figure 19 shows the percentage of Okanagan Skaha School District grade 4 students with low well-being, medium well-being and thriving. 31% of Okanagan Skaha School District grade 4 students had a low well-being, 27% had a medium well-being, and 42% were thriving.

Figure 29: MDI, School District 67 (Okanagan Skaha School District), 2019/2020

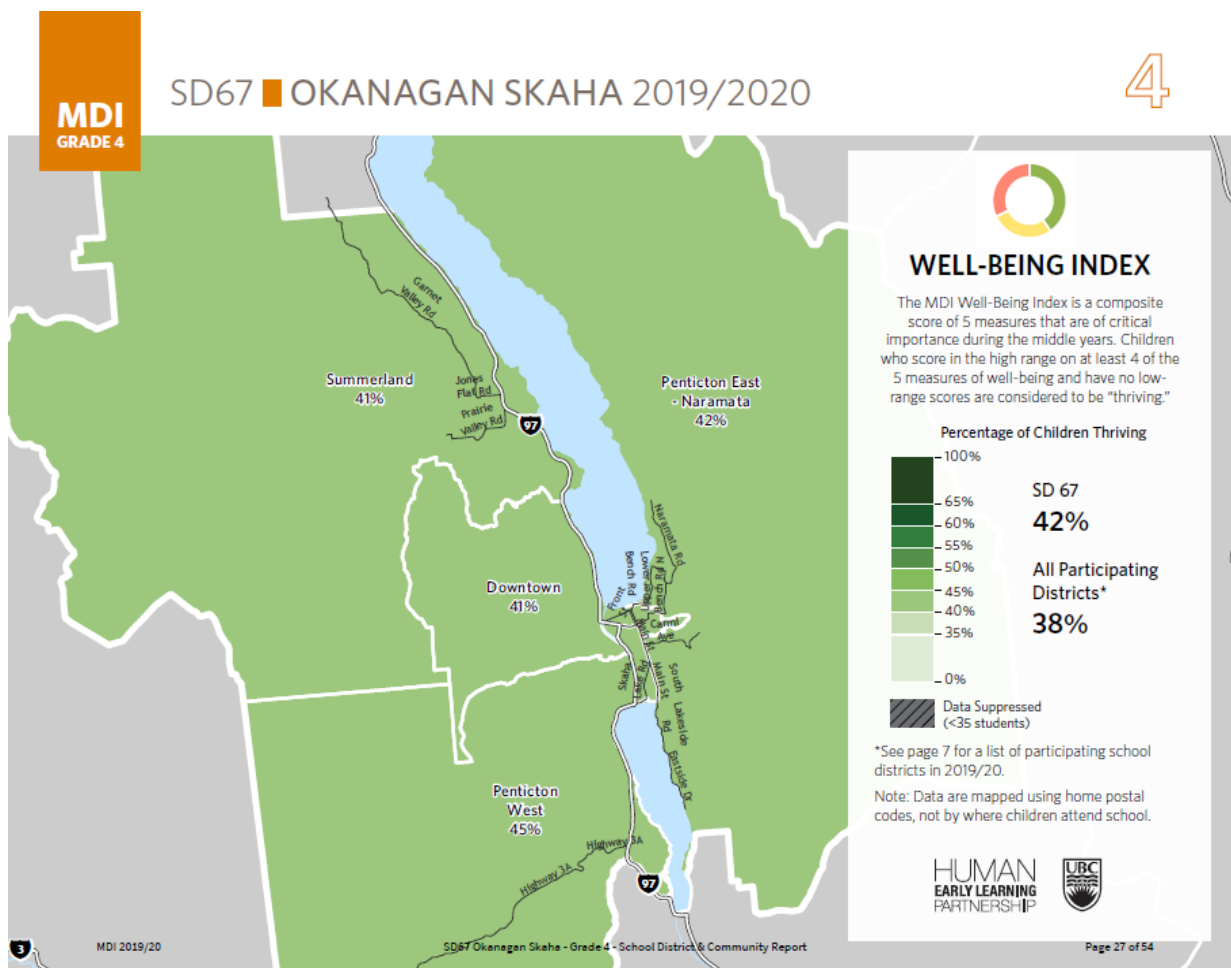


*Source: MDI Grade 4 Map of Okanagan Skaha School District and number of children: HELP. UBC. MDI. School District 67. Okanagan Skaha School District and Community Report. 2019/2020.

<http://earlylearning.ubc.ca/media/mdi/q4/mdi-sdcommunityreport-2019-20-sd67-q4-en-v200526.pdf>

Figure 21 and Figure 22 display the MDI results by MDI neighbourhood, with Penticton West (45% of grade 4 students were thriving) having the highest proportion of thriving students, followed by Penticton East – Naramata (42%), Downtown (41%) and Summerland (41%). The Okanagan Skaha School District had a higher percentage of grade 4 students thriving (42%) than for British Columbia as a whole (38%).

Figure 30: Map of MDI for School District 67 (Okanagan Skaha School District), 2019/2020



*Source: MDI Grade 4 Map of Okanagan Skaha School District and number of children: HELP. UBC. MDI. School District 67. Okanagan Skaha School District and Community Report. 2019/2020.

<http://earlylearning.ubc.ca/media/mdiq4/mdi-sdcommunityreport-2019-20-sd67-q4-en-v200526.pdf>

Figure 31: MDI (by HELP Neighbourhood), Well-Being Index, School District 67 (Okanagan School District), 2019/2020

Neighbourhood	Number of Children	Thriving (%)	Medium to High Well-Being (%)	Low Well-Being (%)
Downtown	69	41	38	21
Penticton East - Naramata	105	42	23	35
Penticton West	90	45	22	33
Summerland	78	41	30	30
School District 67 Total	347	42	27	31
All participating school districts	10,302	38	27	35

*Source: MDI Grade 4 Map of Okanagan Skaha School District and number of children: HELP. UBC. MDI. School District 67. Okanagan Skaha School District and Community Report. 2019/2020.
<http://earlylearning.ubc.ca/media/mdi/q4/mdi-sdcommunityreport-2019-20-sd67-q4-en-v200526.pdf>

Special Needs

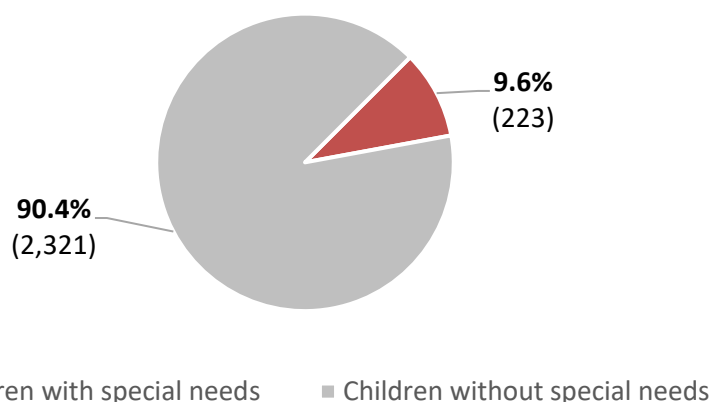
Figure 22 presents the number and percentage of elementary school children with special needs in School District 67 (Okanagan Skaha School District) in the 2019/20 school year⁹. There were 223 elementary school students with special needs (or 9.6% of all elementary school students).

Figure 32: Children who had special needs, School District 67 (Okanagan Skaha School District) elementary schools, 2019/2020

	Number	Percent
School District 67	223	9.6%

*Source: BC Government. Open Data Catalogue - Student Enrollment and FTE by Grade.

Elementary school children with special needs, School District 67, 2019/20



⁹ For more information about how BC Government's Ministry of Education categorizes special needs please refer to: <https://studentsuccess.gov.bc.ca/glossary>.

The Infant Development Program (IDP) and the Aboriginal Infant Development Programs (AIDP) are programs for children birth to 3 years who have a diagnosed disability or are at risk of having a developmental delay. Services are delivered in the home. Supported Child Development (SCD) and Aboriginal Supported Child Development (ASCD) are programs for children, infant through school age, who require extra support in the child care setting they attend. Services are primarily delivered in the child care programs. The number of children served and on the wait lists for these programs in the Region are shown below.

Figure 33: Children using IDP and SCD programs

	Number of Children Served	Number of Children on Wait List
Infant Development Program	70	-
Supported Child Development	22	46

**Source: Local organizations that hold contracts for the IDP and SCD programs: Boys and Girls Club of the Okanagan (IDP) and One Sky Community Resources (SCD).*

Elementary Schools and Licensed Child Care

We show below a list of all elementary schools in Penticton their enrollment, whether they have child care on site, and the type of child care provided on site. In addition to the spaces shown below, L’Ecole Entre-Lacs, which is a public Francophone school, has 16 preschool and 24 before/after school child care spaces.

Figure 34: Public elementary schools within School District 67, with enrollment in 2019/20 and licensed capacity by child care program type

School Name	Enrollment	Child care on site? (Y/N)	Group under 36 months	Group 3 - 5 years	Preschool	Before / After School
Carmi Elementary	134	N				
Columbia Elementary	253	Y				44
Parkway Elementary	266	Y				23
Queen’s Park Elementary	228	Y	12	33	10	13
Uplands Elementary	288	N				
West Bench Elementary	108	Y				30
Wiltse Elementary	301	Y		16		42
Total	1,578¹⁰	5/7	12	39	10	152

**Source: BC Government. Open Data Catalogue - Student Enrollment and FTE by Grade. UBCM Inventory. Interior Health Licensing.*

¹⁰ Some K-7 students in Penticton attend Middle Schools; these students are not included in this table.

Child Care 2019

Figure 25 presents an overview of the number of child care spaces by number of children in each age group. Overall, there are 28.5 child care spaces per 100 children 0 to 12 years in the City of Penticton. For reference, the province has 18.4 child care spaces for every 100 children and Canada has 27.2. There were 46.3 group (30 months to school age) spaces per 100 children in that age group, but only 14.9 group (school age) spaces per 100 children in that age group and 14.8 group (birth to 36 months) per 100 children in that age group.

Figure 35: Child care spaces (2020) by type versus child population by age group (2016), City of Penticton

License type	Number of spaces	Age group	# of children	Spaces per 100 children in this age group
Group (birth to 36 months)	108	0-2-year olds	730	14.8
Group (30 months to school age)	301	3-4-year olds and half of all 5-year olds	650	46.3
Group (school age)	310	6-12-year olds and half of all 5-year olds	2,085	14.9
All others (licensed preschool, group multi-age, family child care, in-home multi-age)	268	General	-	-
Total child care spaces	987	Total 0-12-year olds	3,465	28.5

*Source: Child Care Inventory and StatCan population data from the 2016 Census.

Child Care Auspice

A summary of the number of programs and spaces offered by service type and auspice is shown in **Figure 26**. A majority of child care programs (44.4%, 24 programs) and spaces (50.6%, 499 spaces) in Penticton are run by not-for-profit operators. For-profits account for 35.2% of programs (19 programs) and 41.4% of spaces (409 spaces). The remaining 20.4% of programs are family and in-home care (11 programs), accounting for 8% of all child care spaces (79 spaces).

Figure 36: Child care programs and spaces by service type and auspice, City of Penticton, 2020

	Family and in-home care	For-profit	Not-for-profit	Total
Spaces	79 (8.0%)	409 (41.4%)	499 (50.6%)	987 (100%)
Programs	11 (20.4%)	19 (35.2%)	24 (44.4%)	54 (100%)

*Source: UBCM Child Care Inventory and Interior Health Licensing.

Child Care Fees

The Child Care Resource & Referral conducts regular fee surveys for the entire South Okanagan-Similkameen service area, which includes Penticton. An overview of monthly fee ranges by facility type and age group is shown in **Figure 27** below. This data comes from the most recent fee survey, conducted in 2017.

Figure 37: Monthly fees for child care by facility type and age group, 2017, South Okanagan-Similkameen

Facility Type	Age Group	Min	Max
Family Child Care	Infant/Toddler	\$600	\$1000
	3-5 years	\$600	\$1000
	School Age (before or after)	\$175	\$500
	School Age (before and after)	\$210	\$540
Group Child Care	Infant/Toddler	\$800	\$1065
	3-5 years	\$600	\$950
	School Age (before or after)	\$270	\$330
	School Age (before and after)	\$400	\$500

*Source: CCR&R 2017 Fee Survey.

Appendix D – Summary of all Recommendations

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
<p>1. Develop a stand-alone Penticton Child Care Policy, providing a consolidated statement of the City’s vision, goals, strategies and commitments to child care.</p>	Short	School District 67, Child care operators, Community Service Providers
<p>2. Endorse the space creation targets of 722 new spaces for Penticton by 2030:</p> <p>Infant/Toddler: 33% coverage = 131 spaces Preschooler: 75% coverage = 236 spaces School Ager: 50% coverage = 355 spaces</p>	Short	None
<p>3. Work with other Public Partners (e.g., Interior Health, School District 67, local First Nations, Regional District) to create an inventory of prospective opportunities for child care development by identifying:</p> <ul style="list-style-type: none"> a) potential land or facilities that could be used for child care b) underutilized or vacant spaces or land, including schools, parks or crown land that could be repurposed for child care c) public assets (buildings and land) that are slated for capital redevelopment d) existing child care facilities that have expansion potential e) buildings that may be slated for demolition 	Short	Interior Health, School District 67, First Nations, community service agencies

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
<p>4. Work in close partnership with School District 67 to assess opportunities to increase the numbers of licensed before and after school programs as part of the Province’s commitment to move child care to the Ministry of Education to lead universal before and after school care, including innovative opportunities on professional development days, school breaks, and summer.</p>	<p>Short, Medium</p>	<p>School District 67, Child Care Operators</p>
<p>5. Link child care to new housing developments. This includes the City’s affordable housing strategies, affordable housing plans and other multi-family residential developments. Child care should be considered and included where possible in all new family housing and neighbourhoods.</p>	<p>Medium/Long</p>	<p>Housing Developers, BC Housing, Housing Operators, Province</p>
<p>6. Work with public partners to identify opportunities to access Provincial Capital funding to build child care spaces and develop a structured partnership with the Province to replicate the process for multiple programs and sites</p>	<p>Short/Medium</p>	<p>Province, First Nations, School District 67, Interior Health, not-for-profit child care operators</p>
<p>7. Identify a City staff position(s)* as the child care facilitator/point person to provide leadership on child care in the City organization, including but not limited to assisting applicants with City processes and supporting other City staff who are engaged with child care.</p> <p>* This could be a function added onto an existing position.</p>	<p>Short</p>	<p>None</p>

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
<p>8. Identify and implement changes to local government processes and regulations for facilitating /developing child care, including alignment with Interior Health Licensing; and review of bylaws as detailed in the Planning Framework and Bylaw Review Report.</p> <p>Examples:</p> <ul style="list-style-type: none"> • coordinate building/facility inspections between the City including fire, electrical, and plumbing, and Interior Health to streamline and remove any redundancies • host joint child care development information meetings on a regular basis with City inspectors, CCR&R, and Interior Health for people who are interested in opening child care centres to explain the processes and the various jurisdictional roles • eliminate the distinction between major and minor facility categories (with the exception of RM2 areas, all zones allowing child care to permit both major and minor child care operations) • identify child care as a community amenity in the Official Community Plan • ensure child care is prioritized in the City’s review of the permissive tax policies and application fees • review existing Community Grant Program to ensure it supports child care and actively promote the program to the not-for-profit child care sector 	Short/Medium	Consultation with recent applicants, Interior Health, City building, plumbing, electrical, and fire inspectors
<p>9. Update the City’s website to add child care information for providers who are interested in opening spaces and parents who are looking for care:</p> <p>a) ensure the information for opening spaces is based on the assumption that applicants have limited prior knowledge (e.g.: a step by step guide to procedures and submission requirements, link to licensing authorities)</p>	Short	Child care providers, Interior Health, Child Care Resource & Referral Program

Recommendations to Increase Accessibility		
Action	Time Frame	Potential External Partners
b) provide links to the CCR&R programs and MCFD child care map for parents looking for child care		
10. Work with community partners, City departments, library staff and public partners, to develop a variety of after-school programs to support children aged 10-12	Medium	Library staff, Public Partners, Community Service Providers and School District 67
11. Work with the new Community Child Care Planning Table (see recommendation #24) and local, large employers (like the Penticton Regional Hospital) to explore and then pilot child care that offers longer hours, non-traditional hours and/or flexible hours.	Medium	Child Care Providers, Local Employers, Province
12. Increase partnerships with the Child Care Resource and Referral program, the Supported Child Care Programs and other community organizations to: c) bring child care operators together more regularly for information sharing, joint training and education; with a particular focus on inclusion of children with additional support needs; and d) provide more information for parents about accessing child care, especially targeted at more vulnerable populations. (i.e.: lower income families and those with special needs children)	Short	Community Agencies, child care operators, Child Care Resource and Referral
13. Explore the feasibility of establishing and maintaining a centralized child care waitlist to support families who are looking for child care	Medium	Child Care Resource and Referral Program, Child Care Providers

Recommendations to Improve Affordability		
Action	Time Frame	Potential External Partners
<p>14. Assist prospective child care operators with identifying potential lands that may be available and suitable (through Action #3). This may include working with private and/or public land owners to identify opportunities to offer affordable lease rates.</p> <p>If suitable sites are found (through Action #3) then lease local government and other public spaces/land to non-profit child care providers at below-market and affordable lease rates; and ensure that the Child Care Operator is offering fees that are as affordable as possible.</p>	Ongoing	Not -for – profit child care providers
15. Monitor child care fees in Penticton	Ongoing	Child Care Resource and Referral Program
16. Advocate to other orders of governments to reduce the cost of child care and increase compensation for child care workers	Short/Medium/Long	Community-wide, General Public, community agencies and public partners
<p>17. Partner with the local Child Care Resource and Referral Program to enhance the promotion of the BC’s Affordable Child Care Benefit Program so that:</p> <p>a) More families are aware of the subsidy program that is available</p> <p>b) More child care providers are aware of the program and can help parents with the application processes</p>	Short	Child Care Resource and Referral Program and local child care operators

Recommendations to Promote Quality		
Action	Time Frame	Potential External Partners
18. Work with, support, and encourage the non-profit and public sector in developing new facilities to meet the child care space targets	Ongoing	Non-profit organizations, local First Nations, Public Partners
19. Explore feasibility and options for creating guidelines for child care spaces that may be developed or facilitated (e.g., program mixes, operating expectations like affordable fees, good wages and working conditions, program curriculum)	Medium	Interior Health, Non-profit providers, child care providers
20. Support the Province in its “Early Care and Learning Recruitment and Retention Strategy” initiative through joint efforts	Short	Public education systems (i.e.: School District 67, Okanagan College), child care providers
21. Work with School District 67 to explore a dual credit ECE Program for local high school students to encourage a career and local employment and work with local child care providers to offer ECE Practicums	Short	School District 67, Province, child care providers
22. Develop new partnerships with public post-secondary training institutions to offer local ECE training programs	Short/Medium	Okanagan College, The University of British Columbia’s Okanagan Campus
23. Consider the needs for Early Childhood Educators and child care in a formal Workforce Development or Business and Economic Development Strategy	Ongoing	Local business, planners, researchers

Recommendations to Strengthen Collaborations and Partnerships		
Action	Time Frame	Potential External Partners
Actions # 3, 4, 6, 8, 10, 12, 13 & 17 outlined earlier also all involve strong collaboration and partnerships		
24. Develop a local Child Care Action/Planning Table that brings child care providers, support services like supported child care, Interior Health Licensing, family support agencies, the School District and Indigenous Partners together with the City to focus on child care needs and the implementation of the child care action plan	Short	School District 67, child care providers, non-profit agencies, family support, Interior Health, First Nations, Ministry of Children and Family Development
25. Continue to build supportive and learning relationships with First Nations and Indigenous partners to support Indigenous perspectives, history and culturally appropriate and supportive child care in Penticton	Ongoing	First Nations, in particular the Penticton Indian Band, child care operators
26. Work together to identify the local meaning associated with the Province's recent announcement that child care is moving to the Ministry of Education by 2023 and there will be universal before and after school care with a priority on school grounds	Short/Medium	School District 67, non-profit operators and community
27. Consider the development of a public education/communication campaign that informs on the needs for child care, the importance of child care to the community, and the actions that are underway to improve the child care situation in Penticton	Short/Medium	The new Child Care Action Planning Table (as noted in # 24)

<p>28. Provide regular briefings to elected officials on the child care situation (City, provincial, federal, and School Board) and commit to offer an orientation on child care after each election to elected officials</p>	<p>Ongoing</p>	<p>The new Child Care Action/Planning Table as noted in # 24)</p>
<p>29. Recognize and honour the value of child care workers and the child care in the community by supporting Child Care month on an annual basis</p>	<p>Short</p>	<p>Child Care Resource and Referral Program, the new Child Care Action / Planning Group as noted in # 24</p>
<p>30. Coordinated advocacy to other orders of governments to provide support to the child care sector and families in the following areas, and other priorities that arise:</p> <ul style="list-style-type: none"> a) Ensuring that the needs of Penticton’s children are a priority for new spaces in provincial planning and funding b) Recruitment and remuneration of ECEs c) Increased resources to support children with additional needs through the Supported Child Development d) Lower fees for families e) Funds needed to support non-traditional hours of care 	<p>Short/Medium</p>	<p>Local Governments, including First Nations, Public Partners</p>
<p>31. Share information and collaborate where possible with the local governments in the South Okanagan-Similkameen</p>	<p>Ongoing</p>	<p>RDOS, Summerland, Keremeos, Oliver, Princeton</p>

Council Report

penticton.ca

Date: January 19, 2021 File No: 470 Edmonton Ave
To: Donny van Dyk, Chief Administrative Officer
From: Nicole Capewell, Planner II and JoAnne Kleb, Public Engagement Program Manager and
Adam Goodwin, Social Development Specialist
Address: 470, 490 and 500 Edmonton Avenue
Subject: **Edmonton Avenue Child Care Centre: Zoning Amendment Bylaw No. 2020-42 and
Public Engagement Results**

Staff Recommendation

THAT Council receive into the record the results of the public engagement completed in accordance with Parkland Protection and Use Policy for the Edmonton Avenue Child Care Centre, located at 470, 490 and 500 Edmonton Avenue;

AND THAT Council give second reading as amended to Zoning Amendment Bylaw No. 2020-42, a bylaw that adds the use 'day care centre, major' as a site specific use in the P2 (Parks and Recreation) zone for Lot 6 and the western portion of Lot 5 District Lots 202, 249 and 250 Similkameen Division Yale District Plan 1410, located at 470 and the western portion of 490 Edmonton Avenue, and forward to the February 1, 2021 Public Hearing.

Executive Summary

Over the past year, the City has been working collaboratively with One Sky Community Resources and with provincial grant funding on the redevelopment of the Edmonton Avenue Centre into a new childcare facility. Part of that process requires an amendment to the City's zoning bylaw adding the use 'day care centre, major' to the property. Council, on November 3, 2020 gave first reading to 'Zoning Amendment Bylaw No. 2020-42' a bylaw that adds the use to the lands and directed staff to complete a public engagement process on the proposal. The engagement activities showed broad support for the proposal, and has resulted in a minor change to the bylaw (removing a portion of Lot 5 and all of Lot 4 from the zoning change). The purpose of this report is to provide Council with the results from the public engagement and to provide the opportunity for Council to give another reading to the bylaw as amended and schedule a public hearing for the bylaw.

Strategic Priority Objective

Vision: A vibrant, innovative, healthy waterfront city focused on sustainability, community and economic opportunity.

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Asset & Amenity Management: The City of Penticton will ensure the services we provide to our residents and visitors are reliable and cost effective by proactively investing into our natural and built assets.

Community Safety: The City of Penticton will support a safe, secure and healthy community.

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Background

As identified in the 2021-2030 Penticton Child Care Action Plan (see related agenda item in today's Council package), there is a strong demand for additional child care spaces in Penticton. Penticton requires over 700 net new child care spaces over the next ten years to meet this urgent need. As child care plays an important role in the community from both an economic and social perspective, the City partnered with OneSky Community Resources to develop a new child care facility in Kiwanis Park located on Edmonton Avenue. To move forward with this new facility, an amendment to the City's zoning bylaw adding the use 'day care centre, major, is required.

As the Edmonton Avenue child care project involves properties that are currently zoned P2 (Parks and Recreation) the Parkland Protection and Use Policy applies. This policy includes nine activities to be completed prior to Council making a final decision on whether to add 'day care centre, major' as a permitted use (see Figure 1). To date, seven of the steps have been completed.

Parkland Protection and Use Policy



Figure 1 - Process in the Parkland Protection and Use Policy

To complete the remaining steps in the Policy and continue towards step nine (public hearing), staff are presenting to Council:

- Results of public engagement completed for the proposal and zoning amendment for properties 470, 490, and 500 Edmonton Ave;

- Recommendations from the Parks and Recreation Advisory Committee December 10th, 2020 meeting; and
- A proposed amendment to 'Zoning Amendment Bylaw No. 2020-42' (Attachment B).

Public Engagement Process and Results

At its November 12, 2019 meeting, the Parks and Recreation Advisory Committee provided its support for the proposed public participation plan for the project, which has now been completed. The plan included these activities:

- Notification of all stakeholders involved with Kiwanis Park and interested members of the community to inform them of the proposal and provide opportunities for involvement (OneSky Community Resources, Kiwanis Club, Safety Village Society, Little Triumphs / Edmonton Avenue Centre families, neighbouring residents, community-at-large).
- Preparation of shapeyourcitypenticton.ca tile providing a central resource for information related to the process. The site received a total of 301 views.
- An e-blast to all members of the shapeyourcitypenticton.ca database to inform them about the proposal and opportunities for involvement. Two emails were sent to approximately 4,800 members of the database.
- Issuance of a press release and advertising on social and local media to let the community know about the proposal to amend the zoning and to build a new child care facility and the opportunities to get involved.
- Mail out to neighboring residents to directly inform them about the proposal and opportunities to get involved. 96 notices were mailed out.
- Livestreamed an online information session which was attended by approximately 30 people and has since received approximately 960 views. The online information session was promoted through social media and news media. An e-blast notice was sent the day before.
- Provided a feedback form online and at the open house to gauge support for the zoning amendment. The City received 50 feedback forms.
- Prepared a report with the results of the feedback forms for PRAC to consider in determining its recommendation. These results are contained within this report.

An in-person open house was also planned as part of the engagement process. The event was cancelled as a result of a new directive from the Provincial Health Officer recommending against in-person gatherings. In lieu of the open house, registered participants and other interested citizens were invited to participate in a virtual open house or have discussions with staff directly.

The following is a summary of the results of the engagement activities conducted in November and December 2020 (see Attachment A for additional details):

- Respondents to the feedback form were very positive. Of the 50 participants, about 72% agreed with updating the zoning of the properties to continue the childcare use in the park and support the proposal to replace the child care facility, and an additional 24% agree but with certain conditions such as:
 - Parking needs to be adequate and reflected on the plan.
 - The rezoning should only apply to the portion of the site that is used for childcare, not the site as a whole.
 - Public access such as the playground needs to be protected.

- Support needs to be provided to the Safety Village to continue operations during construction and in the long-term.
- Some of the other comments received through the feedback form regarding the project include:
 - Childcare is desperately needed and this project can't move fast enough.
 - This location is nicely situated in a residential area with lots of outdoor spaces nearby.
 - Would like to see the project use sustainable or green building design and construction practices.
- Participants also provided feedback regarding the operation of the day care which has been provided to OneSky Community Resources. Examples of these comments and questions include:
 - Why are there not more spaces for infant and toddler?
 - How is OneSky Community Resources transitioning the spaces?
 - What is being done to recruit more staff?

Through the engagement process, the City also held meetings with key stakeholder groups including Kiwanis Club, Safety Village, OneSky Community Resources, as well as internally with City departments. These stakeholder meetings surfaced a number of considerations to be reflected in the project and the detailed design of the building.

The City met with the Safety Village on multiple occasions to understand its needs and explore opportunities through the proposal. Through these conversations, the City learned that the Safety Village is concerned that its operations may be affected during construction and that this could impede its access to grants. Safety Village also indicated that the use of the washroom building is fundamental to its operations as it provides washrooms, kitchen, classroom, bicycle storage and office space. This building is planned to be demolished as part of this proposal and Safety Village is seeking support to continue their operations in the interim as well as in the long-term. Several options exist to accommodate these requests, including bringing in portable facilities during construction. Longer term solutions are being considered. Interim solutions will likely be covered by grant funds.

Parks and Recreation Advisory Committee

During its December 10, 2020 meeting, the Parks and Recreation Advisory Committee received an update from staff on the project (e.g., overview of the project, zoning amendment, public participation results).

During this meeting, the Committee supported the following four recommendations:

- THAT the Parks and Recreation Advisory Committee accept, for information and consideration, the summary of results from the public engagement process in accordance with the Parkland Protection and Use Policy.
- AND THAT the committee support amending Zoning Amendment Bylaw No.2020-42 to reduce the area from all of 470, 490 and 500 Edmonton Avenue to only those areas intended to accommodate the new childcare facility (all of 470 Edmonton Avenue and a portion of 490 Edmonton Avenue).
- AND THAT the Parks and Recreation Advisory Committee supports the amended version of "Zoning Amendment Bylaw No. 2020-42", a bylaw that adds the use "day care centre, major" as a site specific use in the P2 (Parks and Recreation) zone for the consolidated Lot, located at 470 and 490 Edmonton Avenue.
- AND THAT the Parks and Recreation Advisory Committee provide support for adding 'day care centre, major' as a permitted use on the consolidated Lot has been completed in alignment with the Parkland Protection and Use Policy.

Financial implication

There are no financial implications associated with amending the area that 'Zoning Amendment Bylaw No. 2020-42' will be applicable to, and moving to public hearing. The public hearing is already scheduled for other land use matters. Staff time will be required to prepare materials for the public hearing.

In partnership with OneSky Community Resources, the City received a \$2.9M grant from the Province of British Columbia to cover the costs associated with building the new Edmonton Avenue child care centre.

Analysis

As noted in the public participation results, those who participated in the activities support the project and zoning amendment. The results suggest that community members have a strong understanding of the urgent demand for additional child care spaces in Penticton, which the Edmonton Avenue project would positively contribute to net new spaces. Participants did have several suggestions/feedback on both the overall project and the proposed zoning amendment.

In the original zoning amendment bylaw, that was given first reading by Council on November 3, 2020, three lots (470, 490, and 500 Edmonton Ave) were proposed to have 'day care centre, major' added as a permitted use. The three lots were all included in the zoning change as all three lots were currently used for childcare purposes and the final plans for the new facility and the land requirements for it were not entirely clear.

As a result of the feedback received through the public participation process and with further refinement of the plans for the new facility, staff have amended the zoning bylaw to only include those areas of land where the new facility and ancillary operations (parking, play areas etc) will be located. The amended area would include 470 Edmonton Ave and the western portion of 490 Edmonton Avenue. The amendment does not impact the project.

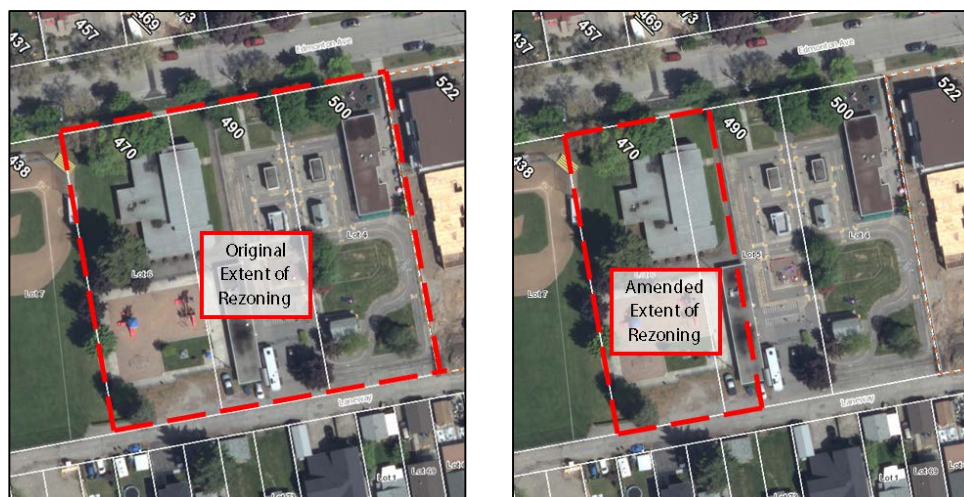


Figure 2 - Images Displaying the Proposed Change to Extent of Rezoning

Another finding from the public participation process was around traffic and parking in the laneway behind the proposed facility. While the current site plan indicates the location of where parking would be situated, the exact parking layout will be considered following the lot consolidation. Based on the size, the proposed facility would require 14 parking spaces, which will be accommodated on site, located off of the lane.

OneSky Community Resources is continuing to work with its design team to better understand different parking options and opportunities. It was also requested through the public participation results, that based on the final parking/traffic flow design, the City explore widening the laneway behind the facility. At this time, it is not anticipated that there would be an extraordinary increase in traffic in the laneway once this project is open, however the City may explore this need once parking flow has been more fully developed by the design team.

Summary and Staff Recommendations

In summary, staff are recommending that Council receive the public participation results and findings into the public record. The process was completed with the support of the PRAC (received in November 2019 and December 2020) and Council direction (provided during the November 3, 2020 Regular Meeting). The engagement results show strong support for the zoning amendment and overall project.

Staff are also recommending that ‘Zoning Amendment Bylaw No. 2020-42’ be amended to apply only to the lands that are directly involved in the new Edmonton Ave child care centre. There were some concerns that adding child care as a permitted use to all three lots (470, 490, and 500 Edmonton Ave) was unnecessary. This adjustment will not impact the Edmonton Ave child care facility, and will allow it to proceed in a timely fashion.

If Council resolves to pass the staff recommendations today, it is anticipated that the zoning amendment will proceed to public hearing on February 1, 2021. Following the public hearing, should Council choose to adopt ‘Zoning Amendment Bylaw No.2020-42’, OneSky Community Resources and their design team would continue to complete final renderings and drawings of the proposed facility, which staff anticipate would be provided at a Council meeting in spring 2021 for Council’s review.

Alternate recommendations

THAT Council direct staff to bring back additional information.

Attachments

Attachment A – Results of the Public Engagement Process

Attachment B –Zoning Amendment Bylaw No. 2020-42 with Staff Recommended Changes

Respectfully submitted,

Nicole Capewell
Planner II

JoAnne Kleb
Public Engagement Program Manager

Adam Goodwin
Social Development Specialist

Concurrence

<p>Director of Development Services</p> <p><i>BL</i></p>	<p>General Manager, Finance and Administration</p> <p><i>JWB</i></p>	<p>Chief Administrative Officer</p> <p>DvD</p>
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Edmonton Avenue Centre Engagement Summary

December 4, 2020



Background

- Direction to involve community in the Park Land Protection and Use Policy
- Developed a plan that was endorsed by PRAC in November 2019
- Timing driven by identification of partner, grant application and then COVID-19
- Conducted engagement between November 12 and 29, 2020



PRAC approved plan

- ✔ Notify stakeholders involved with Kiwanis Park (One Sky resources, Safety Village (and patrons), Little Triumphs/Edmonton Ave Center families, neighbouring residents, community at large
- ✔ Shape Your City Penticton webpage, including email mail out to members
- ✔ Press release, social media and local media to advertise proposal
- ✔ Mail out to neighbouring residents
- ✘ Host open house (COVID compliant) – (in-person cancelled / virtual alternative)
- ✔ Feedback form available online and at open house
 - Prepare report with summary for Parks and Recreation Advisory Committee
 - Public Hearing in January

Summary of Engagement (Nov. 12-29)

Mailout



- 96 letters and info sheet
- Residents in 45m



960 views

Newspaper and Social Media Ads



Shapeyourcitypenticton.ca

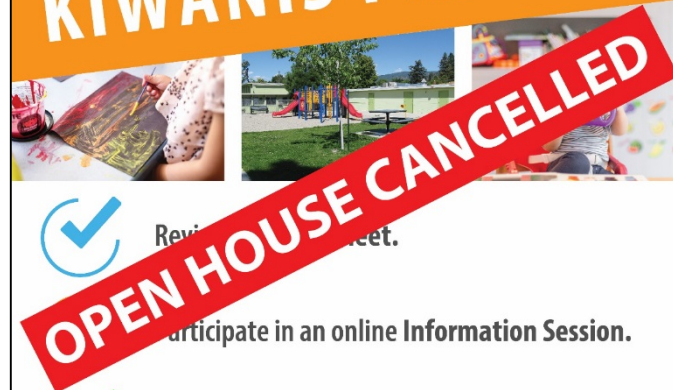
- 50 forms
- 2 emails (~4,800 recipients)



Stakeholder meetings (ongoing)

- OneSky
- Safety Village
- Internal

Child Care Facility in KIWANIS PARK



Review sheet.

Participate in an online Information Session.



Attend an in-person Open House.

Go to shapeyourcitypenticton.ca to learn more.

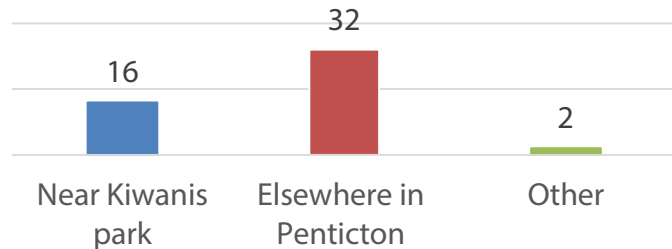


Who did we hear from?

50
Responses



Where do you live?



What is your interest in completing this form?



19

Interested in
Parks



39

Interested in
Childcare



9

Interested in
development in my
neighborhood

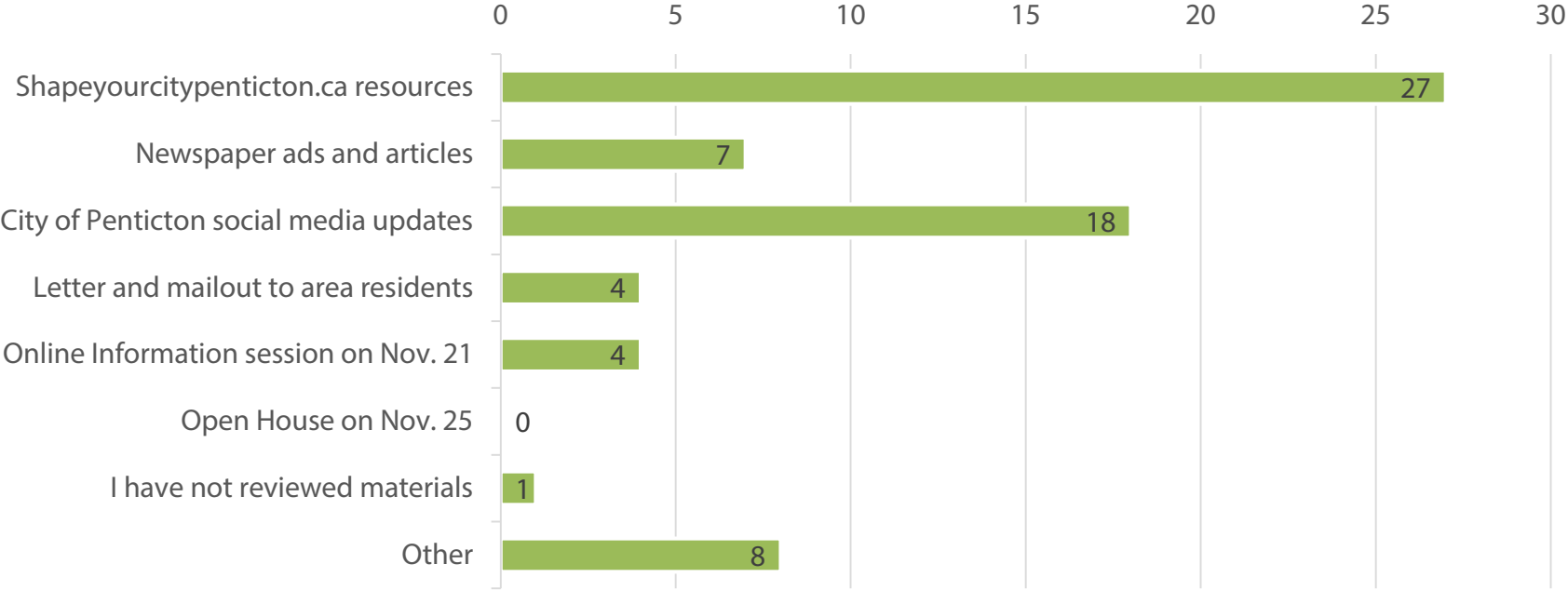


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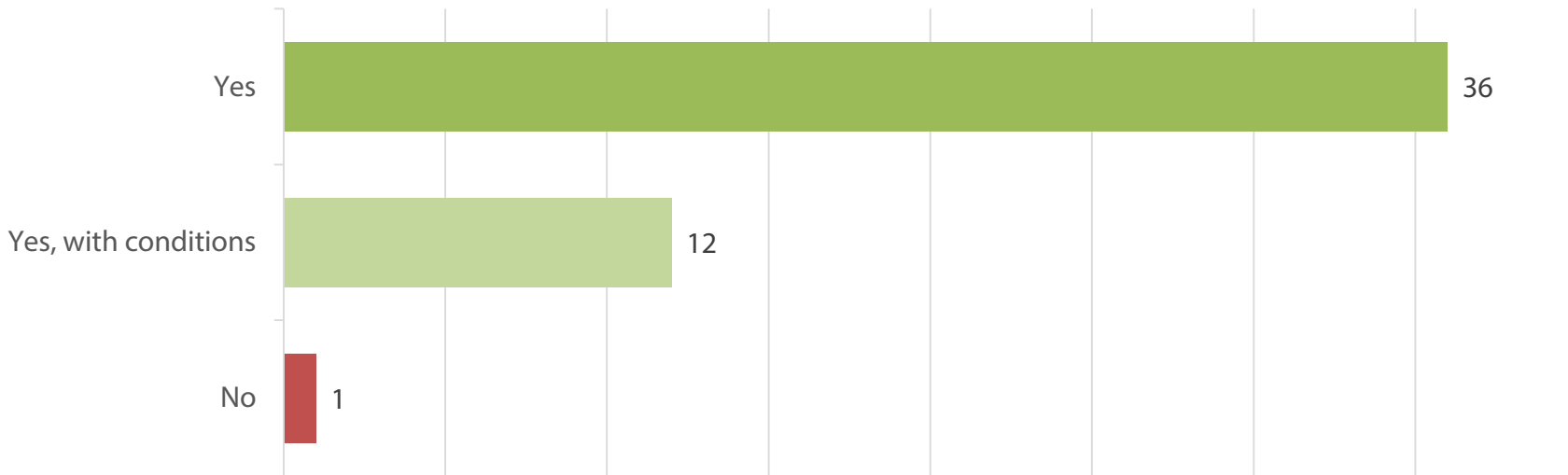
Other



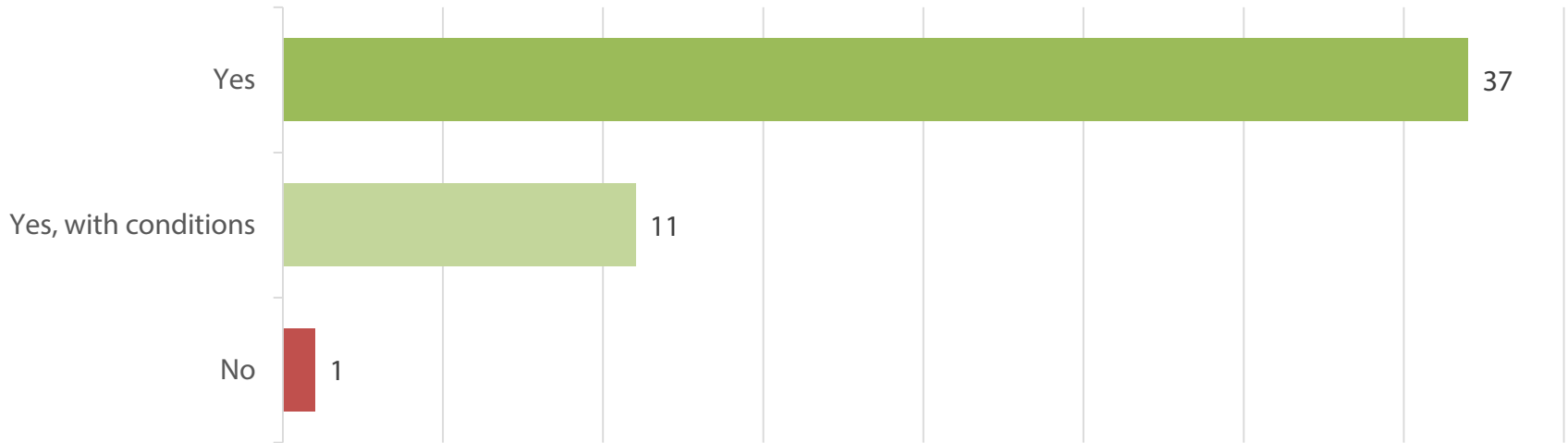
How did you learn about this initiative? ^{160 -}



Kiwanis Park has been home to two child care facilities for more than 30 years. Do you agree with updating the zoning of Kiwanis Park to continue this use?



The City has been awarded a \$2.9 million grant to replace the aging ⁻¹⁶²⁻ Edmonton Avenue Centre with a new child care facility on the existing site in Kiwanis Park. The facility will be operated by OneSky Community Resources. Do you agree with this proposal?



Feedback for project

- 163 -

- This will be an important asset, any additional childcare is needed
- Concerned about impact to Safety Village (interim operations, loss of washroom, classroom and kitchen, long-term needs)
- Playground must be open to the public
- Nicely situated in a residential area with lots of outdoor space nearby
- Parking adequate?
- No need to rezone entire park, protect park and public access
- Plan for Little Triumphs building?
- Risk of baseball diamond adjacent to daycare (solar panels)
- Support green building
- Problems with pick up and drop off now, how will it be fixed?



Feedback for operation of the facility

- Playground must be open to the public
- Need more info on transition plans
- Need more staffing
- Need more spaces for infants and toddlers
- Why demolish Little Triumphs and washroom?

Engagement Conclusions

- Extra effort in letter to residents and virtual open house
- Challenges with loss of in-person open house and short notice
- Very positive response
- New questions may impact site plan and process

Bylaw No. 2020-42

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. 2020-42".

2. **Amendment:**

2.1 Zoning Bylaw No. 2017-08 is hereby amended as follows:

Add 13.2.3 Site Specific Provisions

.1 In the case of Lot 6 and the western portion of Lot 5 District Lots 202, 249 and 250 Similkameen Division Yale District, Plan 1410, located at 470 and the western portion of 490 Edmonton Avenue, 'day care centre, major', shall be permitted.

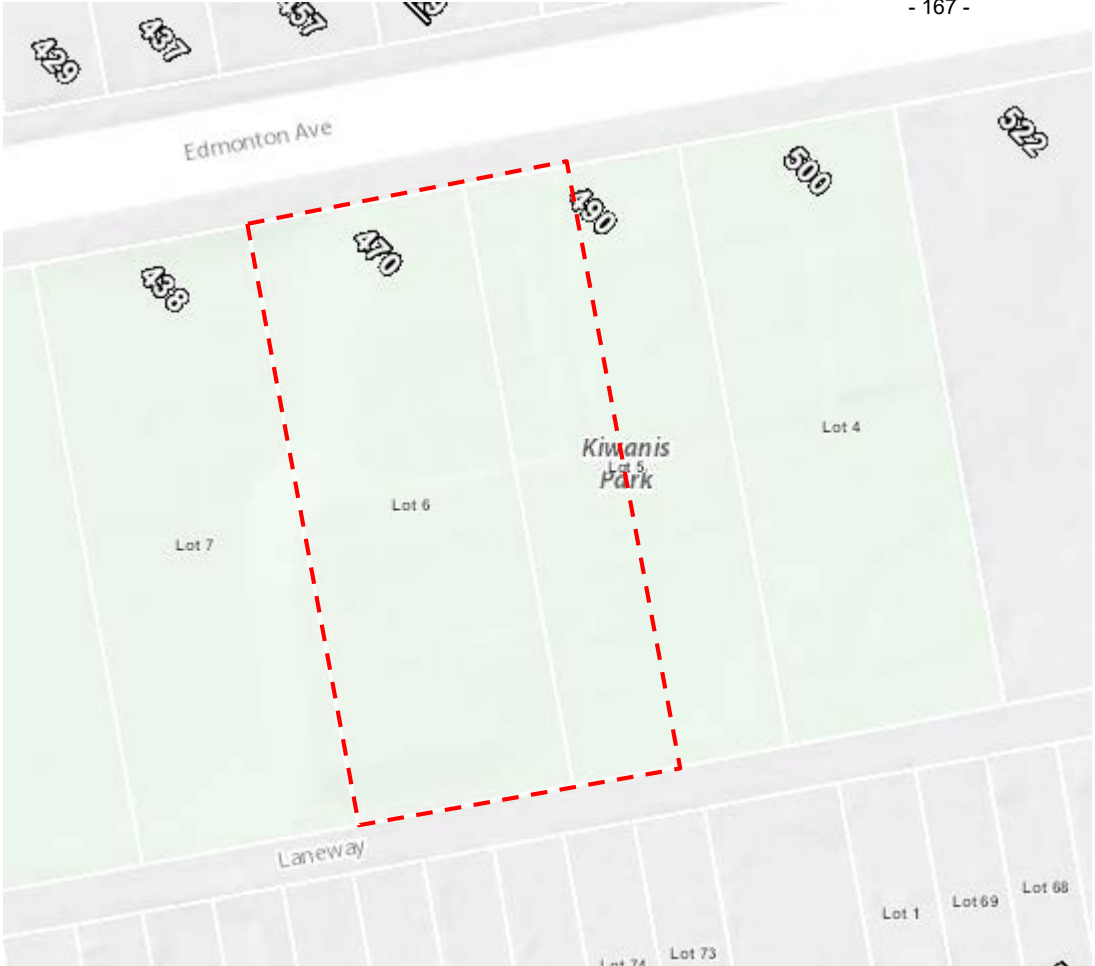
2.2 Schedule 'A' attached hereto forms part of this bylaw.

READ A FIRST time this	3	day of	November, 2020
READ A SECOND time as AMENDED		day of	, 2021
this			
A PUBLIC HEARING was held this		day of	, 2021
READ A THIRD time this		day of	, 2021
ADOPTED this		day of	, 2021

Notice of intention to proceed with this bylaw was published on the __ day of ____, 2021 and the __ day of ____, 2021 in the Penticton Herald newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer



**Site Specific Zoning Amendment
P2 (Parks and Recreation) Zone**

Add Section 13.2.3 *Site Specific Provisions*

“1 In the case of Lot 6 and the western portion of Lot 5, District Lots 202, 249 and 250, Similkameen Division Yale District, Plan 1410, located at 470 and the western portion of 490 Edmonton Avenue, ‘day care centre, major’, shall be permitted”.

City of Penticton – Schedule ‘A’

Zoning Amendment Bylaw No. 2020-42

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: January 19, 2021 **File No:** RMS/533 Forestbrook Dr
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 533 Forestbrook Drive
Subject: **Zoning Amendment Bylaw No. 2021-03 and Development Permit PL2020-8882**

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-03", a bylaw to rezone Lot 3 District Lots 202 and 249 Similkameen Division Yale District Plan 3350, located at 533 Forestbrook Drive, from R2 (Small Lot Residential) zone to RM2 (Low Density Multiple Housing) zone, with the following site-specific provision:

- A maximum of four (4) dwelling units shall be permitted.

AND THAT Council forward "Zoning Amendment Bylaw No. 2021-03" to the February 1, 2021 Public Hearing.

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2021-03", approve "Development Permit PL2020-8882", to allow the construction of a 4 unit cluster housing development.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to construct a duplex building on the subject property and renovate the existing house to add a secondary suite. The proposed cluster housing development will result in four dwelling units on the property. The applicant is proposing to rezone the subject property from R2 (Small Lot Residential) zone to RM2 (Low Density Multiple Housing) zone with a site-specific provision to allow a maximum of four (4) dwelling units on the property. A Development Permit application has also been submitted in order to approve the form and character of the proposed development.

Background

The subject property is located on the north side of Forestbrook Drive, west of Government Street, in a primarily residential neighbourhood (Figure 1). The property contains a house, which is proposed to remain,

and a detached garage, which is proposed to be removed. The property is zoned R2 (Small Lot Residential) and is designated 'Infill Residential' in the Official Community Plan (OCP).

The primary housing form on the block is single detached dwellings. An eight (8) unit cluster housing townhouse development was completed in 2016 at 511 Forestbrook Drive, the adjacent property to the west. This development consists of four duplex units, and four duplex suites. Further to the west is Penticton High School and KVR Middle School. The property is within walking distance of the IGA on Government Street and the KVR trail.

This property is impacted by the federal airport zoning regulations for the Penticton Regional Airport approach surface. These federal regulations set a total height limitation of approximately 385m above sea level in affected areas, which has a greater impact on properties at higher elevations than those at lower elevations. On the subject property, the duplex roofline matches the maximum allowable building height under the federal airport zoning regulations. The applicant is aware of these federal regulations and the restriction on any equipment or structures exceeding this allowable height.



Figure 1 - Location Map

Technical Review

This application was reviewed by the City’s Technical Planning Committee. The committee required additional information to be added to the plans to confirm zoning regulations and OCP design guidelines were met, which the applicant completed. The federal airport zoning regulations were relayed to the applicant, and the Building Department advised that a height survey will be required during the construction phase to ensure the federal regulation is met. Additional requirements at the future building permit stage were relayed to the applicant in order to expedite future permit approvals.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:

	RM2 Zone Requirement	Provided on Plans
Minimum Lot Width:	18 m	18.3 m *
Minimum Lot Area:	540 m ²	818 m ² *
Maximum Lot Coverage:	40%	31.8%
Maximum Density:	0.8 Floor Area Ratio (FAR)	0.54 FAR
Vehicle Parking:	1 parking space per dwelling unit Total: 4 parking spaces	6 parking spaces provided (off lane)
Bicycle Parking	Class I: 2 spaces Class II: 1 space	Class I: 4 secured spaces provided Class II: 1 bike rack provided
Required Setbacks		

Front Yard (Forestbrook Dr):	3.0 m	9.1 m (house)
Side Yard (east):	3.0 m	2.78 m ^t (house), 3.0 m (duplex)
Side Yard (west):	3.0 m	2.96 m ^t (house), 3.0 m (duplex)
Rear Yard (lane):	6.0 m	6.0 m (duplex)
Maximum Building Height	12 m	9.25 m (duplex)
Other Information:	<p>* The minimum lot width and minimum lot area requirements do not apply to existing lots, only when a subdivision or lot line adjustment is proposed.</p> <p>^t The existing house was built with a permit under the zoning regulations of the day. As no change is proposed to the footprint of the house, a variance is not required.</p>	

Analysis

Rezoning

The OCP designation for the property is 'Infill Residential'. The Infill Residential designation supports new housing types compatible with single detached houses in character and scale, providing 1 to 4 units per lot. The proposed four-unit cluster housing development is consistent with this OCP designation.

Staff consider that the proposed rezoning will allow for development that is supported by the following OCP policies:

- OCP Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
- OCP Policy 4.1.3.1 Encourage more intensive "infill" residential development in areas close to the Downtown, to employment, services and shopping, through zoning amendments for housing types compatible with existing neighbourhood character, with form and character guided by Development Permit Area Guidelines.
- OCP Policy 4.1.3.5 Ensure through the use of zoning that more-intensive forms of residential development are located close to transit and amenities, such as parks, schools and shopping.
- OCP Policy 4.1.3.6 Require amenity areas in all multifamily and mixed-use projects through regulations in the Zoning Bylaw.
- OCP Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
- OCP Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density close to collector roads, services and amenities).
- OCP Policy 4.1.5.3 Use Multifamily and Intensive Residential Development Permit Area Guidelines to direct, through the City's approval processes, the character and feel of residential neighbourhoods, as well as guide water and energy conservation.

- OCP Policy 4.2.2.5 Require that vehicle access to parking in residential areas is from the laneway in neighbourhoods where laneways exist.
- OCP Policy 4.2.7.8 Ensure new residential developments provide an appropriate amount of parking for residents and their guests.

Staff consider that the application proposes an appropriately-scaled development in an area of the community that has been identified for a moderate increase in density by the OCP. The proposed rezoning to RM2 with a site-specific provision is consistent with the Infill Residential designation, which outlines a maximum of four (4) dwelling units on a single lot.

The OCP policies encourage infill development in areas close to services, parks, and shops to encourage walkability and active transportation. Staff note this property is within walking distance of two schools, Kiwanis Park, the KVR trail, and shops and services along Government Street.

The proposed development will create a transition in density along this block of Forestbrook Drive. An eight-unit development was completed on the adjacent property to the west in 2016. The neighbouring property to the east contains a single detached dwelling. The proposal for four dwelling units on the subject property will transition the density between the existing uses on either side of the subject property; from 8 units, to 4 units, to 1 unit (Figure 2). By renovating the existing house on the property, and adding a secondary suite, the impact on form and character from the street is minimized. The applicant has not requested any variances from the Zoning Bylaw provisions for the proposed development.



Figure 2 - Subject property (red) and adjacent densities.

Given that there is adequate policy through the OCP to support the proposal, staff recommend Council give first reading to “Zoning Amendment Bylaw No. 2021-03”, and forward the bylaw to the February 1, 2021 Public Hearing to obtain comments and feedback from the public.

Development Permit

The proposed development is included in the Multifamily Residential Development Permit Area, which is established in the OCP to enhance neighbourhoods and create sensitive transitions in scale and density by addressing issues such as privacy, landscape retention, and neighbourliness. Staff have completed a development permit analysis (Attachment ‘D’) that shows how the development conforms to the applicable design guidelines. The applicant also provided a development permit analysis with their submission (Attachment ‘E’).

The proposed development has been designed with the OCP policies in mind and with due consideration of impacts on neighbouring property owners. The development will create a transition in density between the

neighbouring properties on either side. As such, staff recommend that Council consider approving the Development Permit, subject to the adoption of the Zoning Amendment Bylaw.

Alternate Recommendations

Council may consider the proposed rezoning is not consistent with the OCP or not appropriate for this property. If this is the case, Council should deny first reading of the Zoning Amendment Bylaw. Staff are recommending against this option, as the proposed development is consistent with the OCP policies, the Infill Residential designation, and is a similar scale to multifamily developments in the surrounding area.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2021-03".

Attachments

- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Images of Subject Property
- Attachment D – Development Permit Analysis (staff)
- Attachment E – Letter of Intent and Development Permit Analysis (applicant)
- Attachment F – Zoning Amendment Bylaw No. 2021-03
- Attachment G –Draft Development Permit PL2020-8882

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

<p>Director</p> <p><i>BL</i></p>	<p>Chief Administrative Officer</p> <p>DyD</p>
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Attachment A – Zoning Map of Subject Property



Attachment B – Official Community Plan Map of Subject Property



533 Forestbrook Drive

Official Community Plan Map



Legend

- Subject Parcel
- Parcel

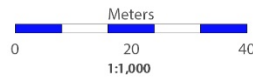
Official Community Plan

Future Land Use

- Ground Oriented Residential
- Institutional and Civic
- Urban Residential
- Infill Residential

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user of this information does so at their own risk and should not rely upon the information without independent verification as to the accuracy or suitability thereof.

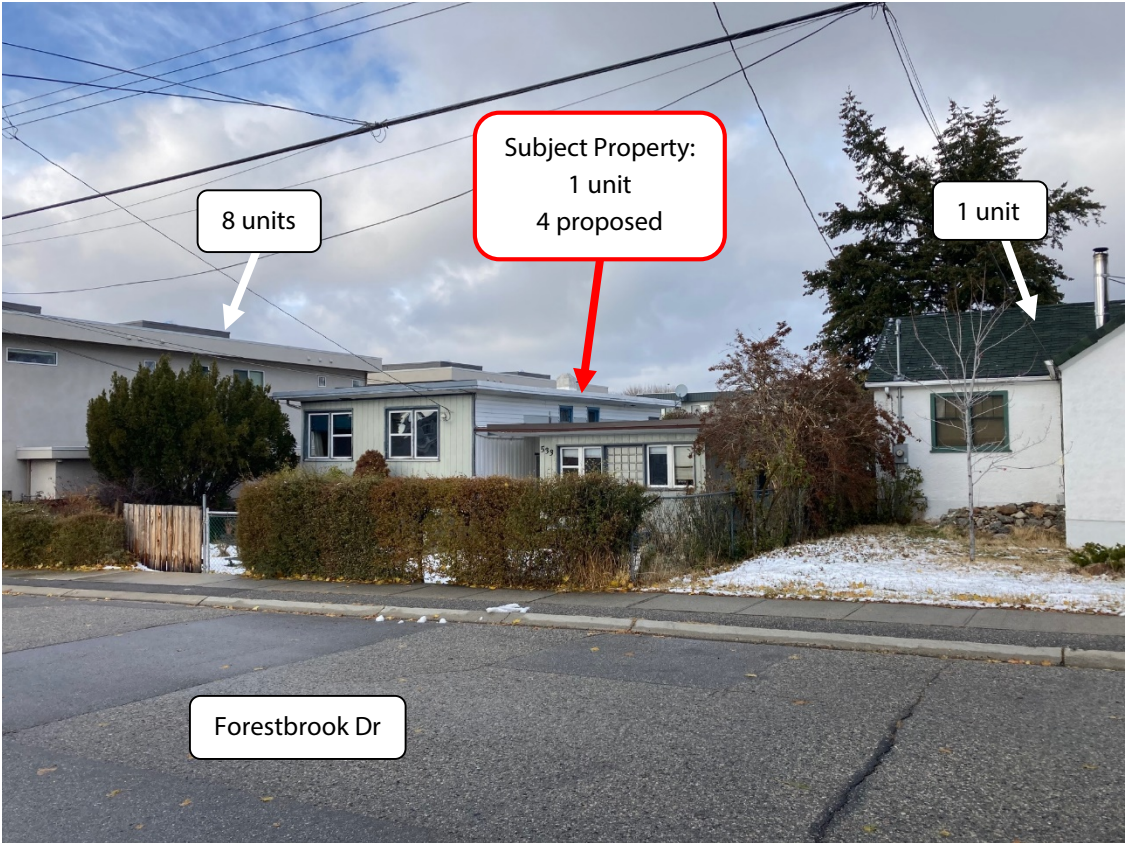
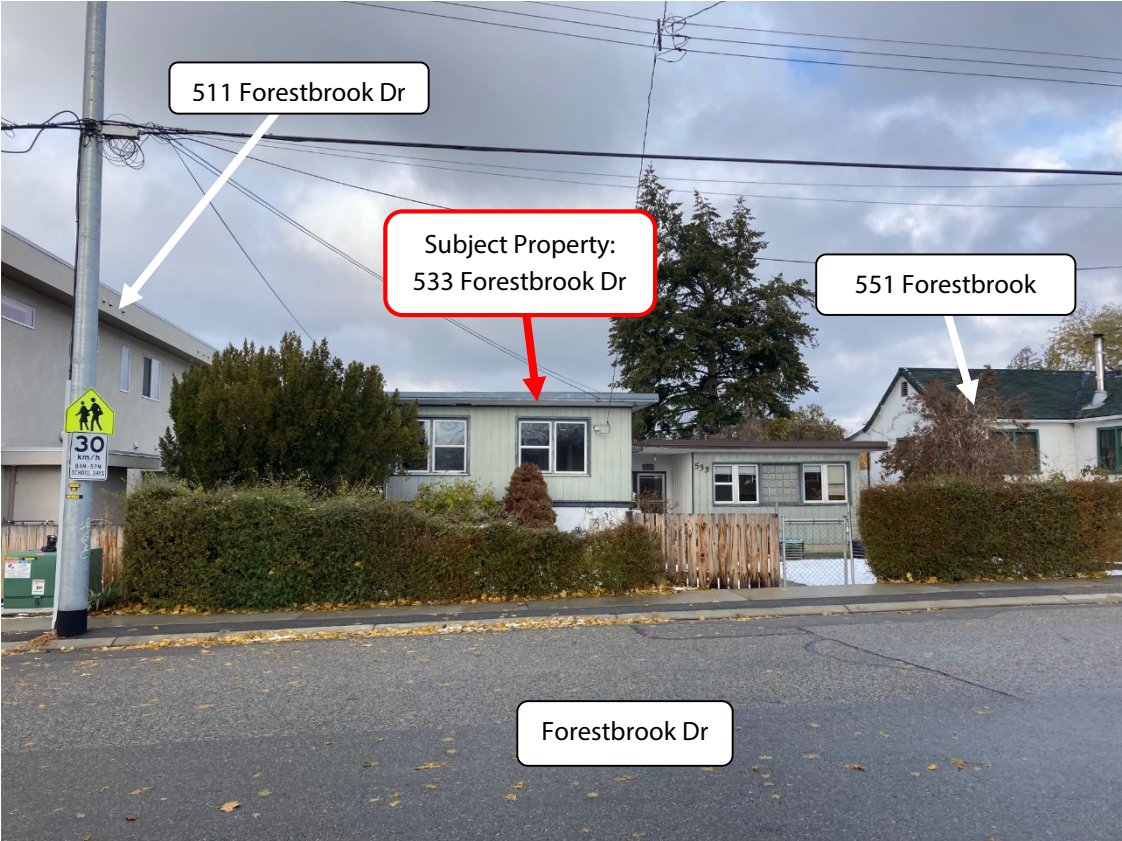


November 3, 2020
2:11:06 PM



penticton.ca

Attachment C – Images of Subject Property





Attachment D – Development Permit Analysis (staff)

Development Permit Analysis

The proposed development is located within the Multifamily Residential Development Permit Area. The following analysis demonstrates how the proposal is aligned with the applicable design guidelines.

Guideline G1 Prior to site design, analysis shall be undertaken to identify significant on-site and off-site opportunities and constraints, including built and natural elements (e.g., structures, slopes and drainage, significant landscape features, etc.).

- Site analysis was completed to review elevations on the property, in order to confirm the allowable height under the federal airport zoning regulations. The applicant has indicated the house has been assessed and that the future secondary suite could be installed meeting the requirements of the BC Building Code.

Guideline G3 Private and semi-private open spaces should be designed to optimize solar access.

- The duplex maintains a courtyard-like area between the two buildings to preserve solar access into the semi-private open spaces for each unit.

Guideline G5 Siting of buildings should support strong street definition by minimizing front yard setbacks while sensitively transitioning to neighbouring building setbacks.

- The existing front yard setback to the house is not changing as part this development.

Guideline G7 All designs shall consider Crime Prevention Through Environmental Design (CPTED) principles and balance the reduction of crime and nuisance opportunities with other objectives to maximize the enjoyment of the built environment.

- The duplex design provides visual overlook onto the lane and parking area at the rear of the property with 2nd level balconies.

Guideline G11 Barrier-free pedestrian walkways to primary building entrances must be provided from municipal sidewalks, parking areas, storage, garbage and amenity areas.

- A barrier-free pedestrian walkway is provided on each side of the property to provide access between the parking area off the lane, leading past the duplex and to the house and suite at the front of the property. These walkways connect around the front of the house and connect directly to the public sidewalk on Forestbrook Dr.

Guideline G13 Entry to ground-level residential units should be no more than 1.8m above the grade of adjacent public sidewalks and walkways.

- Entrances to each unit in the duplex, and to the house, are less than 1.8m above the grade of the street and lane. The entrance to the house is not proposed to change through this development.

Guideline G16 Site and building access must prioritize pedestrian movement, minimize conflict between various modes of transportation and optimize use of space...

- The parking area for the proposed development is accessed from the rear lane while the primary pedestrian entrance is at the front, accessed from Forestbrook Dr. Two sidewalks are provided to connect the rear parking area to each unit and the street, which reduces conflict between vehicles and pedestrians on the site.

- Guideline G23* *Articulation of building mass should include horizontal (minor) setbacks and stepbacks (along upper storeys) to provide visual interest and enrich the pedestrian experience. Balconies and/or cantilever upper floors may be considered as a means to breaking up massing while promoting overlook and/or weather protection.*
- The proposed duplex design includes minor architectural projections towards the lane and at either side of the building. In addition, the duplex design features balconies on the second floor and a variety of façade materials to create visual interest. As part of the development, the façade of the existing house will be updated to be consistent with the new duplex, improving its visual appeal from the street.
- Guideline G24* *Street-facing units should utilize a layering of elements – including but not limited to street-facing entries, stairs, stoops, porches, patios and landscape elements – to create transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkway, ramp, stair), semi-private (e.g., stoop, balcony) and private areas.*
- As shown on the development plans, the house facing the street features a front-facing entry and porch. Updated façade materials and maintenance of existing landscaping will provide a friendly face towards the street.
- Guideline G26* *Building designs should minimize impacts on the privacy of adjacent dwellings, including private open spaces.*
- Windows facing towards neighbouring properties on the east and west facades of the duplex are smaller than those facing north, towards the lane, and south, towards the yard spaces. This design choice, and providing upper level balconies facing the lane rather than neighbours, assist with maintaining privacy between properties.
- Guideline G29* *Development should orient windows, porches, balconies and patios toward the public realm, allowing for casual overlook of parks, open spaces, and parking areas.*
- Large windows, main unit entries, and balconies on the duplex building face towards the rear lane and provide visual overlook onto the public realm. The house will retain an existing street-facing patio at the main entrance, as shown on the plans.
- Guideline G35* *Tree planting...*
- The landscaping plan shows four trees along each side of the property, and two trees on the lane side between the driveways and parking spaces. Two existing trees at the front of the property are proposed to remain. These trees are in addition to substantial plantings, as shown on the landscaping plan.
- Guideline G38* *Screening & Buffering...*
- Landscape buffers are shown on the landscaping plan along both side property lines. The applicant has demonstrated they meet the Zoning Bylaw requirement for landscape buffers by providing 4 trees along each side within the landscape buffer area. Fences are proposed along each side property line, and combined with the landscape buffer this will assist with screening the property and maintaining privacy between neighbours.
- Guideline G58* *Garbage/recycling areas and other similar structures should be located out of public view in areas that mitigate noise impacts and which do not conflict with pedestrian traffic.*
- The garbage/recycling bins will be stored at the sides of the duplex building, and screened from public view. The storage areas are not in direct view from the lane.

Guideline MF1 All multifamily development should incorporate community amenity spaces that provide opportunity for recreation and play and address the needs of all age groups likely to reside within the development.

- Each unit will have a yard space in the area between the two buildings. These at-grade amenity spaces provide semi-private outdoor space for future residents. The property is located close to Kiwanis Park on Edmonton Ave and the recreation amenities at KVR Middle School and Penticton Secondary School, as well as the KVR, for residents to access outdoor spaces.

Guideline MF2 In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views into them from ground-oriented ground floor units.

- The courtyard-like amenity areas will be framed by the existing house and new duplex building, with views onto this space from units in both buildings.

Attachment E – Letter of Intent and Development Permit Analysis (applicant)



DECEMBER 8, 2020

Giroux Design Group Inc.
23216 Garnet Valley Rd.
Summerland, BC V0H 1Z3

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

Re: 533 Forestbrook Drive Rezoning & Development Permit Application

To City of Penticton Planning Department,

This letter is regarding the proposed rezoning and development of the property located at 533 Forestbrook Drive. The property is currently zoned R2 (Small Lot Residential) and is currently a two-storey single family dwelling.

The proposal is to rezone the property to RM2 (Low Density Multiple Housing) keep the existing house at the front of the property and add a one-bedroom secondary suite to the basement. And to build one three storey duplex at the rear of the property. The proposal fits within the City of Penticton's Official Community Plan as the area is designated for Infill Residential development which includes RM2 zoning and allows for up to four dwelling units.

The property has lane access at the rear with a garage and exterior parking accessed from there. The proposed development requires no variances to the zoning. We believe it meets the intent of the OCP for the area of town. The project makes good use of a large lot close to schools, shopping and transit and bridges the townhouses on the property to the west and the single family home on the property to the east. Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read "Tony Giroux", is written over a light blue horizontal line.

Tony Giroux **ASTTBC.CTech, RBD**
Owner/Registered Building Designer
Giroux Design Group Inc.

533 FORESTBROOK DRIVE: DEVELOPMENT PERMIT ANALYSIS

PEDESTRIAN CONNECTIVITY

The development is close to major roads with pedestrian sidewalks and trails nearby. The location allows for easy walking or cycling to the nearby shopping, parks, and the schools on the same road. City Bus stops are close by which allows for easy transit use.

PARKING

Each duplex unit has an enclosed single car garage for secure parking, with another tandem exterior parking stall in front of the garage doors, giving each unit two parking spots. The house has two exterior parking spots at the rear of the property, one for the house and one for the suite, giving a total of six parking stalls. Ample street parking is available on Forestbrook in front of the house as well for further visitors. One Class I Bicycle space is provided in each rear fenced yard for a total of four spaces. One Class II Bicycle space with rack is provided to the east of the duplex building. No variances are required for parking as the required number of spaces are exceeded.

DESIGN FOR CLIMATE

The east and west facing sides of the building are designed with windows to allow light into the units, with deciduous trees planted along these building faces to provide shade in the summer months and sun in the winter months.

ORIENTATION & MASSING

The two-storey house at the front of the property flows into the three storey duplex at the rear of the property. The style of the original house is mid-century modern with a flat roof. The new duplex will also have a flat roof and the existing building will be renovated to match the exterior of the new building.

LANDSCAPING (ENHANCING THE URBAN FOREST)

The proposed number of plants and trees exceed the minimum requirements set forth by the City of Penticton. Deciduous trees are planted to the north and south of the new duplex, the original established trees and shrubs in the front yard of the house will be pruned and preserved. The trees chosen are deciduous and will provide shade in the summer and sun in the winter.

WASTE MANAGEMENT

Garbage and recycling collection is provided by individual roll out bins that can be placed in the parking spots along the alley during collection. Space is provided in each garage for the bins on non-collection days.

FENCES

6' high wood privacy fences will be placed along the west and east property lines, with the exception of the first 3.0 m from the front property line where a 4' high wood fence will be

constructed as per the City Fence Bylaw. An existing metal fence on the front property line will be maintained, no fence will be placed on the rear property line.

We believe that this development will fit nicely into the existing neighborhood and provide more family housing close to the nearby schools.

Thank you for considering our proposal.

Best regards,

A handwritten signature in black ink, appearing to read 'Tony Giroux', with a stylized flourish at the end.

Tony Giroux **ASTTBC.CTech, RBD**
Owner/Registered Building Designer
Giroux Design Group Inc.

533 Forestbrook Dr

Rezone from R2 (Small Lot Residential) to RM2 (Low Density Multiple Housing).

Add Section 10.8.4.5 to Zoning Bylaw 2017-08, to permit a maximum of four (4) dwelling units.



**City of Penticton – Schedule ‘A’
Zoning Amendment Bylaw No. 2021-03**

Date: _____

Corporate Officer: _____

Development Permit

Permit Number: DP PL2020-8882

Owner Name
Owner 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 3 District Lots 202 and 249 Similkameen Division Yale District Plan 3350
 - Civic: 533 Forestbrook Drive
 - PID: 010-861-114
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a four-unit cluster housing development as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$_____ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
 - a. correct an unsafe condition that has resulted from a contravention of this permit,
 - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
 - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
 - a. The permit has lapsed as described under Condition 8, or
 - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees and Charges Bylaw (as amended from time to time).

General Conditions

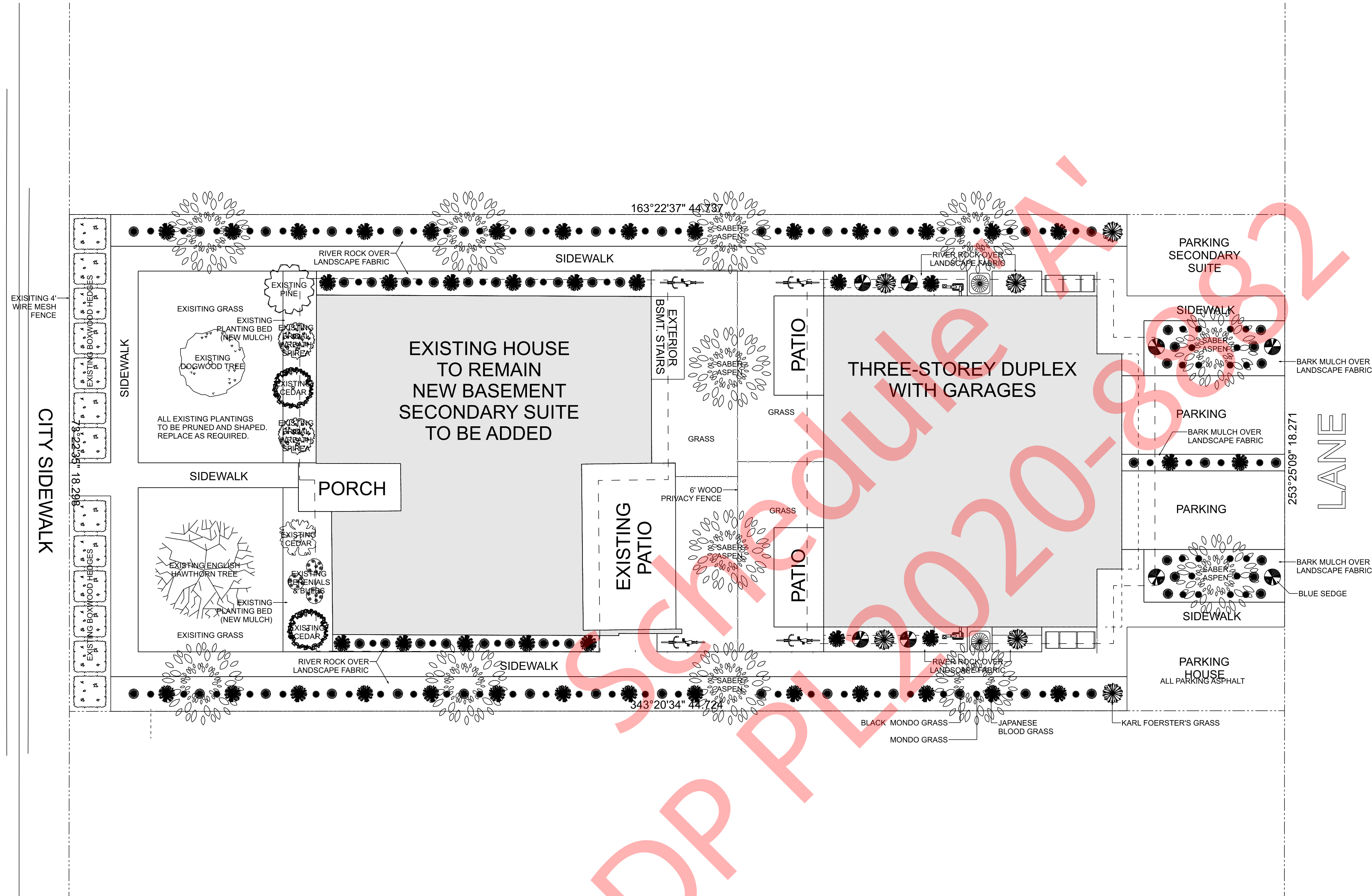
7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the _____ day of _____, 2020.

Issued this _____ day of _____, 2020.

Angela Collison
Corporate Officer

FORESTBROOK DRIVE



LANDSCAPE PLAN
SCALE: 1:96

CIVIC ADDRESS: 533 FORESTBROOK DRIVE, PENTICTON, BC
LEGAL DESCRIPTION: LOT 3, DL's 202 AND 249, SDYD, PLAN 3350
PID: 010-861-114

CURRENT ZONING: R2
PROPOSED ZONING: RM2
OCP: INFILL RESIDENTIAL
MAXIMUM AIRPORT HEIGHT: 385.267 m

TREE OR PLANTS	DESCRIPTION	QTY.	UNIT
Medio Variegata Hosta	Hosta undulata 'Mediovariegata'	1	each
Saber Aspen	Populus grandidentata 'Saber'	12	each
Black Mondo Grass	Ophiopogon planiscapus 'Nigrescens' Height 15" Spread 9"	63	each
Dwarf Mondo Grass	Ophiopogon japonicus 'Nanus' Height 4" Spread 6"	87	each
Blue Sedge	Carex flacca	8	each
Japanese Blood Grass	Imperata cylindrica 'Red Baron'	45	each
Karl Foerster's Grass	Calamagrostis x acutiflora Karl Foerster	6	each
MATERIALS			
Property Area	Lot Area	8804	sqft
Asphalt Driveway	Asphalt Pavement	754	sqft
Driveway Base	4" Gravel Base	754	sqft
Sidewalk	4" Concrete Sidewalks (32 MPA)	6178	sqft
Concrete Patio	4" Concrete (32 MPA)	144	sqft
Grass	Turf	751	sqft
Planting Beds (Bark Mulch)	Bark Mulch	421	sqft
River Rock	2" Rainbow River Rock	1465	sqft
Landscape Fabric	Landscape Fabric	1885	sqft
Garbage and Recycling	Garbage & Recycling Container Set	3	each
Wood Fencing	6' High Wood Privacy Fence	517	feet

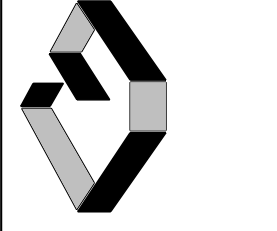
LANDSCAPE NOTES:
SHRUBS SHALL BE A MIN OF No.2 POT SHRUBS
ALL TREES ARE TO BE A MINIMUM CALIPER OF 60mm WITH A CLEAR STEM HEIGHT OF 1.5 m
NO TREES, FENCES OR STRUCTURES WITHIN ROAD DEDICATION
NO RETAINING WALLS OVER 1.2 m IN HEIGHT ARE PERMITTED WITHIN ANY SETBACK AREA
LANDSCAPED AREAS TO BE EQUIPPED WITH UNDERGROUND IRRIGATION SYSTEM COMPLETE WITH MOISTURE SENSORS & TIMERS.
LANDSCAPING AND IRRIGATION TO EXTEND TO EDGE OF CITY SIDEWALKS, CURBS, ASPHALT. (INCLUSIVE OF LANDSCAPING ON CITY BOULEVARD)
DRIVEWAY ASPHALT TO EXTEND TO STREET AND LANE ASPHALT.

SURINDER SINGH
533 FORESTBROOK DRIVE
PENTICTON, BC
DESIGN BY: AIG
DRAWN BY: AIG
DATE: 12/08/20
REVISED:

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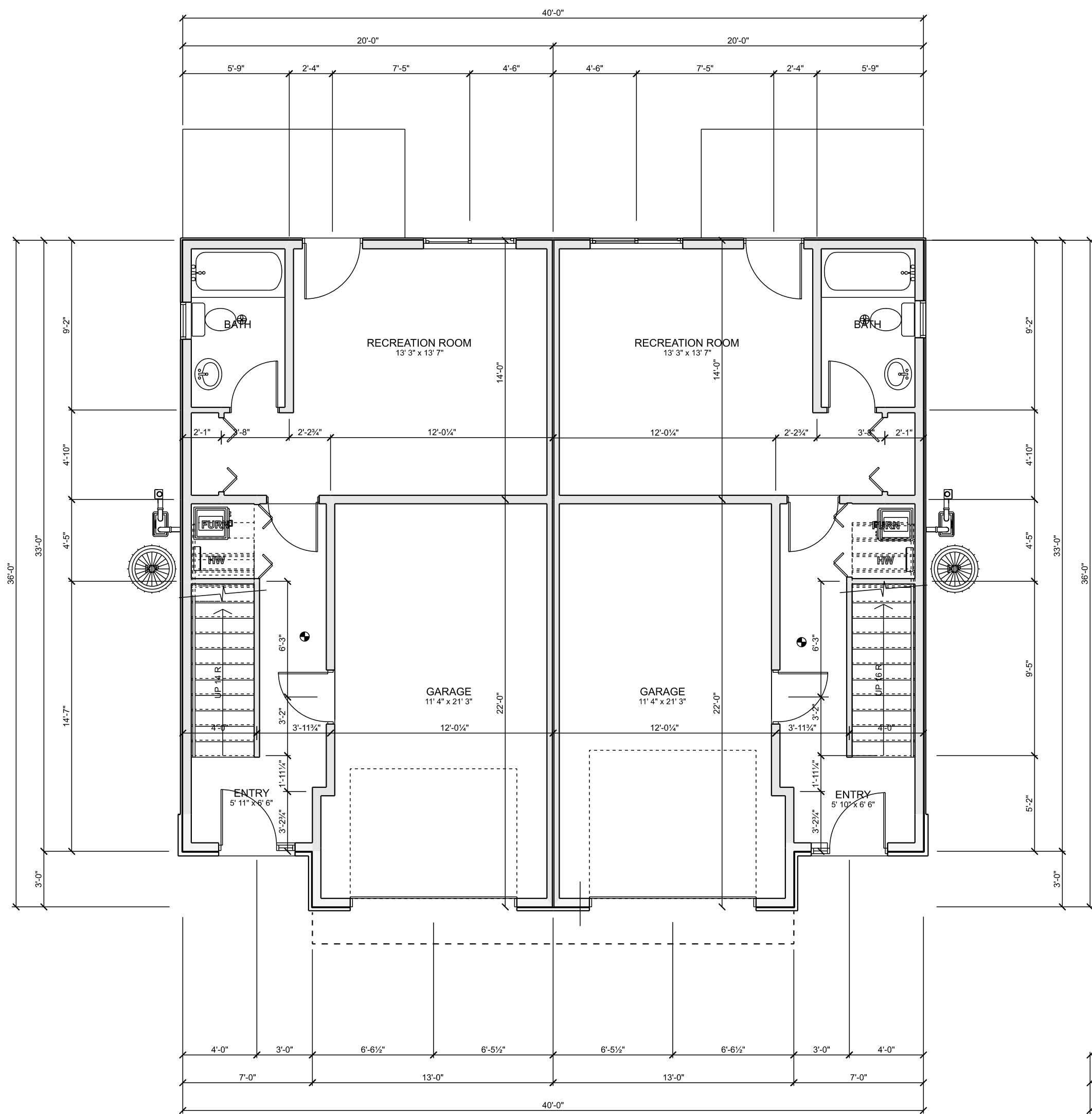
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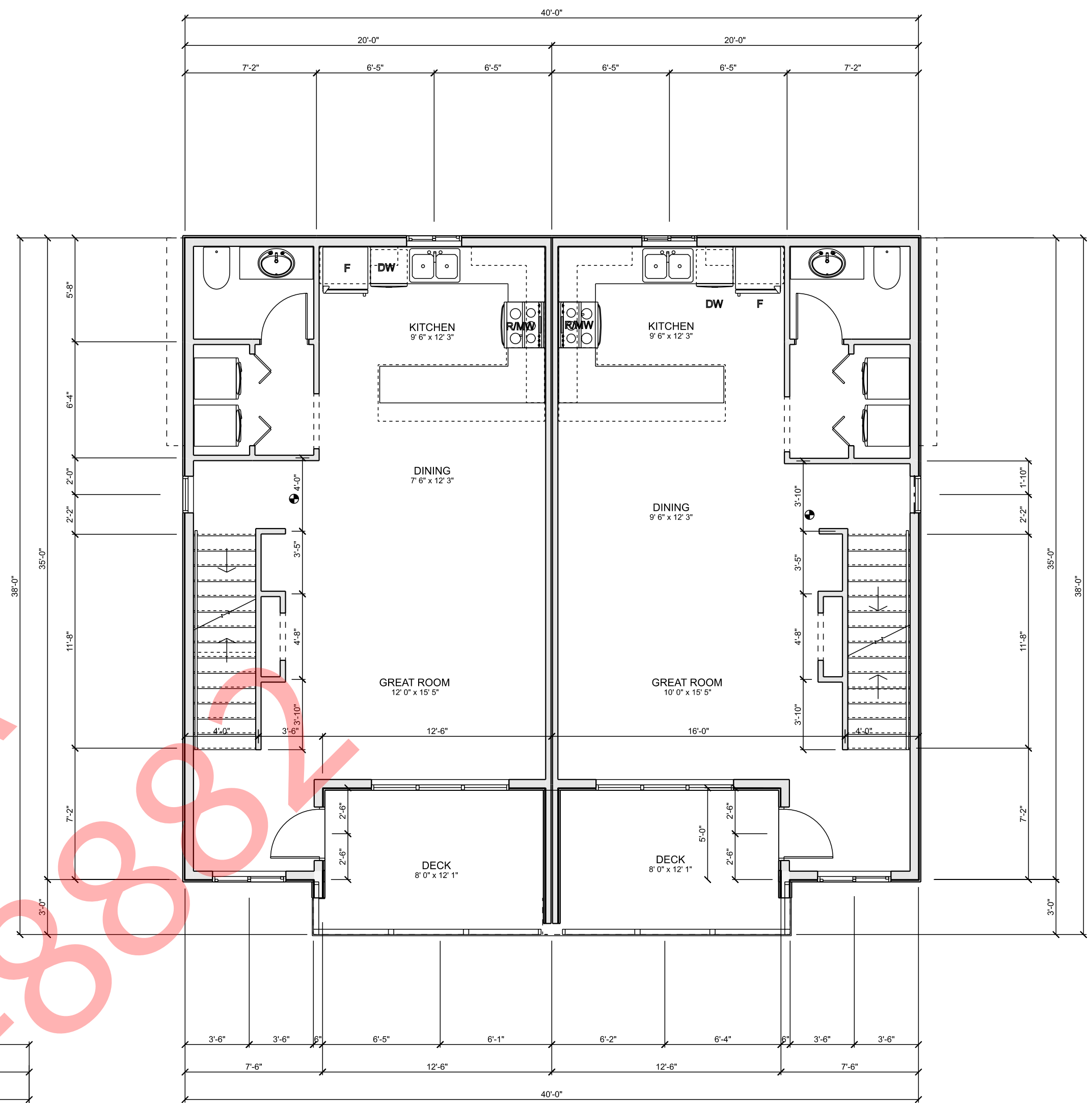


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SLAB
SHEET NO.
A3

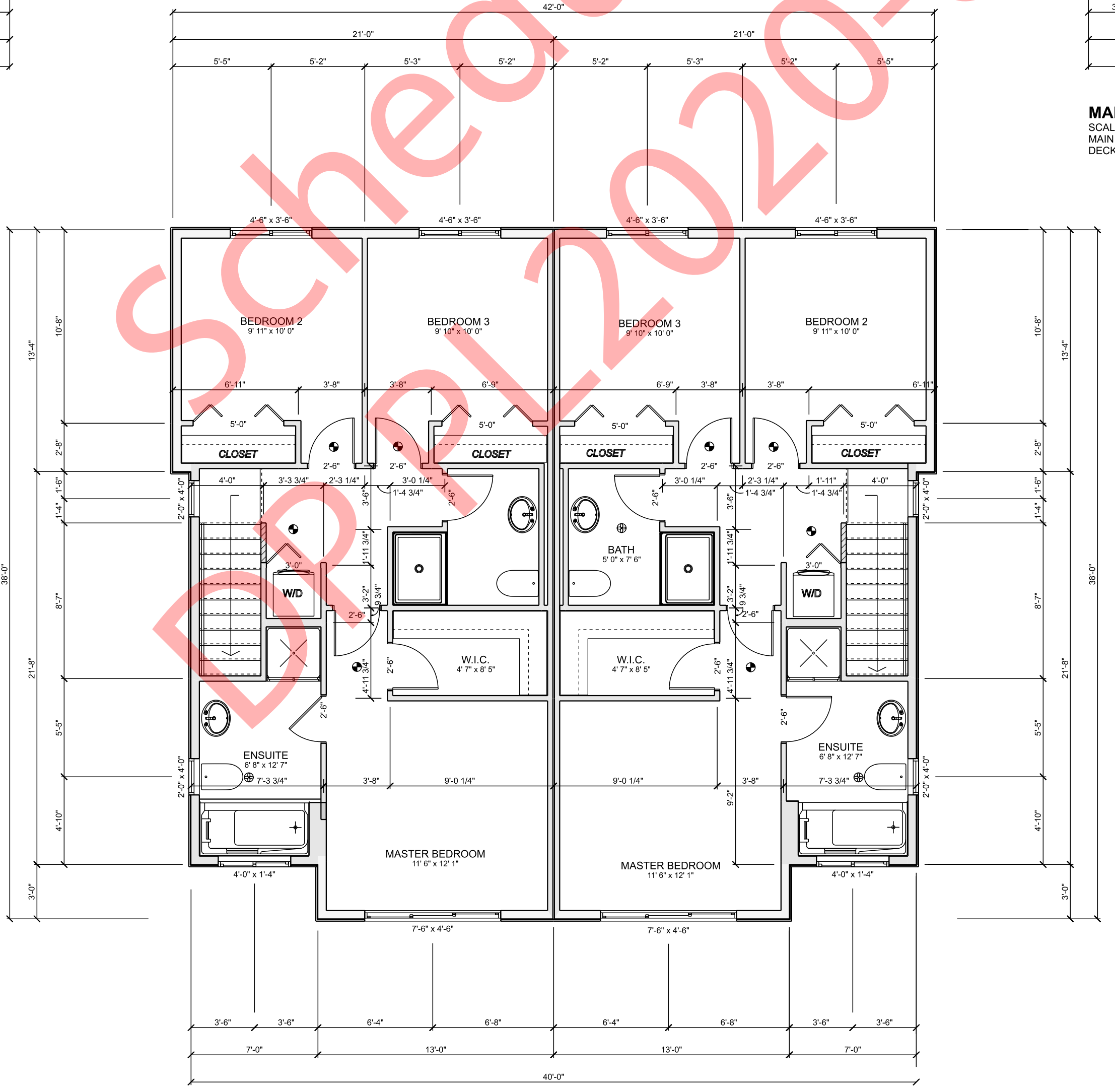
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Landscape Plans



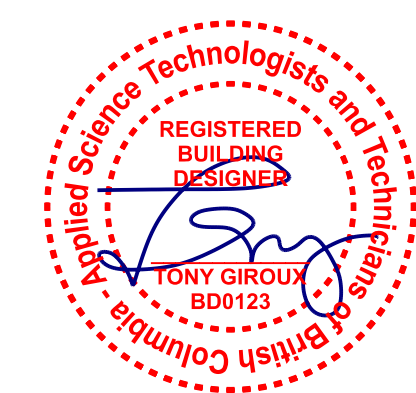
LOWER FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 LOWER FLOOR LIVING AREA: 843.7 sq ft. (EXCLUDING STAIRS & MECHANICAL)
 GARAGE AREA: 554.3 sq ft.



MAIN FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 MAIN FLOOR LIVING AREA: 1275.0 sq ft.
 DECK AREA: 202.0 sq ft.



UPPER FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 UPPER FLOOR LIVING AREA: 1447.4 sq ft.



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Duplex Floor Plans

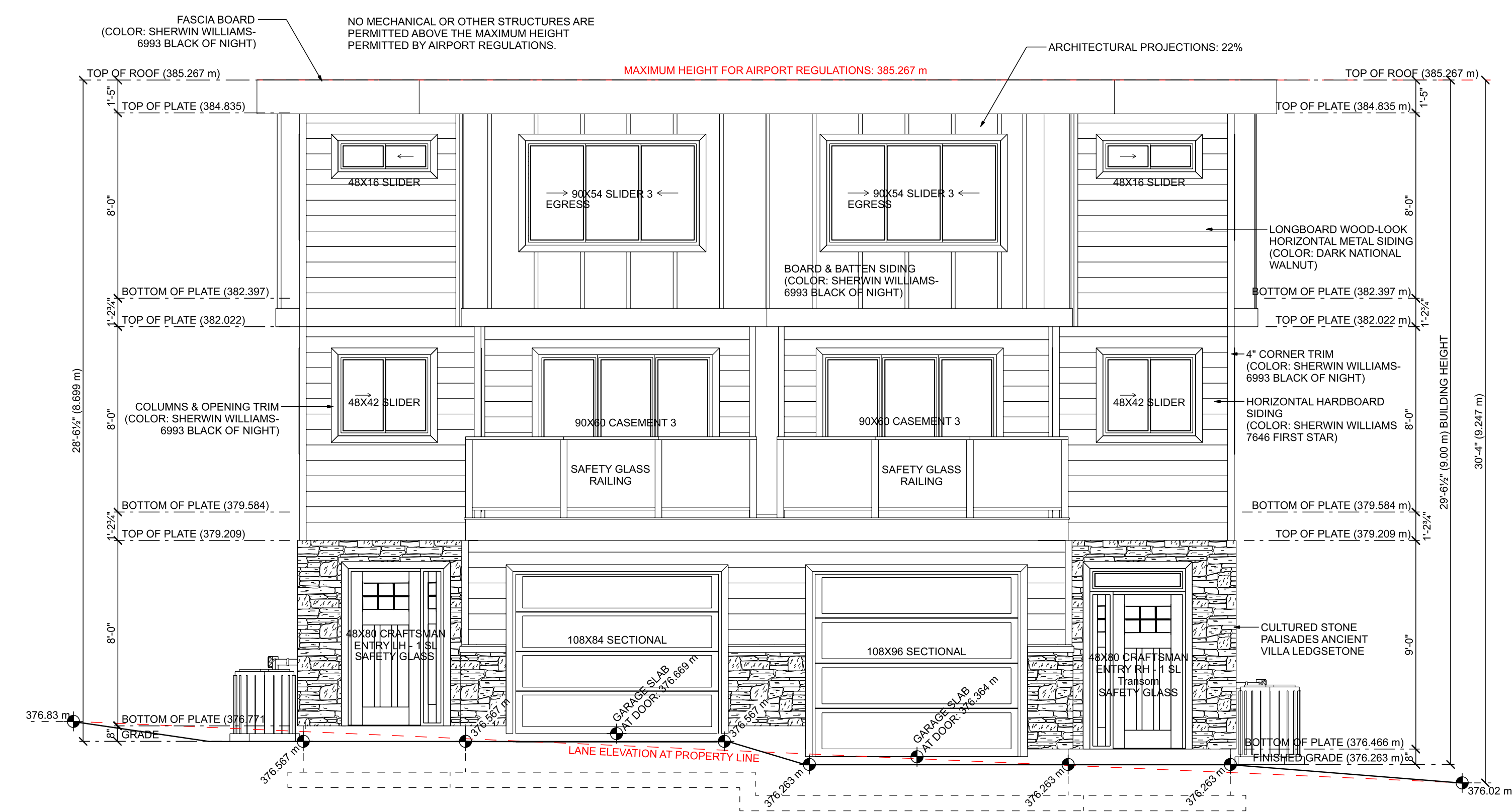
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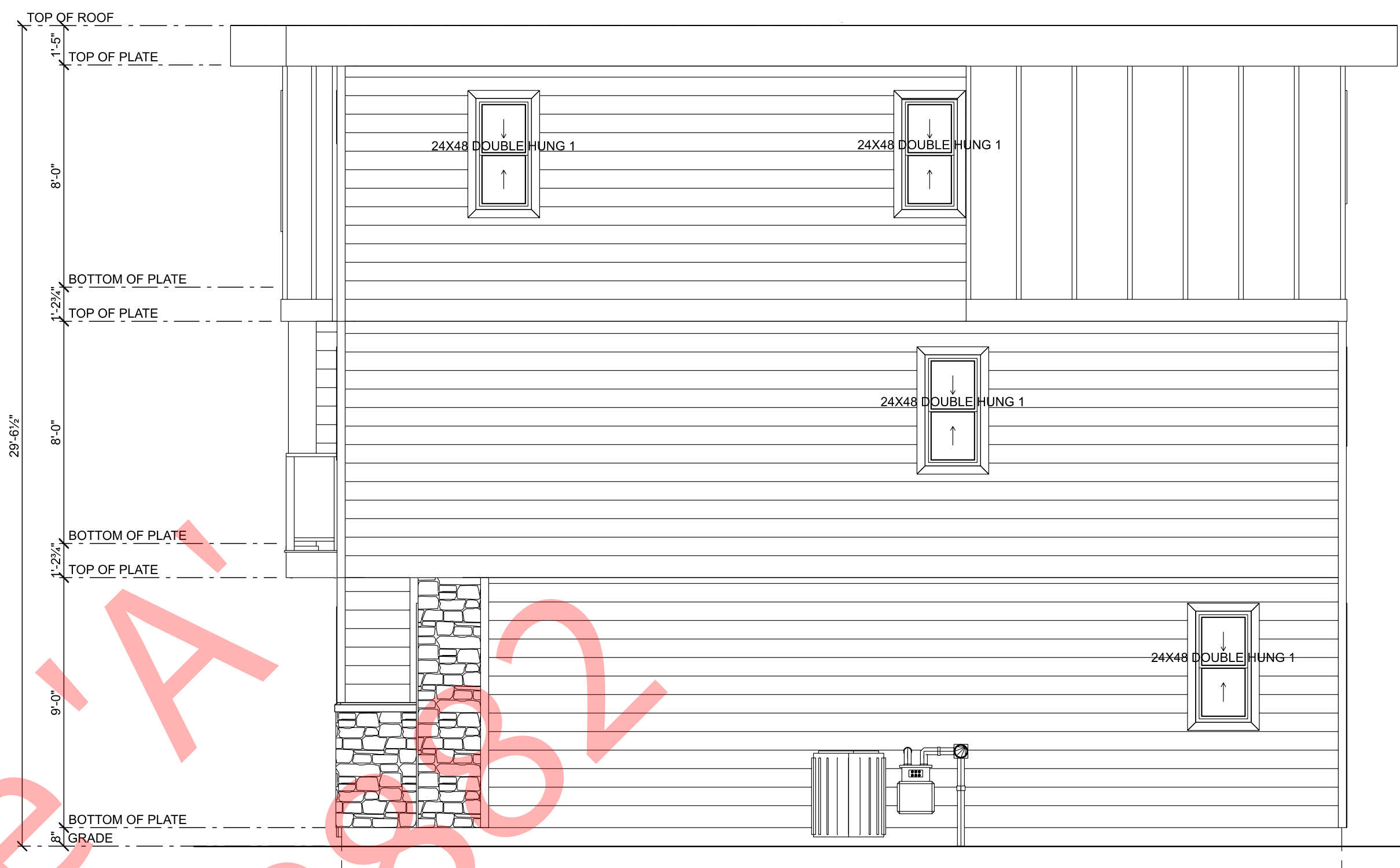
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 PENTICTON, BC
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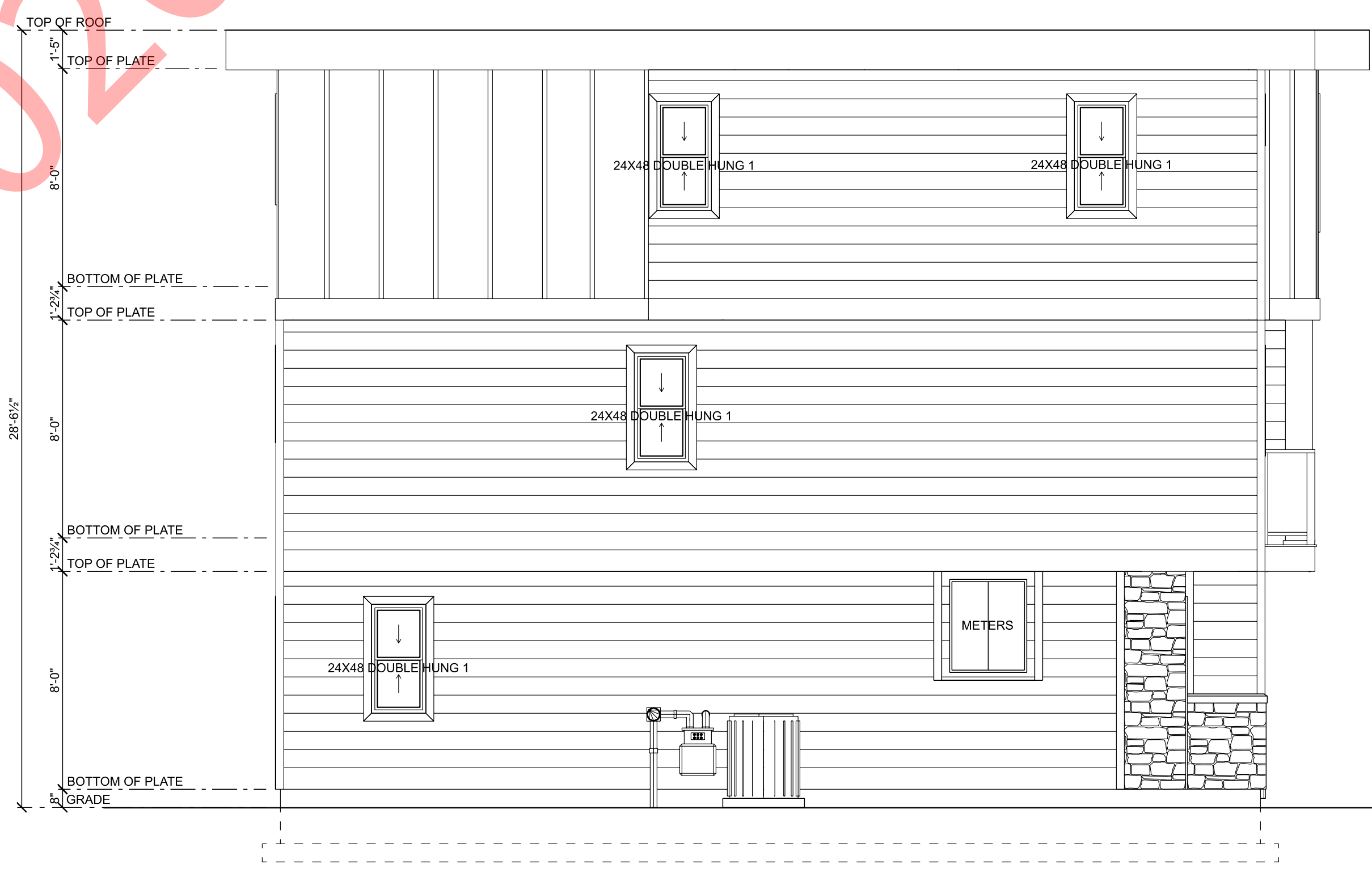
NORTH ELEVATION (FACING LANE)
SCALE: 0.2400" = 1'-0"



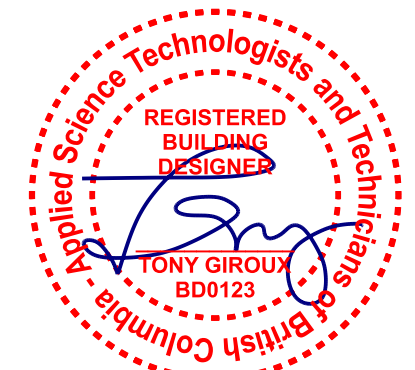
WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION (FACING HOUSE)
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



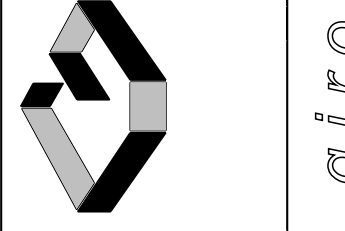
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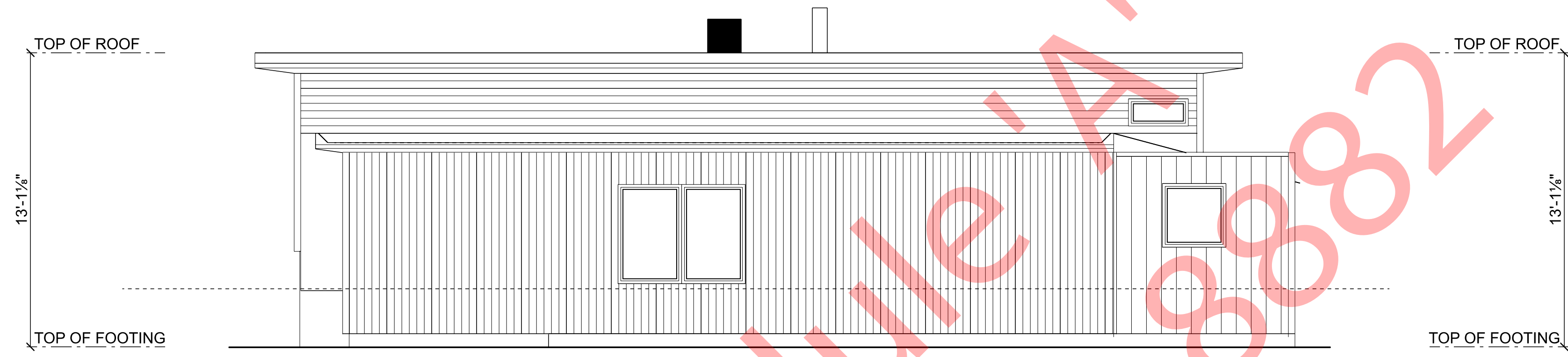
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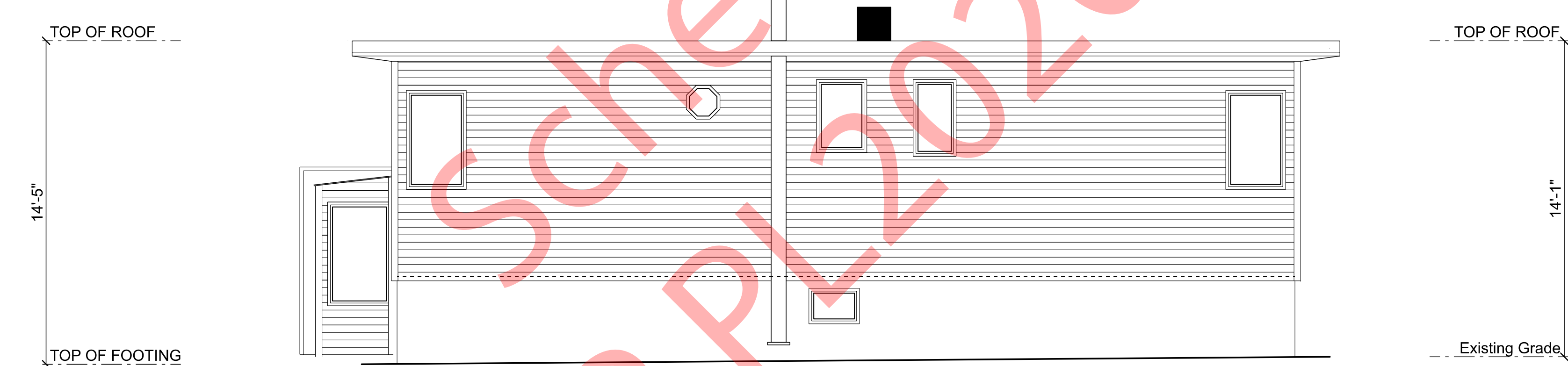
Duplex Exterior Elevations



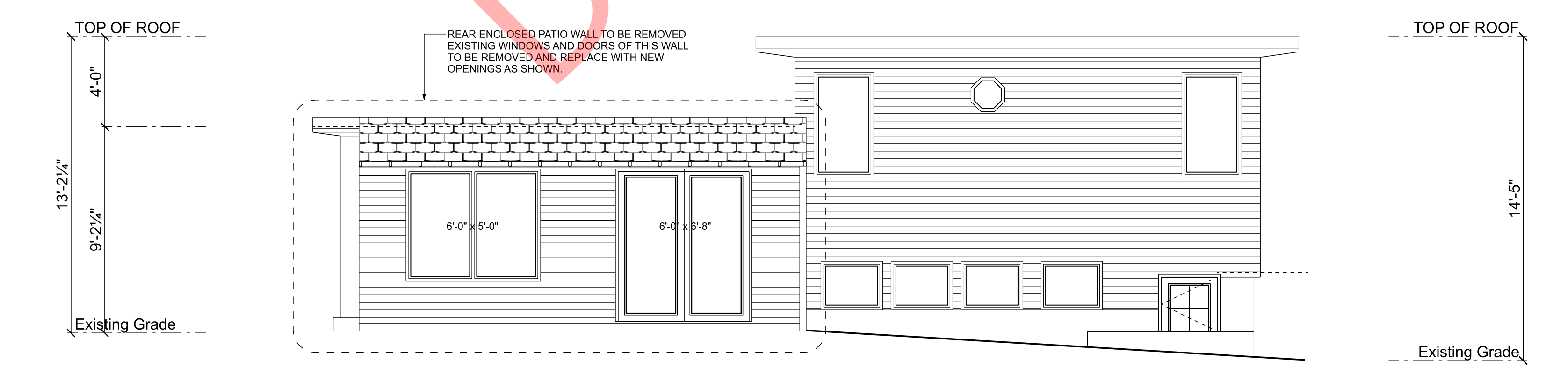
HOUSE FRONT ELEVATION (FACING FORESTBROOK DR.)
SCALE: 1/4" = 1'-0"



HOUSE RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



HOUSE LEFT ELEVATION
SCALE: 1/4" = 1'-0"



HOUSE REAR ELEVATION
SCALE: 1/4" = 1'-0"

SPATIAL SEPARATION CALCULATION (FACE B)
AREA OF EXPOSED BUILDING FACE: 259.1 sq.ft. (24.07 m.sq.)
AREA OF UNPROTECTED GLAZED OPENINGS: 40.7 sq.ft. (3.78 m.sq.)
PERCENTAGE OF GLAZED OPENINGS: 15.7%
LIMITING DISTANCE: 10'-10" (3.3 m)

Schedule 'A'
 DP PL 2020-8882



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House Exterior Elevations



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



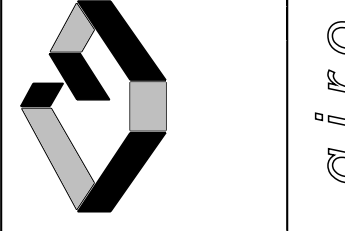
RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

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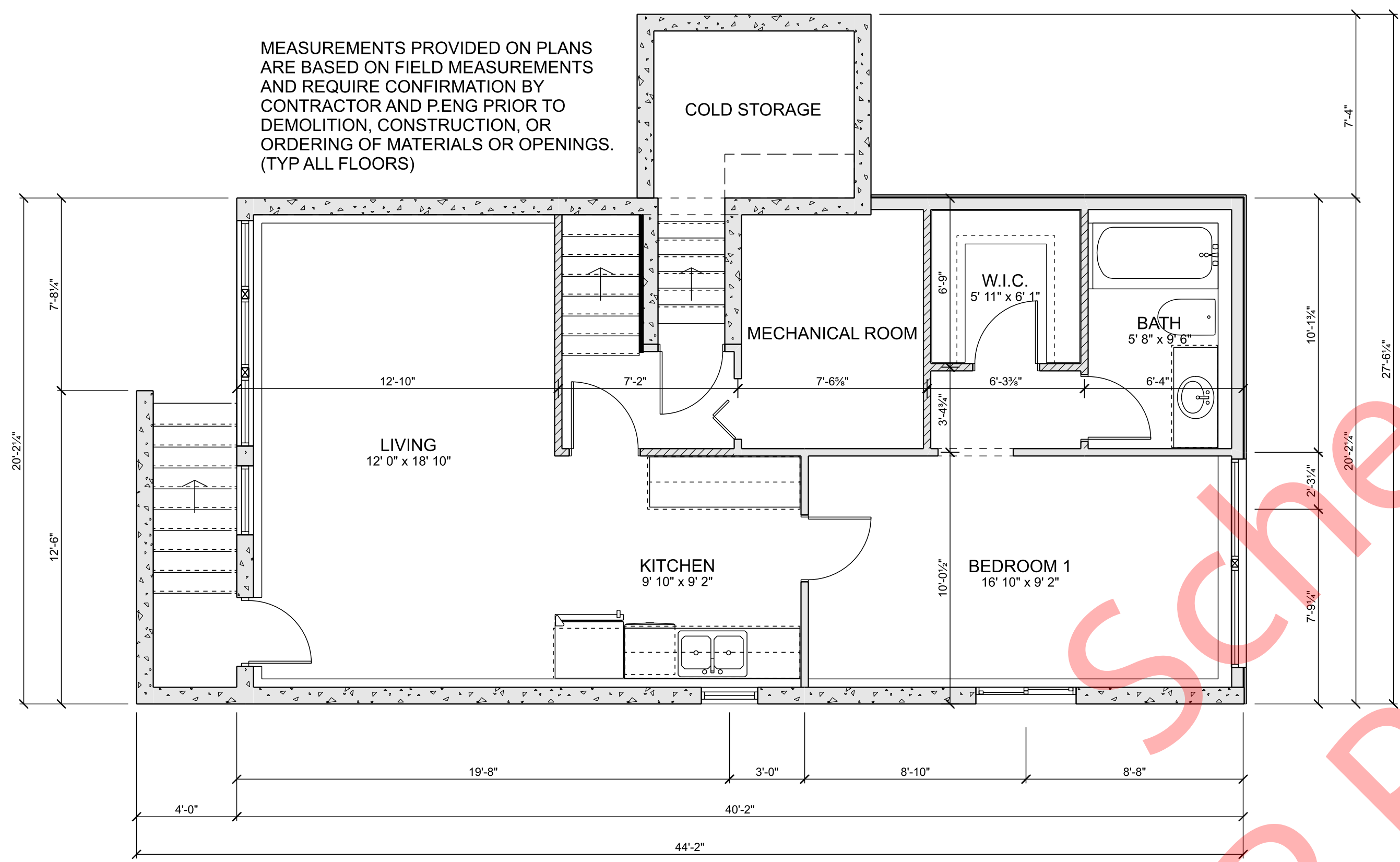
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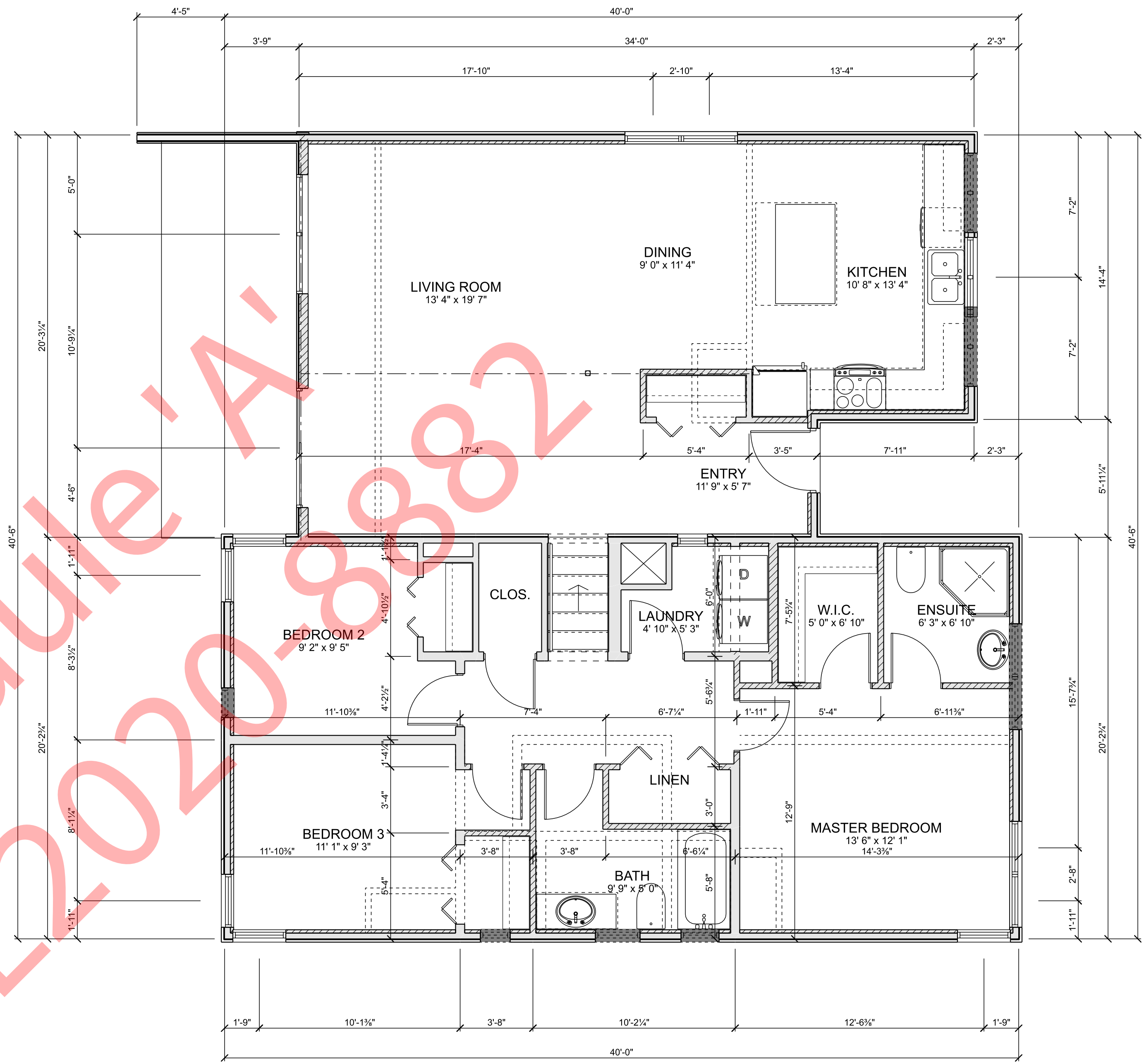
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SHEET NO.
A7

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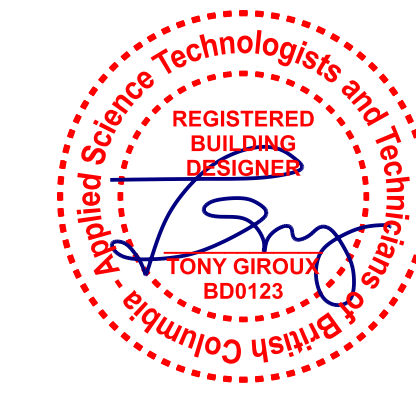
Duplex Colour Elevations



BASEMENT FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 BASEMENT FLOOR AREA: 813.4 sq ft.
 GROSS FLOOR AREA: 2265 sq.ft.
 SECONDARY SUITE AREA: 594 sq.ft. (55.2 m.sq.) 26%



MAIN & SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 MAIN FLOOR LIVING AREA: 642.2 sq ft.
 SECOND FLOOR LIVING AREA: 809.2 sq ft.



THESE CONSTRUCTION DOCUMENTS
 HAVE BEEN PREPARED IN
 ACCORDANCE WITH THE
 2018 BC BUILDING CODE.

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PLAN NO.
WP-5644
 SLAB
 SHEET NO.
A8

SURINDER SINGH
 533 FORESTBROOK DRIVE
 PENTICTON, BC
 DESIGN BY: AIG DATE: 12/08/20
 DRAWN BY: AIG REVISED:

Council Report

penticton.ca

Date: January 19, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 487 Churchill Avenue

File No: RMS/487 Churchill Ave

Subject: Zoning Amendment Bylaw No. 2021-04

Staff Recommendation

THAT Council give first reading to "Zoning Amendment Bylaw No. 2021-04" for Lot 14 District Lots 2 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4075, located at 487 Churchill Avenue, a bylaw to rezone the subject property from RM2 (Low Density Multiple Housing) zone to R2 (Small Lot Residential) zone, in order to proceed with the construction of a single detached dwelling;

AND THAT Council forward "Zoning Amendment Bylaw No. 2021-04" to the February 1, 2020 Public Hearing;

AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2021-04", a 1.5m road dedication be registered with the Land Titles Office.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to construct a new single detached dwelling on the subject property, with plans for a future carriage house. The current zoning is RM2 (Low Density Multiple Housing) which does not allow a single detached dwelling as a permitted use. As such, the applicant is proposing to have the property down-zoned from RM2 (Low Density Multiple Housing) to R2 (Small Lot Residential) in order to proceed with the proposed construction.

Background

The subject property is located on the north side of Churchill Avenue in a primarily residential area (Figure 1). The property contains a single detached dwelling, which was built in 1945 and is proposed to be

demolished and replaced with a new single family house. The property is zoned RM2 (Low Density Multiple Housing) and is designated 'Infill Residential' by the Official Community Plan (OCP). The subject property was rezoned for a multifamily use in 1981, but since that rezoning the property was not redeveloped. The property to the west is vacant, and the property to the east contains a single detached dwelling. A number of recent developments along Churchill Avenue have added more multifamily residential uses on the street, including duplexes and other cluster housing developments. These trends are in keeping with the infill residential OCP designation.

The applicant is intending to construct a new single detached dwelling, in-ground pool, and carriage house on the subject property as outlined in the Letter of Intent (Attachment 'D'). The new single detached dwelling will feature a modern design (Attachment 'E'). The applicant has submitted preliminary building plans to demonstrate the proposed developments meets the applicable Zoning Bylaw regulations. Should the rezoning be successful, staff will work with the applicant on the Development Permit required for the future carriage house to ensure the design meets the applicable Zoning Bylaw regulations and OCP design guidelines. The development permit is only required for the carriage house, not for the single detached dwelling.

The applicant submitted seventeen (17) signatures in support of their application, six (6) of which are from people who reside on this block of Churchill Ave.

Technical Review

This application was reviewed by the City's Technical Planning Committee. Part of the review identified a 1.5m road right-of-way widening in this location on Churchill Avenue in order to facilitate future sidewalk construction. The committee recommends that Council require dedication of the road widening prior to adoption of the Zoning Amendment Bylaw. The applicant will be required to remove a hedge within the road widening area and is responsible for paying for a new boulevard tree in front of the property (\$480.00). Development permit requirements for the future carriage house have been provided to the applicant. The applicable Building Code requirements for the house and carriage house have been provided to the applicant to expedite future building permit applications, should Council approve the rezoning.

Development Statistics

The following table outlines how the proposed development meets the applicable Zoning Bylaw regulations:



Figure 1 - Location Map

	R2 Zone Requirement	Provided on Plans
Minimum Lot Width:	13 m	18.28 m
Minimum Lot Area:	390 m ²	686 m ²
Maximum Lot Coverage:	40%	39.2%
Vehicle Parking:	2 spaces for single detached dwelling	4 parking spaces provided
Required Setbacks		
Front Yard (Churchill Ave):	4.5 m	4.5 m (after road widening)
Side Yard (east):	1.5 m	1.7 m
Side Yard (west):	1.5 m	1.5 m
Rear Yard (lane):	6.0 m	10.1 m
Maximum Building Height	10.5 m	7.4 m
Other Information:	Zoning compliance for the carriage house will be reviewed by staff through a separate, staff-issuable development permit.	

Analysis

When considering a zoning amendment bylaw application, staff encourages Council to consider the OCP policies as well as the potential impacts on neighbouring property owners.

The subject property is designated 'Infill Residential' by the OCP. The Infill Residential designation envisions lower-height residential areas with new housing types compatible with single detached dwellings in character and scale, but providing more units per lot. The proposed R2 zoning will allow for one single detached dwelling and one carriage house on the property, which is consistent with the uses envisioned in the 'Infill Residential' designation.

Staff consider that the proposed rezoning is consistent with the following OCP Policies:

- Policy 4.1.1.1 Focus new residential development in or adjacent to existing developed areas.
 - *Staff: The subject property is within a developed residential neighbourhood.*
- Policy 4.1.4.1 Work with the development community – architects, designers and builders – to create new residential developments that are attractive, high-quality, energy efficient, appropriately scaled and respectful of their context.
 - *Staff: The building designer has submitted plans for the carriage house which meet a number of the applicable OCP design guidelines. The development permit for the future carriage house will be staff-issuable.*
- Policy 4.1.5.1 Recognize that some traditionally single-family neighbourhoods will see intensification as the city grows, but ensure that new forms of residential development are compatible with the neighbourhood in scale and design, and are appropriately located (e.g., greater density closer to collector roads, services and amenities).
 - *Staff: The development plan for a larger home and carriage house on the subject property will moderately increase density in the area, while maintaining a lower density residential character.*

Staff note that the proposed development is a single detached dwelling, which is the same as the current use on the subject property. The rezoning is only required because the current zoning is for a higher density than desired by the applicant, as described in the Letter of Intent (Attachment 'D'). The property was rezoned to allow multifamily development in 1981, but was never developed for that use. Churchill Avenue features a range of residential densities, which contributes to the vibrancy of the street. The proximity to downtown shops and services, Lake Okanagan, and other amenities make this a desirable neighbourhood. The proposed construction is in keeping with the size and scale of development in the surrounding area.

The proposed carriage house falls under the Intensive Residential Development Permit Area in the OCP and requires a development permit, which is staff-issuable. Staff will work with the applicant to ensure the carriage house plans meet the applicable OCP design guidelines and Zoning Bylaw requirements, should the rezoning be approved by Council. The development permit process will assist with mitigating potential impacts on neighbours. A carriage house will provide a gentle increase in density while maintaining the single detached character of the property.

Given the reasons above, staff are recommending that Council give first reading to Zoning Amendment Bylaw No. 2021-04 and forward it to the February 1, 2021 Public Hearing.

Alternate Recommendations

Council may consider the request to down-zone the property is not in line with the OCP. If this is the case, Council should deny first reading of the rezoning. Staff are recommending against this option, as in staff's opinion the proposed rezoning is consistent with the OCP policies, the Infill Residential designation, and allows construction consistent with the housing form in the surrounding neighbourhood.

- 1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2021-04".

Attachments

- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Images of Subject Property
- Attachment D – Letter of Intent
- Attachment E – Rendering
- Attachment F – Zoning Amendment Bylaw No. 2021-04

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

Director <i>BL</i>	Chief Administrative Officer DvD
---------------------------	--

Attachment A – Zoning Map of Subject Property

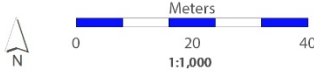


487 Churchill Avenue

Zoning Map



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January 7, 2021
9:21:46 AM



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Attachment B – Official Community Plan Map of Subject Property

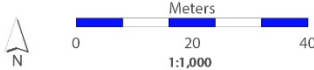


487 Churchill Avenue

Official Community Plan Map



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December 11, 2020
10:11:40 AM





City of Penticton

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Attachment C – Images of Subject Property



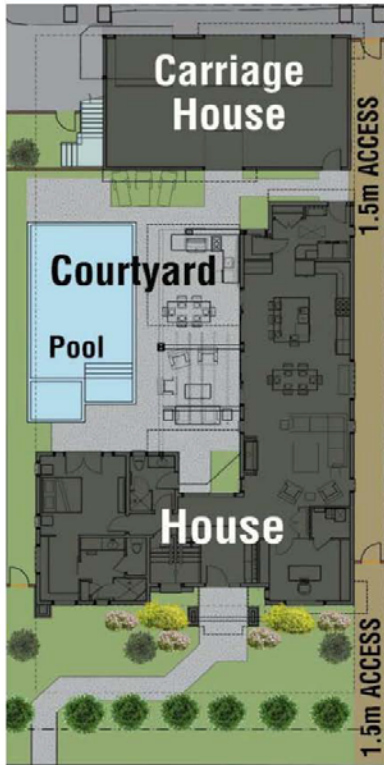
Attachment D – Letter of Intent

 <p>IRONWOOD RESIDENTIAL DESIGN</p>	Physical Address: 203-69 Nanaimo Ave E., Penticton	Project # 020-13 Date Nov6/19
PO BOX 22024 Penticton, B.C. V2A 8L1 250-276-6440 GST # 85363 8997 RT0001	Rationale for Rezone from Low Density Multiple (RM2) to Small Lot Residential (R2) - 487 Churchill	
<p>This outline provides the supporting rationale for the attached rezoning application from multi family to single family.</p>		
<p>Design Background</p>		
<p>The property at 487 Churchill currently has a one storey, single family home facing Churchill with detached garage at rear lane. My client purchased the property with the intent of removing these structures and constructing a similarly sized, two storey home and carriage home. Because, the lot is zoned RM2 and does not allow single family, we propose to rezone back to R2 (small lot residential). The OCP calls for "infill residential" in this area, so the addition of the carriage house is a perfect fit with the house.</p>		
		
<p>Existing house viewed from Churchill</p>	<p>Existing house & garage viewed from lane</p>	
<p>The existing one storey home (1730 SF), garage (530 SF) and shed (240 SF) currently cover 35% of the site, while the proposed home and detached garage (carriage house) will cover just under 40% and be two storeys. The proposed home (see below) is an "L" shape with large courtyard and pool, with the carriage home at rear, forming a barrier for privacy from the lane. Both buildings will meet site coverage, height, setback and garbage & recycle storage requirements and require no variances.</p>		
		
		<p>PG 1 OF 2</p>

Rationale for Rezone from Low Density Multiple (RM2) to Small Lot Residential (R2) - 487 Churchill

In simplest terms, the current use of the property will not change with the exception of the added suite above garage. Carriage house as noted, is allowed as per bylaw but will require a development permit prior to building permit submission. Construction drawings are near complete for an April 2021 construction start and the demo of existing home is slated for this November 2020.

The sketch belows shows the buildings on site in greater detail, along with a required 1.5m wide access path for emergency access to the carriage house from the street. We understand a 1.6m road widening will be taken off Churchill and have already accounted for it in the design. While no development permit is not required for the house, a conceptual rendering is shown below to give a feel for the project.



House - front elevation

Your consideration and support of this rezoning is greatly appreciated.

Sincerely,
Dave Sutton

020-13

PG 2 OF 2

Attachment E – Rendering



Bylaw No. 2021-04

A Bylaw to Amend Zoning Bylaw 2017-08

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

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

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

1. **Title:**

This bylaw may be cited for all purposes as "Zoning Amendment Bylaw No. 2021-04".

2. **Amendment:**

2.1 Zoning Bylaw No. 2017-08 is hereby amended as follows:

Rezone Lot 14 District Lots 2 and 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 4075, located at 487 Churchill Avenue, from RM2 (Low Density Multiple Housing) to R2 (Small Lot Residential).

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

READ A FIRST time this	day of	, 2021
A PUBLIC HEARING was held this	day of	, 2021
READ A SECOND time this	day of	, 2021
READ A THIRD time this	day of	, 2021
ADOPTED this	day of	, 2021

Notice of intention to proceed with this bylaw was published on the ___ day of ____, 2021 and the ___ day of ____, 2021 in the Penticton Herald newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

487 Churchill Avenue

Rezone from RM2 (Low Density Multiple Housing) to R2 (Small Lot Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2021-04

Date: _____

Corporate Officer: _____

Date: January 19, 2021
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 1712 Ridgedale Avenue
Subject: **Development Variance Permit PL2020-8874**

File No: RMS/1712 Ridgedale Ave

Staff Recommendation

THAT Council approve “Development Variance Permit PL2020-8874” for Lot 5 District Lot 2710 Similkameen Division Yale District Plan 8796 Except Plan 20465, located at 1712 Ridgedale Avenue, a permit to vary Section 8.2.3.9 of Zoning Bylaw 2017-08, to increase the maximum carriage house floor area from 135m² to 178.5m² to allow additional living space in the basement of an existing carriage house.

Strategic Priority Objective

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Proposal

The applicant is proposing to increase the living space in the existing carriage house from 135m² (1,453ft²) to 178.5m² (1,920ft²) by renovating the basement crawl space. The Zoning Bylaw allows carriage houses in urban zones to have a maximum habitable floor area of 135m². In order to allow the additional living space, the applicant is requesting a variance to the Zoning Bylaw regulations in order to allow additional living space.

Background

The subject property is located on the south side of Ridgedale Avenue, east of Charles Street in a primarily single-detached residential neighbourhood (Figure 1). The property contains a single detached dwelling and a carriage house, which was completed in 2020. A lane runs behind the property, however



Figure 1 - Location Map

vehicle access is from the street. The subject property is zoned R1 (Large Lot Residential) and is designated 'Detached Residential' by the Official Community Plan (OCP).

A development variance permit for the carriage house was approved by Council on June 4, 2019, which varied the following sections of the Zoning Bylaw:

- Section 8.2.3.5: to allow the siting of a carriage house in the R1 zone to be located closer to the front lot line than the principal dwelling; and
- Section 10.1.2.6.i: to allow vehicle access to the carriage house to be from the street (Ridgedale Avenue).

The Zoning Bylaw regulations require carriage houses to be located behind the primary dwelling, and to have vehicle access from a lane where a lane exists. Due to the lot configuration and location of the primary residence, there was no opportunity to place the carriage house behind the primary dwelling, resulting in the 2019 variance coming forward.

The carriage house was completed in October 2020. A development permit was not required for the carriage house, as the building permit application was made prior to adoption of the 2019 OCP. The new OCP created the Intensive Residential Development Permit Area which requires development permits for the construction of new carriage houses. Under the previous 2002 OCP, carriage houses did not require development permits.

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). Comments were limited, as the applicant is not proposing any alterations to the exterior of the building at this time. The Building Department has noted the BC Building Code requirements for the proposed basement crawlspace renovation. A Building Permit to convert the crawlspace into habitable space will be required, should the requested variance be approved.

Analysis

When considering a variance to a City bylaw, staff encourages Council to consider if approval of the variance would cause a negative impact on neighbouring properties and if the variance request is reasonable.

The applicant notes in the Letter of Intent that they have spoken with neighbours about the proposal to increase the habitable space in the carriage house, and those neighbours have not noted any concerns (Attachment 'D'). The applicant has also submitted a letter of support signed by area residents (Attachment 'E'). The existing and proposed basement plans are attached to this report (Attachments 'F' and 'G').

Carriage houses provide additional housing stock in the City and represent a moderate way to increase the density in established neighbourhoods. The OCP recognizes the importance of well-designed carriage houses:

- | | |
|-----------------------|---|
| OCP Policy
4.1.3.2 | Increase housing options in low-density single family areas through development of secondary suites and carriage houses, and ensure carriage houses are sensitively integrated and designed according to the Intensive Residential Development Permit Area Guidelines*. |
|-----------------------|---|

**Note: the carriage house did not require a development permit as it was applied for prior to adoption of the 2019 OCP.*

In the current application, the applicant has requested the following variance from the Zoning Bylaw regulations:

- Section 8.2.3.9: to increase the maximum carriage house floor area from 135m² (1,453ft²) to 178.5m² (1,920ft²).

The request is to allow an additional 43.5m² (468ft²) of carriage house floor area. Carriage house floor area is defined in the Zoning Bylaw as “the total floor area in a carriage house, measured from the outside face of the exterior wall. Carriage house floor area does not include decks, balconies and covered patios or garages and other enclosed or open parking areas.” The ‘carriage house floor area’ definition was added to the Zoning Bylaw in 2018. Staff brought forward this definition with the size limitation to try to deter 2 storey carriage houses with full floors of living space.

Staff have reviewed the variance request and are recommending that Council approve the Development Variance Permit for the following reasons:

1. The proposed works are in the basement level and will not change the exterior look of the existing carriage house.

Staff encourage Council to consider potential impacts to the neighbourhood from the approval of a requested variance. In this instance, the proposed works are entirely within the basement level and will not impact the exterior appearance of the building, as described in the applicant’s Letter of Intent (Attachment ‘D’). No additional living space at grade or above grade is proposed. Staff consider the variance request to be reasonable as it will not increase the above-ground building envelope and will not change the current look of the building from the street.

2. The applicant has discussed the project with neighbours and submitted a petition of support with their variance application.

The applicant discussed their proposal with neighbours before submitting this variance application. Staff encourage applicants to talk with their neighbours in order to give neighbours an opportunity for early input on the proposed development and to provide staff and Council an indication of the level of neighbourhood support. The applicant has provided nine (9) signatures of support from neighbours (Attachment ‘E’). This petition indicates that in general, those in the immediate area are in favour of the application. Additional public comments may be submitted through the statutory notice period, after this report is finalized, and any additional comments received should be considered by Council when making the decision on this application.

3. Approval of the variance would allow the applicant to obtain building permit for the proposed conversion.

The proposed renovation in the basement requires a building permit. Staff have provided the applicant with information about the applicable BC Building Code requirements. By approving this variance, Council will allow the applicant to obtain a building permit for the intended renovation.

This ensures the works are carried out in accordance with the BC Building Code and that inspections by City staff will be done to ensure long term safety for the current and future occupants. The application is not the result of an enforcement action, the applicant has submitted the variance prior to completing the proposed basement renovation.

Given the reasons above, staff are recommending that Council support "Development Variance Permit PL2020-8874".

Alternate Recommendations

Council may consider the requested variance to increase the carriage house floor area is not appropriate in this instance. If this is the case, Council should deny the Development Variance Permit. If this decision is made, the applicant may continue to use the carriage house under the currently approved configuration, with only partial occupancy in the basement (Attachment 'F').

1. THAT Council deny "Development Variance Permit PL2020-8874".

Attachments

- Attachment A – Zoning Map of Subject Property
- Attachment B – Official Community Plan Map of Subject Property
- Attachment C – Images of Subject Property
- Attachment D – Letter of Intent
- Attachment E – Petition of Support
- Attachment F – Existing Carriage House Basement Plan
- Attachment G – Proposed Carriage House Basement Plan
- Attachment H – Draft Development Variance Permit PL2020-8874

Respectfully submitted,

Steven Collyer
Planner II

Concurrence

Director <i>BL</i>	Chief Administrative Officer <i>DvD</i>
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Attachment A – Zoning Map of Subject Property



1712 Ridgedale Avenue

Zoning Map



Attachment B – Official Community Plan Map of Subject Property



1712 Ridgedale Avenue

Official Community Plan Map



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November 3, 2020
2:16:22 PM



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Attachment C – Images of Subject Property



Attachment D – Letter of Intent

Letter of Intent regarding Variance Request for Carriage House 2-1712 Ridgedale Avenue,
Penticton, BC, V2A 2S6

This letter of intent is in support of my request to have a variance to the maximum square footage allowed for my Carriage House (Floor Area 135 m² , 1453 sq. ft.).

My Carriage House was completed Sept 2020 and is on the lot with my mom's home. It has current livable space of 1391 square feet. The main level has 960 square feet and the basement has 431 square feet of living space with 529 square feet of finished raised crawl space, which has 69 inch ceilings. The platform crawl spaces were built by using raised wooden planks to suspend the floor about three feet above the concrete. The crawl space is divided into three rooms, which my three children use to store their things. If this variance was approved the three spaces would be their bedrooms.

Many of my surrounding neighbors signed a letter in support of this variance application to increase our living space. Many asked questions about the work proposed and two neighbors came in to look around. Everyone I spoke with were highly in favour of the work to increase the living space. No neighbors were opposed, hesitant or concerned in anyway. They said "the carriage house looks great..was finished quickly [and] is a nice addition to the neighborhood".

The proposed work will take about two days of work inside the basement, with no alterations to the exterior, no digging and no heavy machinery. The wooded raised "platform" floors will be removed and the flooring will be relayed on the existing foundation, making the floors the same level throughout the basement, increasing our living space from 1391 to 1920 square feet.

Thank-you very much for considering this request,

Lisa Birch

Attachment E – Petition of Support

Support letter for Variance Request RE: 1712 Ridgedale Avenue, Penticton, BC
V2A 2S6

Dear Neighbors,

I am in the process of applying for a variance to change my basement's partial crawl space to be full height by removing the wooded raised "platform" floors so that the whole basement will be full height.

There won't be any changes to the exterior or digging and the inside work is minimal. This will increase the livable space, for myself and my three children, from 1450 to 1920 square feet.

Please sign in support. Thank-you, Lisa Birch

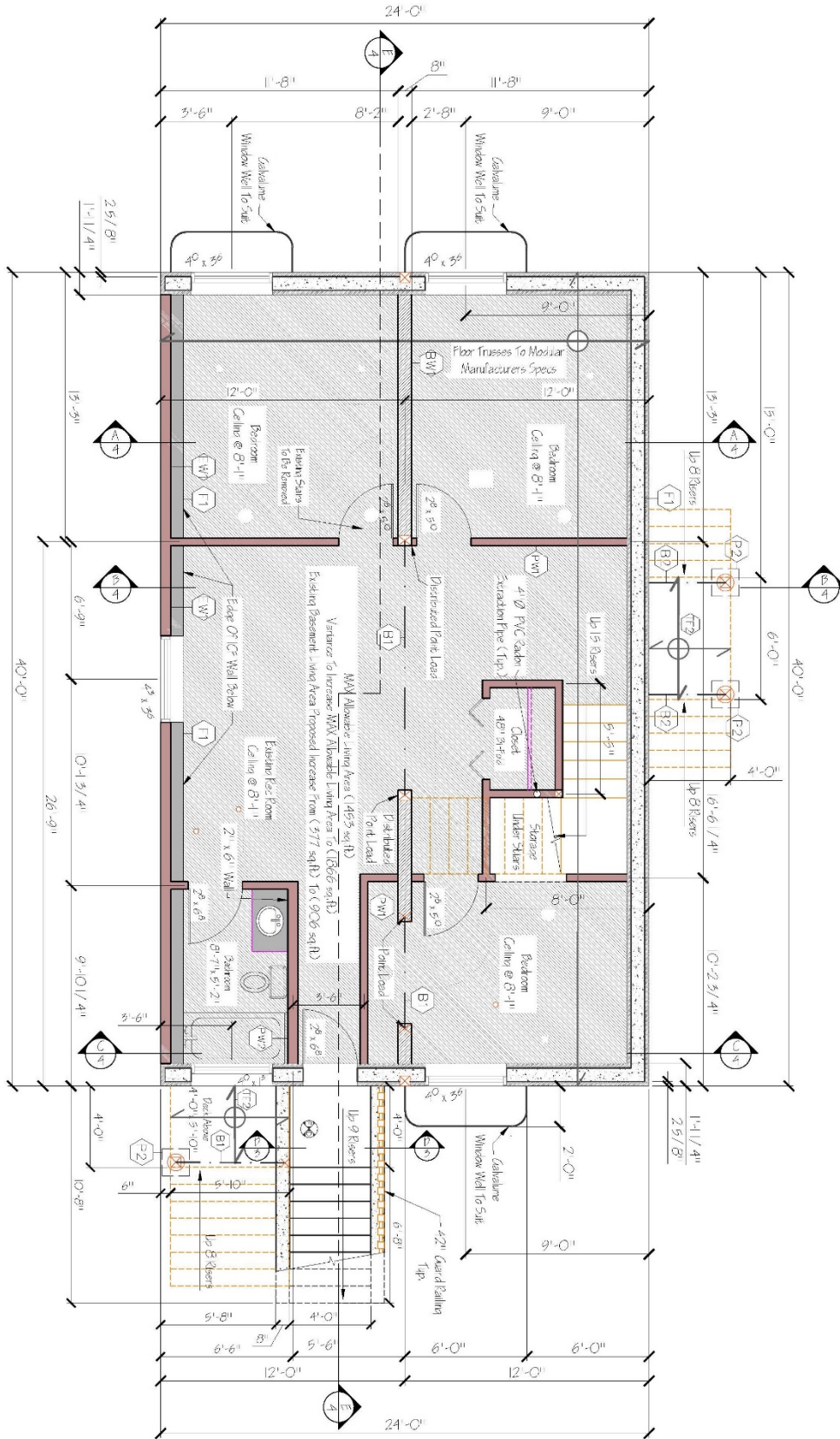
M. Cantel *M. Anderson*
B. Mead *Colin King*
E. B. Smith
D. F. ...
P. Schyns
S. Hansen

Attachment F - Existing Carriage House Basement Plan



Gravel Space

Attachment G – Proposed Carriage House Basement Plan



Development Variance Permit

Permit Number: DVP PL2020-8874

Owner Name
Owner 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 5 District Lot 2710 Similkameen Division Yale District Plan 8796 Except Plan 20465
 - Civic: 1712 Ridgedale Avenue
 - PID: 007-146-931
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 additional living space in the basement of the existing carriage houses, as shown in the plans attached in Schedule 'A':
 - a. Section 8.2.3.9: to increase the maximum carriage house floor area from 135m² to 178.5m².

General Conditions

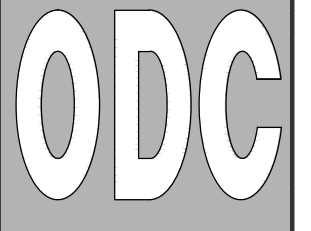
4. In accordance with Section 501 of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
5. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
6. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
7. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
8. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

Authorized by City Council, the ____ day of _____, 2020.

Issued this ____ day of _____, 2020.

Angela Collison
Corporate Officer

DRAFT



G.A. (GEORGE) GIANNOTTI C.Tech, R.H.
 LAND & BUILDING DEVELOPMENT CONSULTANTS
 17007 GARNETT VALLEY ROAD,
 SUMMERLAND, B.C. V0H 1Z5
 PH: (250) 494-0747 FAX: (250) 494-0746
 CELL: (250) 809-6804
 odcinc@telus.net

PROJECT:
 PROPOSED MODULAR
 FOR
 LISA BIRCH

PROJECT ADDRESS:
 1712 RIDGEDALE AVE,
 PENTICTON, BC

START DATE	10/01/19
ISSUED FOR CLIENT REVIEW	-/-/-
ISSUED FOR PERMIT	12/11/19
PERMIT APPENDUM	04/09/20
PERMIT APPENDUM	10/20/20

DESIGNED BY:
 GEORGE GIANNOTTI

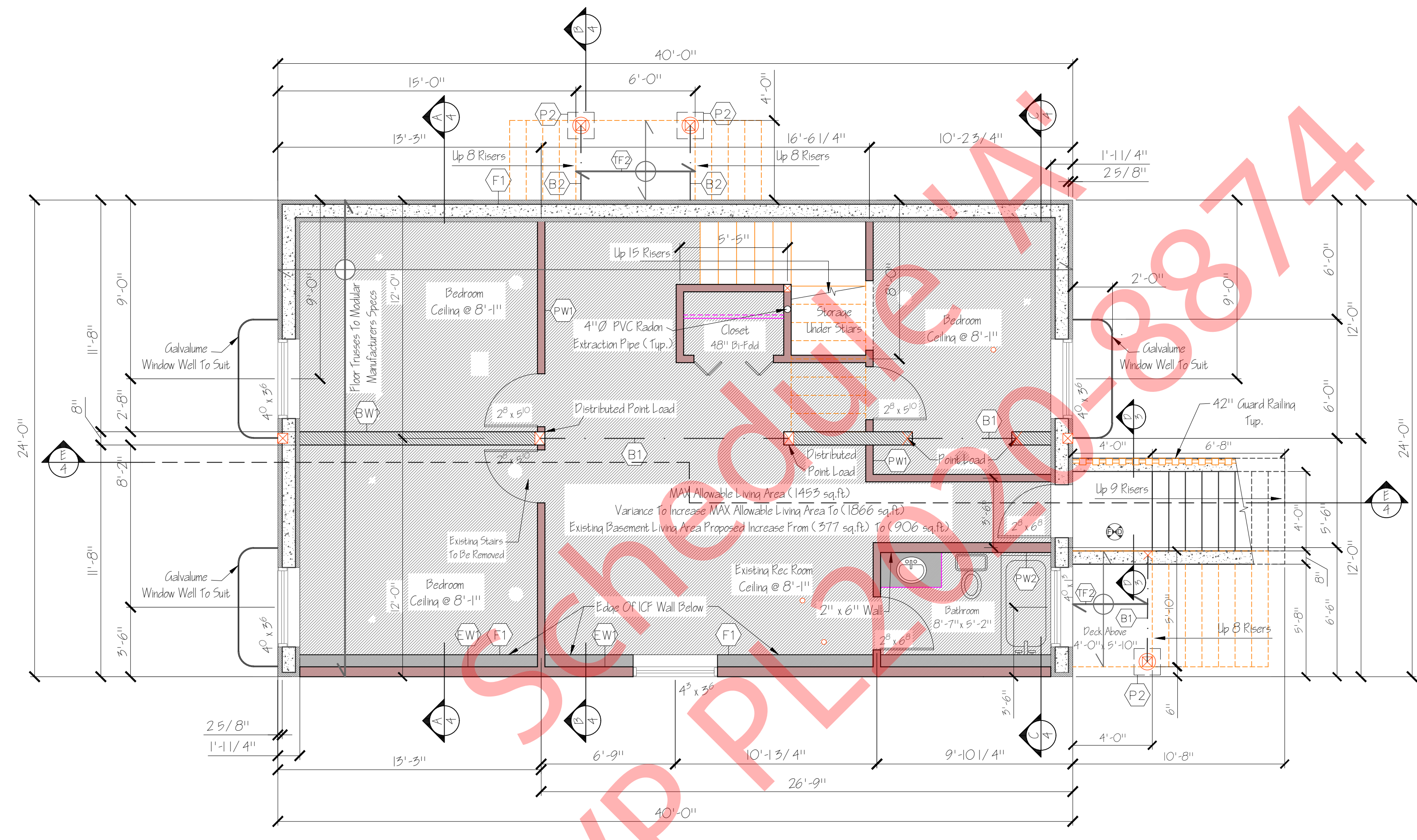
DRAWN BY:
 M.NIELD

SHEET:
 A - 2.1

PLOT DATE:
 October 21, 2020

Construction Notes:

- (B1) Eng. Beam To Be Designed To Carry Point Load From Modular Unit Eng. Beam
- (B2) Eng. Beam
- (BW) Bearing Wall
 1/2" Gypsum board
 2x8 SPP #2 Studs @ 16" O.C.
 1/2" Gypsum board
 8" x 8" Conc. Strip Footings 20 MPA
 C/W 2-15m Rebar Continuous
- (BW2) Bearing Wall
 1/2" Gypsum board
 2x4 SPP #2 Studs @ 16" O.C.
 1/2" Gypsum board
 8" x 8" Conc. Strip Footings 20 MPA
 C/W 2-15m Rebar Continuous
- (EW) Exterior Walls
 Hardi Plank Siding
 1/6" OSB or Equal Sheathing
 2x6 #2 SPP Studs @ 16" O.C.
 R-24 Rowl Insulation
 6 Mil. Poly V.B.
 1/2" Gypsum board
- (F1) (SEE BCPC CODES ATTACHED ON SHEETS 'A2 & A5' FOR CONSTRUCTION AND BEARING DETAILS)
 1 3/4" ICF Foundation Wall
 8" x 8" Conc. Strip Footings 20 MPA
 C/W 2-15m Rebar Continuous
 2 3/8" Rigid Insulation
 8" ICF Wall
 2 3/8" Rigid Insulation
- (F2) 8" x 8" Conc. Strip Footings 20 MPA
 C/W 2-15m Rebar Continuous
 8" Conc. Finh Wall 20 MPA
 C/W 2-15m Rebar Continuous At Top Of Wall
- (FS) Basement Floor Slab
 4" - 32 mpa Conc. Slab
 C/W 10m Bars @ 24" O.C. Each Way
 6 Mil Poly Vapor Retarder
 4" Granular Fill
 C/W 4" Radon Extraction Pipe
- (P2) 18" x 18" x 8" Conc. Pad c/w 3-15m Bars E/W 10" Radon Conc. Pedestal
 c/w 2-15m Verts
 6" x 6" Metal Saddle & Post Top.
- (P3) Bearing Pad
 30" x 30" x 10" Conc. Pad
 C/W 5-15m Bars E/W
 MAX Bearing Load 12,800 lbs
- (PW) Partition Wall Top:
 1/2" Gypsum
 2x4 SPP #2 Studs @ 24" o/c
 1/2" Gypsum
- (PW2) Partition Wall Top:
 1/2" Gypsum
 2x6 SPP #2 Studs @ 24" o/c
 1/2" Gypsum
- (TF) Crawlspace Floor
 3/8" T & G Plywood
 7 1/2" Floor Joists @ 16" O.C.
- (TF2) Sub Floor
 2x4 @ 24" O.C.
 1x4 Cords @ 24" O.C.
 1/2" Gypsum



A Proposed Basement Plan
 2.1 Scale: 1/4" = 1'-0"

Modular Floor Area Calculations: (sq.ft.)	
Existing Basement Floor	377sq.ft.
Existing Main Floor Area	960sq.ft.
Total Living Area	1337sq.ft.
MAX Allowable Living Area (1453 sq.ft.)	

Proposed Modular Floor Area Calculations: (sq.ft.)	
Proposed Basement Floor	906sq.ft.
Existing Main Floor Area	960sq.ft.
Total Living Area	1866sq.ft.
MAX Allowable Living Area (1453 sq.ft.)	
Variance To Increase MAX Allowable Living Area To (1866 sq.ft.)	

Council Report

penticton.ca

Date: January 19, 2021 File No: RMS/ Address
To: Donny van Dyk, Chief Administrative Officer
From: Ken Kunka, Deputy Director of Development Services
Address: 200 Ellis Street
Subject: **Manufacturing Brewery Lounge Endorsement for Highway 97 Brewing Company Ltd.
Liquor Licence**

Staff Recommendation

THAT Council provide a recommendation to the Liquor and Cannabis Regulation Branch (LCRB) to support the Brewery Lounge endorsement application from Highway 97 Brewing Company Inc. located at 200 Ellis Street with restrictions on exterior patio service hours of 11:00pm and no exterior amplified music past 09:00pm.

Strategic priority objective

Community Safety: The City of Penticton will support a safe, secure and healthy community.

Community Vitality: The City of Penticton, guided by the Official Community Plan, will promote the economic wellbeing and vitality of the community.

Background

On December 8, 2020 Council directed staff (469/2020) to commence public notification for the brewery lounge application with restrictions of exterior patio service hours of 11:00pm and no exterior amplified music past 09:00pm. Staff were to report back to Council on January 19, 2021 with the public consultation results for final consideration.

As part of the December 8, 2020 report, staff conducted a preliminary review and support of the proposal along with the City's Liquor Licence Technical Review Committee (LLTRC). The review outlined the technical requirements, potential benefits of the brewery as well as possible traffic and noise impacts to the residential properties to the east, resulting in a request to reduce exterior patio service hours. (Attachment A). The hours and music restrictions were reviewed and confirmed by the applicant.

Staff also advised Council that the applicant had requested the removal of the Special Event Area (SEA) Endorsement from the original application request. A revised floor plan layout and occupant load for interior and exterior lounge areas has been attached to this report (Attachment B). The revised application request and final occupant loads were provided as part of the public notification process commenced December 10, 2020.

The Liquor and Cannabis Regulation Branch (LCRB) require that local government considers and provide a resolution based on specific criteria (Attachment A) as well as public consultation prior to their final approval of the liquor application.

Financial implication

Mandatory public consultation notification costs will be offset through the City's Liquor Application review fees.

Analysis

As per the Liquor Licensing regulation, staff conducted public consultation to gather comments from adjacent property and business owners. Public notification was completed by:

- sending notices to neighbouring properties within a 100m radius,
- placement of an on-site public notice sign, and
- two notices within the local newspaper.

As a result, there have been four letters (emails) of support with one letter of concern at the time of this reports completion. (Attachment C)

The letter of concern outlines potential parking and noise issues to the residential neighbourhood. Staff have notified the applicant of the letter of concern so that they may provide a response on or before the January 19, 2021 Council meeting.



100m radius mail out

Based upon the comments received from the LLTRC members and consultation with staff and public, it is recommended that the proposed application be supported.

Alternate recommendations

Council can support the recommendation as provided by staff or support the application without any conditions. Alternatively, Council could deny support for the application. If that is the case the applicant will be informed of Council's decision and a Council resolution outlining the reason for the denial is forwarded to LCRB.

1. THAT Council support the Highway 97 Brewing Company Ltd. Lounge endorsement application for public consultation without any limitation on amplified music or hours of exterior patio service.
2. THAT Council not support the Highway 97 Brewing Company Ltd Lounge Endorsement application.

Attachments

Attachment A – December 8, 2020 technical review comments

Attachment B – Revised Lounge layout and occupant loads

Attachment C – Public consultation comments

Respectfully submitted,

Ken Kunka ASCT, RBO
Deputy Director of Development Services

Concurrence

Director <i>BL</i>	Chief Administrative Officer DyD
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Attachment A

December 8, 2020 – Technical review comments

As part of the Liquor Control and Licencing Branch (LCLB) requirements, the City has completed an assessment of the technical criteria outlined by the City's Liquor Policy and LCRB regulations. In consideration of criteria, the following information has been provided:

Location of establishment, person capacity and hours of service

- Ellis Street is classified as an Urban Collector Commercial route with maximum speeds of 30 km/hr.
- No off-street parking is required for the business operation. There are 4 compliant on-site patron/staff parking stalls.
- There are currently more than 100 on-street parking spaces along Ellis within two blocks of the proposed location with an additional 50 off-street parking spaces located at the Nanaimo parking lot. However, the Ellis Street corridor will see a density increase over the next several years, which will affect the availability of off-street parking lots and increased vehicles in the downtown area.
- There is a mix of commercial, industrial and single/multi-family residential development within the consultation area. There are 0 Liquor Primary, 3 Food Primary Licensed and one Brewery Lounge (Cannery) premises within a 2 block (150 meter) radius of the property.
- Proposed occupant loads have been approved in relation to BC Building Code requirements.
- The Cannery Brewing Company (200 Ellis St) operating hours are 10:00am to 11:00pm - Monday to Sunday
- There are no restrictions on the hours of operation under the Zoning or Business Licence Bylaw.
- Local resident input from previous liquor applications for the Cannery Brewing Company (198 Ellis St) and the former Mile Zero Wine Bar (198 Ellis St) outlined increasing resident parking concerns in the residential neighbourhood to the west.

Staff will continue to work with business operators to educate patrons of parking and good neighbour regulations as well as continuing to monitor the area.

The impact of noise on nearby residents:

- Concerns were raised by some members of staff in relation to the request for exterior lounge hours to 12:00pm (Friday and Saturday). These concerns stem from previous noise and traffic related issues raised by local residents in relation to the Mile Zero Wine Bar (Liquor Primary) that operated at the same location until 2019.
- On January 21, 2020 Council resolved (18/200) to support a structural change to the liquor licence for Cannery Brewing Company (200 Ellis St) with restrictions of no exterior amplified music beyond 9:00pm.

Staff recommend that the exterior lounge service hours end at 11:00pm and restrict amplified music to 9:00pm to limit the noise impact to the local residential neighbourhood.

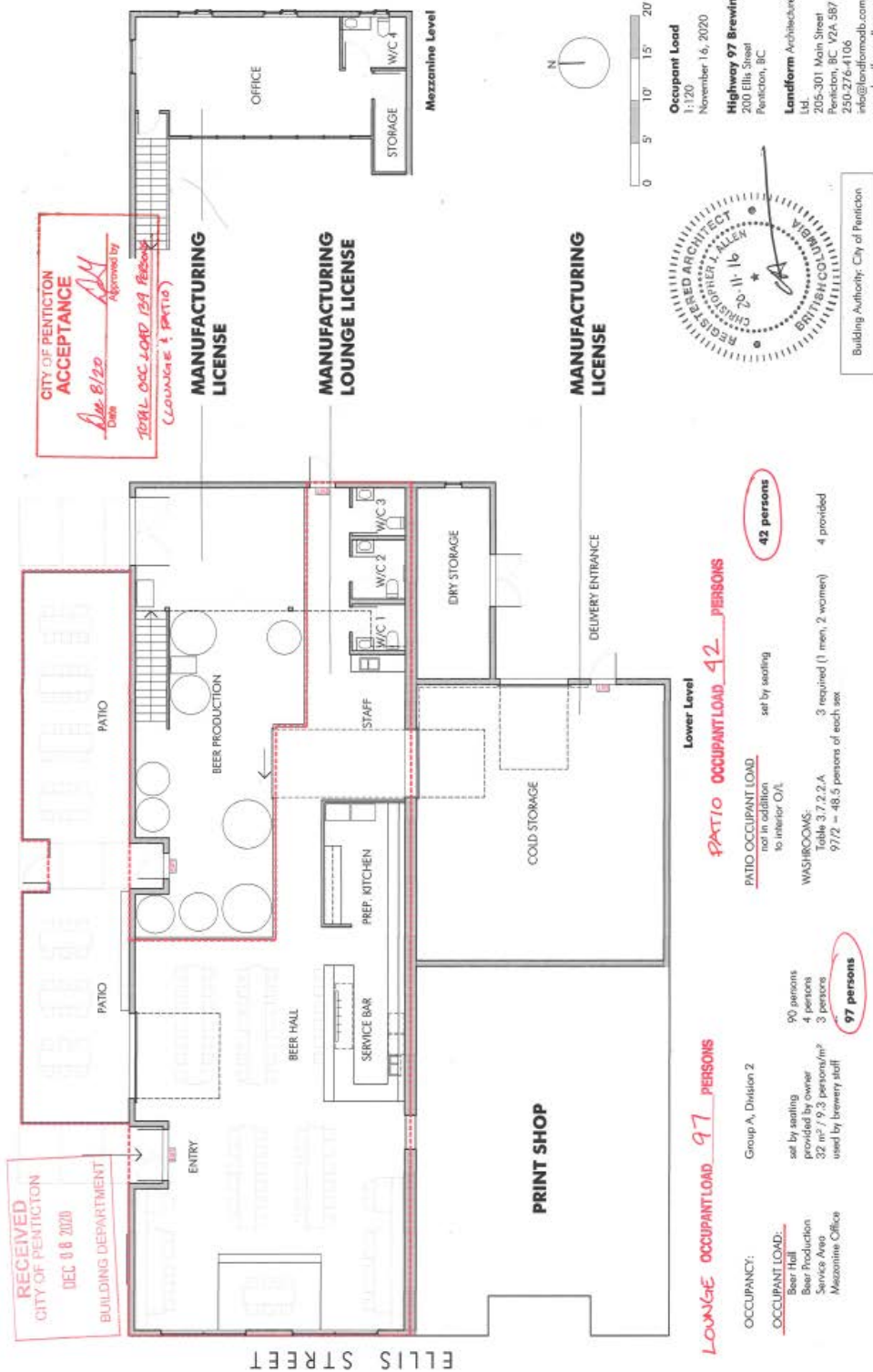
The impact on the community if the application is approved:

There are two social and recreation facilities in the local area including:

- [Hoodoo Adventure](#) Company (one block to the north - east side);
- [The Ooknakane Friendship Centre](#) (one block to the north –west side)

Staff and the LLTRC do not foresee any significant negative impact on these organizations. The Brewery operations will continue to add to the vitality of the Ellis Street corridor & Downtown winery/brewery/distilleries atmosphere, which is becoming a distinct local and tourist destination as part of the "BC Ale Trail".

Attachment B Revised floor plan layout and occupant loads



Attachment C Public Consultation Comments

Letter of Concern

Mayor and Council:

I am concerned about the proposed change to the liquor license at 200 Ellis Street. My concerns continue to centre around lack of parking and noise. I live around the corner on Van Horne Street and have experienced the spillover of parking from 200 and 198 (Cannery Brewing) Ellis Street due to the lack of onsite parking. How does the applicant plan to deal with the lack of parking and increased noise?

I look forward to hearing from you.

Shawn Brown

Letter of Support

Nicole D. Handford
[REDACTED] Ellis Street
Penticton, B.C. V2A 4L8

January 8, 2021

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

Attention: Ken Kunka, Deputy Director of Development Services

Re: Highway 97 Brewery ("Highway 97") – Lounge License Approval

I am writing this letter in support of Highway 97's Lounge License approval. I have known John Kapusty for many years and have always been impressed by his community support, which has continued in his involvement with Highway 97.

Having Highway 97 in its new location at 200 Ellis Street will be a wonderful addition to our downtown core. I am looking forward to being able to walk to Highway 97 from my home and office (after work of course...) and believe that tourists to our City will also enjoy this option so close to the beach and downtown amenities.

I have been impressed with our City's breweries' willingness to work together to support and market our community, and I believe that Highway 97 will continue on with this effort in its new location.

As the Cannery Brewery is often overflowing it will be great to have another brewery so close to welcome new customers and alleviate the frustration of tourists that are frustrated in their attempt to have a meal and beverage.

I am fully in support of Highway 97 receiving a lounge license approval and starting business in its new location.

Please feel to reach out to me with any questions on this letter.

Kind regards,

[REDACTED]

Nicole D. Handford
[REDACTED]

Letter of Support

Mayor and Council

I support the move of Hwy 97 Brewery to its new location on Ellis Street and the granting of a Lounge license by the City of Penticton. Owner, John Kapusty has been a long time resident of Penticton, active within the community and brings with him all the benefits to our wonderful city... a successful business. His presence in the Ellis Street area with a fully licensed business, offering its patrons all the services one would expect and enjoy, brings nothing but pluses to our city. I hope this letter encourages council to grant Hwy 97 Brewery a Lounge license.

Yours sincerely,
Laine Zimmermann

Letter of Support

January 7, 2021

City Of Penticton
City council meeting for Tuesday, January 19, 2021
Re: Application: Manufacturing Lounge Endorsement

Dear Council:

As a neighbour of the soon to be Highway 97 Brewing Company at 200 Ellis Street, I highly agree with the proposal as presented. Our neighbourhood on the east side of the creek is in need of a local pub for the locals. The Cannery has become so popular since it opened, you just can't make it a guaranteed watering hole. All those tourists and out of towners have it locked down along with the limited space since the Virus. Highway 97 will offer a competitive price, an alternative option and an additional venue plus outside deck space.

Anyone who has travelled to other places in the British Empire knows that pubs make for the centre of an entertainment district. This proposal will solidify the Ellis Street corner. In closing Ellis and Westminster East could be "the spot to drop into" after a stroll on the K.V.R. which ends walking down those great steps and steps and steps and steps to a cold beer. P.S. We should market those steps better.

Cheers

Gerry R. Sagert
Van Horne Street
Penticton, B.C.

Letter of Support

To whom it may concern;

I am writing this letter in support of Highway 97 Brewery's Lounge License application that is before Penticton City council on January 19, 2021.

As a business owner of Okanagan Chiropractic Center at 172 Westminster Ave W., and a part of the downtown core, I fully support the move of Highway 97 Brewery to 200 Ellis street for the following reasons:

1. Closer proximity would put the Brewery within walking distance from the Downtown area, giving me the option not having to drive.
2. The economic benefit creating by the hiring of full and part time Local employees.
3. Having Highway 97 close to the other Breweries in the downtown core will help with Marketing and Tourism as it offers another option for both locals and visitors.
4. With its new location on the edge of the downtown core I don't see parking or noise being an issue.

Sincerely,

Dr. Condren Berry

To whom it may concern,

I'm writing this letter in support of Highway 97 relocating to Ellis St in Penticton's downtown area.

Hoodoo Adventure Co has had over a decade of business dealings with John Kapusty through ECM promotions and Highway 97 Brewing. We cannot say enough to support the community minded mentality by which both companies are managed. Our business and our events have received nothing short of huge support with a shared goal of doing something for the community.

Whilst some may question the idea of two Breweries in such close proximity, we feel this will be a great move for the North end of Ellis St, the two businesses most directly affected and for the existing businesses, residents and visitors both local and from elsewhere.

Penticton is leading the way in the rapidly growing craft beer industry. We are being held up by tourism organizations such as Hello BC for our breweries and taprooms creating great products. All of Penticton's breweries are part of The BC Ale Trail promoting tourism for craft beer lovers the very same way our outstanding wine industry has been doing for decades now. To have two thriving businesses side by side providing enough seating and food service to support their beer product makes for an acceptable, professional, and well managed visible presence that will be great for our healthy modern lifestyle culture town. Ellis Street is about to be home to hundreds more residents. This tap room, patio and kitchen will provide an easily accessed social location for Ellis St locals, saving on fuel consumption and parking issues. Highway 97's current location is somewhat isolated requiring vehicle transport for most patrons. To have them on Ellis St right next to another BC Ale trail location, a short walk to others will create a more village like atmosphere and ultimately a safer community.

Penticton is growing and developing and the idea to cluster services is logical to create an "area". We see this is in many examples in other cities and towns around BC and the world. There is strong logic behind locating similar businesses together, commonly seen with car dealerships, movie theatres or restaurants. Patrons will have a choice to spend their recreational time and dollars in an area, rather than an establishment that exists in isolation. Walking or sharing a cab becomes the obvious thing. With two options there is twice the motivation to come to the area knowing they have their pick of two environments.

Highway 97 is not actually adding a new bar, patio or liquor serving business to the area. Mile Zero currently operates a liquor service patio in this location. A tap room and outdoor patio is by far the most popular and community friendly form of socializing as proven all over BC and the world right now. Cannery Brewing and Highway 97 are already working together to promote Penticton as a destination all year round, they have enthusiastically supported too many community focussed events to list and will continue to do so. To combine their efforts will create a successful "area" rather than just one location and they will hire more staff, purchase more goods and services, raise the profile of healthy businesses in the area and generally raise the profile of the entire area in the process.

Cannery Brewing has set a standard of operating that provides a safe, enjoyable and healthy inclusion of quality craft beer into a balanced lifestyle. Highway 97 is also owned by local business people who are already known to uphold these operating standards and will further protect the environment on Ellis Street that already exists.

We are available for comment anytime at info@hoodooadventures.ca

Mike and Lyndie Hill

Hoodoo Adventure Co 131 Ellis St Penticton.

Gary and Launa Stocker

102-707 Churchill Ave

Penticton, B.C.

January 12, 2021

To Penticton Mayor and Council;

We are writing this letter in support of the expansion of Highway 97 Brewery to the 200 Ellis Street location.

We reside close to the downtown core and enjoy being able to walk and support the great variety of breweries available to us. We believe that the move to Ellis Street is a good one as there have been many times that Cannery Brewing has been full so having another option would be appreciated.

In addition, having another brewery closer to the other downtown breweries will be better for tourism and because of the expanded size in the new location, Highway 97 Brewery will be able to hire more local employees to help boost our economy.

Sincerely,

Gary and Launa Stocker

Bert Ritchie
102 – 215 Townley Street
Penticton, BC V2A 4H4

January 12, 2021

City of Penticton Council
City of Penticton
171 Main St,
Penticton, BC V2A 5A9

Dear Sir:

RE: Highway 97 Brewery Move to 200 Ellis Street

I am writing this letter in support of the move of Highway 97 Brewery to a new location at 200 Ellis Street.

I live near the above location and like the idea of having another brewery within walking distance where I can go for refreshments and good conversation.

I prefer supporting local business and believe local small business is better for our economy and helps provide opportunities for local individuals and families.

Finally, I believe that the collection of small local breweries on the north end of town will ultimately make for an interesting walking tour for visitors to our City.

Should you have any questions with respect to my comments please feel free to contact me.

Yours truly,



Bert Ritchie

Subject: Highway 97 - Support for Lounge License

From: Laurie Hepso

Sent: January 12, 2021 7:27 PM

To: Council <Council@penticton.ca>

Cc: Ken Kunka <Ken.Kunka@penticton.ca>; Deanna Greer <Deanna.Greer@penticton.ca>; john@hwy97brewery.com

Subject: Highway 97 - Support for Lounge License

Caution! This message was sent from outside your organization.

Dear City Council,

I would like to lend my support for the Highway 97 Brewery lounge license on Ellis Street.

I live within a three minute walk and believe that Highway 97 will be a great fit in the area.

Having another brewery in the downtown area will strengthen Penticton's appeal as a destination. The breweries have done a great job of working together and it's a real draw for tourists. Each year, we have many friends visit us from the Coast to enjoy local breweries and wineries. Highway 97 will add to our walkable destinations.

I have known the Kapustys for years and they were always strong supporters of our children's sports teams.

I look forward to visiting them at their new location.

Thanks,

Laurie Hepso
293 Nanaimo Ave E
Penticton, BC
V2A 0G5

Subject: Support for Highway 97 Lounge License

From: Mike Hepso

Sent: January 12, 2021 7:07 PM

To: Council <Council@penticton.ca>

Cc: Ken Kunka <Ken.Kunka@penticton.ca>; Deanna Greer <Deanna.Greer@penticton.ca>; john@hwy97brewery.com

Subject: Support for Highway 97 Lounge License

Caution! This message was sent from outside your organization.

Hi there,

This is a quick email to lend my support to issuing a Lounge Licence to Highway 97 on Ellis.

I live about four blocks from the new Ellis location and am looking forward to another local place to walk to. I moved downtown several years ago and love having the ability to walk everywhere.

When I was looking for an area close to downtown to live, I was told that the plan for Ellis Street was to model it after Yaletown in Vancouver. I was intrigued by this idea and this is one reason why I chose to live in the area. I believe Highway 97 will help work towards that.

I have known the Kapusty family for years and have always found them very supportive in the community.

Best regards,

Mike Hepso
293 Nanaimo Ave E
Penticton, BC
V2A 0G5

Item 10.11 - Late Correspondence - Manufacturing Brewery Lounge Endorsement for Highway 97
Brewing Company Ltd. Liquor Licence
Re: 200 Ellis Street

To: Penticton Mayor and City Council

Jan 10, 2021

Re: Letter of support for Highway 97

From: Craig and Sue Cooke

We are in full support of this application. My wife and I live in the neighborhood (Van Horne) and welcome the addition of Highway 97.

We are involved in the local tourism industry, as vacation rental hosts. Points in support:

- the Ale Trail is used in our promotional advertising.
- The craft brewery sector has been a positive influence on our downtown core.
- The ability for tourists and locals to walk to brewpubs and restaurants. This helps reduce traffic in the area and eases parking demand.
- Hyw 97; very involved in community events

Regards,

Craig and Sue Cooke

Subject: Hwy 97 Brewery Licensing letter of support - 200 Ellis St

From: Mike Daley

Sent: January 16, 2021 6:30 AM

To: Council <Council@penticton.ca>

Cc: Ken Kunka <Ken.Kunka@penticton.ca>; Deanna Greer <Deanna.Greer@penticton.ca>; John@hwy97brewery.com

Subject: RE: Hwy 97 Brewery Licensing letter of support - 200 Ellis St

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

I am writing in support of the application for licensing Hwy 97 on Ellis St so they can set up their move from their previous location.

I live in the neighbourhood and frequently walk down to the businesses in the area including the pubs. These have been a great addition to the downtown core and continue to drive vibrancy and traffic to all the businesses in the area. We have not experienced any issues with the clientele in the area from any of the improvements or businesses. The Cannery pub is there and is often full and another option would be great for this reason but also to add variety to the neighbourhood. The pubs and downtown businesses all work together to build up Penticton's economy.

In these trying times it is vitally important that we make all efforts to support local businesses and economic opportunities in our community.

Sincerely,

Michael Daley
553 Vancouver Ave.
Penticton

Director of Operations



38801 Hwy 97 | Oliver BC | V0H 1T0

T. (250) 809-1869

E. info@districtwinevillage.com

W. www.districtwinevillage.com

Subject: Highway 97 Brewery.

From: john@hwy97brewery.com
Sent: January 18, 2021 4:02 PM
To: Council <Council@penticton.ca>
Subject: Fwd: Highway 97 Brewery.

Begin forwarded message:

From: "Marc"
Subject: Highway 97 Brewery.
Date: January 18, 2021 at 12:11:18 PM PST
To: <Ken.Kunka@penticton.ca>

Hi Ken
Hope this find it's way to the right place....

RE: Highway 97 Brewery Move to 200 Ellis Street

I am writing this letter in support of the move of Highway 97 Brewery to a new location at 200 Ellis Street.

I live near the above location and like the idea of having another brewery within walking distance where I can go for refreshments and good conversation.

I prefer supporting local business and believe local small business is better for our economy and helps provide opportunities for local individuals and families.

It is great to see the developing craft brewing industry flourishing in Penticton. I believe that the collection of small local breweries on the north end of town will ultimately make for an interesting walking tour for visitors to our City.

Much like the wine industry, the craft beer industry is great for tourism and walking to these venues are very important these days.

Should you have any questions with respect to my comments please feel free to contact me.

Yours truly,

Marc Tougas

Council Report

penticton.ca

Date: January 19, 2021 **File No:** 8500-05
To: Donny van Dyk, Chief Administrative Officer
From: Anthony Haddad, General Manager of Community Services

Subject: BC Transit City of Penticton 2020-2021 Amended Annual Operating Agreement & Safe Restart Contribution

Staff Recommendation

THAT Council authorize the Mayor and Corporate Officer to execute the amended 2020 - 2021 Annual Operating Agreement Conventional and Custom Transit as contained in Attachment 'A';

THAT any excess Provincial funds received over and above expected revenue shortfalls will be transferred into deferred revenues and used to offset future transit expenditures or continued revenue shortfalls;

AND THAT the 2021-2025 Financial Plan be amended accordingly.

Strategic priority objective

Mission: Penticton will serve its residents, businesses and visitors through good governance, partnership and the provision of effective and community focused services.

Background

On December 7, 2020 BC Transit sent an email with the 2020 - 2021 Amended Annual Operating Agreement (AOA). This agreement provides an amendment to the existing AOA that was approved by Council earlier in the year. The AOA allows BC Transit and the City of Penticton to work together to provide Conventional and Custom Transit services to the citizens of Penticton.

The Province of British Columbia has since initiated its 'BC Restart Plan', which lays out a series of steps intended to protect people and help ensure that British Columbia can recover from the effects of the COVID-19 pandemic. The Province, BC Transit and the City of Penticton recognize that transit is an essential service, critical for providing public mobility during the acute phases of COVID-19 and for supporting the social and economic recovery of communities and the province as part of the BC Restart Plan.

Under the federal 'Safe Restart' program the federal and provincial governments have committed to provide joint contributions in support of transit services. BC Transit has entered into a Contribution Agreement to receive \$86 million to provide relief to Local Government Partners to help meet their share of costs to maintain affordable Essential Transit Service Levels during the COVID-19 pandemic recovery period.

Under this Contribution Agreement the following has been allocated to the City of Penticton to offset revenue losses for 2020 and 2021:

- \$465,975 has been allocated to the Penticton Conventional Transit System; and
- \$29,265 to the Penticton Custom Transit System.

Under the Safe Restart program, the federal and provincial governments have provided a joint one-time contribution to transit systems in BC, based on a formula developed by the Province. Subject to execution of the Amended Annual Operating Agreement by January 31, 2021 BC Transit will apply the Safe Restart Contribution as follows:

- As a one-time allocation towards the Municipality's share of Eligible Operating Expenses;
- After applying the allocation of Safe Restart Contribution, any excess contributions received from the City will be allocated to local transit deferred revenues;
- The City will apply any remaining local transit deferred revenues balance to reduce future Municipal invoices at the discretion of the City as agreed to under an Annual Operating Agreement or amendments as required.

Transit System hours for 2021 until 2024 will include the following:

Transit System	2020/21 Forecast Hours*	2021/22 Target Hours	2022/23 Target Hours	2023/24 Target Hours
Penticton Conventional	23,120	23,271	23,271	23,271
Penticton Custom	4,016	4,016	4,016	4,016

* 2020/21 Forecast hours reflect the reduction in service hours that may have been implemented due to COVID-19

It is expected that by receiving the Safe Restart contribution the City of Penticton will work with BC Transit to maintain targeted essential transit service levels by not reducing transit service below existing planned service levels, as outlined in the table above to ensure the affordability of this service.

It is expected that by receiving the Safe Restart contribution the City will work with BC Transit to maintain targeted essential transit service levels by not reducing transit service below existing planned service levels and maintain affordability by limiting annual fare increases to 2.3% in the upcoming year.

Financial implication

The Province's Safe Restart Contribution of \$86 million was based on forecasted fare revenue losses and COVID related expenses between April 1, 2020 and March 31, 2022. Local Government Partners have been allocated a share of the Safe Restart Contribution based on their share of total budgeted fare revenues (for fare losses) and share of operating expenses (for COVID-related expenses).

Under this Contribution Agreement, \$465,975 has been allocated to the Penticton Conventional Transit System and \$29,265 to the Penticton Custom Transit System to offset forecasted revenue losses and COVID related expenses between April 1, 2020 and March 31, 2021.

Forecasted revenue losses for 2020 in Penticton amount to approximately \$150,000 for the Conventional System and approximately \$9,000 for the Custom Transit system, with slightly lower revenue shortfalls forecast in the 2021 budget. The Provincial funds received are over and above expected revenue shortfalls and will be put into deferred revenues to offset any further revenue losses resulting from the pandemic.

Analysis

Approving the Amended Annual Operating Agreement with BC Transit will ensure that the public is able to be provided with the same level of service as before COVID-19. Even with reduced usage and resulting reduction in revenue, the contribution from the Province to the City of Penticton to offset these losses will enable this important function to continue for the benefit of our community.

The agreement was reviewed by the General Manager of Community Services and is now ready for the consideration of Council. A requirement of this amended agreement is that BC Transit must receive a fully executed agreement by January 31, 2021.

Attachments

Attachment A – 2020 - 2021 Annual Operating Agreement Conventional and Custom Transit

Respectfully submitted,

Anthony Haddad
General Manager of Community Services

Approvals

CFO/GM of Finance and Admin <i>LWB</i>	Chief Administrative Officer DyD
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Penticton

ANNUAL OPERATING AGREEMENT

between

City of Penticton

and

British Columbia Transit

Effective

April 1, 2020

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

ANNUAL OPERATING AGREEMENT

BETWEEN:

City of Penticton

(the "Municipality")

AND:

British Columbia Transit

(the "Authority")

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

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

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

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

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

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

Contents

«System» AOA

SECTION 1: DEFINITIONS	.....	Error! Bookmark not defined.
SECTION 2: INCORPORATION OF SCHEDULES	.....	Error! Bookmark not defined.
SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT	..	Error! Bookmark not defined.
SECTION 4: TERM AND RENEWAL	.....	Error! Bookmark not defined.
SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT	.....	Error! Bookmark not defined.
SECTION 6: SETTLEMENT OF DISPUTES	.....	Error! Bookmark not defined.
SECTION 7: MISCELLANEOUS PROVISIONS	.....	Error! Bookmark not defined.
SECTION 8: LOCAL CONTRIBUTIONS AND RESERVES	.....	Error! Bookmark not defined.
SECTION 9: SAFE RESTART CONTRIBUTION	.....	Error! Bookmark not defined.
SECTION 10: GOVERNING LAW	.....	Error! Bookmark not defined.
SECTION 11: COUNTERPARTS	.....	Error! Bookmark not defined.
SECTION 12: NOTICES AND COMMUNICATIONS	.....	Error! Bookmark not defined.
SCHEDULE "A": TARIFF AND FARES	.....	Error! Bookmark not defined.
APPENDIX 1: TARIFF NOTES	.....	Error! Bookmark not defined.
APPENDIX 2: TARIFF AND FARES	.....	Error! Bookmark not defined.
SCHEDULE "B": SERVICE SPECIFICATIONS	.....	Error! Bookmark not defined.
SCHEDULE "C": BUDGET	.....	Error! Bookmark not defined.

SECTION 1: DEFINITIONS

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

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

SECTION 2: INCORPORATION OF SCHEDULES

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

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

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

SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be April 1, 2020, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2021 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
 - a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.
 - b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* (“FOIPPA”). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

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

SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: LOCAL CONTRIBUTIONS AND RESERVES

British Columbia Transit service is provided using a cost sharing model. Where any transit related contributions are received and/or third party revenues are earned that are in excess of expenses, the Authority is required to hold these excess funds in a reserve account for use against transit related expenditures in future years. When unanticipated expenditures occur that were not included in the budget and cannot be covered by reserves, the Authority will seek to recover these based on the cost sharing ratios between the Municipality and the Authority.

Eligible Operating Expenses

The Authority will invoice the Municipality and collect on monthly Municipal invoices based on budgeted Eligible Operating Expenses to provide Transit Service. Eligible Operating Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:

- a. *For Conventional Transit Service:*
 - i. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;

- ii. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
 - iii. the amount of the municipal administration charge not exceeding 2 percent of the direct operating costs payable under an Annual Operating Agreement;
 - iv. an amount of the annual operating costs of the Authority not exceeding 8 percent of the direct operating costs payable under an Annual Operating Agreement;
- b. *For Custom Transit Service:*
- i. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by the Authority to redeem tax saver coupons issued under the Taxi Saver Program net of the amount realized from the sale of those coupons;
 - ii. the amount of any operating lease costs incurred by the Authority for Custom Transit Service;
 - iii. the amount of the municipal administration charge not exceeding 2 percent of the direct operating costs payable under an Annual Operating Agreement; and,
 - iv. an amount of the annual operating costs of the Authority not exceeding 8 percent of the direct operating costs payable under an Annual Operating Agreement;
- c. Eligible Operating Expenses exclude the costs of providing third-party 100 percent-funded services.

Lease Fees

The Authority will invoice the Municipality and collect on monthly Municipal invoices for Lease Fees on assets owned by the Authority that are used in the provision of transit service. Lease Fees are comprised of the following:

- a. The Municipality's fee for use of the asset, including for the costs of acquisition, construction, development and betterment of the asset and the costs of installing the asset at the location and condition necessary for its intended use;
- b. Debt financing and risk related charges or costs payable on assets;
- c. Risk protection against vehicle write-offs, fleet defects, price volatility, preventative maintenance and major repair of assets;
- d. Amounts sufficient for the Authority to recover all other costs relating to the asset, including, but not limited to taxes and administrative charges.

Where Lease Fees are received that exceed actual asset-related expenses in any given period, these will be placed in a pooled reserve. This reserve will be used to offset against future capital related expenses, Lease Fees, vehicle write-offs, fleet defects, price volatility, preventative maintenance and major repair of assets.

For the 2020/21 fiscal year only, Lease Fees on revenue vehicles will be waived from July 1, 2020 to December 31, 2020. This is incorporated in the Net Local Government Share of Costs shown in Schedule C.

Reserve Funds

The Authority will establish Reserve Funds for each transit system to record the contributions that have been received but not yet earned as follows:

- a. **Operating Reserve Fund:** Contributions by the Municipality towards Eligible Operating Expenses that have been matched with a Provincial share Contribution but have not been used to fund incurred Eligible Operating Expenses.

- i. Any expenditure of monies from the Operating Reserve Fund will only be credited towards shareable Eligible Operating Expenses for the transit system for which it was collected.
 - ii. The Operating Reserve Fund excludes amounts collected from the Municipality on Lease Fees and will not be used toward Lease Fees.
 - iii. The Authority will provide a quarterly statement of account of the reserve balance including contributions, amounts utilized and any interest earned for the Operating Reserve.
- b. **Local Transit Fund:** Contributions by the Municipality towards Eligible Operating Expenses that have been received but not matched with a Provincial share contribution will be deferred in the Local Transit Fund.
- i. Any expenditure of monies from the Local Transit Fund will:
 - 1. only be credited towards the Municipality's share of expenses for the transit system for which it was collected.
 - 2. be applied to reduce Municipal invoices at the discretion of the Municipality as agreed to under the Annual Operating Agreement or amendments as required.
 - ii. The Local Transit Fund may be used towards Lease Fees.
 - iii. The Authority will provide a quarterly statement of account of the reserve balance including contributions, amounts utilized and interest earned for the Local Transit Fund.

SECTION 9: SAFE RESTART CONTRIBUTION

Under the Safe Restart program, the federal and provincial governments have provided a joint one-time contribution to transit systems in BC (the "Safe Restart Contribution").

Subject to execution of this Annual Operating Agreement by January 31, 2021 the Authority will apply the Safe Restart Contribution as follows:

- a. As a one-time allocation towards the Municipality's share of Eligible Operating Expenses;
- b. After applying the allocation of Safe Restart Contribution, any excess contributions received from the Municipality will be deferred to the Local Transit Fund;
- c. The Authority will apply the remaining Local Transit Fund balance to reduce future Municipal invoices at the discretion of Local Government Partners as agreed to under an Annual Operating Agreement or amendments as required.

It is expected that by receiving the Safe Restart contribution the Municipality will work with the Authority to maintain targeted essential transit service levels by not reducing transit service below existing planned service levels and maintain affordability by limiting annual fare increases to 2.3% through March 31, 2024.

SECTION 10: GOVERNING LAW

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

SECTION 11: COUNTERPARTS

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

SECTION 12: NOTICES AND COMMUNICATIONS

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

British Columbia Transit

c/o Executive Assistant, Business Development

P.O. Box 9861

520 Gorge Road East

Victoria, British Columbia V8W 9T5

and to the Municipality at:

City of Penticton

171 Main Street

Penticton, B.C. V2A 5A9

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

IN WITNESS WHEREOF, the parties have hereunto set their hand this _____ day of _____, 20__.

City of Penticton

British Columbia Transit

Vice President, Business Development

Vice President, Finance and Chief Financial Officer

SCHEDULE "A": TARIFF AND FARES

APPENDIX 1: TARIFF NOTES

None.

APPENDIX 2: TARIFF AND FARES

Effective as of July 1, 2017

Fare Zones:

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

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

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

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

H) **BC Transit Employee** Bus Pass

* Local refers to trips within the community

* Regional refers to trips between larger communities. Route numbers end in "0"

** Discounted Fares apply to: Seniors over 65 years of age with valid ID, Students 20 or under in full-time attendance to Grade 12 with valid ID, Post-Secondary with proof of attendance. Post-Secondary institution refers to universities, vocational universities, community colleges, liberal arts colleges, institutes of technology and other collegiate level institution, such as vocational schools and career colleges that award academic degrees or professional certifications.

Custom Transit Fares:

Effective as of September 2019

- i) Registered User \$2.25
- ii) Companion accompanying registered user \$2.25
- iii) Attendant accompanying registered user Free

SCHEDULE "B": SERVICE SPECIFICATIONS

Conventional Transit Service

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

Annual Service Level: for City of Penticton shall be **23,300** Revenue Service Hours

Exception Days recognized annually for City of Penticton are:

Exception Days	Service Level
Good Friday	Sunday Service
Easter Monday	Regular Service
Victoria Day	Sunday Service
Canada Day	Sunday Service
BC Day	Sunday Service
Labour Day	Sunday Service
Thanksgiving Day	Sunday Service
Remembrance Day	Sunday Service
Christmas Day	No Service
Boxing Day	Sunday Service
New Year's Day	Sunday Service
Family Day (2020)	Sunday Service

Custom Transit Service

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

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

Exception Days recognized annually for the City of Penticton are:

Exception Days	Service Level
Good Friday	No Service
Easter Monday	Regular Service
Victoria Day	No Service
Canada Day	No Service
BC Day	No Service
Labour Day	No Service
Thanksgiving Day	No Service
Remembrance Day	No Service
Christmas Day	No Service
Boxing Day	No Service
New Year's Day	No Service
Family Day (2020)	No Service

SCHEDULE “C”: BUDGET

PENTICTON CONVENTIONAL	
	OFFICIAL AOA 2020/ 21
TOTAL REVENUE	\$439,769
TOTAL OPERATING COSTS	\$2,646,067
TOTAL COSTS (including Local Government Share of Lease Fees)	\$2,837,746
NET LOCAL GOVERNMENT SHARE OF COSTS	\$821,671
SAFE RESTART ALLOCATION	\$465,975

PENTICTON CUSTOM	
	OFFICIAL AOA 2020/ 21
TOTAL REVENUE	\$10,859
TOTAL OPERATING COSTS	\$390,553
TOTAL COSTS (including Local Government Share of Lease Fees)	\$404,006
NET LOCAL GOVERNMENT SHARE OF COSTS	\$106,577
SAFE RESTART ALLOCATION	\$29,265

Bylaw No. 2020-51

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. 2020-51".

2. **Amendment:**

Zoning Bylaw No. 2017-08 is hereby amended as follows:

2.1 Rezone Lot 15 Block 19 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP80716, located at 575 Ellis Street, from C1 (Commercial Transition) to RM5 (Urban Residential).

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

READ A FIRST time this	8	day of	December, 2020
A PUBLIC HEARING was held this	18	day of	January, 2021
READ A SECOND time this		day of	, 2021
READ A THIRD time this		day of	, 2021
ADOPTED this		day of	, 2021

Notice of intention to proceed with this bylaw was published on the 13 day of January, 2021 and the 14 day of Thursday, 2021 in the Penticton Herald newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

575 Ellis Street

Rezone from C1 (Commercial Transition)
to RM5 (Urban Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2020-51

Date: _____

Corporate Officer: _____

Development Permit

Permit Number: DP PL2020-8812

Owner Name
Owner 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 15 Block 19 District Lot 202 Similkameen Division Yale District Plan 269 Except Plan KAP80716
 - Civic: 575 Ellis Street
 - PID: 004-044-827
3. This permit has been issued in accordance with Section 489 of the *Local Government Act*, to permit the construction of a 6-unit multifamily development with two flex units as shown in the plans attached in Schedule 'A'.
4. In accordance with Section 502 of the *Local Government Act* a deposit or irrevocable letter of credit, in the amount of \$_____ must be deposited prior to, or in conjunction with, an application for a building permit for the development authorized by this permit. The City may apply all or part of the above-noted security in accordance with Section 502 of the *Local Government Act*, to undertake works or other activities required to:
 - a. correct an unsafe condition that has resulted from a contravention of this permit,
 - b. satisfy the landscaping requirements of this permit as shown in Schedule 'A' or otherwise required by this permit, or
 - c. repair damage to the natural environment that has resulted from a contravention of this permit.
5. The holder of this permit shall be eligible for a refund of the security described under Condition 4 only if:
 - a. The permit has lapsed as described under Condition 8, or
 - b. A completion certificate has been issued by the Building Inspection Department and the Director of Development Services is satisfied that the conditions of this permit have been met.
6. Upon completion of the development authorized by this permit, an application for release of securities (Landscape Inspection & Refund Request) must be submitted to the Planning Department. Staff may carry out inspections of the development to ensure the conditions of this permit have been met. Inspection fees may be withheld from the security in accordance with the City of Penticton Fees

and Charges Bylaw (as amended from time to time).

General Conditions

7. In accordance with Section 501(2) of the *Local Government Act*, the lands subject to this permit shall be developed in general accordance with this permit and the plans attached as Schedule 'A'.
8. In accordance with Section 504 of the *Local Government Act*, if the holder of this permit does not commence the development authorized by this permit within 2 years of the date of this permit, this permit shall lapse.
9. **This permit is not a building permit. In order to proceed with this development, the holder of this permit must hold a valid building permit issued by the Building Inspection Department.**
10. This permit does not constitute any other municipal, provincial or federal approval. The holder of this permit is responsible to obtain any additional municipal, federal, or provincial approvals prior to commencing the development authorized by this permit.
11. This permit does not include off-site infrastructure costs that may be required at the building permit stage, such as Development Cost Charges (DCC's), road improvements and electrical servicing. There may be substantial infrastructure and servicing costs payable at a later date. For more information on servicing and infrastructure requirements please contact the Development Engineering Department at (250) 490-2501. For more information on electrical servicing costs, please contact the Electric Utility at (250) 490-2535.

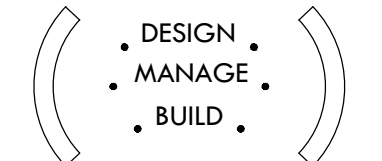
Authorized by City Council the _____ day of _____, 2020.

Issued this _____ day of _____, 2020.

Angela Collison
Corporate Officer

DESIGNED BY:

ALL ELEMENTS



PROJECT SET:

DEVELOPMENT PERMIT SET

PROJECT ADDRESS:

575 ELLIS STREET
PENTICTON, BC

LOT 15
BLOCK 19
PLAN 269

PROJECT FLOOR AREAS:

FLEX UNIT 101 & 102	408 SQ.FT.
UNIT 103 & 104	494 SQ.FT.
MAIN LEVEL OF UNIT 201 & 202	469 SQ.FT.
UPPER LEVEL OF UNIT 201 & 202	551 SQ.FT.
MAIN LEVEL OF UNIT 301 & 302	550 SQ.FT.
UPPER LEVEL OF UNIT 301 & 302	420 SQ.FT.

GROSS FLOOR AREA 5800 SQ.FT.

PROJECT SCHEDULE:

1. ISSUED FOR ENGINEERING	AUG 24, 2020
2. ISSUED FOR BUILDING PERMIT	SEPT 14, 2020
3. DEVELOPMENT PERMIT REVISION	OCT 2, 2020
4. BUILDING PERMIT SET COMPLETION	OCT 2, 2020
5. REVISED DEVELOPMENT PERMIT	OCT 30, 2020
6. DEVELOPMENT PERMIT REVISIONS	NOV 9, 2020

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THIS SET IS STRICTLY FOR DESIGN PURPOSES AND MUST BE VERIFIED BY QUALIFIED ENGINEER AND/OR SUPPLIERS.

CONTRACTORS AND SUB-CONTRACTORS ARE RESPONSIBLE FOR CHECKING DETAILS AND ALL ASPECTS OF THESE DRAWINGS. REPORT ANY DISCREPANCIES OR OMISSIONS TO THE DESIGNER IMMEDIATELY. ALL ELEMENTS IS NOT RESPONSIBLE FOR ANY CHANGES TO THE DRAWINGS ADVISED BY ANY AUTHORITY OFFICIALS OR OTHER PROFESSIONAL CONSULTANT AT ANY TIME PRIOR TO OR DURING CONSTRUCTION.

DO NOT SCALE THESE DRAWINGS. ALL WORK MUST COMPLY WITH MOST RECENT EDITION OF THE BC BUILDING CODE AND ANY OTHER GOVERNING AUTHORITIES.

DRAWING TITLE:

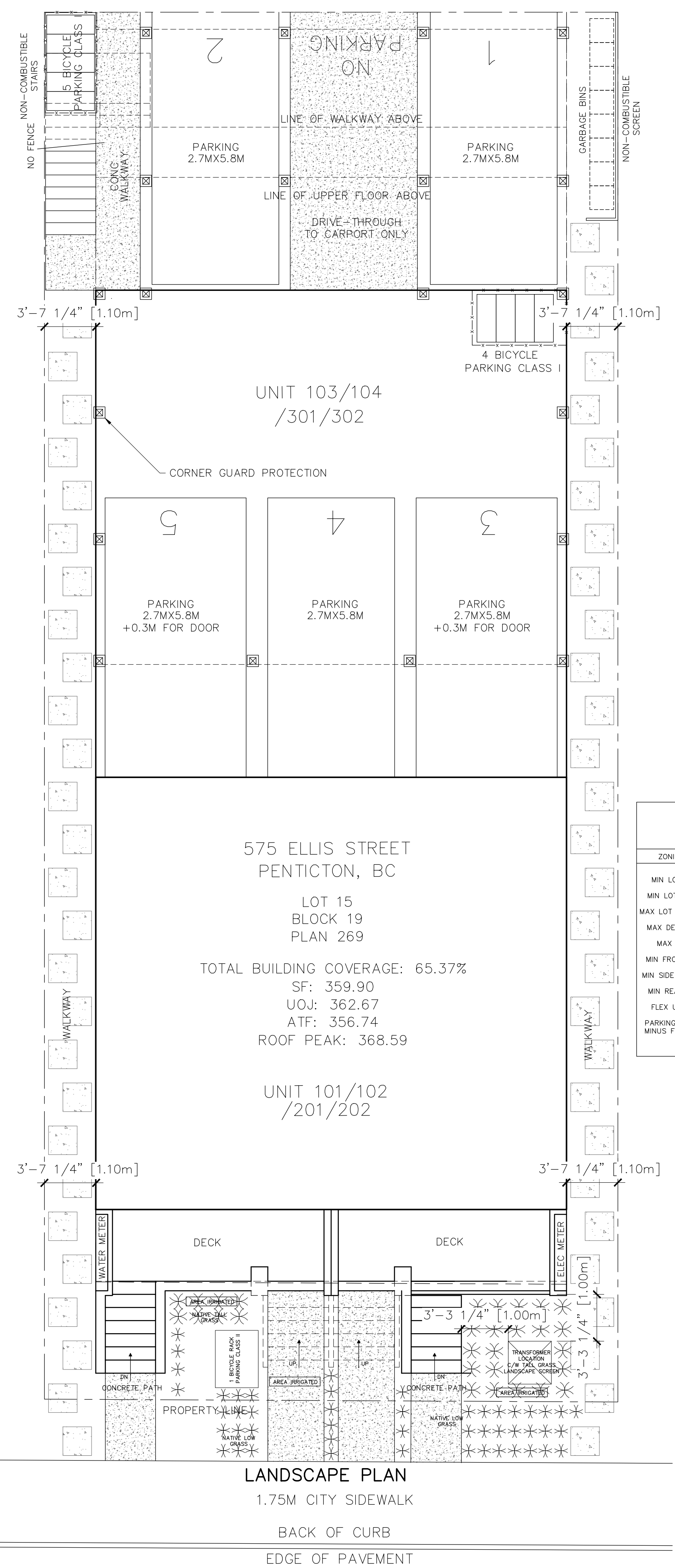
SITE & LANDSCAPE PLAN

DRAWING INFORMATION:

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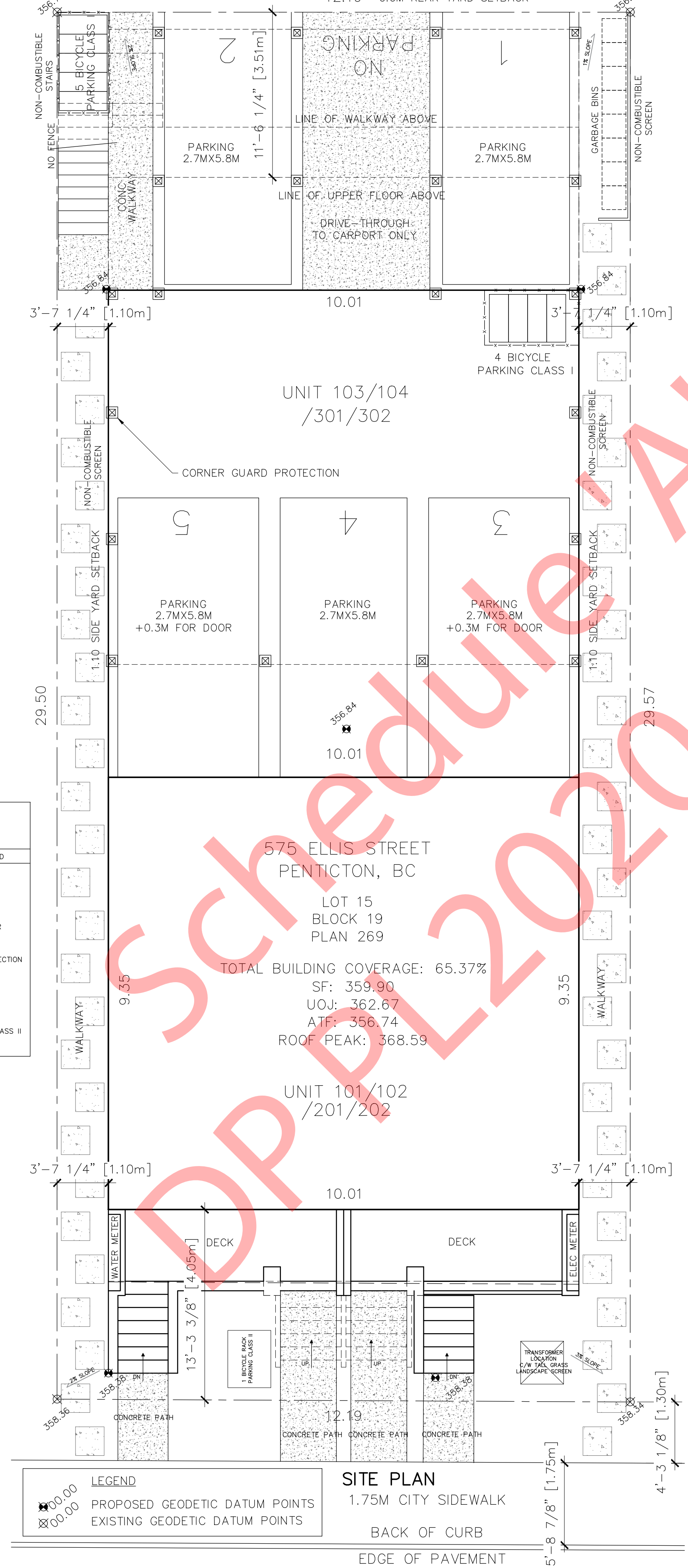
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REAR ALLEY



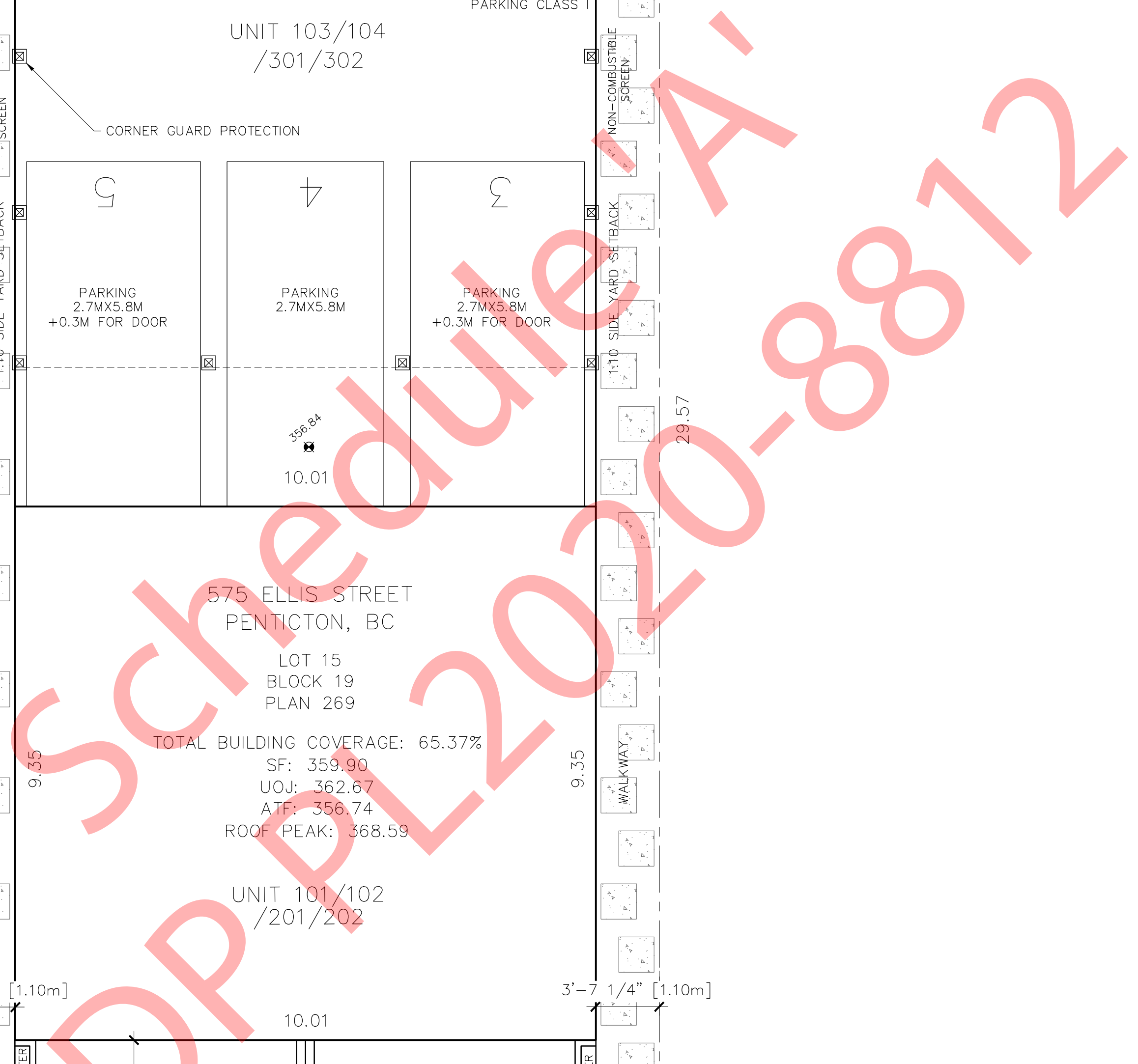
ZONING BYLAW COMPLIANCE TABLE RMS

ZONING BYLAW	PROPOSED
MIN LOT WIDTH 10M	12M
MIN LOT AREA 275M ²	360M ²
MAX LOT COVERAGE 100%	74.03%
MAX DENSITY 2.0 FAR	1.50 FAR
MAX HEIGHT 15M	11.97M
MIN FRONT YARD 2.5M	2.5M W/PROJECTION
MIN SIDE YARD INT 0.0M	1.1M
MIN REAR YARD 0.0M	0.0M
FLEX UNITS >150M ²	39M ²
PARKING 1 PER UNIT 8 MINUS FLEX UNITS = 6	5 PLUS 9 BICYCLE CLASS II
FLEX %	40%



LEGEND

00.00	PROPOSED GEODETIC DATUM POINTS
00.00	EXISTING GEODETIC DATUM POINTS



DESIGNED BY:

ALL ELEMENTS



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DEVELOPMENT PERMIT SET

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575 ELLIS STREET
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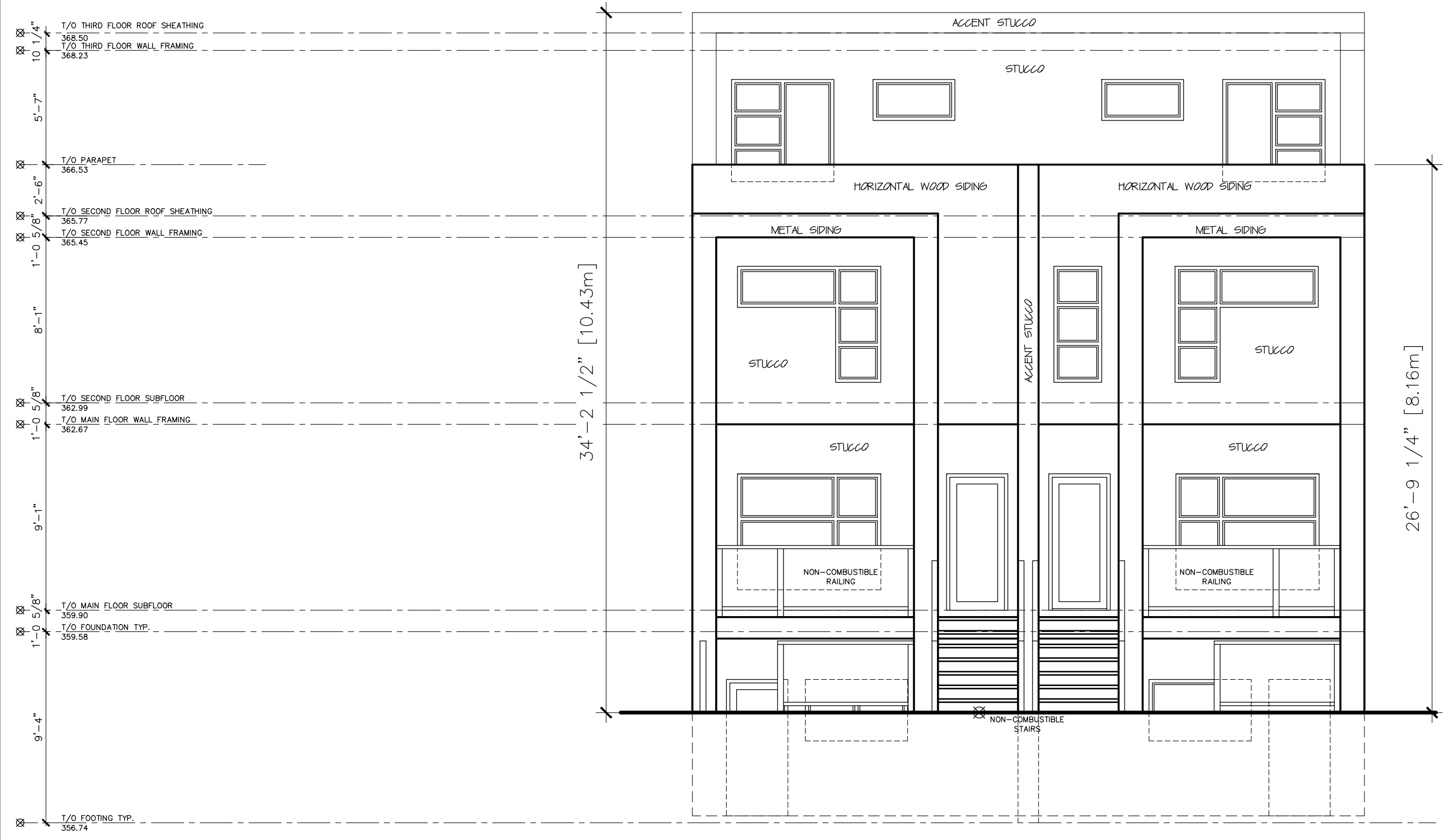
DRAWING TITLE:

BUILDING 1 & 2 FRONT & REAR ELEVATIONS

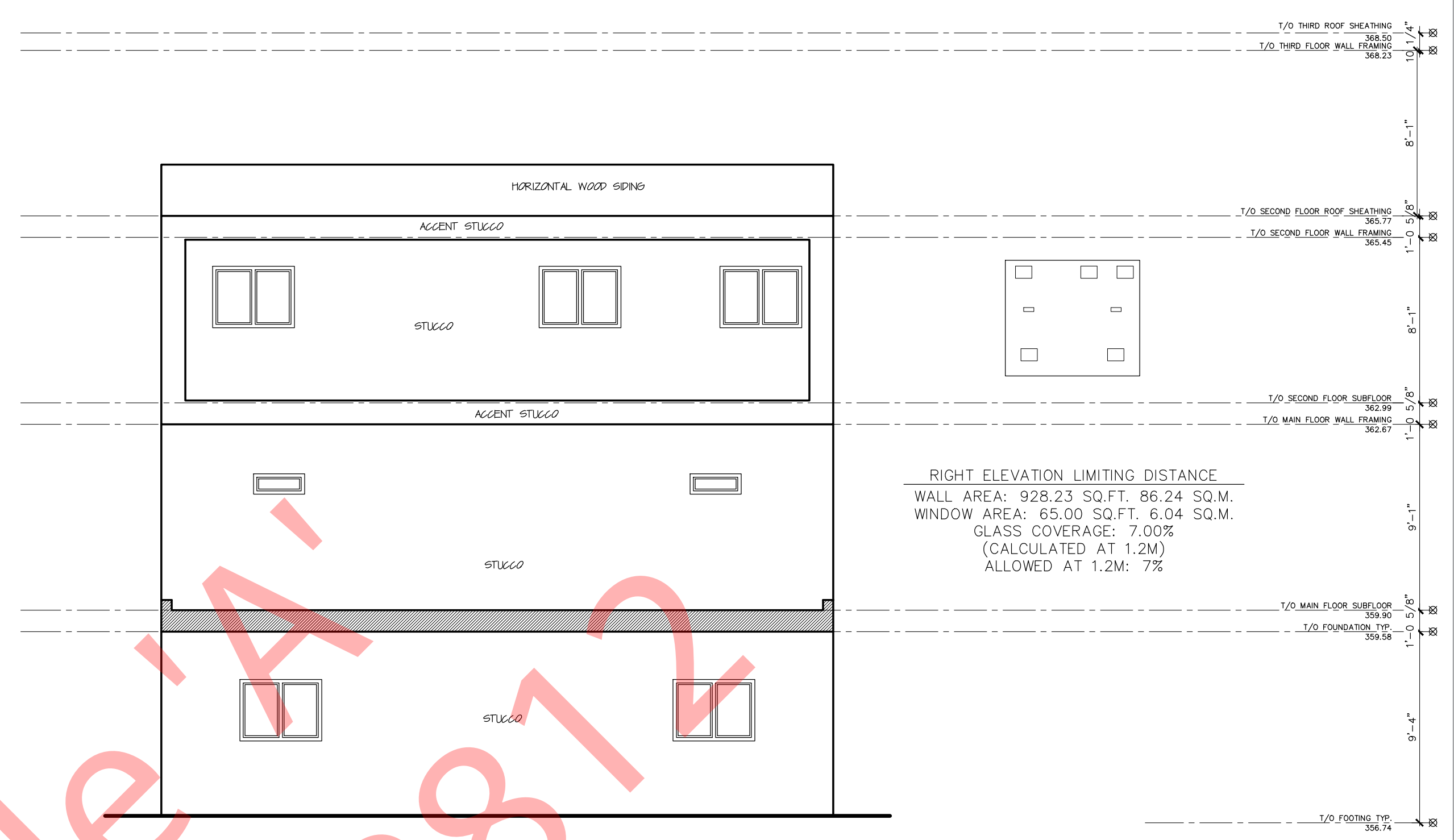
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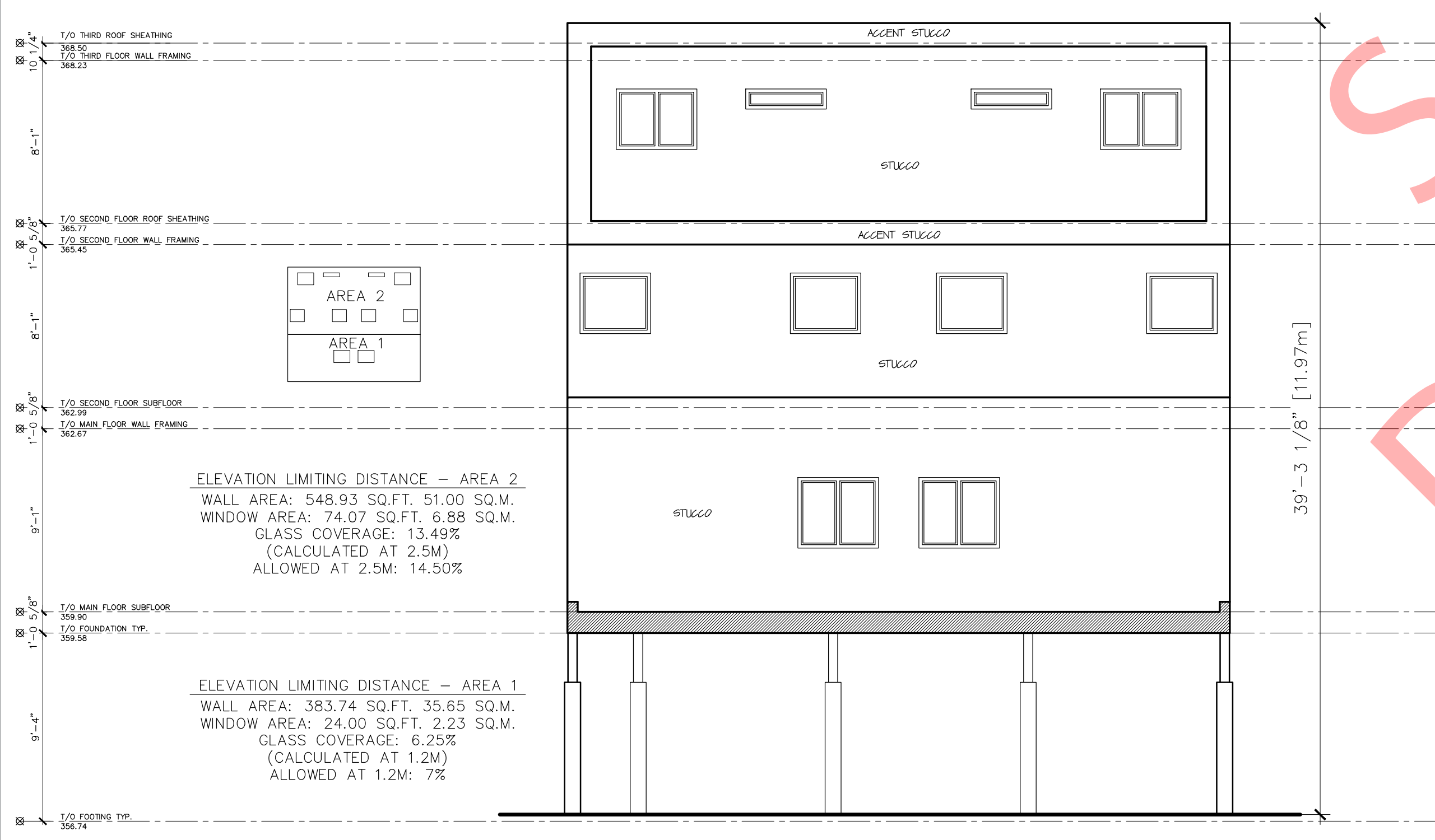
SHEET: 2 / 5



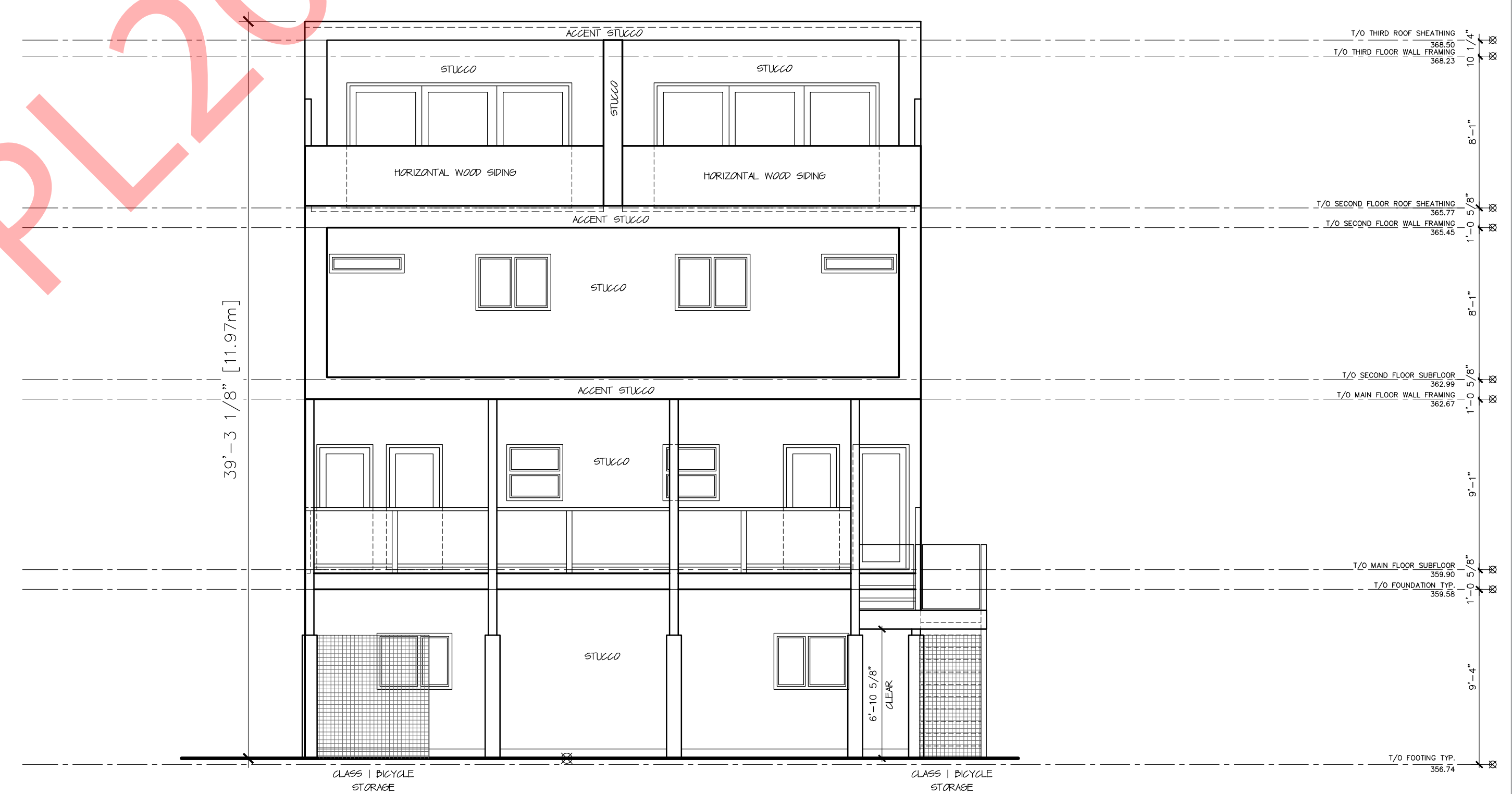
BUILDING 1 FRONT ELEVATION



BUILDING 1 REAR ELEVATION



BUILDING 2 FRONT ELEVATION



BUILDING 2 REAR ELEVATION

Schedule 'A'
DP PL 2020-8812

DESIGNED BY:

ALL ELEMENTS



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DEVELOPMENT PERMIT SET

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PROJECT FLOOR AREAS:

FLEX UNIT 101 & 102	408 SQ.FT.
UNIT 103 & 104	494 SQ.FT.
MAIN LEVEL OF UNIT 201 & 202	469 SQ.FT.
UPPER LEVEL OF UNIT 201 & 202	551 SQ.FT.
MAIN LEVEL OF UNIT 301 & 302	550 SQ.FT.
UPPER LEVEL OF UNIT 301 & 302	420 SQ.FT.

GROSS FLOOR AREA 5800 SQ.FT.

PROJECT SCHEDULE:

1. ISSUED FOR ENGINEERING	AUG 24, 2020
2. ISSUED FOR BUILDING PERMIT	SEPT 14, 2020
3. DEVELOPMENT PERMIT REVISION	OCT 2, 2020
4. BUILDING PERMIT SET COMPLETION	OCT 2, 2020
5. REVISED DEVELOPMENT PERMIT	OCT 30, 2020
6. DEVELOPMENT PERMIT REVISIONS	NOV 9, 2020

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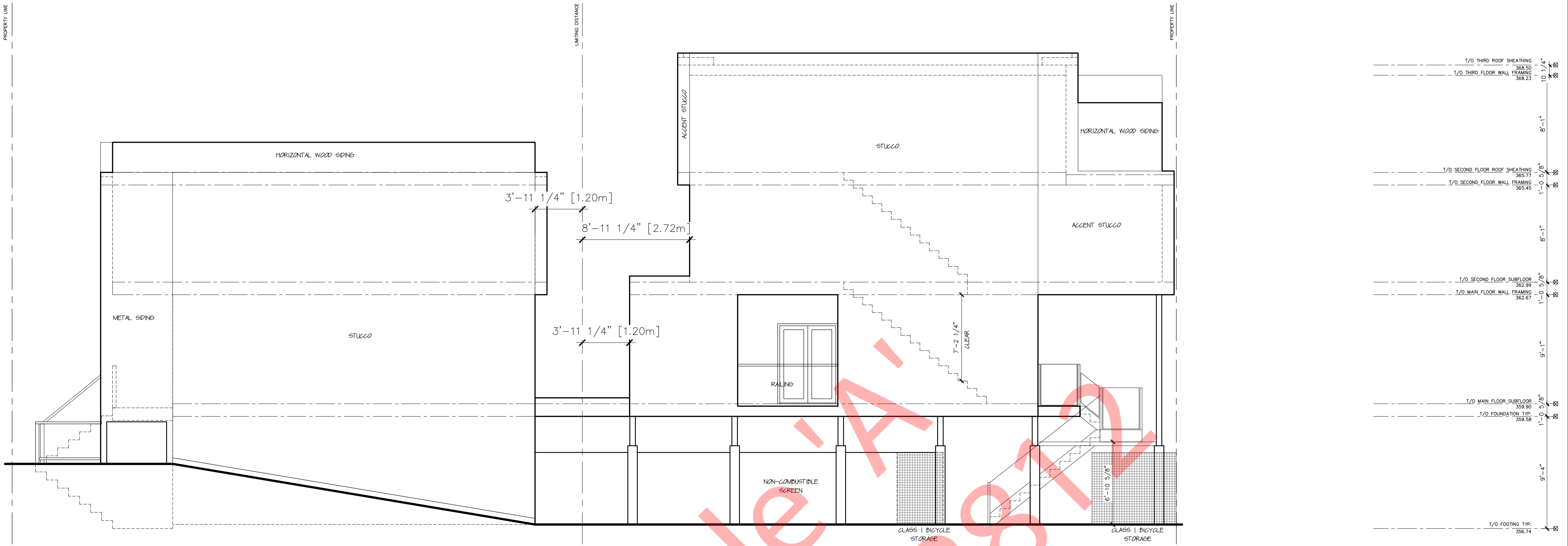
DRAWING TITLE:

RIGHT & LEFT ELEVATIONS

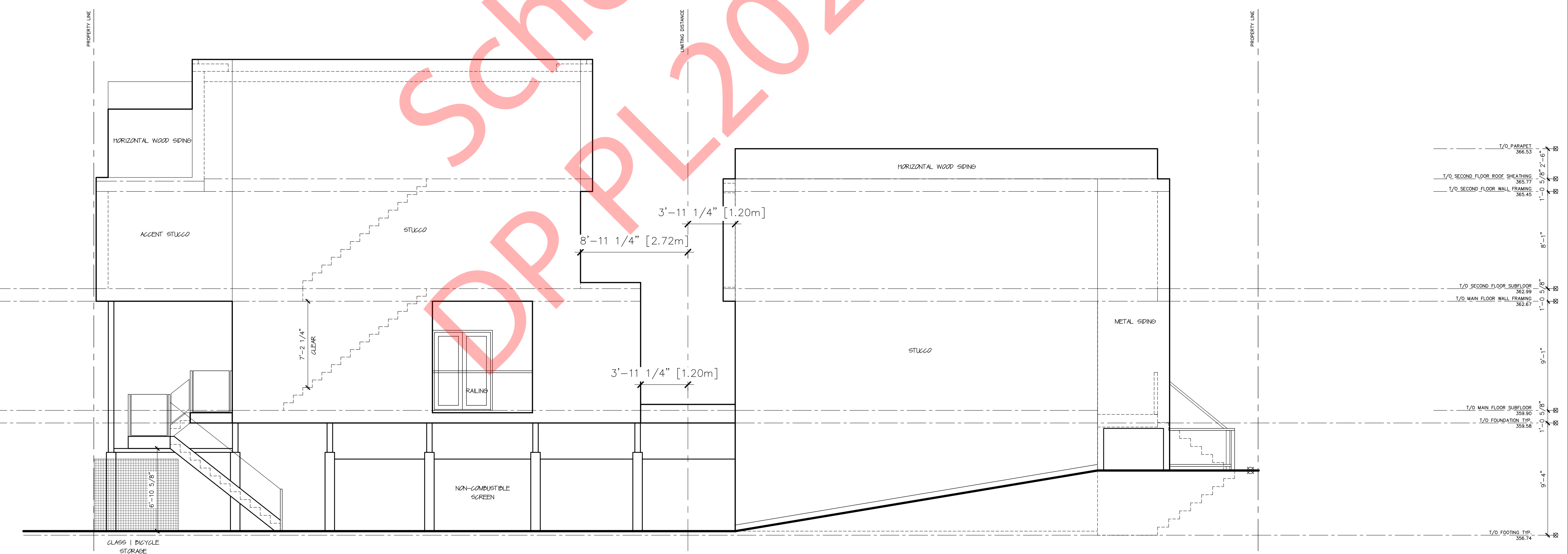
DRAWING INFORMATION:

DATE: NOV 9, 2020
SCALE: 3/16" = 1'-0"

SHEET: 3 / 5



RIGHT ELEVATION



LEFT ELEVATION

DESIGNED BY:

ALL ELEMENTS



PROJECT SET:

DEVELOPMENT PERMIT SET

PROJECT ADDRESS:

575 ELLIS STREET
PENTICTON, BC

LOT 15
BLOCK 19
PLAN 269

PROJECT FLOOR AREAS:

FLEX UNIT 101 & 102	408 SQ.FT.
UNIT 103 & 104	494 SQ.FT.
MAIN LEVEL OF UNIT 201 & 202	469 SQ.FT.
UPPER LEVEL OF UNIT 201 & 202	551 SQ.FT.
MAIN LEVEL OF UNIT 301 & 302	550 SQ.FT.
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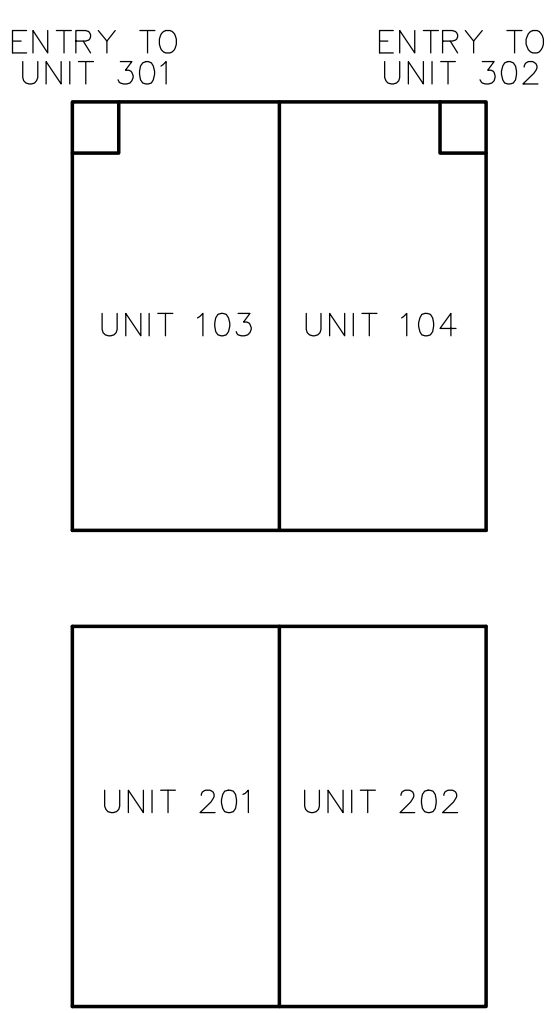
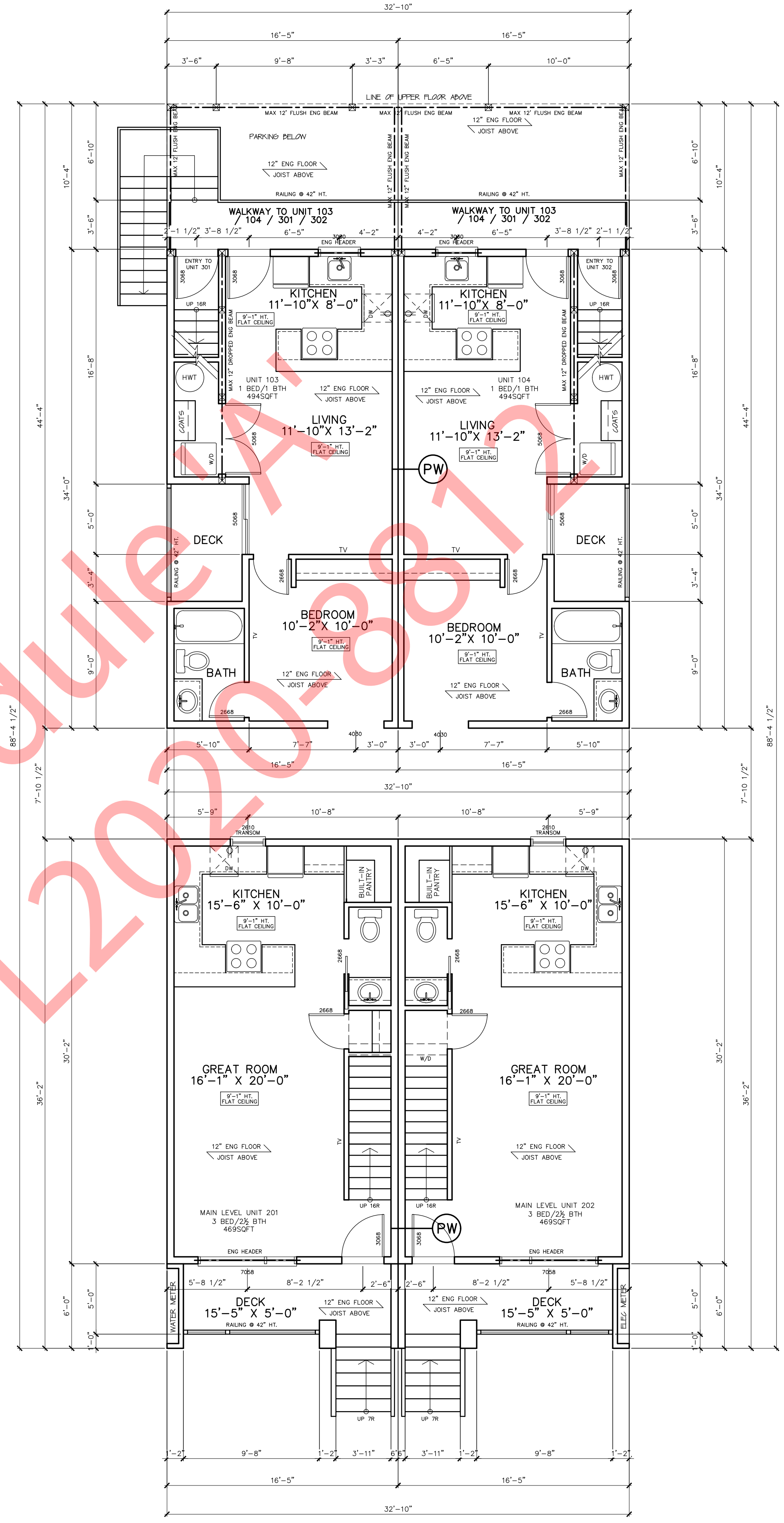
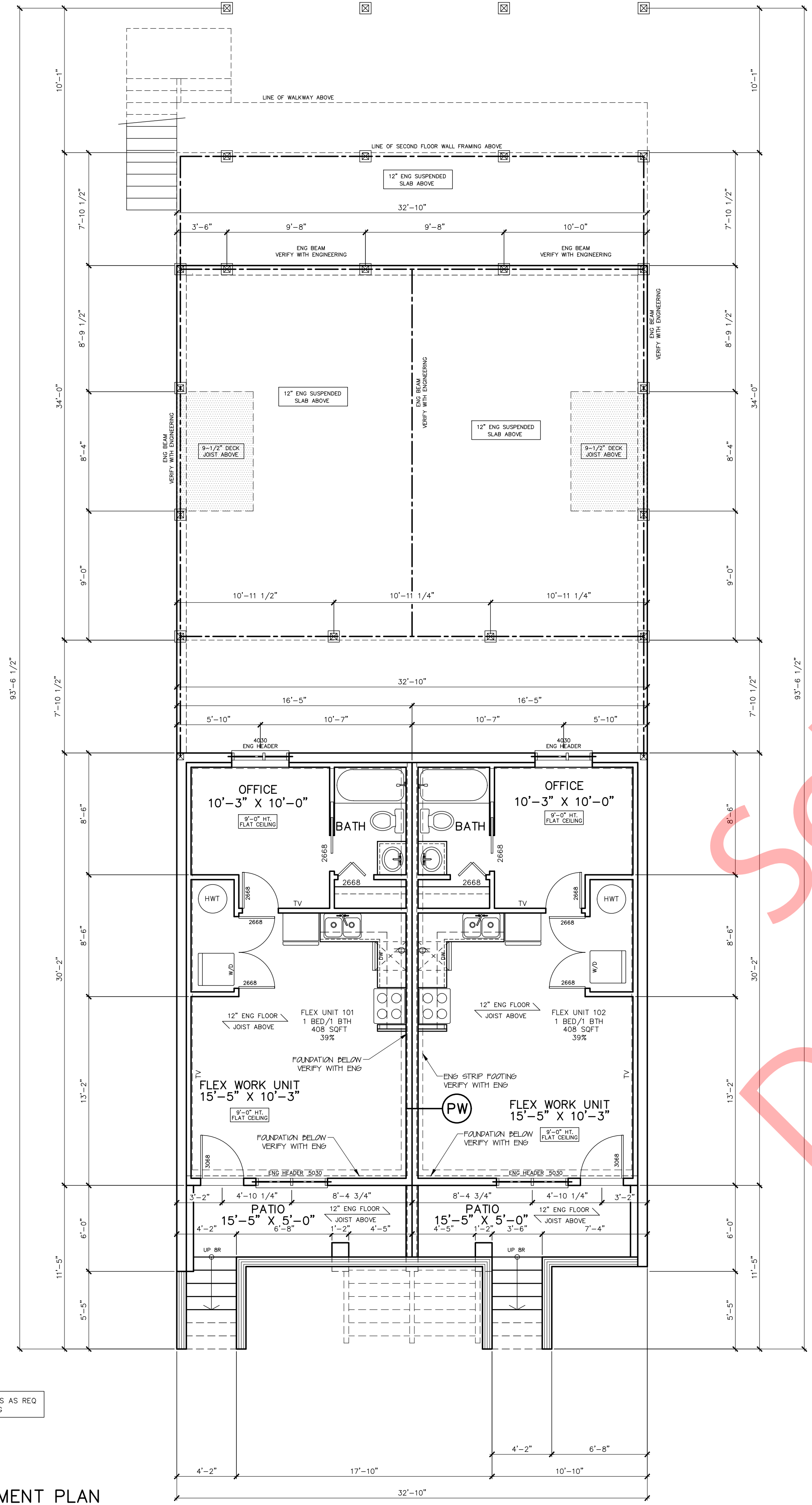
DRAWING TITLE:

FD, BASEMENT & MAIN FLOOR PLAN

DRAWING INFORMATION:

DATE: NOV 9, 2020
SCALE: 3/16" = 1'-0"

SHEET: 4 / 5



DESIGNED BY:

ALL ELEMENTS



PROJECT SET:

DEVELOPMENT PERMIT SET

PROJECT ADDRESS:

575 ELLIS STREET
PENTICTON, BC

LOT 15
BLOCK 19
PLAN 269

PROJECT FLOOR AREAS:

FLEX UNIT 101 & 102	408 SQ.FT.
UNIT 103 & 104	494 SQ.FT.
MAIN LEVEL OF UNIT 201 & 202	469 SQ.FT.
UPPER LEVEL OF UNIT 201 & 202	551 SQ.FT.
MAIN LEVEL OF UNIT 301 & 302	550 SQ.FT.
UPPER LEVEL OF UNIT 301 & 302	420 SQ.FT.

GROSS FLOOR AREA 5800 SQ.FT.

PROJECT SCHEDULE:

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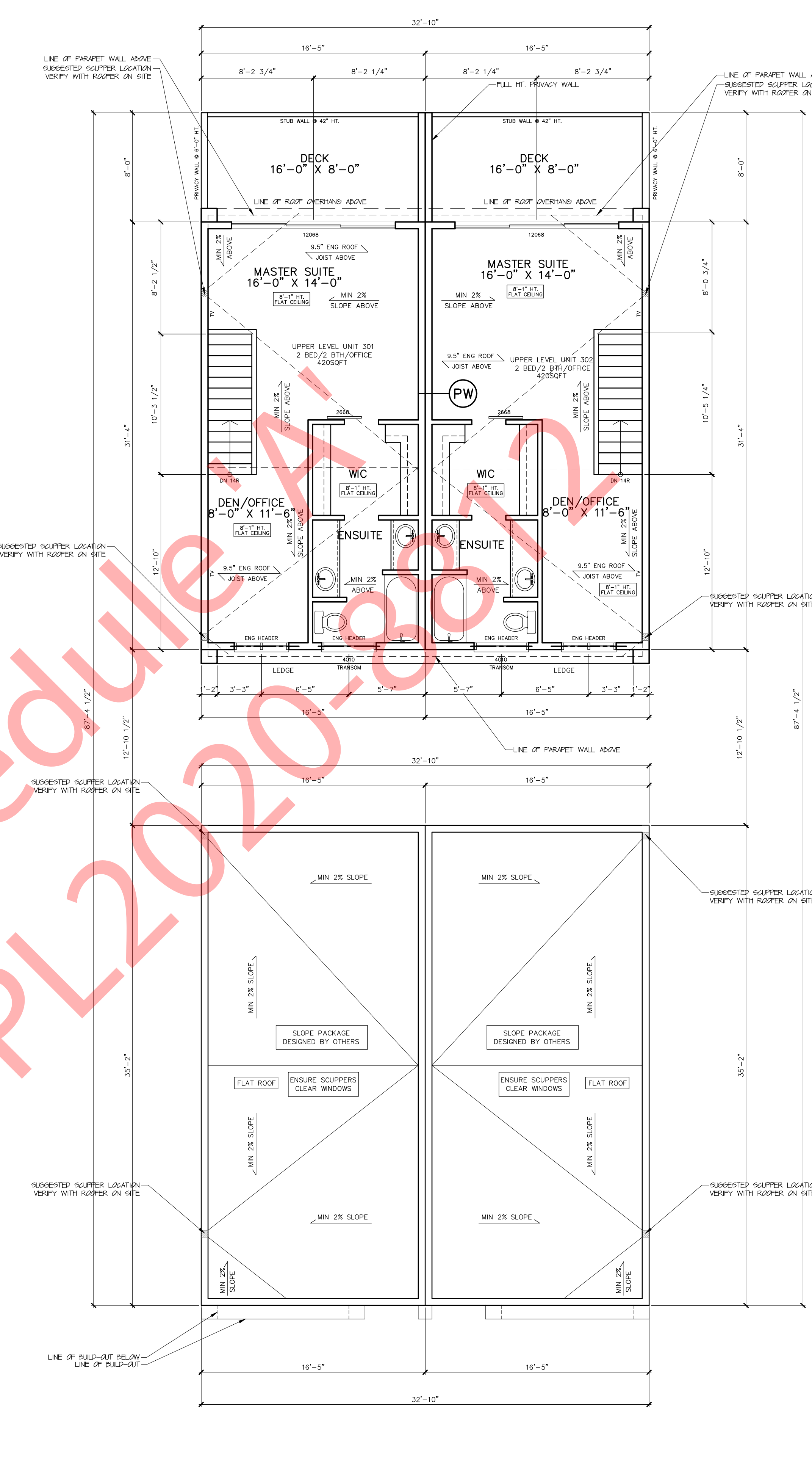
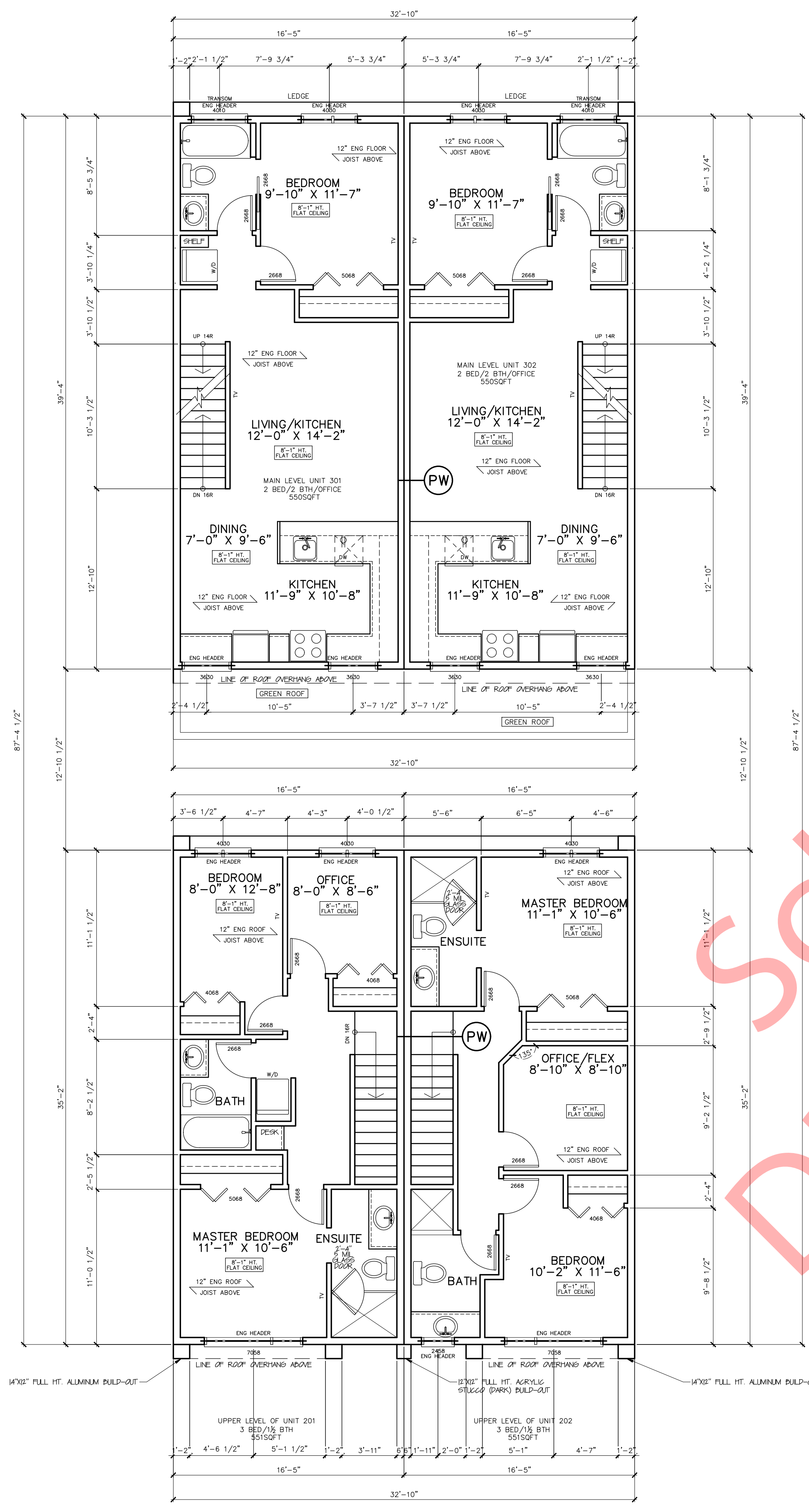
DRAWING TITLE:

SECOND & THIRD FLOOR & ROOF PLAN

DRAWING INFORMATION:

DATE: NOV 9, 2020
SCALE: 3/16" = 1'-0"

SHEET: 5 / 5

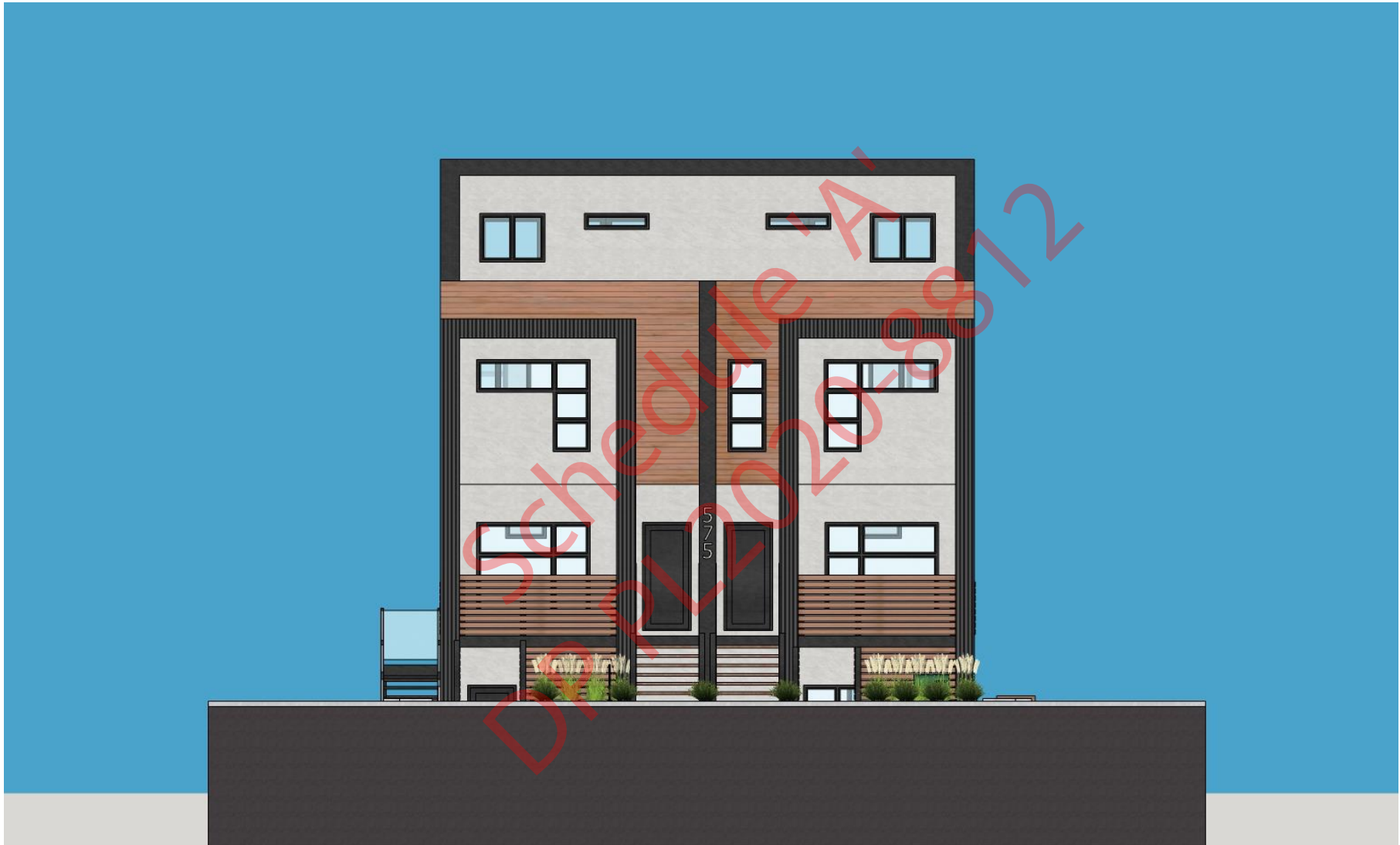


ALL WINDOWS & DOORS REQUIRE ENG HEADERS AS REQ. VERIFY WITH LAYOUTS & ENGINEERING

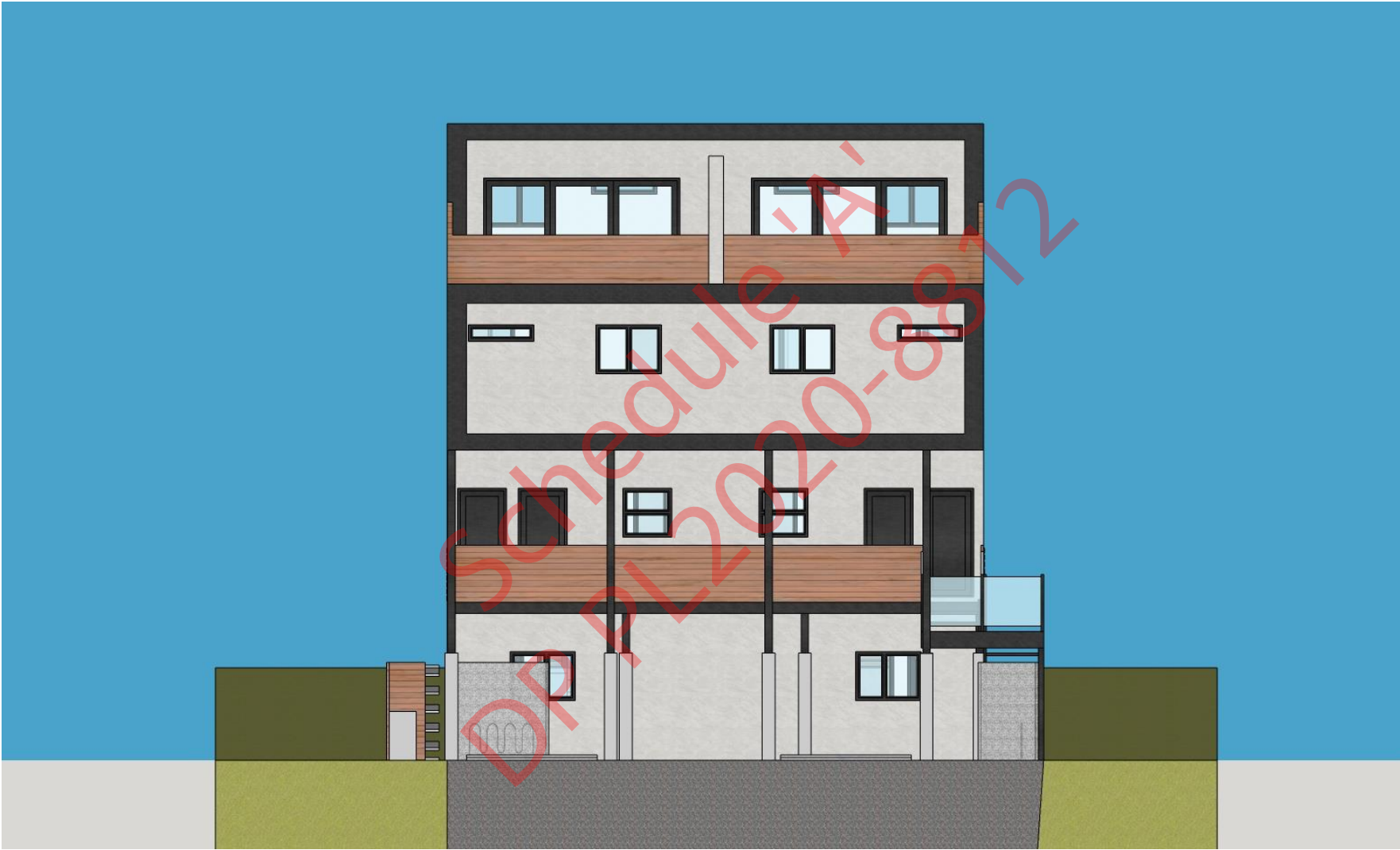
SECOND FLOOR PLAN
UPPER LEVEL OF UNIT 201 & 202 - 551 SQ.FT.
MAIN LEVEL OF UNIT 301 & 302 - 550 SQ.FT.

ROOF & THIRD FLOOR PLAN
UPPER LEVEL OF UNIT 301 & 302 - 420 SQ.FT.

Front Elevation (Ellis Street)



Rear Elevation (lane)



Side Elevation (north)



Side Elevation (south)

