



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, February 1, 2022

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 January 18, 2022 Regular Council Meeting

1-7

Adopt

7. **Consent Agenda:**

Recommendation: THAT Council approve the Consent Agenda.

8-21

Consent Agenda:

1. *Minutes of the January 18, 2022 Committee of the Whole Meeting;*

2. *Minutes of the January 18, 2021 Public Hearing;*

Miller 3. *Parks and Recreation Advisory Committee Meeting Draft Minutes of January 17, 2022;*

Bloomfield 4. *Agriculture Advisory Committee Meeting Draft Minutes of January 19, 2022;*

Sentes 5. *Arts, Creative and Cultural Innovation Advisory Committee Meeting Draft Minutes of January 21, 2022;*

8. **Committee and Board Recommendations**

9. **Correspondence**

10. **Staff Reports:**

Supt. Hunter	10.1	RCMP Quarterly Update <i>Staff Recommendation: THAT Council receive into the record the report titled "RCMP Quarterly Report" dated February 1, 2022.</i>	22-25
Laven	10.2	UBCM Grant: Social Development Framework <i>Staff Recommendation: THAT Council direct staff to apply for the Union of BC Municipalities' Poverty Reduction Planning and Action Program grant in the amount of \$25,000, for the purposes of developing a framework to plan the work of Social Development over the next 5 years; AND THAT Council authorize the Director of Development Services to sign the grant application form.</i>	26-35
Dixon	10.3	Uplands Elementary Safety Improvements <i>Staff Recommendation: THAT Council receive into the record the report dated February 1, 2022 titled "Uplands Elementary Safety Improvements".</i>	36-39
Collyer	10.4	Zoning Amendment Bylaw No. 2022-08 Re: 3170 Juniper Drive <i>Staff Recommendation: THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-08", a bylaw to rezone Lot 7 District Lot 2710 Similkameen Division Yale District Plan 26199, located at 3170 Juniper Drive, from RC (Country Residential) zone to R1 (Large Lot Residential) zone, to allow for a future 2-lot subdivision; AND THAT Council forward "Zoning Amendment Bylaw No. 2022-08" to the February 15, 2022 Public Hearing.</i>	40-53
Collyer	10.5	Development Variance Permit PL2021-9154 Re: 109 Lee Avenue <i>Staff Recommendation: THAT Council approve "Development Variance Permit PL2021-9154" for Lot 2 District Lot 189 Similkameen Division Yale District Plan 5411, located at 109 Lee Avenue, a permit to vary the following section of Zoning Bylaw 2021-01 in order to construct a carriage house: 1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 (Large Lot Residential) zone from 90m2 to 130m2. AND THAT Council direct staff to issue "Development Variance Permit PL2021-9154".</i>	54-72

11. **Public Question Period**

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

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

(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.

13. **Reconvene the Regular Council Meeting following the Public Hearing at 6:45 p.m.**

14. **Bylaws and Permits:**

Laven	14.1	Municipal Ticketing Information Amendment Bylaw No. 2022-01	73-74	Adopt
Laven	14.2	Bylaw Notice Enforcement Amendment Bylaw No. 2022-02	75-76	Adopt
Collyer	14.3	Zoning Amendment Bylaw No. 2022-03 Re: 169 Maple Street	77-78	2 nd /3 rd

Collyer	14.4	Zoning Amendment Bylaw No. 2022-04 Re: 79 Okanagan Avenue	79-80	2 nd /3 rd
Capewell	14.5	Zoning Amendment Bylaw No. 2022-05 Re: 1603 Dartmouth Road	81-82	2 nd /3 rd /Adopt
Capewell	14.6	Zoning Amendment Bylaw No. 2022-06 Re: 30 Okanagan Avenue West	83-84	2 nd /3 rd

15. **Land Matters**

16. **Notice of Motion**

16.1 Introduced by Councillor Regehr, for consideration by Council on February 15, 2022 85-89

THAT Council, when considering the twin arenas initiative as outlined in the Civic Places and Spaces Asset and Amenity Management Plan, review the areas of concern identified in the submission from Councillor Regehr dated February 1, 2022.

17. **Business Arising**

18. **Council Round Table**

19. **Public Question Period**

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 Business Arising.

20. **Adjournment**

Electronic Regular Council Meeting

held via Zoom at City of Penticton

171 Main Street, Penticton, B.C.

Tuesday, January 18, 2022

at 1:00 p.m.

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

Staff via Zoom: Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Acting General Manager, Finance & Administration
Blake Laven, Director of Development Services
Anthony Haddad, General Manager, Community Services
Kristen Dixon, General Manager of Infrastructure
Cheryl Hardisty, Senior Executive Assistant
Paula McKinnon, Deputy Corporate Officer

1. Call to Order

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

2. Introduction of Late Items

3. Adoption of Agenda

It was MOVED and SECONDED

THAT Council adopt the agenda for the Regular Council Meeting held on January 18, 2022 as presented.

CARRIED UNANIMOUSLY

4. Recess to Committee of the Whole

Council recessed to a Committee of the Whole Meeting at 1:01 p.m.

5. Reconvene the Regular Council Meeting

Council reconvened the Regular Council Meeting at 1:14 p.m.

6. Adoption of Minutes:

6.1 Minutes of the Regular and Special Meetings of Council

02/2022

It was MOVED and SECONDED

THAT Council adopt the regular minutes of the December 7, 2021 and special minutes of December 14, 2021 (9:00 a.m.) and December 14, 2021 (1:00 p.m.) as presented.

CARRIED UNANIMOUSLY

7. Consent Agenda:

03/2022

It was MOVED and SECONDED

THAT Council approve the Consent Agenda:

1. Minutes of the December 7, 2021 Committee of the Whole Meeting;
2. Minutes of the December 7, 2021 Public Hearings;
3. Heritage and Museum Advisory Committee Meeting Draft Minutes of November 3, 2021;
4. Parks and Recreation Advisory Committee Meeting Draft Minutes of December 6, 2021;
5. Safety and Security Advisory Committee Meeting Draft Minutes of December 6, 2021;
6. Community Sustainability Advisory Committee Meeting Draft Minutes of December 8, 2021;
7. Penticton and Ellis Creek Restoration Select Committee Meeting Draft Minutes of December 17, 2021;
8. Safety and Security Advisory Committee Meeting Draft Minutes of January 10, 2022.

CARRIED UNANIMOUSLY

8. Committee and Board Recommendations

9. Correspondence

10. Staff Reports:

10.1 2022 Emergency Operations Centre (EOC) Grant

04/2022

It was MOVED and SECONDED

THAT Council support the 2022 application for grant funding of \$25,000 from UBCM for Emergency Operations Centre (EOC) costs for equipment, supplies and training for the City of Penticton EOC.

CARRIED UNANIMOUSLY

10.2 Renewal of License to Use Agreement – Travel Penticton Society and Penticton and Wine Country Chamber of Commerce

Re: 185 Lakeshore Drive West

05/2022

It was MOVED and SECONDED

THAT Council approve the renewal of a two-year License to Use agreement to Travel Penticton Society and Penticton and Wine Country Chamber of Commerce for the use of the Jubilee Pavilion building located at 185 Lakeshore Drive West at a monthly rate of \$600.00 plus GST and annual CPI adjustments;

AND THAT Council authorize Mayor and Corporate Officer to execute the License to Use agreement.

CARRIED UNANIMOUSLY

10.3 Enforcement Provisions for Electric Utility Services Bylaw

06/2022

It was MOVED and SECONDED

THAT Council give first, second and third reading to “Municipal Ticketing Information Amendment Bylaw No. 2022-01”, a bylaw that provides enforcement provisions for the Electric Utility Services Bylaw;

AND THAT Council give first, second and third reading to “Bylaw Notice Enforcement Amendment Bylaw No. 2022-02”, a bylaw that provides enforcement and compliance provisions for the Electric Utility Services Bylaw.

CARRIED UNANIMOUSLY

10.4 Zoning Amendment Bylaw No. 2021-41
Development Variance Permit PL2021-9105
Development Permit PL2021-9104
Re: 602 Lakeshore Drive

07/2022

It was MOVED and SECONDED

THAT Council adopt “Zoning Amendment Bylaw No. 2021-41”, a bylaw to rezone Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 5775, located at 602 Lakeshore Drive West, from R2 (Small Lot Residential) to RM3 (Medium Density Multiple Housing);

AND THAT Council, subject to adoption of “Zoning Amendment Bylaw No. 2021-41”, approve “Development Variance Permit PL2021-9105”, for Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 5775, located at 602 Lakeshore Drive West, a permit to vary the following sections of Zoning Bylaw No. 2021-01:

1. Section 10.10.2.7: to reduce the minimum interior side yard for a principal building from 4.5 m to 3.0 m;
2. Section 5.2.2: to allow a landscaping buffer to be interrupted by a parking lot at the rear of the property.

AND THAT Council, subject to approval of “Development Variance Permit PL2021-9105”, approve “Development Permit PL2021-9104”, for Lot B District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 5775, located at 602 Lakeshore Drive West, a permit to allow for the construction of an 8 unit, four-storey apartment.

CARRIED
Councillors Miller, Regehr and Sentes Opposed

Council recessed the meeting at 3:13 p.m. and reconvened the meeting at 3:27 p.m.

10.5 Zoning Amendment Bylaw No. 2022-03
Re: 169 Maple Street

08/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-03", a bylaw to rezone the north 10.67 m portion of Lot 3 Block 124 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 1175, located at 169 Maple Street, from 'R2 Small Lot Residential' zone to 'RD3 Residential Infill' zone, to facilitate a two-lot subdivision and future development of one duplex building;
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-03" to the February 1, 2022 Public Hearing.

CARRIED UNANIMOUSLY

10.6 Zoning Amendment Bylaw No. 2022-04
Development Variance Permit PL2021-9169
Development Permit PL2021-9170
Re: 79 Okanagan Avenue West

09/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-04", a bylaw to rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) zone to RD3 (Residential Infill) zone;
AND THAT Council forward "Zoning Amendment Bylaw No. 2022-04" to the February 1, 2022 Public Hearing;
AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-04" and final subdivision registration of the two lots, approve "Development Permit PL2021-9169" and "Development Permit PL2021-9170" for Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, permits which allow the construction of a duplex with one duplex suite on each lot.

CARRIED UNANIMOUSLY

10.7 Zoning Amendment Bylaw No. 2022-05
Re: 1603 Dartmouth Road

10/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment Bylaw No. 2022-05", a bylaw to rezone Lot 1 District Lots 250, 2710, 3429S and 3821S Similkameen Division Yale District Plan 37288, located at 1603 Dartmouth Road, from M3 (Wrecking Yard) to M1 (General Industrial);
AND THAT Council forward the bylaw to the February 1, 2022 Public Hearing.

CARRIED UNANIMOUSLY

10.8 Zoning Amendment Bylaw No. 2022-06
Development Permit PL2021-9148
Re: 30 Okanagan Avenue West

11/2022

It was MOVED and SECONDED

THAT Council give first reading to "Zoning Amendment No. 2022-06", a bylaw to rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 7909, located at 30 Okanagan Avenue West, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing); AND THAT Council forward "Zoning Amendment Bylaw No. 2022-06" to the February 1, 2022 Public Hearing; AND THAT prior to adoption of "Zoning Amendment Bylaw No. 2022-06", the following conditions are met:

1. A 3.5 m x 3.5 m southeast corner cut along the laneway is registered with the Land Title Office;
 2. Payment is received for the installation of a new fire hydrant (\$9,500.00);
- AND THAT Council, in accordance with Section 507 of the Local Government Act, require the following excess and extended services:
1. Full construction of the lane along the eastern side of 30 Okanagan Avenue West to connect to Okanagan Avenue West.

AND THAT Council, subject to adoption of "Zoning Amendment Bylaw No. 2022-06", approve "Development Permit PL2021-9148", for Lot 4 District Lot 115 Similkameen Division Yale District Plan 7909, located at 30 Okanagan Avenue West, a permit to allow for the additional construction of a three-unit townhouse on the subject property.

CARRIED UNANIMOUSLY

11. Public Question Period

12. Recess into a Closed Meeting at 4:20 p.m.

12/2022

It was MOVED and SECONDED

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

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
 - (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
 - (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.

CARRIED UNANIMOUSLY

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

14. Bylaws and Permits

14.1 Zoning Amendment Bylaw No. 2021-46
Re: 241 Nelson Avenue

13/2022

It was MOVED and SECONDED

THAT Council give second and third reading to "Zoning Amendment Bylaw No. 2021-46".
AND THAT Council adopt "Zoning Amendment Bylaw No. 2021-46".

CARRIED UNANIMOUSLY

14.2 Zoning Amendment Bylaw No. 2021-40
Re: 149 Cossar Avenue

14/2022

It was MOVED and SECONDED

THAT Council adopt "Zoning Amendment Bylaw No. 2021-40".

CARRIED UNANIMOUSLY

15. Land Matters

15.1 Development Variance Permit PL2021-9180
Re: 1216 Ridgedale Avenue

Owner/Representative: Judith Meier spoke in support of the variance.

15/2022

It was MOVED and SECONDED

THAT Council approve amended "Development Variance Permit PL2021-9180" to allow for an increased projection for a covered metal patio cover from 0m to 1.05m, and direct staff to issue the amended permit.

CARRIED UNANIMOUSLY

16. Notice of Motion

17. Business Arising

17.1 Little Free Library from January 18, 2022 Committee of the Whole

16/2022

It was MOVED and SECONDED

THAT Council support the little free library in a park initiative and direct staff to work with the delegation for a suitable location and installation of the little library in both the north and south ends of the city.

CARRIED UNANIMOUSLY

18. Council Round Table

19. Public Question Period

20. Adjournment

17/2022

It was MOVED and SECONDED

THAT Council adjourn the electronic regular meeting of Council at 7:29 p.m.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

John Vassilaki
Mayor

Electronic Committee of the Whole

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

Tuesday, January 18, 2022

Recessed from the Regular Council Meeting at 1:00 p.m.

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

Staff via Zoom: Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Angela Campbell, Acting General Manager, Finance & Administration
Blake Laven, Director of Development Services
Anthony Haddad, General Manager, Community Services
Kristen Dixon, General Manager of Infrastructure
Cheryl Hardisty, Senior Executive Assistant
Paula McKinnon, Deputy Corporate Officer

1. **Call to order**

The Mayor called the Committee of the Whole meeting to order at 1:01 p.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the agenda for the Committee of the Whole meeting held on January 18, 2022 be adopted as presented.

CARRIED UNANIMOUSLY

3. **Delegations:**

3.1 Downtown Penticton Association – Levy Renewal

Lynn Allin, Executive Director, Trevor Guerard, President, and Steve Brown, Treasurer, Downtown Penticton Business Improvement Association (DPBIA), provided Council with an overview of their request for the City to assist with the Downtown Penticton Association's 2022-2027 Business Improvement Area levy renewal process.

3.2 Okanagan Basin Water Board – Source Water Protection Toolkit

Kellie Garcia provided Council with a presentation on the importance and benefits of source water protection, the Source Water Protection Toolkit and suggestions on how elected officials can continue to support source water protection.

3.3 Literacy Now – Little Free Library in a Park

Viv Lieskovsky provided Council with a presentation on the Little Free Library organization and requested that Council approve and assist with the installation of a little free library on City land to help promote literacy.

4. **Adjourn to Regular Meeting**

It was MOVED and SECONDED

THAT Council adjourn the Committee of the Whole meeting held January 18, 2022 at 1:46 p.m. and reconvene the Regular Meeting of Council.

CARRIED UNANIMOUSLY

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

John Vassilaki
Mayor

**Electronic Public Hearing
held via Zoom City of Penticton
171 Main Street, Penticton, B.C.**

**Tuesday, January 18, 2022
at 6:00 p.m.**

Present via Zoom:

Mayor Vassilaki
Councillor Bloomfield
Councillor Miller
Councillor Regehr
Councillor Robinson
Councillor Sentes
Councillor Watt

Staff via Zoom:

Donny van Dyk, Chief Administrative Officer
Angie Collison, Corporate Officer
Blake Laven, Director of Development Services
Steven Collyer, Planner II
Nicole Capewell, Planner II
Kristen Dixon, General Manager of Infrastructure
Anthony Haddad, General Manager, Community Services
Cheryl Hardisty, Senior Executive Assistant
Paula McKinnon, Deputy Corporate Officer

1. Call to order

Mayor Vassilaki called the public hearing to order at 6:00 p.m. for Zoning Amendment Bylaw No. 2021-46.

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*.

The Mayor recessed the Public Hearing at 6:04 p.m. and reconvened the Public Hearing at 6:25 p.m.

2. "Zoning Amendment Bylaw No. 2021-46" (241 Nelson Avenue)

The purpose of "Zoning Amendment Bylaw No. 2021-46" is to amend Zoning Bylaw No. 2021-01 as follows:

Amend the site-specific zoning for Lot 2 District Lot 250 Similkameen Division Yale District Plan 4654, located at 241 Nelson Avenue, to remove the limitation

of two dwelling units. The applicant intends to subdivide the subject property into two lots and construct a duplex with accessory suites on each lot (total 4 dwelling units per lot).

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

DELEGATIONS

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

- Brendan Burgart, Owner and Applicant, no comments but available to answer questions.
- Caller 1, James Brown, Brunswick Street, no comments.
- Caller 2, David Ramage, Nelson Avenue, expressed concerns about insufficient length of time to react to the notice prior to the Public Hearing and asked to consider changing the notice period to a minimum of 30 days. Mentioned that the signage erected on the property fell over twice during the snowfall and thaw. Took objection to the word "gentle" regarding the increase to density of the neighbourhood used in the report and thinks that numbers would provide a better representation. Expressed concerns that more neighbours will make parking a potential nuisance.
- Caller 3, no answer.
- Caller 4, Ian Brothers, Nelson Avenue, expressed concerns about parking and requested clarification on the amount of parking stalls per property.
- Caller 5, Brigid Kemp, Warren Avenue W, shared that the property is close to transit which may help promote it and alleviate any potential parking issues.

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

- Caller 1, James Brown, Brunswick Street, inquired whether accessibility for mobility devices have been considered.

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

- Brendan Burgart, Owner and Applicant, shared that parking highly exceeds the minimum requirement and clarified that the two driveways off Nelson Avenue have space for two medium size vehicles parked in tandem. Also mentioned that there is potential for 15 vehicles to park on or in front of the property and not in front of the neighbours. Expressed that parking is attractive for the purchasers. Shared that there is nothing specifically built into the project regarding accessibility due to the grade of the development.

The public hearing for "Zoning Amendment Bylaw No. 2021-46" was terminated at 6:40 p.m. and no new information can be received on this matter.

Certified correct:

Confirmed:

Angie Collison
Corporate Officer

John Vassilaki
Mayor

Parks and Recreation Advisory Committee Meeting

held via Zoom
Monday, January 17, 2022
at 3:00 p.m.

Present: Isaac Gilbert, Chair
James Palanio, Vice Chair
Andrew Drouin
Drew Barnes
John Archer
Laura Harp
Marc Tougas
Robert (Sandy) Ross
Tyson Bull

Council Liaison: James Miller, Councillor

Staff: Anthony Haddad, General Manager of Community Services
Kelsey Johnson, Manager of Recreation, Arts and Culture
Len Robson, Public Works Manager
Sheri Raposo, Land Administrator
John Schappert, Legislative Assistant
Paula McKinnon, Deputy Corporate Officer

Regrets: Gary Dean
Susan Fraser

1. **Call to Order**

The Parks and Recreation Advisory Committee was called to order by the Chair at 3:00 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 January 17, 2022 as presented.

CARRIED UNANIMOUSLY

Robert (Sandy) Ross joined the meeting at 3:01 p.m.

3. **Adoption of Minutes**

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee adopt the minutes of the December 6, 2021 meeting as presented.

CARRIED UNANIMOUSLY

Laura Harp joined the meeting at 3:06 p.m.

4. **New Business**

4.1 Sudbury Beach, Skaha East and Peach Concessions – Request for Proposals 3846 Skaha Lake Road, 3885 South Main Street and 185 Lakeshore Drive West

The Land Administrator provided background information on the upcoming request for proposals (RFP) for license to use agreements for the three noted addresses. She noted the steps taken thus far and what needs to happen to complete the process.

The floor was opened to the Committee for questions and comments. A Committee Member asked if it is one RFP for all 3 locations and staff responded that it is 3 separate RFPs and that they will likely be different operators. A Committee Member asked why the RFPs note “non-exclusive”, and staff responded that all LTUs from the city are “non-exclusive” and allows for some opportunity for the agreement to be cancelled. A Committee Member asked about the food and beverage service at these locations, and staff responded that the particulars of the business operations are determined in the RFP process. A Committee Member asked if these locations are bound by particular hours, and staff responded that certain business hours are noted in the agreement. A Committee Member asked if the washrooms are open for the extent of the business hours, are they required to have liability insurance, and is the damage deposit large enough. Staff responded that washrooms are open, 5 million dollars of liability insurance is required, and that these buildings are cement and the opportunity for damage is limited so they feel the damage deposit is sufficient. A Committee Member asked about the equipment in these locations and staff responded that the city owns some minimal equipment but that the vendor needs to bring in most of their own equipment.

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee recommends that Council direct staff to issue the Request for Proposal to seek an operator for the use of the City buildings located at 3846 Skaha Lake Road (Sudbury Beach Concession), 3885 South Main Street (Skaha East Concession) and 185 Lakeshore Drive West (Peach Concession) for the purpose of the operation of a food concession for a 3-year term.

CARRIED UNANIMOUSLY

4.2 2022 Okanagan Lake and Riverside Park Washroom

The General Manager of Community Services spoke to new washrooms at Riverside Park and Okanagan Lake in 2022. He noted that organizations in the area will be consulted to help determine the best location for each of these parks.

The floor was opened to the Committee for questions and comments. A Committee Member asked if new designs are being considered to help limit the cost of repair and maintenance required. Staff responded that they will be looking at a request for proposal to ensure solid designs are selected to help with this. A Committee Member asked if the hours are consistent for all washrooms, and staff responded that most washroom park hours are consistent. A Committee Member asked about the timing of implementation for the washrooms and staff responded that they are hopeful for summer or fall of 2022. Staff noted that surveillance is key to help limit damage and vandalism. A Committee Member asked when we typically see vandalism, and staff responded that they take place all year.

4.3 2022 Parks and Recreation Advisory Committee Meeting Schedule

The Legislative Assistant noted the proposed 2022 Parks and Recreation Advisory Committee meeting schedule included in the agenda package.

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee 2022 meetings be tentatively held on January 17, February 14, March 14, April 11, May 16, June 20, July 18, August 15, September 19, October 17, November 14 and December 12 at City Hall or electronically at 3:00 p.m. unless otherwise specified.

CARRIED UNANIMOUSLY

4.4 Electronic Meeting Policy

The Legislative Assistant highlighted the Electronic Meeting Policy adopted by Council in October 2021 as it pertains to electronic meetings for Advisory Committees.

5. **Next Meeting**

The next Parks and Recreation Advisory Committee meeting is tentatively scheduled to be held on February 14, 2022 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 January 17, 2022 at 3:38 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

John Schappert
Legislative Assistant

Agriculture Advisory Committee Meeting

To be held via Zoom
Wednesday, January 19, 2022
at 3:00 p.m.

- Present:** Rod King, Chair
Doug Mathias, Vice Chair
Annelise Simonsen
Chris Holler
Jesse Chapman
Kristi Tatebe
Nick Ibuki
Paul Gardner
- Council Liaison:** Julius Bloomfield, Councillor
- Staff:** Audrey Tanguay, Planning Manager
Len Robson, Public Works Manager
Nicole Capewell, Planner II
Steven Collyer, Planner II
John Schappert, Legislative Assistant
- Regrets:** Darshan Jassar
Erica Stewart
- Applicant:** Brad Elenko

1. **Call to Order**

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

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adopt the agenda for the meeting held on January 19, 2022 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

3.1 Minutes of the October 20, 2021 Agriculture Advisory Committee Meeting

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adopt the minutes of the October 20, 2021 meeting as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 ALR Exclusion Application for 610 Pineview Road

The Planner presented an ALR Exclusion Application for 610 Pineview Road, noting property information, the development concept, property history, conditions of the exclusion, Penticton's ALR Exclusion Policy criteria and staff analysis.

The floor was opened to Committee Members for questions and comments. A Committee Member asked about the properties to the west and if they are being farmed. Staff confirmed that there is some farming being done on these properties. Staff confirmed previous resolutions this committee had made regarding this property. A Committee Member asked if there has been a subdivision plan for this specific property, and staff confirmed that there are some concept designs currently. The applicant provided some additional clarification regarding the property and application. A Committee Member asked about the amount of farmable land on the property due to the rock outcrop, and staff brought up the map to highlight the area. A Committee Member asked when an assessment would be done on the environmentally sensitive area and the applicant responded that a complete environmental report is already complete. A Committee Member asked about potentially severing the lot and staff responded that there may be issues with access.

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee does not support the ALR Exclusion application for 610 Pineview Road.

CARRIED UNANIMOUSLY

Chris Holler joined the meeting at 3:42 p.m.

4.2 Water System/Policy Update

The Public Works Manager provided some background information on the water system in the City of Penticton. He then highlighted the situation in 2021, noting trends in the Greyback and Ellis reservoirs. He noted the current bylaw regarding water use and some potential conclusions.

The floor was opened to Committee members for questions and comments. A Committee Member asked about non-agricultural users using agricultural water to water their lawns. Staff responded that this is likely happening. A Committee Member commented that there should be protection for farmers to ensure they have sufficient water for their crops. A Committee Member asked about concern for a dry year in 2022 and staff responded that it is too early in the year to tell. A Committee Member asked about the timeline to finish the Ellis 4 Dam, and

staff responded that it will take place in 2023. A Committee Member commented on the need to have backup systems in place. It was determined this item would come back to a future committee meeting.

Annelise Simonsen left the meeting at 4:37 p.m.

4.3 2022 Agriculture Advisory Committee Meeting Schedule

The Legislative Assistant noted the proposed 2022 Agriculture Advisory Committee meeting schedule included in the agenda package.

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee 2022 meetings be tentatively held on January 19, February 16, March 16, April 13, May 18, June 22, July 20, August 17, September 21, October 19, November 16 and December 14 at City Hall or electronically at 3:00 p.m. unless otherwise specified.

CARRIED UNANIMOUSLY

4.4 Electronic Meeting Policy

The Legislative Assistant highlighted the Electronic Meeting Policy adopted by Council in October 2021 as it pertains to electronic meetings for Advisory Committees.

5. **Next Meeting**

The next Agriculture Advisory Committee meeting is tentatively scheduled to be held on February 16, 2022 at 3:00 p.m.

6. **Public Question Period**

7. **Adjournment**

It was MOVED and SECONDED

THAT the Agriculture Advisory Committee adjourn the meeting held on January 19, 2022 at 4:44 p.m.

CARRIED UNANIMOUSLY

Certified Correct:

John Schappert
Legislative Assistant

Arts, Creative and Cultural Innovations Advisory Committee Meeting

held via Zoom
Friday, January 21, 2022
at 2:30 p.m.

Present: Timothy Tweed, Chair
Brenda Longland, Vice Chair
Calvin Meiklejohn
Juliana Buitenhuis
Kim Palmer

Council Liaison: Judy Sentes, Councillor

Staff: Anthony Haddad, General Manager of Community Services
Kelsey Johnson, Manager of Recreation, Arts & Culture
Paula McKinnon, Deputy Corporate Officer

Regrets: Anita Petersen
Erica Stewart
Mairoula Dimopoulos
Paul Crawford
Blake Laven, Director of Development Services

1. **Call to Order**

The Arts, Creative and Cultural Innovations Advisory Committee was called to order by the Chair at 2:46 p.m.

2. **Adoption of Agenda**

Main Motion:

It was MOVED and SECONDED

THAT the Arts, Creative and Cultural Innovations Advisory Committee adopt the agenda for the meeting held on January 21, 2022 as presented.

Amendment:

It was MOVED and SECONDED

THAT "as presented" be replaced with the following language: as amended to include Item 5.4 Historic Places and Spaces Initiative Update.

CARRIED UNANIMOUSLY

Main Motion as Amended:

It was MOVED and SECONDED

THAT the Arts, Creative and Cultural Innovations Advisory Committee adopt the agenda for the meeting held on January 21, 2022 as amended to include Item 5.4 Historic Places and Spaces Initiative Update.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

3.1 Minutes of the October 8, 2021 Arts, Creative and Cultural Innovations Advisory Committee

It was MOVED and SECONDED

THAT the Arts, Creative and Cultural Innovations Advisory Committee adopt the minutes of the October 8, 2021 meeting as presented.

CARRIED UNANIMOUSLY

4. **Delegation**

4.1 Ayse Sahin Barluk and Scott Roberts, Travel Penticton

Scott Roberts and Ayse Barluk, Board Members, Travel Penticton, notified the Committee that Travel Penticton's budget for events has not been spent over the last two years due to COVID-19 and that their main purpose for attending the meeting to gain insight on the Committee's work while seeking direction for opportunities to collaborate and to support arts events that specifically draw tourism into Penticton. The delegation expressed that they hope to attend more meetings and initiate discussions on how the Tourism and Travel Agency support the Arts, Creative and Cultural Innovation Advisory Committee's ideas.

Committee Members informed the delegation of the process for public participation during Committee meetings, about the Committee's advisory role. The Committee also encouraged the delegations to consider approaching the various local member groups and organizations that plan various existing events each year for potential assistance.

The delegation inquired on the process to engage the Committee to help guide research regarding events that take place outside of the summer season for any applicable funding to help drive tourism into Penticton. The Deputy Corporate Officer informed the Committee of the process which includes a delegation to Council to provide direction.

5. **New Business**

5.1 Representative Updates

- a. Penticton Art Gallery
 - Not Present
- b. Okanagan School of Arts
 - Currently re-inventing programming calendar
 - Great partnerships in place offering various classes for children and adults
 - More felting workshops taking place, demand for workshops is growing

- Musical theatre group for adults has started, actively recruiting for anyone interested
 - Partnership with Graphically Hip running a Junior Premier Class
 - Chatting with Art Gallery to plan a series to take place in conjunction with Ignite the Arts Festival
 - Looking ahead into the summer, Canada Summer Job applications are already due
- c. Penticton Arts Council
- Recent vandalism to the front door of the Lier House is in process of being replaced
 - Over the holiday season 700+ holiday art pads were distributed to community service partners for free
 - New Operations and Development Officer position has been filled
 - Partnership with Aging Well Penticton is going strong for 2022
 - Penticton Arts Council is working with the RDOS and other local Arts Councils including Thompson Okanagan Network of Arts Councils to reignite the quarterly roundtable meetings in 2022.

5.2 2022 Arts, Creative and Cultural Innovations Advisory Committee Meeting Schedule

The Deputy Corporate Officer introduced the 2022 Committee meeting schedule.

The floor was opened to the Committee for questions and comments. A Committee Member suggested that an earlier meeting start time may resolve quorum issues.

Main Motion:

It was MOVED and SECONDED

THAT the Arts, Creative and Cultural Innovations Advisory Committee 2022 meetings be tentatively held on January 21, February 4, March 4, April 8, May 6, June 10, July 8, August 5, September 9, October 7, November 4 and December 9 at City Hall or electronically at 2:30 p.m. unless otherwise specified.

Amendment:

It was MOVED and SECONDED

THAT "2:30 p.m." be replaced with "1:00 p.m.".

CARRIED UNANIMOUSLY

Main Motion as Amended:

It was MOVED and SECONDED

THAT the Arts, Creative and Cultural Innovations Advisory Committee 2022 meetings be tentatively held on January 21, February 4, March 4, April 8, May 6, June 10, July 8, August 5, September 9, October 7, November 4 and December 9 at City Hall or electronically at 1:00 p.m. unless otherwise specified.

CARRIED UNANIMOUSLY

5.3 Electronic Meeting Policy

The Deputy Corporate Officer highlighted the Electronic Meeting Policy adopted by Council in October 2021 as it pertains to electronic meetings for Advisory Committees.

The floor was opened to the Committee for questions and comments. A Committee Member asked if the Committee would be notified in advance about any closed items being included on the agenda. The Deputy Corporate Officer informed the Committee that notification would be provided in advance allowing the Committee to prepare to be able to maintain confidentiality throughout the closed portion of the meeting.

5.4 Civic Places and Spaces Project Update

The General Manager of Community Services informed the Committee that the initiative was presented to Council during the Committee of the Whole meeting in December and that staff are currently in the process of putting the information together and bringing forward recommendations to Council in April. The Committee was also informed that this item will be brought back to this Committee in March.

The floor was opened to the Committee for questions and comments. A Committee Member asked how much conversation has taken place about buildings and heritage. The General Manager of Community Services clarified that this initiative is only in regards to City facilities and the potential to consolidate. Any heritage associations with the buildings will be considered in the discussions.

6. **Next Meeting**

The next Arts, Creative and Cultural Innovations Advisory Committee meeting is tentatively scheduled to be held on March 4, 2022 at 1:00 p.m. via Zoom.

7. **Public Question Period**

8. **Adjournment**

It was MOVED and SECONDED

THAT the Arts, Creative and Cultural Innovations Advisory Committee meeting held on January 21, 2022 be adjourned at 3:25p.m.

CARRIED UNANIMOUSLY

Certified Correct:

Paula McKinnon
Deputy Corporate Officer

Council Report

penticton.ca

Date: February 1, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Superintendent Brian Hunter
Subject: **RCMP Quarterly Update**

File No:

Staff Recommendation

THAT Council receive into the record the report titled "RCMP Quarterly Update" dated February 1, 2022.

Strategic priority objective

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

Background

Quarterly Report attached.

Financial implication

Not applicable.

Analysis

Not Applicable.

Attachments

Attachment A – Quarterly Report

Respectfully submitted,

Superintendent Brian Hunter
Officer in Charge
Penticton South Okanagan Similkameen Regional RCMP Detachment

Concurrence

Chief Administrative
Officer

DvD

RCMP·GRC



ROYAL CANADIAN MOUNTED POLICE • GENDARMERIE ROYALE DU CANADA

**PENTICTON SOUTH OKANAGAN
SIMILKAMEEN
REGIONAL DETACHMENT**

**QUARTERLY REPORT
(PENTICTON)**

October – December 2021



Royal Canadian Mounted Police Gendarmerie royale du Canada

Canada

Total reported crime events in the municipality for the quarter was 1,732 which is down 4% from last year (1,805). Total reported crime events for all of 2021 was 7,274 which is up 2% from 2020 (7,120).

2021/22 Penticton Detachment Policing Priorities

- **Crime Reduction (Property Crimes and Drugs):** Identifying and managing prolific offenders through enhanced enforcement in partnership with community agencies (ie: Crown, Probation, Mental Health). The focus will be on drug and property crime offenders.
- **Traffic - Road Safety:** Increased enforcement, both tickets and written warnings. Reduction of Impaired drivers on the roads through criminal code charges and Immediate Roadside Prohibitions. Joint operations with South Okanagan District Traffic Units. Education and Awareness campaigns to be presented to the community throughout the year.
- **Family and Sexual Violence:** Focus on education, awareness and community support to foster a “wrap around” approach of harm reduction. Creating a supportive environment for victims of family and sexual violence to have the confidence to come forward and seek assistance from the police and community partners.
- **Mental Health and Addictions:** Working collaboratively with community partners in providing support to community members suffering from homelessness, addictions and mental health challenges.
- **Employee Wellness:** Policing can be very stressful for both our sworn police officers and our civilian employees who support police operations. The effects of this stress can be devastating. The detachment has created a wellness committee whose objective is to share wellness strategies as well as organizing wellness activities for all employees (workshops, group hikes/activities, etc.)

Superintendent Brian Hunter
Officer in Charge
Penticton South Okanagan Similkameen Regional RCMP Detachment.



PENTICTON (MUNICIPAL) Q4 2021 STATS

Calls for Service	Q4 2020	Q4 2021	% Change 2020 to 2021	Q4 YTD 2020	Q4 YTD 2021	% Change YTD 2020 to 2021
Total Calls for Service	3,865	3,737	-3%	17,145	17,306	1%
Violent Crime	Q4 2020	Q4 2021	% Change 2020 to 2021	Q4 YTD 2020	Q4 YTD 2021	% Change YTD 2020 to 2021
Assault (Common & With Weapon/Cause Bodily Harm)	106	99	-7%	455	462	2%
Sex Offences	16	24	50%	79	92	16%
Uttering Threats	57	60	5%	224	292	30%
Domestic Violence (Violent Crime Only)	39	31	-21%	169	143	-15%
Violent Crime - Total	210	228	9%	916	982	7%
Property Crime	Q4 2020	Q4 2021	% Change 2020 to 2021	Q4 YTD 2020	Q4 YTD 2021	% Change YTD 2020 to 2021
Auto Theft	50	51	2%	194	193	-1%
Bicycle Theft	24	18	-25%	149	126	-15%
Break & Enter - Business	46	32	-30%	200	168	-16%
Break & Enter - Residence	9	14	56%	91	73	-20%
Break & Enter - Other	19	17	-11%	81	92	14%
Mischief to Property	290	454	57%	1345	1869	39%
Theft - Other	87	102	17%	412	417	1%
Shoplifting	91	82	-10%	395	392	-1%
Theft from Vehicle	148	104	-30%	825	572	-31%
Fraud	104	89	-14%	374	349	-7%
Property Crime - Total	924	996	8%	4281	4419	3%

Top 10 Calls for Service - Penticton Detachment (Municipal)	
Initial Call Type	# of Calls
Unwanted Person	324
Theft	266
Disturbance	250
Check Wellbeing	226
Assist Other Agency	222
Alarm	191
Suspicious Person	137
Suspicious Circumstances	135
Traffic Incident	122
Abandoned 911	117

Criminal Code files: 1732 (down 4% from 1805 in Q4 2020)



Council Report

penticton.ca

Date: February 1, 2022 **File No:** 5080-01
To: Donny van Dyk, Chief Administrative Officer
From: Adam Goodwin, Social Development Specialist; and Blake Laven, Director of Development Services
Subject: **UBCM Grant: Social Development Framework**

Staff Recommendation

THAT Council direct staff to apply for the Union of BC Municipalities' Poverty Reduction Planning and Action Program grant in the amount of \$25,000, for the purposes of developing a framework to plan the work of Social Development over the next 5 years;

AND THAT Council authorize the Director of Development Services to sign the grant application form.

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.

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

Background

During the 2020 budget deliberations, Council supported the hiring of a Social Development Specialist. This position was also requested by organizations in the not-for-profit sector looking for the City to play a role(s) in supporting the community around social opportunities.

When making the decision to support the position, Council identified three main areas of focus for the department: age friendliness (older adults and child care/youth), housing and homelessness, and mental health and substance use. Along with some administrative transitions when the department started (e.g., Emergency Support Services, Local Immigration Partnership, Provincial Nominee Program, Respect Network), Social Development has focused all of its efforts in these areas while providing general customer service to the community and providing day-to-day support to keeping the department's *lights on*.

In addition to the Specialist position hired in 2020, a grant funded, additional staff resource in the form of a Community Mobilizer, was added in 2021 to support the various initiatives Social Development is working on.

As the Social Development program approaches two-years in April 2022, the Social Development team currently provides support for:

- Approximately \$6.4M in projects that are grant supported, plus have supported other organizations in receiving approximately \$7M in grants,
- Overseeing 6,000+ hours of Emergency Support Services over the last 18 months.
- Representing the City on 18 external/public committees/working groups.
- Completing an average media interview/backgrounder every 5 days.
- Implementing the Age Friendly Action Plan, Child Care Action Plan, Community Action Team's Substance Use Strategic work, UBCM Housing and Homelessness Response Project (grant-funded role), and youth homelessness research project.
- Overseeing and supporting approximately 45 community-led projects through the neighborhood small grants program co-administered with the Community Foundation (as recommended in the Age Friendly Action Plan).
- Supporting Bylaw Services with approximately 15 small projects around social issues.

As the department phases out of being a start-up and new department, there is an opportunity to review the department's work to-date and identify future opportunities for Social Development. This proposed review of Social Development's work to-date and plans for the future were also all identified as recommended actions in the Age Friendly Action Plan, Child Care Action Plan, and youth homelessness research project work.

Furthermore, as the Social Development function is an outward facing service that interacts with external organizations (e.g., not for profit housing and other providers) and other governmental agencies (e.g., BC Housing, Interior Health, Ministry of Family and Child Development), each organization has specific demands and ideas of what the Social Development function should and could be doing in the community. This has created a situation where an inordinate amount of expectation is placed on the department. This review is intended to clarify the department's roles.

Staff are proposing to utilize grant funds to plan the immediate (1-2 year) and longer term (2-5 year) work plan for the Social Development Department. Staff intend to involve all agencies and organizations within the community that work with Social Development as well as select internal City stakeholders. The planning will involve the hiring of a consultant with experience in business plan development for governmental and not-for-profit agencies and will include a facilitated workshop.

Financial implication

This work is intended to be funded through a Union of BC Municipalities (UBCM) grant. The City can apply for up to \$25,000, and there is no matching requirement. While the UBCM grant is referred to as a poverty reduction planning grant, much of the work that Social Development is involved in fits within the general grant goals. Under the grant conditions, the City would have one year in which to complete the work. This grant should provide enough financial resources to complete the review and planning process, without the need for additional City contributions.

Analysis

It is normal for municipal departments to undergo a review and planning exercise. The City’s facilities department recently completed a review, and the bylaw, fire, and police departments are all actively undergoing a review. These reviews help ensure department’s provide high levels of service for the community and organization, and act as an opportunity to plan for the future.

This review and planning opportunity will help develop consensus between Council, staff, community partners, provincial agencies, business communities, and residents on the purpose and priorities of the Social Development department moving forward. It will also help inform the approach (e.g., assertive vs. opportunistic vs. organic) the department can take while implementing some of the previous social policy Council has approved/endorsed (e.g., Age Friendly Action Plan). And it will help clarify some of the roles and responsibilities the municipality wishes to play within Penticton’s social environment. Lastly, it will support the City’s work around the safety review and identifying larger strategies for the municipality to support community safety.

Given the above, staff are recommending that Council support the grant application for the purpose of developing a framework for the City’s Social Development function and that the Director of Development Services is authorized to sign the grant application on behalf of the City.

Attachments

Attachment A – UBCM Grant Information

Respectfully submitted,

Adam Goodwin
Social Development Specialist

Blake Laven
Director, Development Services

Concurrence

<p>General Manager, Community Services</p> <p><i>AG</i></p>	<p>Acting General Manager, Finance and Administration</p> <p><i>AMC</i></p>	<p>Chief Administrative Officer</p> <p>DvD</p>
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Poverty Reduction Planning & Action Program

2022 Program & Application Guide

1. Introduction

In March 2019, the Province of BC released their poverty reduction strategy: [TogetherBC: British Columbia's Poverty Reduction Strategy](#). Mandated through the *Poverty Reduction Strategy Act*, the strategy set targets to reduce the overall poverty rate in British Columbia by at least 25%, and the child poverty rate by at least 50%, by 2024. *TogetherBC* is based on four principles: affordability, opportunity, reconciliation, and social inclusion. These principles guided the priority action areas that form the core of the strategy.

With investments from across government, *TogetherBC* reflects government's commitment to reduce poverty and make life more affordable for British Columbians. It includes policy initiatives and investments designed to lift people up, break the cycle of poverty, and build a better BC for everyone.

Local governments have long-advocated for a provincial poverty reduction strategy and are crucial partners in this work. They are at the front-line of seeing the impacts of poverty in their communities and play a central role in developing local solutions with community partners and other levels of government.

Poverty Reduction Planning & Action program

The intent of the Poverty Reduction Planning & Action program is to support local governments in reducing poverty at the local level and to support the Province's poverty reduction strategy. In 2020, the Province provided \$5 million over three years and the program is administered by the Union of BC Municipalities (UBCM). The first two intakes of the program in Spring 2020 and Spring 2021 awarded over \$2 million to more than 70 local governments across the province.

2. Eligible Applicants

All local governments (municipalities, regional districts, and the Islands Trust) in BC are eligible to apply.

Eligible applicants can submit one application per intake, including regional applications or participation as a partnering applicant in a regional application.

3. Grant Maximum

The 2022 Poverty Reduction Planning & Action program provides two streams of funding. Projects funded under Stream 1 may receive up to 100% of the cost of eligible activities to a maximum of \$25,000. Projects funded under Stream 2 may receive up to 100% of the cost of eligible activities to a maximum of \$50,000. Regional projects under either Stream 1 or Stream 2 may receive up to 100% of the cost of eligible activities to a maximum of \$150,000.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant.

4. Requirements for Funding

As part of the approval agreement, approved projects must meet the following requirements for funding:

- Any in-person activities, meetings, or events must meet public health orders and/or guidance in relation to COVID-19.
- Activities must comply with all applicable privacy legislation under the *Freedom of Information and Protection of Privacy Act* in relation to the collection, use, or disclosure of personal information while conducting funded activities. Personal information is any recorded information about an identifiable individual other than their business contact information. This includes information that can be used to identify an individual through association or inference.

5. Eligible Projects

To qualify for funding, applications must demonstrate the extent to which proposed activities will reduce poverty at the local level.

To qualify for funding, projects must:

- Focus on one or more of the six priority action areas identified in *TogetherBC*:
 - Housing
 - Families, children and youth
 - Education and training
 - Employment
 - Income supports
 - Social supports
- Be a new project (retroactive funding is not available);
- Be capable of completion by the applicant within one year from the date of grant approval;
- Involve key sectors of the community including community-based poverty reduction organizations, people with lived experience of poverty, businesses, local First Nations and/or Indigenous organizations.

Within the six priority areas, eligible projects may also address one or more of the other key priorities identified in *TogetherBC*: mental health and addictions, food security, transportation, and/or access to health care.

Regional Projects

Funding requests from two or more eligible applicants for regional projects may be submitted as a single application for eligible, collaborative projects. In this case, the maximum funding available would be based on the number of eligible applicants included in the application. It is expected that regional projects will demonstrate cost-efficiencies in the total grant request.

The primary applicant submitting the application for a regional project is required to submit a resolution as outlined in Section 6 of this guide. Each partnering applicant is required to submit a resolution that clearly states their approval for the primary applicant to apply for, receive, and manage the grant funding on their behalf.

The total funding request for regional projects cannot exceed \$150,000.

6. Eligible & Ineligible Costs & Activities

Eligible Costs & Activities

Eligible costs are direct costs that are approved for funding, 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.

Stream 1: Poverty Reduction Plans and Assessments

The intent of this funding stream is to support communities to develop or update assessments or plans in order to reduce poverty at the local level. The funding maximum under Stream 1 is \$25,000 for a single applicant and \$150,000 for regional applications.

Under Stream 1, eligible activities must be cost-effective and include:

- Development of a local Poverty Reduction plan or assessment that addresses one or more of the six priority action areas as identified in *TogetherBC*;
- Engagement of people living in poverty or with a lived experience of poverty in planning activities;
- Adding a poverty reduction lens including specific activities and outcomes to support people living in poverty, to existing plans or policies, such as:
 - Official Community Plans or community or neighbourhood plans;
 - Zoning and other policies;
 - Development permit requirements;
 - Emergency response, evacuation, and/or emergency support services plans;
 - Food security and food systems planning;
 - Community planning processes related to social determinants of health (e.g. affordable housing, homelessness, etc.).

Stream 2: Poverty Reduction Action

The intent of this funding stream is to support communities to undertake local projects in order to reduce poverty at the local level. The funding maximum under Stream 2 is \$50,000 for a single applicant and \$150,000 for regional applications.

In order to be eligible for Stream 2 funding, eligible applicants are required to have completed a Poverty Reduction plan or assessment, or demonstrate that their Official Community Plan, or an equivalent plan, is inclusive of poverty reduction principles.

Under Stream 2, eligible activities must be cost-effective and may include:

- Pilot projects to evaluate the impact of providing supports such as reduced-fare transit, recreation passes, or other service opportunities for low-income residents;
- Supporting financial security through tax-filing programs;
- Awareness campaigns to reduce stigma around poverty and promote social inclusion;
- Social enterprise initiatives that provide supported employment opportunities for people with multiple barriers to employment;
- Local food security initiatives including food-waste diversion projects and community kitchens that support training and social inclusion, as well as access to food;
- Pilot projects to assist key populations living with low income as identified in *TogetherBC*;

Stream 2 of the 2022 Poverty Reduction Planning & Action program is not intended to be a capital funding program. However, minor capital expenditures for eligible activities that have a clear and definable benefit to people living in poverty, that are clearly linked to activities identified in the application, and that are intended to reduce poverty at the local level will be considered for funding under Stream 2.

Capital costs cannot exceed 25% of the total requested Stream 2 grant (i.e. an application for a \$50,000 grant cannot include more than \$12,500 in capital costs).

Eligible Activities Applicable to Both Funding Streams

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

- Honoraria for community member participants who are living in poverty. It is expected that the payment of honoraria should align with current best practices and that any honoraria paid for the ongoing participation of people living in poverty should be at least the current provincial minimum wage;
- Consultant costs;
- Incremental staff and administration costs;
- Public information costs.

Ineligible Costs & Activities

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Evaluation Committee is not eligible for grant funding. This includes:

- Development of funding application package;
- Development of feasibility studies and/or business cases;
- Development of architectural, engineering, or other design drawings for the construction or renovation of facilities providing services to people living in poverty;
- Long-term, permanent capital investments including the purchase of land and/or buildings;
- Major capital improvements to existing facilities and/or construction of new, permanent facilities;
- Regular salaries of applicant staff or partners;
- Routine or ongoing operating (e.g. heating and lighting; security; telephone; internet) and/or planning costs or activities that are not incremental to the project;
- Purchase of software, software licences, service subscriptions, or membership fees;
- Legal, audit, or interest fees or fees to incorporate a society;
- Project-related fees payable to the eligible applicant(s) (e.g. permit fees, DCCs, etc.);
- Existing programs with established, designated funding from other partners;
- Purchase of promotional items, door/raffle prizes, give-away items, and/or gifts for community members;
- Fundraising, lobbying, or sponsorship campaigns.

7. Application Requirements & Process

Application Deadline

The application deadline is February 11, 2022.

Applicants will be advised of the status of their application within 90 days of the application deadline.

Required Application Contents

- Completed Application Form;
- Detailed project budget, including itemized costs/activities that will be funded by the grant and separating out any in-kind and/or cash contributions from the applicant(s) or other grant funding;
- Council, Board, or Local Trust Committee resolution, indicating support for the current proposed activities and willingness to provide overall grant management;
- **For regional projects only:** Each partnering eligible local government must submit a Council, Board, or Local Trust Committee resolution that clearly indicates support for the primary applicant to apply for, receive, and manage the grant funding on their behalf;

Resolutions from partnering applicants must include the specific language above.

- Optional: Up to three letters of support as evidence of partnership or collaboration with community-based poverty reduction organizations, people with lived experience of poverty, businesses, local First Nations and/or Indigenous organizations.

Submission of Applications

Applications should be submitted as Word, Excel, or PDF files. Total file size for email attachments cannot exceed 20MB.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca

Review of Applications

UBCM will perform a preliminary review of applications to ensure the required application elements have been submitted and to ensure that eligibility criteria have been met. Only complete application packages will be reviewed.

Following this, all eligible applications will be reviewed and scored by the Evaluation Committee. Scoring considerations and criteria include the following:

- Alignment with the intent and objectives of the Poverty Reduction Planning & Action program;
- Demonstration of direct participation in the proposed activities by people living in poverty or with a lived experience of poverty;
- Anticipated outcomes and a clear and achievable evaluation framework on how the success of the project or plan will be measured;
- Demonstrated clear and definable benefit to the community as a whole;
- Partnerships and demonstrated community support, including community-based poverty reduction organizations, people with lived experience of poverty, businesses, local First Nations, and/or Indigenous organizations;
- Cost-effectiveness of the project, including in-kind or cash contributions to the project from the eligible applicant(s), community partners, or other grant funding.

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

The Evaluation Committee will consider the population and provincial, regional, and urban/rural distribution of proposed projects. Recommendations will be made on a provincial priority basis. All funding decisions will be made by UBCM.

All application materials will be shared with the Province of BC

8. Grant Management & Applicant Responsibilities

Please note that grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

Notice of Funding Decision & Payments

All applicants will receive written notice of funding decisions. Approved applicants will receive an Approval Agreement, which will include the terms and conditions of any grant that is awarded, and that is required to be signed and returned to UBCM within 30 days.

Grants under the Poverty Reduction Planning & Action program will be awarded in two payments: 50% at the approval of the project and when the signed Approval Agreement has been returned to UBCM, and 50% when the project is complete and the final reporting requirements have been met.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

Progress Payments

In exceptional circumstances, to request a progress payment, approved applicants are required to submit:

- Written rationale for receiving a progress payment;
- Description of activities completed to date; and
- Description of funds expended to date.

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from UBCM will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Amended application package, including updated, signed application form, budget, and an updated Council, Board, or Local Trust Committee resolution (including resolution(s) from regional application partners in the case of a regional application); and
- Written rationale for proposed changes to activities and/or expenditures.

Applicants are responsible for any costs above the approved grant unless an amended application is submitted and approved prior to work being undertaken.

Extensions to Project End Date

All approved activities are required to be completed within the timeframe identified in the Approval Agreement and all extensions beyond this date must be requested in writing and be approved by UBCM. Extensions will not exceed one year.

9. Final Report Requirements

Final Reports are required to be submitted within 30 days of the completion of the project. Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form with all required attachments;
- Detailed financial summary that includes the actual expenditures from the Poverty Reduction Planning & Action program and other sources of funding (if applicable) and that aligns with the actual activities outlined in the final report form;
- For Stream 1 only: electronic copy of the completed plan or assessment;
- Copies of any materials that were produced with grant funding;
- Optional: photos of the project, media clippings, and/or any reports or documents developed or amended with grant funding.

Submission of Final Reports

All final reports should be submitted as Word, Excel, or PDF files. Total file size for email attachments cannot exceed 20MB.

All final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities E-mail: lgps@ubcm.ca

All final reports will be shared with the Province of BC

10. Additional Information

For enquiries about the application process or general enquiries about the program, please contact:

Union of BC Municipalities

E-mail: lgps@ubcm.ca

Phone: (250) 952-9177

For more information on BC's Poverty Reduction Strategy, please refer to [TogetherBC](#).



Council Report

penticton.ca

Date: February 1, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Kristen Dixon, General Manager of Infrastructure
Subject: **Uplands Elementary Safety Improvements**

File No: 0550-02

Staff Recommendation

THAT Council receive into the record the report dated February 1, 2022 titled "Uplands Elementary Safety Improvements".

Strategic priority objective

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

Background

In 2014, in response to concerns about safety and speeding, the City undertook a traffic calming initiative in the Uplands School area. The works were guided by extensive public consultation, and included narrowing the street width, installation of speed humps and speed reader boards at both ends of the zone, and creating a designated bus pick-up and drop-off area which occurred in 2015. Further work was done in 2018 to add delineators along the south east section of the school zone to create a walking area to the main crosswalk, and partial curb extensions to support the crossing. More extensive physical upgrades were not considered at the time given the rural nature of the street, and due to the higher cost for further improvements and other budget priorities.

There was also discussion at the time around working with the School District to undertake a school travel planning initiative to encourage more children to walk or bike to school rather than driving, however, that initiative did not move forward at the time.

Late in 2021 the City was approached by the School District and a number of concerned parents to conduct a further review of the area, following an incident at Uplands Elementary in which a child was seriously injured.

Financial implication

There no financial implications of this report. Any funding requests will be brought forward as part of the annual capital budgeting process.

Analysis

A meeting was held early in 2022 with the School District, the principal, and a representative from a group of concerned parents. A map showing the existing adjacent infrastructure is provided as Attachment A.

The key concerns raised were:

- Inadequate area for safe drop-off and pick-up
- Inadequate opportunities for safe crossings from informal (or prohibited) drop-off and pick-up areas
- Lack of protected pedestrian infrastructure adjacent to the school (namely sidewalks, curb and gutter)
- Quality of the gravel walkway in poor weather (puddles and potholes), and through the winter (it is not plowed, shoveled, and the windrow creates a barrier between the delineators)
- Lack of infrastructure in the area to allow kids to walk/bike to school

Following the meeting, City staff reviewed the concerns and the future plans for infrastructure in the area. Relative to other school zones in the City, Uplands has the least amount of physical infrastructure because of its rural classification. For this same reason, there are no planned pedestrian infrastructure improvements noted in the City's master plans. While the improvements completed in 2018 appear to have assisted in managing speed through the school zone, they do not adequately address the above concerns (particularly through the winter).

Given the priority that the City has placed on community safety, staff believe additional safety improvements are warranted and should be prioritized given the volume and vulnerability of pedestrians in this area. To that end, City staff have worked with the School District to develop the following short term and long term plans for Uplands Elementary:

Shorter Term (this year):

- The City will increase bylaw presence in the area during pick up and drop off (this has already started)
- In advance of next winter, the City will remove the bollards along the south edge drop off zone (see Attachment A, which are intended to provide a safe walking area, but do not function when a snow windrow exists) to allow City crews to plow a wider width for the duration of the winter.
- The School District will provide better exit/entrance signage that is more visible from the north or south when approaching
- The School District will provide better signage to identify the Bus Zones (and shift the culture from parking in the zones, which is currently happening)
- Uplands school staff will put out daily "No Parking" signage in the appropriate areas
- Uplands school staff will put out cones outlining the crosswalk to be more visible to students and drivers (daily before and after school)

Longer Term:

- The City will be planning further infrastructure improvements as part of the 2023 budget. This will give staff sufficient time to develop a solution and implement with the least impact to the school.
- The scope of the upgrade will be determined in consultation with the School District, the school and the neighborhood with the goal of providing safe infrastructure for the full length of the school.
- The City will be working to develop a “safe routes to school” program to partner with schools and the district to encourage non-vehicular travel to school (recognizing that infrastructure upgrades may be required in some instances).

These plans will be communicated to the School Board on January 31, 2022, and following receipt by Council, to the school principal and the concerned parents who brought this forward as well.

Alternate recommendations

None. This report is for information only.

Attachments

Attachment A – Uplands Elementary Map

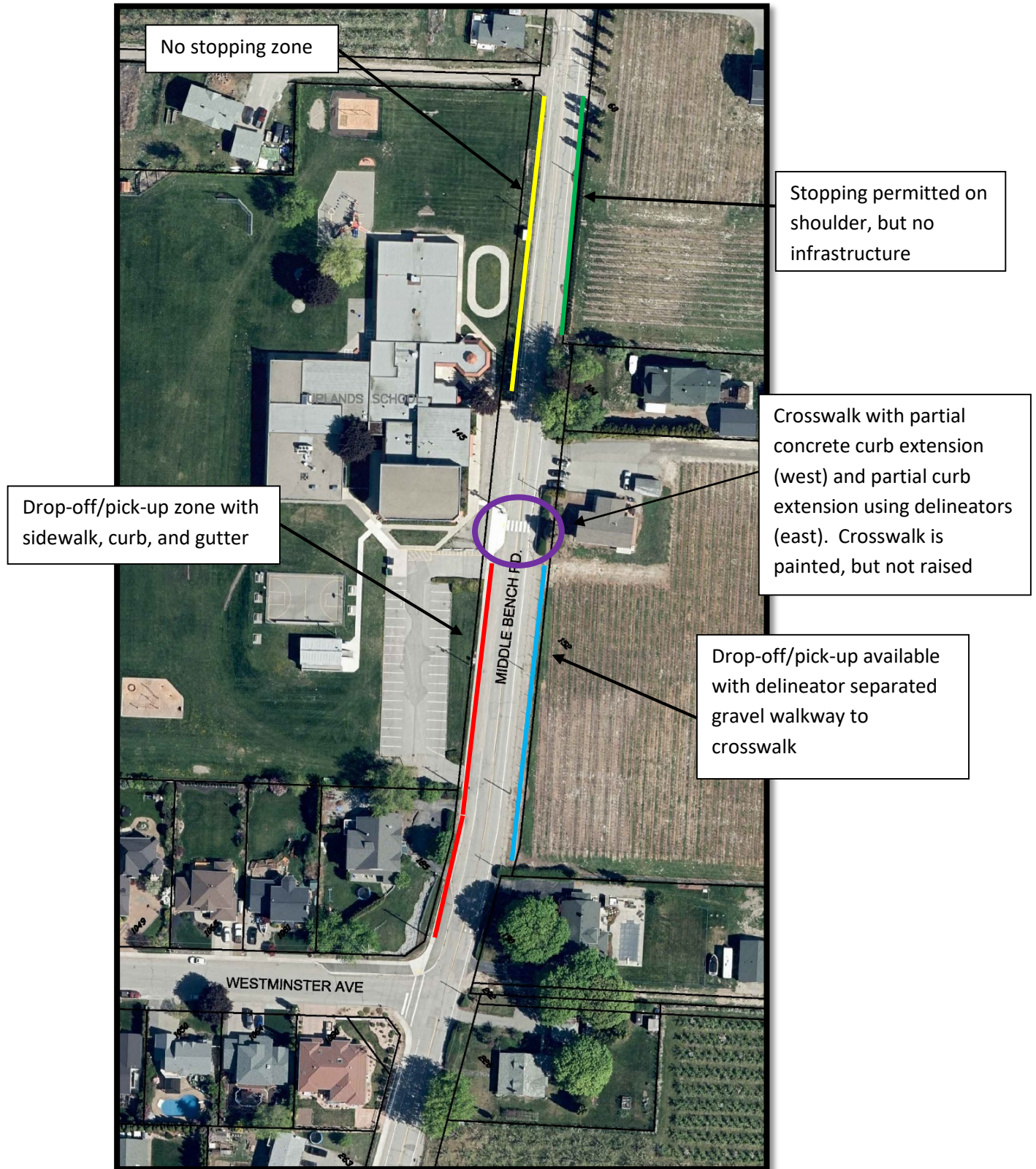
Respectfully submitted,

Kristen Dixon, P.Eng, MBA
General Manager of Infrastructure

Concurrence

<p>Acting General Manager of Finance and Admin</p> <p><i>AMC</i></p>	<p>Chief Administrative Officer</p> <p>DyD</p>
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Attachment A – Uplands Elementary Map





Council Report

penticton.ca

Date: February 1, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 3170 Juniper Drive
Subject: Zoning Amendment Bylaw No. 2022-08

File No: RMS/3170 Juniper Dr

Staff Recommendation

THAT Council give first reading to “Zoning Amendment Bylaw No. 2022-08”, a bylaw to rezone Lot 7 District Lot 2710 Similkameen Division Yale District Plan 26199, located at 3170 Juniper Drive, from RC (Country Residential) zone to R1 (Large Lot Residential) zone, to allow for a future 2-lot subdivision;

AND THAT Council forward “Zoning Amendment Bylaw No. 2022-08” to the February 15, 2022 Public Hearing.

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 subdivide the subject property into two (2) lots (Attachment ‘E’). In order to facilitate the proposed subdivision and smaller lot sizes, the applicant has requested to rezone the property from RC (Country Residential) zone to R1 (Large Lot Residential) zone. Should the rezoning be adopted, the subdivision would create one new single detached building lot (Attachment ‘D’).

Background

The subject property is approximately 4,290m² (1.06 acres) in size and is located on the east side of Juniper Drive, south of Pineview Road (Figure 1). The property contains a single detached dwelling located in the middle of the lot. The terrain of the subject property slopes down from east to west. The property is currently zoned RC (Country

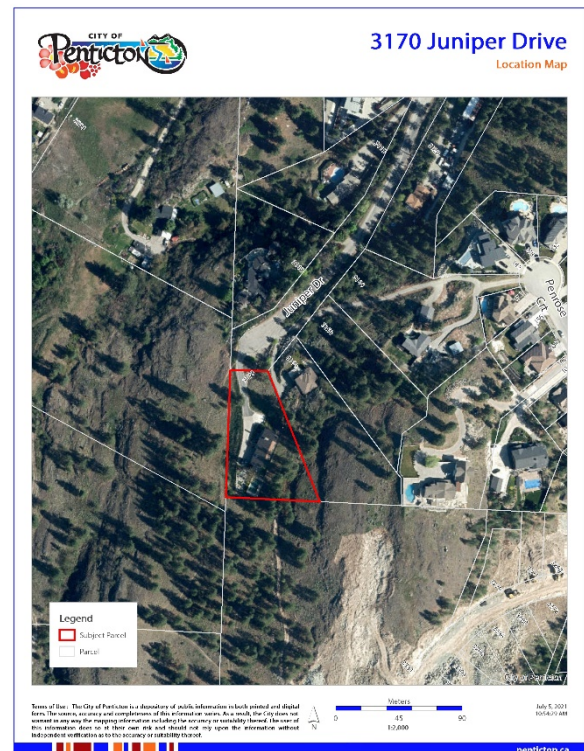


Figure 1 - Property location map

Residential) and is designated 'Detached Residential' in the Official Community Plan, which supports R1 zoned lots.

Surrounding properties on Juniper Drive contain single detached dwellings. This area has undergone a transition in recent years as residential subdivisions have occurred nearby, along Juniper Drive, Gordon Place, and Penrose Court. The subject property was originally developed as a single family lot in the 1970's with a private, on-site well and septic system. Over the years, municipal infrastructure has been installed along sections of Juniper Drive. As the result of a subdivision on the adjacent property (3180 Juniper Drive), municipal water and sanitary sewer mains were recently extended to the end of Juniper Drive. The subject property now has the opportunity to connect to city water and sanitary services, enabling subdivision of smaller lots along Juniper Drive without needing to provide on-site services.

Financial Implication

The applicant is responsible for any required upgrades to service the proposed new lot through the subdivision process. This property is also subject to a latecomer's agreement (refer to Technical Review section of this report). It is the City's responsibility to administer the latecomer's process. The property owner will pay Development Cost Charges (DCC's) on the proposed new lot to help offset the added demand on municipal infrastructure.

Technical Review

This application was reviewed by the City's Technical Planning Committee (TPC). Future requirements related to the proposed subdivision were also provided to the applicant. An Environmental Development Permit and Wildfire Risk Assessment will be required as conditions of subdivision. The applicant provided information to confirm the new property line was sufficiently setback from the existing house to meet the BC Building Code spatial separation requirements and Zoning Bylaw setbacks.

On December 8, 2020, Council passed an excess and extended service resolution related to the recent subdivision of 3180 Juniper Drive, the adjacent lot to the subject property. As a result, the existing water and sewer mains in Juniper Drive are being extended to the end of the street. As 3170 Juniper Drive (subject property) will benefit from the water and sanitary sewer mains being extended across the entire property frontage, the subject property owner will be required to pay their contribution of the infrastructure improvements if the proposed subdivision occurs within the next 15 years. The funds would be transferred back to the original payee of the works.

Development Statistics

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

	RC Zone Requirement	R1 Zone Requirement	Proposed on Plans
Minimum Lot Width	45 m	16 m	28.7 m and 36.5 m
Minimum Lot Area	4,000 m ²	560 m ²	1,080 m ² and 3,200 m ²
Maximum Lot Coverage	15%	40%	<i>No building plans submitted</i>

Maximum Building Height	10.5 m	10.5 m	<i>No building plans submitted</i>
Required Setbacks			
Front Yard	9.0 m	6.0 m	<i>No building plans submitted</i>
Side Yard	4.0 m	1.5 m	
Rear Yard	6.0 m	6.0m	
Other Information	Although no building plans have been submitted with this application, the proposed new lot is almost twice as large as the minimum lot area required in the R1 zone, providing sufficient room for a future home to be built in accordance with the R1 zone regulations. Should any requirements not be achievable at time of building design, a variance may be required.		

Analysis

When considering a zoning amendment bylaw application, staff encourages Council to consider the OCP policies, the property's future land use designation, and the potential impacts on neighbouring properties.

Staff consider that the proposed rezoning and two-lot subdivision conforms to 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 located adjacent to single-detached residential development, and the proposed rezoning to R1 is consistent with the current zoning on properties in the surrounding area.*
- Policy 4.1.3.3 Foster diversity and create relative affordability while maintaining neighbourhood character in single-family areas by encouraging the creation of smaller-frontage lots in new neighbourhoods and subdivisions, and permitting the subdivision of larger lots in established neighbourhoods where access and servicing are adequate.
- *Staff: The proposal would create one new, smaller frontage residential building lot, which would be serviced by municipal water and sewer systems.*
- 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 proposed rezoning and subdivision will continue to allow single detached dwellings on each lot, with a similar residential lot size as the recently subdivided lots in the surrounding area.*

The subject property is designated 'Detached Residential' by the OCP. The Detached Residential designation envisions lower-density neighbourhoods consisting of single detached houses and/or duplexes (Figure 2). The proposed rezoning will allow for one single detached dwelling on the new lot (among other accessory uses/structures), which is consistent with the uses envisioned by the Detached Residential designation.

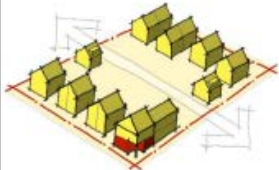
Land Use	Description	Building Type(s)	Uses	Height / Density	Zone(s)
 <p>Detached Residential</p>	<p>Lower-density areas of single detached houses and/or duplexes in primarily residential neighbourhoods including single-detached bareland stratas</p>	<ul style="list-style-type: none"> • Single detached houses with secondary suites or carriage houses • Duplexes • Small-scale neighbourhood commercial building (e.g., corner store, coffee shop) • Manufactured homes 	<ul style="list-style-type: none"> • Residential • Limited retail/ service 	<ul style="list-style-type: none"> • 1 or 2 units per lot • Generally up to 2 ½ storeys to reflect 30' maximum in Zoning Bylaw 	<ul style="list-style-type: none"> • R1 • R2 • R3 • RD1 • RSM • C2
<p>Site-Specific Detached Residential Policy Statement: 375 Smythe Drive: a maximum of 27 detached single-family houses are permitted on this site. Houses may include secondary suites but not carriage houses.</p>					

Figure 2 - Excerpt from Land Use Designations table, Official Community Plan

The proposed rezoning and two-lot subdivision is not anticipated to negatively impact surrounding neighbours. As shown on the Zoning Map (Attachment 'A'), the proposed R1 (Large Lot Residential) zoning on the subject property exists on many other properties in the immediate area. The RC (Country Residential) zone is intended for rural residential development on large lots not connected to full municipal services (water and sanitary sewer). Since municipal services have recently been extended to the end of Juniper Drive, it is considered an efficient use of City infrastructure to allow more connections to those services through appropriate subdivision of these larger properties. The proposed development allows moderately increased density while maintaining the single-detached housing form in the area. The proposed new lot complies with the R1 (Large Lot Residential) zone lot area and lot width requirements, without requiring variances. Should variances be requested for future buildings on any of the proposed lots, a new application would come before Council and neighbours would have the opportunity to comment at that time.

In summary, staff consider that the proposed development is consistent with the detached residential character of the neighbourhood. No variances to the Zoning Bylaw regulations are requested at this time. Future buildings on the proposed lot will be required to comply with the R1 (Large Lot Residential) zone provisions. Finally, having additional lots along the newly installed services will make more efficient use of the services. Given these reasons, staff are recommending that Council give first reading to "Zoning Amendment Bylaw No. 2022-08" and forward the bylaw to the February 15, 2021 Public Hearing.

Alternate Recommendations

Council may consider the proposed rezoning from RC (Country Residential) zone to R1 (Large Lot Residential) zone is undesirable, and that the property should remain under the existing RC zoning. If this is the case, Council should deny first reading of the zoning amendment bylaw. Staff are recommending against this option, as in staff's opinion the proposed rezoning is consistent with the Official Community Plan and will allow a consistent housing form as the surrounding area.

1. THAT Council deny first reading of "Zoning Amendment Bylaw No. 2022-08".

Attachments

Attachment A – Zoning Map

- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Proposed Subdivision Sketch
- Attachment F – Zoning Amendment Bylaw No. 2022-08

Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

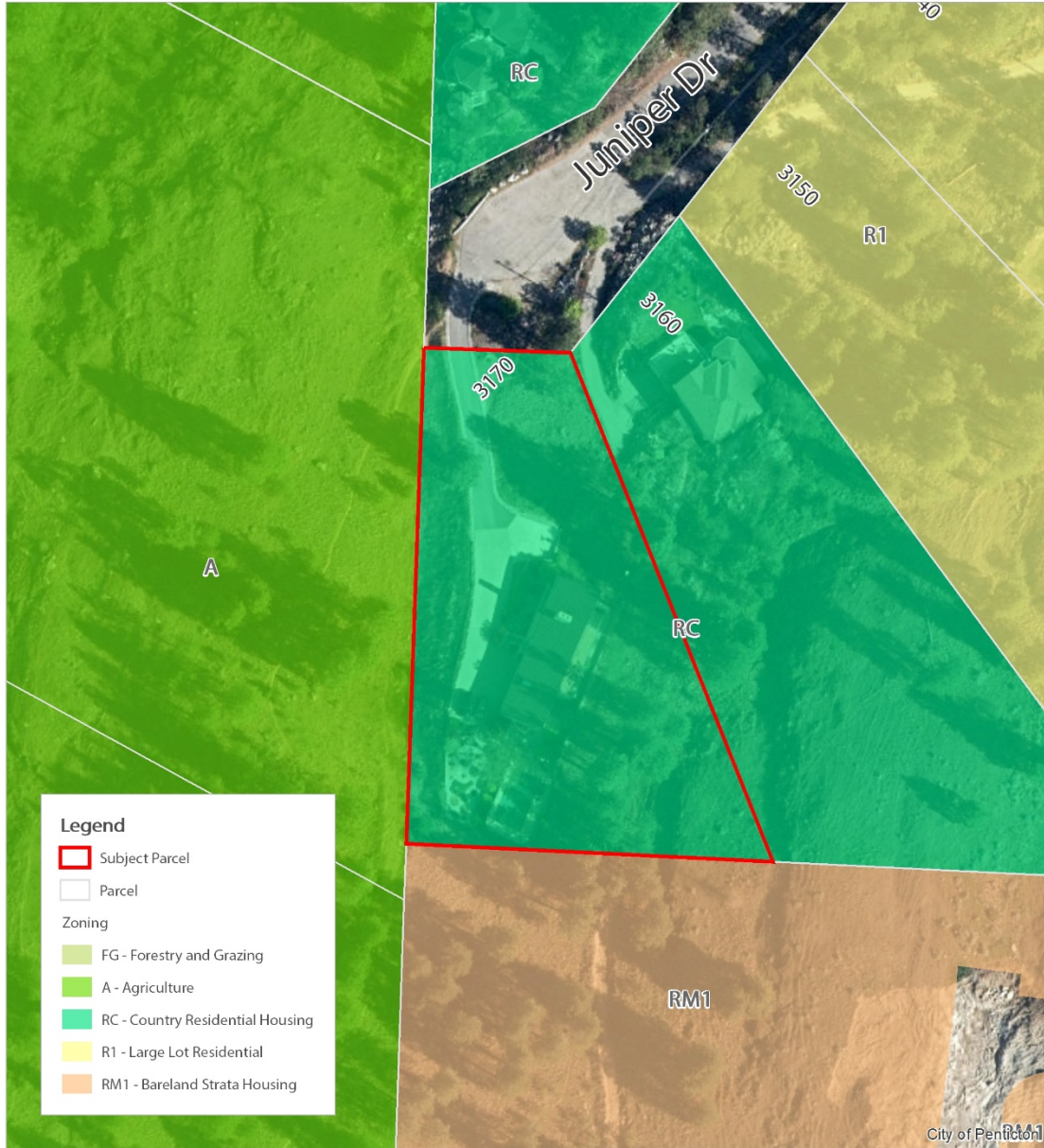
Director of Development Services <i>BL</i>	Chief Administrative Officer DvD
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Attachment A – Zoning Map



3170 Juniper Drive

Zoning Map



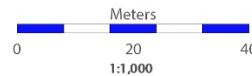
Legend

- Subject Parcel
- Parcel

Zoning

- FG - Forestry and Grazing
- A - Agriculture
- RC - Country Residential Housing
- R1 - Large Lot Residential
- RM1 - Bareland Strata Housing

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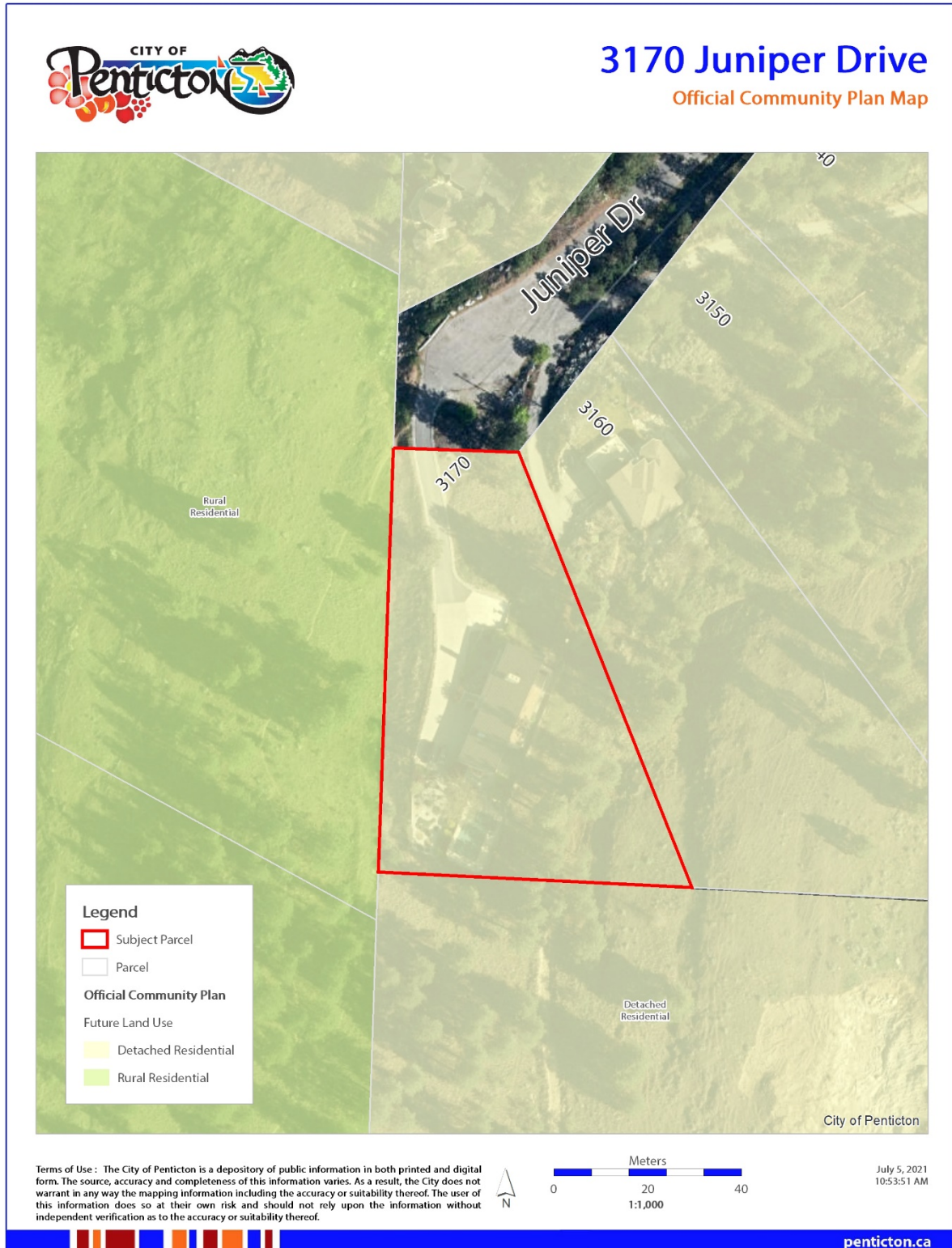
July 5, 2021
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City of Penticton



penticton.ca

Attachment B – Official Community Plan Map



Attachment C – Photos of Property





Attachment D – Letter of Intent



June 25, 2021

Ecora File No.: 201619

City of Penticton
171 Main Street
Penticton, BC V2A 5J9

Attention: Planning Department

Reference: Rezoning of 3170 Juniper Drive from RC, Country Residential to R1, Large Lot Residential

Ecora Engineering and Resource Group Ltd. (Ecora) was requested to submit a rezoning application of the above property. The site is a country residential lot of 4290 m² (1.06 acre) located at the southern end of Juniper Drive on the eastern hillsides of the City.

Proposed Development

It is proposed to rezone this property to R1 to allow for a 2 lot subdivision. The existing house on the site is to remain on a new panhandle lot on the upper part of the lot (area of 3193 m²) and a new lot (area 969 m²) is to be created on the lower area of the site fronting on Juniper. The driveway to the existing house is proposed to remain and be protected by an easement over the lower lot and will also serve as the driveway to the new lot.

Community water and sewer are in the process of being extended in Juniper Drive to provide for a subdivision of the property located to the west of the subject site and will serve the proposed 2 lot subdivision.

The topography of the property is steep and a grading plan has been provided. The grading plan is attached to the Subdivision Application.

Community Plan

Juniper Drive was initially developed as a Country Residential area with typical lots of 0.4 ha (1 ac) but has been evolving into an urban residential area over the past 10 or so years. The 2019 Community Plan designates the area as Detached Residential and also established an Environmentally Sensitive Development Permit Area on a small section of the hillside of the property for Protection. The Community Plan supports the infill and densification of residential areas.

An Environmental Assessment of 3170 Juniper Drive has been prepared by Ecora in May 2021. The report identified the environmental values on the site as follows: 72% as having ESA 3 (Low) and ESA 4 (Nil value due to area of existing house) and 23% having a rating of ESA 2 (Moderate). The Moderate rating is located in the upper area east of the existing house and is not impacted by the proposed rezoning and subdivision for a new lot adjacent to Juniper Drive.

Ecora Engineering & Resource Group Ltd.
201 - 284 Main Street, Penticton, BC V2A 5B2
| P: 250.492.2227 | F: 250.492.2135
www.ecora.ca



Subject

File No: 201619 | June 2021

We trust this application meets your present requirements. If you have any questions or comments, please contact the undersigned.

Sincerely

Ecora Engineering & Resource Group Ltd.

Donna Butler

Donna Butler, MCIP, RPP
Senior Planner
Direct Line: 250.492 2227 x 1070
Email; donna.butler@ecora.ca

:

ecora

2

Rezone
3170 Juniper Drive

From RC (Country Residential)
To R1 (Large Lot Residential)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2022-08

Date: _____

Corporate Officer: _____

Council Report

penticton.ca

Date: February 1, 2022
To: Donny van Dyk, Chief Administrative Officer
From: Steven Collyer, Planner II
Address: 109 Lee Avenue
Subject: **Development Variance Permit PL2021-9154**

File No: RMS/109 Lee Ave

Staff Recommendation

THAT Council approve "Development Variance Permit PL2021-9154" for Lot 2 District Lot 189 Similkameen Division Yale District Plan 5411, located at 109 Lee Avenue, a permit to vary the following section of Zoning Bylaw 2021-01 in order to construct a carriage house:

1. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 (Large Lot Residential) zone from 90m² to 130m².

AND THAT Council direct staff to issue "Development Variance Permit PL2021-9154".

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 carriage house on the subject property (Figure 1). The proposed carriage house design exceeds the maximum permitted building footprint as per the Zoning Bylaw regulations. As such, the applicants have requested a variance to increase the maximum building footprint from 90m² to 130m². Carriage houses are included within the Intensive Residential Development Permit Area, and a development permit has been applied for as well for approval of the form and character of the proposed carriage house. Should the



Figure 1 - Rendering of proposed carriage house

variance be approved, staff will process the staff-issuable development permit.

Background

The subject property is located on the north side of Lee Avenue, near Cypress Street, in a primarily residential neighbourhood (Figure 2). The property contains a single detached dwelling constructed in 1966. A lane runs along the rear of the property to provide vehicle access, in addition to an existing front driveway onto Lee Avenue. The property is designated 'Detached Residential' by the Official Community Plan (OCP) and is zoned 'R1 (Large Lot Residential)' in the Zoning Bylaw.

The applicants have also applied for a development permit for approval of the form and character of the proposed carriage house, considered within the Intensive Residential Development Permit Area in the OCP. Staff have delegated authority to process the development permit, should Council approve the requested variance.



Figure 2 - Property location map

Technical Review

This application was reviewed by the Technical Planning Committee, a group of City staff from various departments who review development applications. Staff requested additional details to be shown on the development plans, and updated plans were submitted. Staff encouraged the applicant to discuss their variance request and proposed development with neighbours, and they have done so and provided signatures in support. Building permit requirements were sent to the applicant in order to expedite the future building permit process.

Development Statistics

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

	Carriage House Requirement (Section 8.2)	Provided on Plans
Minimum Lot Area:	370 m ²	948 m ²
Maximum Building Footprint	90 m ² or 15% of the lot area	130 m ² - Variance Requested 13.7% of the lot area
Maximum Lot Coverage:	40% (all structures on the lot)	30%
Maximum Building Height	7 m	7 m
Siting	No closer to the street than the main building	Located in rear yard
Minimum Amenity Space	15 m ²	51.5 m ²

Maximum Carriage House Floor Area	135 m ²	90 m ²
Privacy Windows	Within 1.5 m of property line	N/A – not within 1.5m of property line
Required Setbacks		
Front Yard (Lee Ave):	No closer than main building	36 m
Side Yard (west):	1.5 m	2.7 m
Side Yard (east):	1.5 m	3.4 m
Rear Yard (lane):	1.5 m	6 m
Parking	Two parking spaces for principal residence One additional parking space for carriage house Total required: 3	2 parking spaces in garage 1 parking space beside carriage house 1 parking space in front driveway Total provided: 4

Analysis

Development Variance Permit

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

Staff have reviewed the requested variance to increase the carriage house building footprint from 90m² to 130m² and are recommending support for the following reasons:

1. The subject property is large and the proposed design keeps the carriage house footprint under 15% of the lot area.

The Zoning Bylaw states that a carriage house’s building footprint may be 90m² or 15% of the lot area, whichever is less. The intent of this requirement is to keep carriage houses smaller in scale, and to ensure those on smaller lots are kept within an appropriate scale for the property. In this instance, the subject property is 948m² and 15% of that area equals 142.2m². This is substantially more than the 90m² building footprint limit embedded in the Zoning Bylaw. The design proposes a building footprint of 130m² of 13.7% of the lot area. The request for increased building footprint in this instance is still within 15% of the lot area. Overall, the lot coverage proposed including the existing home and proposed carriage house is 30%, well under the maximum 40% allowed by the Zoning Bylaw.

2. The proposed carriage house design meets the applicable OCP design guidelines.

The carriage house design meets the guidelines of the Intensive Residential Development Permit Area through several design elements. First, the carriage house is located near the middle of the lot with setbacks to each side property line which exceed the minimum 1.5m required by the Zoning Bylaw. Second, the 2nd floor deck faces towards the lane, and privacy screening has been added on the east and west sides to maintain privacy for residents of the carriage house as well as the neighbours. Third, the rooftop deck is located near the middle of the roof and not at one side or the

other, which helps mitigate concerns of visual overlook onto neighbouring yards. The applicants have designed the carriage house to suit their needs and have factored in feedback from initial discussions with their neighbours, which is considered a positive outcome.

3. The applicants have provided letters of support from three immediate neighbours for the increased size of the proposed carriage house

As shown in Figure 3, three immediate neighbours have signed letters of support for this carriage house proposal and variance request (Attachment 'E'). When applicants propose a variance, staff recommend that they contact their neighbours early in the process to obtain their feedback. The immediate neighbours would be most impacted from the proposed carriage house size, and having their signatures of support indicates that negative impacts on neighbours are not anticipated or they are comfortable with the proposal. The letter of intent (Attachment 'D') outlines some discussions between the applicants and their neighbour to the west, who initially shared some privacy concerns. The applicants have worked to address those concerns by pushing the building further into the property and providing additional privacy screening along the west side (Attachment 'D'). Their development plans have been updated accordingly.



Figure 3 - Letters of support from neighbours (shaded yellow)

Given the reasons above, staff support the application to increase the building footprint from 90m² to 130m² for the proposed carriage house in this instance. Staff recommend that Council approve the development variance permit and direct staff to issue the permit. Should Council approve the development variance permit, staff have delegated authority to process the associated development permit for the form and character of the proposed carriage house.

Alternate Recommendation

Council may consider the requested variance is unnecessary and that the applicants should build within the Zoning Bylaw regulations. If this is the case, Council should deny "Development Variance Permit PL2021-9154". If this decision is made, the applicants would need to revise their plans to meet the Zoning Bylaw regulations. If the applicant revises their plans to meet the Zoning Bylaw regulations, staff have delegated approval authority to process the Development Permit on its own, and that application can remain open. Staff are recommending against this option, as the requested variance is considered reasonable in this instance and the letters of support from three neighbours indicate there will be minimal impacts on surrounding neighbours from the increased building footprint of the proposed carriage house.

1. THAT Council deny "Development Variance Permit PL2021-9154".

Attachments

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent
- Attachment E – Letters of Support from Neighbours
- Attachment F – Draft Development Variance Permit PL2021-9154

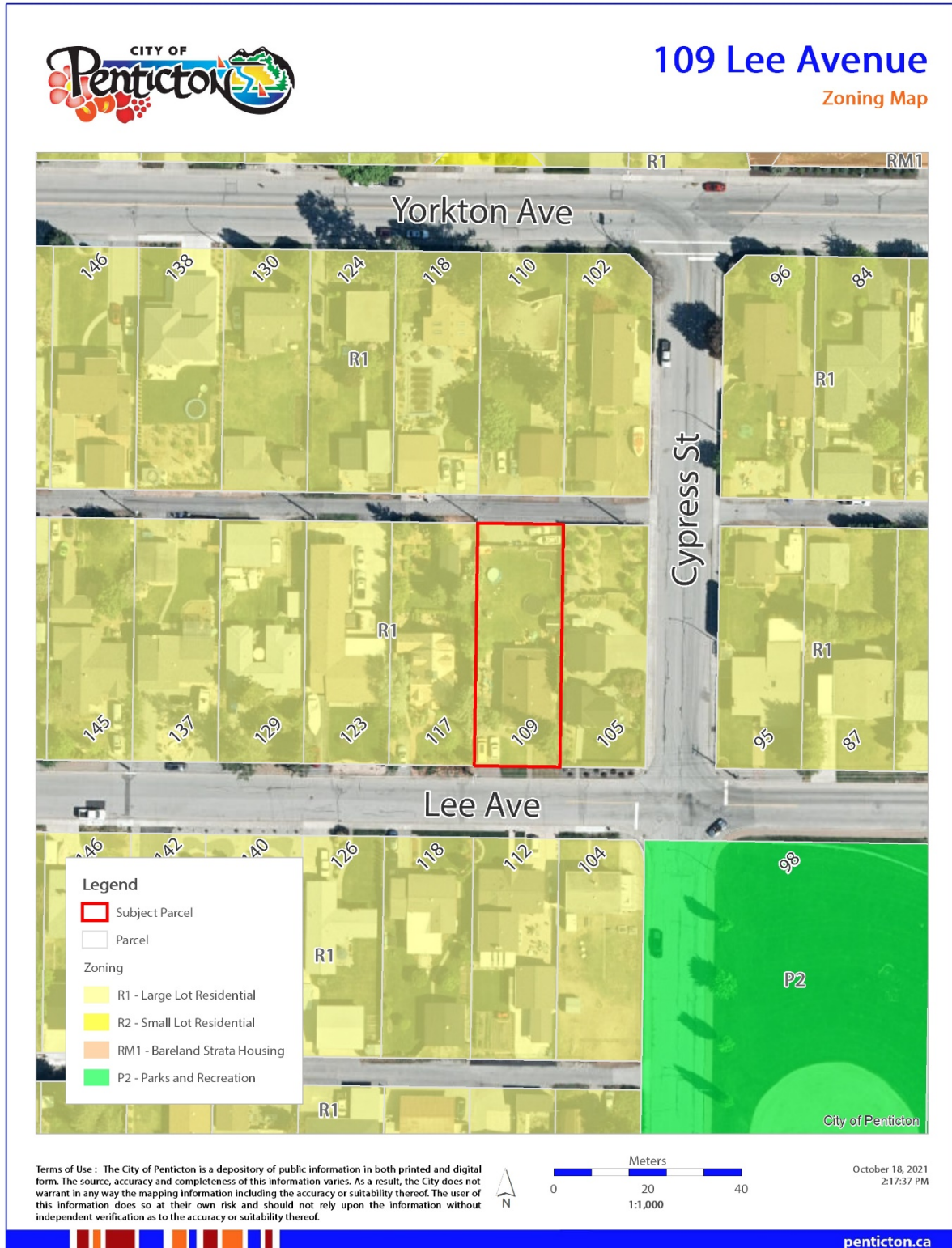
Respectfully submitted,

Steven Collyer, RPP, MCIP
Planner II

Concurrence

<p>Director of Development Services</p> <p><i>BL</i></p>	<p>Chief Administrative Officer</p> <p>DyD</p>
--	---

Attachment A – Zoning Map

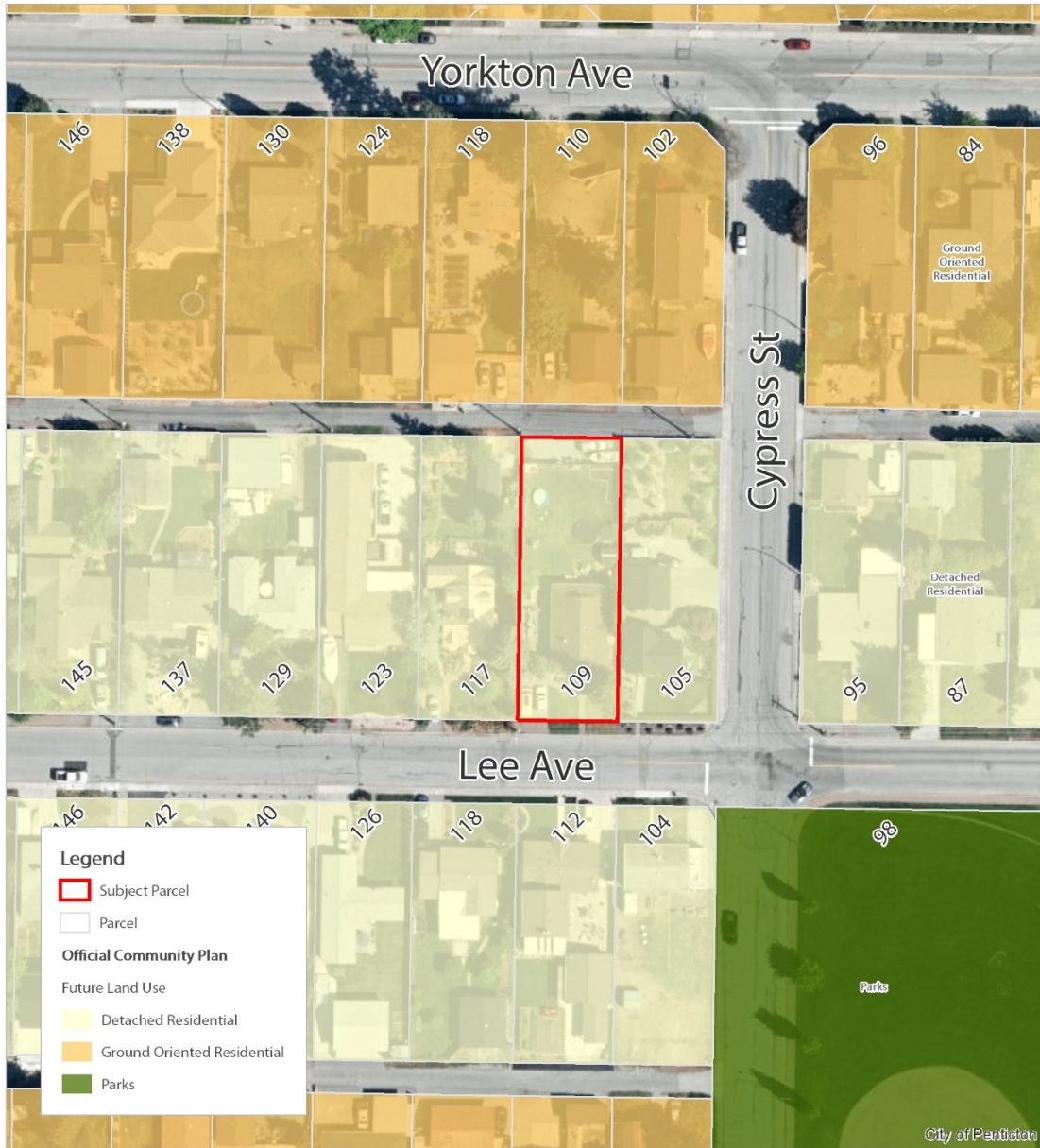


Attachment B – Official Community Plan Map



109 Lee Avenue

Official Community Plan Map



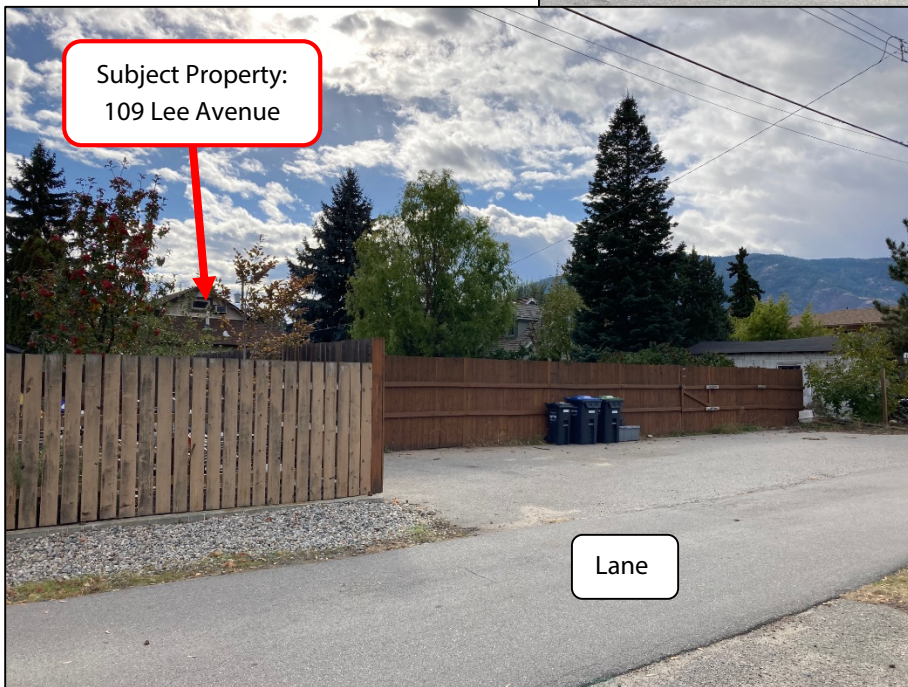
Terms of Use: The City of Penticton is a depository of public information in both printed and digital form. The source, accuracy and completeness of this information varies. As a result, the City does not warrant in any way the mapping information including the accuracy or suitability thereof. The user 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.



October 18, 2021
2:18:11 PM

penticton.ca

CVAttachment C – Photos of Property



Lane



Lane

Attachment D – Letter of Intent



October 06, 2021

City of Penticton
Attn: Planning Department
171 Main Street
Penticton, BC

Re: Letter of Intent in Support of Request for Development Variance Permit [Carriage House]

Current Zoning: R1 – Large Lot Residential

Civic: 109 Lee Avenue, Penticton, BC

Legal: LOT 2 DISTRICT LOT 189 SIMILKAMEEN DIVISION YALE DISTRICT PLAN KAP5411, PID: 004-187-253

It is the pleasure of the current owners (Daryl and Barb Royer) of the property located at 109 Lee Avenue, Penticton, BC to submit this Letter of Intent to pursue related approvals to proceed with a Development Variance Permit in advance of subsequent building permit(s) as required by the City of Penticton for the construction of a Carriage House.

In addition to this Letter of Intent, Daryl and Barb have had conversations with their direct neighbours to discuss the impact that the Carriage house and the variance may have on their properties. Please refer to the section, "Comments from Neighbours" to review their comments and concerns, and how we have modified the design to address these concerns.

As part of the Carriage House application my clients are applying for a development variance permit with a variance proposed for the Building Footprint. Specifically:

a.) Building Footprint:

Allowed: 90m² (968 sq. ft)
Proposed: 130m² (1400 sq. ft) which equals 13.7% of lot area
[Proposed carriage house floor (living – upper level) area = 90m²]
[Proposed garage floor (lower level) area = 111.5m²]
[Proposed Deck Space above 0.6m (upper level) area = 40m²]

With respect to the overall design considerations, the client's desire is to introduce a more contemporary theme to the property with the carriage house. This contemporary theme is in step with the current trend of the transitioning neighbourhood.

www.haywooddesignbuild.com | 250-328-4740 | 129 Nanaimo Ave. W. Penticton

The scale of the Carriage House will complement and not overshadow the existing home. The Carriage House will serve as a self-contained accommodation suitable for rental; and the garage will not be used for any commercial or business use. Plenty of (Amenity) Space is included in the plans both at grade and above grade to enhance the private spaces of the property and will be used to promote outdoor social activities while maintaining that sense of privacy.

The Carriage House will be built to comply with all zoning bylaws and guidelines outlined in the OCP, beside the variance indicated above. In particular, close attention has been made to prevent/limit overlooks onto neighbouring properties, a clear and unobstructed access path will be provided from the front of the property to the Carriage House for visitors and first responders, one (1) standard size – 2.7m X 5.8m parking space will be provided onsite with access via the existing Laneway and all fencing requirements will be met to ensure the privacy of the amenity spaces and neighbouring properties.

Landscaping will include grassed amenity areas, and hardscapes will consist of paving stones, natural concrete and/or decorative gravel to maximize permeability and eliminate surface runoff.

As illustrated in the supporting drawings and renderings, we are striving to maintain the scale of the existing principle building while providing ample private space for each dwelling and respecting the privacy of their neighbours. (In particular, six foot translucent panels will be installed to help prevent overlook at the northwest corner of the upper deck.) The improvements to the property with the addition of the new Carriage house will not only be an improvement to the property but will grow into the transitioning neighborhood and support the community by aiding in the shortage of available rental opportunities in Penticton. Haywood Design ensures that life safety concerns have been carefully considered for all residents, visitors and first responders.

In Closing, Daryl, Barb and I, look forward to working with the City of Penticton and its representatives throughout the approval process to transform this property to suit the owners needs while being a cost-effective investment and proficient land use strategy.

Sincerely,



David A. Haywood, B.Arch
Haywood Design

COMMENTS FROM NEIGHBOURS

RE: 109 LEE AVE, PENTICTON

October 3, 2021

Met with Teresa @ 102 Yorkton Ave – signed proposal

Met with Hanna & Curt @ 108 Yorkton Ave – signed proposal

Met Mario & Vivianna @ 105 Lee Ave – signed proposal

October 5, 2021

Met with Designer David Haywood,

Met Caroline (Justin was at work) @ 118 Yorkton Ave, chatted briefly about the proposed plans, she took them in for review and consideration.

Met with Randy & Lynele @ 117 Lee Ave. Their concern(s): staircase on the northwest side going into carriage home may be encroaching on their property line, and fear of noise on stairs/landing. Also, the height variance, do not wish to see roof deck area for sound carrying etc and looking down onto their property.

October 6, 2021

Met with David Haywood to revise staircase and landing to 72" coverage/railing to lessen noise and increase visual privacy. Also, we moved the entire building over 2'4" to the east to make sure we are not encroaching on the west property line. As well as we deleted the roof top deck to roof access only for solar panels and mechanical

Received a message from Caroline; they've expressed concerns on their backyard privacy which we have addressed with 6' high translucent glass panels along the northwest corner of the railing on the carriage home.

Considering the comments from Randy and Lynele @ 177 Lee Ave, Daryl and Barb spoke with Steven @ City of Penticton Planning for confirmation on the encroachment of the egress stairs being .6m into the side interior setback. Steven confirmed that this encroach is acceptable, but we have revised the design for the egress stairs not to encroach into this side yard setback.

www.haywooddesignbuild.com | 250-328-4740 | 129 Nanaimo Ave. W. Penticton

Attachment E – Letters of Support from Neighbours

109 Lee Avenue, Penticton, B.C - Proposed Development

We have reviewed the variance proposal to construct garage/carriage home @ 109 Lee Avenue and have no objections to this development.

Signed *Theresa Ann [Signature]*

Dated OCTOBER 3 2021

Address 105 LEE AVE PENTICTON BC V2A 8W3

109 Lee Avenue, Penticton, B.C - Proposed Development

I/We have reviewed the variance proposal to construct garage/carriage home @ 109 Lee Avenue and have no objections to this development.

Signed T. Makawaka

Dated Oct 4/2021

Address 102 Yorkton Ave.

109 Lee Avenue, Penticton, B.C - Proposed Development

I/We have reviewed the variance proposal to construct garage/carriage home @ 109 Lee Avenue and have no objections to this development.

Signed Hans Taylor

Dated Oct 3/2021

Address 110 Yorkton Ave Pen.

Development Variance Permit

Permit Number: DVP PL2021-9154

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 2 District Lot 189 Similkameen Division Yale District Plan 5411
 - Civic: 109 Lee Avenue
 - PID: 004-187-253
3. This permit has been issued in accordance with Section 498 of the *Local Government Act*, to vary the following sections of Zoning Bylaw 2021-01 to allow for the construction of a carriage house, as shown in the plans attached in Schedule 'A':
 - a. Section 8.2.3.3: to increase the maximum building footprint for a carriage house in the R1 (Large Lot Residential) zone from 90m² to 130m².

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 _____, 2022.

Issued this ____ day of _____, 2022.

Angela Collison
Corporate Officer

DRAFT

LATE SUBMISSION FOR ITEM 10.5

From: ydnar naed
Sent: January 28, 2022 11:33 AM
To: corpadmin
Subject: Development variance permit PL2021-9154

Regarding the variance requested we would like to voice our opposition to allowing this project as designed. The property owners are asking to build 1.4 times beyond the established guidelines - this seems quite excessive and sets a precedent for the neighbourhood that we feel should not be established. We have to presume that the city's original guidelines were carefully thought out and therefore should be adhered to with minor exceptions. We don't feel that asking for an over 40% increase in sizing is a minor request and feel that if granted it will invade upon our privacy as neighbours more than should be allowed in this residential area.

Regards,
Randy and Lynele Picton
117 Lee Ave

Sent from my iPad

LATE SUBMISSION FOR ITEM 10.5

From: ydnar naed
Sent: Monday, January 31, 2022 2:53 PM
To: corpadmin
Subject: Development variance permit PL2021-9154
Attachments: EE8B4792-9D39-4429-A282-D136CEED580D.heic; 166E615A-A983-456B-B86A-575885D91C44.heic; F127AE97-93B7-4B75-A513-07387F4B98.heic

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

This is an addendum to my previous email so please forgive the repetitive notes.

This is a very awkward situation we find ourselves in - it doesn't seem very welcoming to voice opposition against what will be your new neighbour however we cannot "go along" with the variance as requested.

The property owners are asking to build 1.4 times beyond the established guidelines - this seems quite excessive and sets a precedent for the neighbourhood that we feel should not be established. There have been three new carriage houses built in the neighbourhood within the last two or three years at 60 Yorkton Ave - 146 Lee Ave and 172 Lee Ave to my understanding all have been built within the current city guidelines without any size variances. I have attached photos of each of these projects for your reference and as you can see they are substantial in size while conforming to the guidelines. We have to presume that the city's original guidelines were carefully thought out and therefore should be adhered to with minor exceptions. We don't feel that asking for an over 40% increase in sizing is a minor request and feel that if granted it will invade upon our privacy as adjacent neighbours more than should be allowed in this residential area.

Once again I would like to say that we want to welcome our new neighbours but feel we have been put in a difficult position of having to oppose this project as they have requested such a substantial increase in square meterage.

Regards,

Randy And Lynele Picton
117 Lee Ave.







LATE SUBMISSION FOR ITEM 10.5

From:
Sent: January 31, 2022 10:51 AM
To: corpadmin
Subject: Development variance permit PL2021-9154 109 Lee Avenue.

Att: Corporate Officer,
City of Penticton.

In response to the application proposed Development Variance Permit at 109 Lee Ave to develop a carriage house. We neighbouring property have "Great" concerns as the owners are requesting a much larger footprint of 40% greater than the already in place guidelines. We are greatly concerned for our privacy and feel that this development should comply with the already in place zoning bylaw. We hope you will truly consider our concerns.

Sincerely,

Justin and Caroline Parker
118 Yorkton Avenue

Sent from my iPhone

LATE SUBMISSION FOR ITEM 10.5

From:
Sent: Tuesday, February 1, 2022 6:23 AM
To: corpadmin
Subject: Development variance permit PL2021-9154

Caution! This message was sent from outside your organization.

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I'm writing today as I am concerned about the size of the carriage house that is being proposed. To build 1.4 times beyond the established guidelines seems quite excessive and sets a precedent for the neighbourhood. A 40% increase in sizing is a major request and I am concerned the negative effect this will have on neighboring properties.

Thank you for your consideration,
Bruce Barker
87 Lee Avenue

Bylaw No. 2022-01

A bylaw to amend the Municipal Ticketing Information Bylaw No. 2012-5021

WHEREAS the Council of the City of Penticton has adopted a Municipal Ticketing Information Bylaw pursuant to the *Community Charter*;

AND WHEREAS the Council of the City of Penticton wishes to amend the "City of Penticton Ticket Information Bylaw No. 2012-5021";

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

1. **Title:**

This Bylaw may be cited as "Municipal Ticketing Information Amendment Bylaw No. 2022-01".

2. **Amendment:**

2.1 Amend "City of Penticton Ticket Information Bylaw No. 2012-5021" by updating Schedule A:

- i. In column 1 under Designated Bylaws, add 23. Electric Utility Services Bylaw No. 2017-44
- ii. In column 2 under Designated Bylaw Enforcement Officer, add R.C.M.P and Bylaw Enforcement Officer

2.2 Add the following Schedule:

- Schedule B23 – Electric Utility Services Bylaw No. 2017-44

2.3 Schedule B23 attached hereto forms part of this bylaw.

READ A FIRST time this	18	day of	January, 2022
READ A SECOND time this	18	day of	January, 2022
READ A THIRD time this	18	day of	January, 2022
ADOPTED this		day of	, 2022

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Schedule B23 to “City of Penticton Ticket Information Bylaw No. 2012-5021”

Electric Utility Services Bylaw No. 2017-44

Description of Offence	Bylaw Section	Fine
Failure to grant the City’s employees or agents full access to the Customer’s Equipment and the Penticton Electric Utility Equipment at all reasonable times for Meter reading and testing, removal, installation, Electrical Service inspections, maintenance, or repair.	6.2 a)	\$1000
Cause damage to the Penticton Electric Utility’s Equipment by making unauthorized alterations to the Facilities or additions which result in the Customer’s Connected Load being above that approved by the City.	9.4 a)	\$1000
Cause damage to the Penticton Electric Utility’s Equipment by allowing the malfunction of the Customer’s Electrical Equipment.	9.4 b)	\$1000
Cause damage to the Penticton Electric Utility’s Equipment by allowing trees, other vegetation or any other object on private property that interferes with the Penticton Electric Utility’s Equipment.	9.4 c)	\$500
Causing or permitting damage or defacement of the Penticton Electric Utility Equipment or the Customer’s Equipment.	9.4 d)	\$1000
Not complying with any provision of the bylaw.	9.4 e)	\$1000

The Corporation of the City of Penticton

Bylaw No. 2022-02

An amendment to regulate enforcement of bylaw notices

WHEREAS pursuant to the *Local Government Bylaw Notice Enforcement Act* and the *Community Charter*, the City may establish fine amounts for contravention of City bylaws;

AND WHEREAS the City of Penticton has adopted "Bylaw Notice Enforcement Bylaw No. 2012 – 5037";

AND WHEREAS the City of Penticton wishes to amend Schedule 'A' to "Bylaw Notice Enforcement Bylaw No. 2012 - 5037";

NOW THEREFORE the Municipal Council of The Corporation of the City of Penticton in open meeting assembled ENACTS as follows:

1. Title:

This Bylaw may be cited as the "Bylaw Notice Enforcement Amendment Bylaw No. 2022-02".

2. Amendment:

2.1 Amend Schedule 'A' by updating the Appendices Index and adding:

Appendix 24 – Electric Utility Services Bylaw No. 2017-44

2.2 Appendix 24 attached hereto forms part of this bylaw.

READ A FIRST time this	18	day of	January, 2022
READ A SECOND time this	18	day of	January, 2022
READ A THIRD time this	18	day of	January, 2022
ADOPTED this		day of	, 2022

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Schedule 'A'

APPENDIX 24

Electric Utility Services Bylaw No. 2017-44

Description of Offence	Bylaw Section	Column A1 Fine	Column A2 Early Payment Penalty	Column A3 Late Payment Penalty	Column A4 Compliance Agreement Available
Failure to grant the City's employees or agents full access to the Customer's Equipment and the Penticton Electric Utility Equipment at all reasonable times for Meter reading and testing, removal, installation, Electrical Service inspections, maintenance, or repair.	6.2 a)	\$450	\$400	\$500	No
Cause damage to the Penticton Electric Utility's Equipment by making unauthorized alterations to the Facilities or additions which result in the Customer's Connected Load being above that approved by the City.	9.4 a)	\$450	\$400	\$500	No
Cause damage to the Penticton Electric Utility's Equipment by allowing the malfunction of the Customer's Electrical Equipment.	9.4 b)	\$450	\$400	\$500	No
Cause damage to the Penticton Electric Utility's Equipment by allowing trees, other vegetation or any other object on private property that interferes with the Penticton Electric Utility's Equipment.	9.4 c)	\$200	\$150	\$250	Yes
Causing or permitting damage or defacement of the Penticton Electric Utility Equipment or the Customer's Equipment.	9.4 d)	\$450	\$400	\$500	No
Not complying with any provision of the bylaw.	9.4 e)	\$450	\$400	\$500	No

The Corporation of the City of Penticton

Bylaw No. 2022-03

A Bylaw to Amend Zoning Bylaw 2021-01

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 No. 2021-01;

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. 2022-03".

2. Amendment:

2.1 Zoning Bylaw No. 2021-01 is hereby amended as follows:

Rezone the north 10.67 m portion of Lot 3 Block 124 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 1175, located at 169 Maple Street, as shown on Schedule 'A', from R2 (Small Lot Residential) to RD3 (Residential Infill).

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

READ A FIRST time this 18 day of January, 2022
A PUBLIC HEARING was held this 1 day of February, 2022
READ A SECOND time this day of , 2022
READ A THIRD time this day of , 2022
RECEIVED the approval of the day of , 2022
Ministry of Transportation on the
ADOPTED this day of , 2022

Notice of intention to proceed with this bylaw was published on the 25 day of January, 2022 and the 26 day of January, 2022 in the Penticton newspaper, pursuant to Section 94 of the Community Charter.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Approved pursuant to section 52(3)(a) of the Transportation Act
this ____ day of _____, 2022
for Minister of Transportation & Infrastructure

Rezone
169 Maple Street

From R2 (Small Lot Residential)
To RD3 (Residential Infill)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2022-03

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2022-04

A Bylaw to Amend Zoning Bylaw 2021-01

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 No. 2021-01;

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. 2022-04".

2. Amendment:

2.1 Zoning Bylaw No. 2021-01 is hereby amended as follows:

Rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 10517, located at 79 Okanagan Avenue West, from R1 (Large Lot Residential) to RD3 (Residential Infill).

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

READ A FIRST time this	18	day of	January, 2022
A PUBLIC HEARING was held this	1	day of	February, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
RECEIVED the approval of the		day of	, 2022
Ministry of Transportation on the			
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 25 day of January, 2022 and the 26 day of January, 2022 in the Penticton newspaper, pursuant to Section 94 of the Community Charter.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 2022</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure</p>
--

Rezone
79 Okanagan Ave W
From R1 (Large Lot Residential)
To RD3 (Residential Infill)



City of Penticton – Schedule 'A'

Zoning Amendment Bylaw No. 2022-04

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2022-05

A Bylaw to Amend Zoning Bylaw 2021-01

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 No. 2021-01;

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. 2022-05".

2. **Amendment:**

2.1 Zoning Bylaw No. 2021-01 is hereby amended as follows:

Rezone Lot 1 District Lots 250, 2710, 3429S and 3821S Similkameen Division Yale District Plan 37288, located at 1603 Dartmouth Road, from M3 (Wrecking Yard) to M1 (General Industrial).

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

READ A FIRST time this	18	day of	January, 2022
A PUBLIC HEARING was held this	1	day of	February, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 25 day of January, 2022 and the 26 day of January, 2022 in the Penticton newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Rezone
1603 Dartmouth Rd
From M3 (Wrecking Yard)
To M1 (General Industrial)



City of Penticton – Schedule 'A'
Zoning Amendment Bylaw No. 2022-05

Date: _____

Corporate Officer: _____

The Corporation of the City of Penticton

Bylaw No. 2022-06

A Bylaw to Amend Zoning Bylaw 2021-01

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 No. 2021-01;

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. 2022-06".

2. **Amendment:**

2.1 Zoning Bylaw No. 2021-01 is hereby amended as follows:

Rezone Lot 4 District Lot 115 Similkameen Division Yale District Plan 7909, located at 30 Okanagan Avenue West, from R1 (Large Lot Residential) to RM2 (Low Density Multiple Housing).

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

READ A FIRST time this	18	day of	January, 2022
A PUBLIC HEARING was held this	1	day of	February, 2022
READ A SECOND time this		day of	, 2022
READ A THIRD time this		day of	, 2022
ADOPTED this		day of	, 2022

Notice of intention to proceed with this bylaw was published on the 25 day of January, 2022 and the 26 day of January, 2022 in the Penticton newspaper, pursuant to Section 94 of the *Community Charter*.

John Vassilaki, Mayor

Angie Collison, Corporate Officer

Rezone
30 Okanagan Ave W

From
R1 (Large Lot Residential)

To
RM2 (Low Density Multiple Housing)



**City of Penticton – Schedule ‘A’
Zoning Amendment Bylaw No. 2022-06**

Date: _____

Corporate Officer: _____

Mayor and Council

February 1 , 2022.

The Asset and Amenity Management Project has identified that 4 new buildings should be considered for Penticton to replace 6 buildings currently in use. The most significant project proposes the demolition of McLaren and Memorial Arenas and construction of a new twin arena on the SOEC site. This recommendation closely follows the recommendation of the Penticton Arena Task Force (ATF) presented to Council in 2017.

It is understood that a lot of work is still to be done to confirm if these projects should move forward. For review of the twin arena proposal, I expect the work of the Arena Task Force (ATF) will be used. I believe it is therefore important that incorrect information presented to Council by the ATF be brought forward.

The Arena Task Force (ATF) was formed in January 2017 and completed its work July 25, 2017. On April 4, 2017, the ATF committee provided a report to Council which resulted in council supporting that Penticton needs four fully functional arenas with NHL sized ice surfaces.

Following the final ATF report on July 25, 2017, Council approved that staff proceed with a grant application to be used for a new twin surface ice arena. In addition, Council supported that a financial analysis, a funding strategy, and further consultation be done with the community regarding the building of a new twin arena.

Prior to my election as a Councilor, I served on the Arena Task Force committee which provided me with significant knowledge regarding Penticton's existing 4 arenas. Of the many reports provided to the committee a report by GDH Solutions (available on City website) laid out a lot of background detail including rationale for 4 arenas, hours of use and revenues generated by arena rentals. Unfortunately, much of this information plus information provided in an Okanagan Hockey Group (OHG) Corporate Fact Sheet contained misinformation. The following comments are written to review questionable information from the Arena Task Force report.

1. The busy time for arena ice rentals is in the fall and winter on weekends and weekdays after school. At the April 4, 2017 Council meeting the ATF presentation suggested a calculation of prime time ice rental hours as Mon. to Fri. 4 PM to Midnight; Saturday and Sunday 6.30 AM to midnight for 29 weeks from late August to March. This timeframe totaled 2,175 hours per year. A formula to establish prime time hours is useful as a measure of how well an arena is used during prime rental times.
2. The ATF committee report advised that Penticton's 4 arenas are very busy. By examining prime-time rental hours billed in 2015 at Memorial, Okanagan Training Centre and SOEC arenas an attached (chart #1) shows the average billed prime time rental hours were only 50% of the available prime-time hours. Prime time usage and two options to define prime time are included in the attached chart.
3. Many times a year the SOEC Arena is used for performances and other community rentals. These randomly booked activities interrupt ice rental groups who want predictable times. It is for this reason the ATF report observed the SOEC arena is only a

part time arena. A closer look at the SOEC arena rentals shows that in 2015 the ice rentals and performance rentals used during prime time was 768 hours which equals only 40% of available prime time. The ice rental portion was 697 hours; performances and other non-skating rentals totaled 71 hours (chart #2). These performance hours were booked over just 7 days of the September to March prime time. With prime-time usage at only 40% in the SOEC arena it is simply underutilized in 2015. With Memorial and OTC arenas prime-time average use of 56% this does not support the ATF claim of 4 busy arenas.

4. Arena ice rental details I received at the committee allowed for a detailed review of rental hours for 3 arenas and only summary hours for McLaren Arena. The April 4, 2017 report to Council advised OHG arena rentals are primarily used in non-prime periods and that their prime time rentals only averaged 8 to 10 hours a week. Based on the attached review of ice rental times in the three SOEC arenas the, OHG used 440 prime time hours which averaged 16 hours per week. OHG projected that their hours in future years would be increasing.
5. The ATF reported to Council that from 2013 to 2015 the ice rental hours increased by 7.6% or 695 hours, a sign of increasing need that might support a twin arena. Almost all of this increase was due to a reported 608 hours of Okanagan Hockey School summer rentals. This increase did not result in additional payment of rental hours as these rentals are a monthly charge that does not change even if the hours increase. Between 2013 and 2015 arena ice rentals hours decreased for Penticton's youth and adult groups. A meaningful measure of growth would be to compare prime time hours used in 2013 and 2015 but this information was not provided.
6. The ATF was advised that total arena rentals for 2015 were 9,277 hours. Based on additional information summer rentals were 1,052 hours more and McLaren Arena hours were 511 more.
7. The ATF report to Council stated – "OHG pays a commercial rate for both its prime time and non-prime time bookings which is higher ice rental rates than any other commercial, private, or minor sports organization". The OHG produced a corporate fact sheet for circulation at community engagement events that also claimed the OHG paid commercial arena rental rates for ice rentals. In fact, the Okanagan Hockey Group ice rental rates for 2015 were less than adult rates in all 3 SOEC complex arenas and less than Penticton Minor Hockey Group rates at the 2 SOEC arenas.
8. Okanagan Hockey Group arena rental payments were projected for 2017 to be \$609,000. This revenue forecast was used in the April 4, 2017 report to Council. OHG subsequently amended this rental estimate to \$431,000 when rental rates used for the calculation were reduced.
9. Based on a review of 2015 arena ice rental bookings it is apparent that sometime after Spectra was appointed to manage ice rentals, they changed the method of calculating billable ice rental hours. Information was not available to measure the exact cost of this new practice, but it is likely the City lost between 15% and 20% of expected revenues. A review in 2017 by myself and another ATF committee member examined rental practices in most other Okanagan arenas. We found that no other Okanagan arena used Spectra's discount practices. Unknown how this practice is interpreted today.

10. Penticton is known as a hockey town and a measure of this is the 4 arenas we have had since 2008. Prior to having 4 arenas, users were expected to use bookings that included early morning and late-night rentals. The need for the early and late rental times has been greatly reduced by nearly doubling available ice time. As we consider the construction of 1 or 2 new arenas there needs to be a review of why only 50% of the 2015 prime time hours were booked.
11. During the ATF review staff provided analysis to the committee of sample weekly arena rental schedules that showed nearly full arena usage. This made my calculations seem implausible by the committee. The attached chart identified that the Memorial and 2 SOEC arenas have 5,712 prime time hours each year and in 2015 there were 2,900 hours billed. When unused and down time rental hours add up to 50% of total prime time, a review of rental practices is appropriate.

A lot of community consultation has been done on the Asset and Amenity Management Plan and a lot more needs to be done. At the conclusion of the ATF Committees work on July 25, 2017 City Council directed that staff proceed with the next phase of work to support planning for a new twin pad arena. This work was to include a business case financial analysis that included operational costs, and lifecycle costs of a new arena. Council was also advised the existing arena booking rental practices and rental rates needed to be reviewed. On March 19, 2019 a report prepared by Sierra Planning and Management titled Arena Financial Analysis and Funding Strategy was received by Council. This provided review of the lifecycle costs of our arena facilities plus other financial analysis (available on City website). Much more needs to be done.

Councilor Frank Regehr

Chart 1 - DEC 6 Penticton's arena rentals for 2015 - Prepared to assist in the review of the 2017 Arena Task Force report
Billing hours summarized for PrimeTime, non-PrimeTime and other bookings

	McLaren Arena rental hours for 2015	Memorial Arena				Okanagan Training Centre				South Okanagan Event Centre				Total hours
		Arena rentals Sep 1- Mar 15/2015		Mar 16 to Aug. 31st		Arena rentals Sep 1- Mar 15/2015		Mar 16 to Aug. 31st		Arena rentals Sep 1- Mar 15/2015		Mar 16 to Aug. 31st		
		Prime	Non-P	Non-P	Total	Prime	Non-P	Non-P	Total	Prime	Non-P	Non-P	Total	
January to December 2015														
Ice Rental Billed Hours														
OHG		49	226	275	304	333	637	87	110	197	1,108			
PMHG		1,011	80	1,091	446	8	454	228	11	239	1,783			
Adult & youth		123	243	366	147	88	236	110	10	120	721			
VEES games and practices					4	3	7	213	178	391	398			
Veves upper deck/alumni					45	5	50	30		30	80			
POE					7		7	29	2	32	38			
Arena ice rentals - Sept - Mar 15		1,183	548	1,731	953	438	1,390	696	311	1,007	4,129			
SOEC Performance hours - Sept - Mar 15								71	58	129	129			
Total prime season rentals		1,183	548	1,731	953	438	1,390	767	369	1,136	4,258			
Off season arena ice rentals														
OHG	42			20			210			19	291			
PMHG	690			37							727			
Adult & youth	357			72						31	460			
VEES games and practices							41			118	118			
Veves upper deck/alumni	1									5	47			
Glengarry Figure Skating	735										735			
COP Ice skating/programs	438										438			
Summer OHS -July & August	44			935			969			816	2,764			
Total ice rentals for year	2,307	1,183	548	2,796	953	438	1,220	696	311	989	9,709			
Other arena rentals - Mar 16 to Aug 31														
Performances & other rentals				17			89			644	750			
Lacross				255							255			
Total other arena rentals for the year				272			89			644	1,134			
Total billed hours - all renta	2,307	1,183	548	3,068	953	438	1,309	767	369	1,633	10,843			
Prime hours billed for 2015 season		62.1%			50.0%			40.3%						

Prepared by Frank Regehr
Based on Sprctra's 2015 bookings
of the Memorial, Okanagan
Training Centre and SOEC arenas

Prime time hours suggested to Council April 4, 2017
29 weeks
Monday to Friday - 4 PM to 12 PM 1,160 Hours
Saturday- Sunday- 6:30 AM to 12PM 1,015 Hours

Prime time hours - used in above summary
28 weeks
September 1 to March 15, 2015 980 Hours
Monday to Friday - 4 PM to 11 PM 924 Hours
Saturday - Sunday - 6:30 AM to 11 PM

Chart 2	Listing of SOEC events for 2015											
	Events reported as prime ice rental times = September 1 to March15, 2015											
	Start		Finish		Hours		Days	Total hours	Prime Time	Non Prime		
	Day	Mo.	Day	Mo.			per day					
Okanagn Valley Throwdown	2	7	2	8	7.00	11.59	17.00	2	34.00	32.00	2.00	
SYTYCO	2	10	2	10	7.00	11.59	17.00	1	17.00	7.00	10.00	
City function	2	12	2	12	4.00	8.00	4.00	1	4.00	4.00		
Celtic Thunder	3	13	3	13	7.00	11.59	17.00	1	17.00	7.00	10.00	
Weird Al Yankovich	9	9	9	9	9.00	7.00	17.00	1	17.00	7.00	10.00	
The Tenors	10	3	10	3	7.00	11.59	17.00	1	17.00	7.00	10.00	
Ringo	10	10	10	10	7.00	11.59	17.00	1	17.00	7.00	10.00	
VEES brunch vault	10	17	10	17				1	6.00		6.00	
									129.00	71.00	58.00	
	Events held during non prime ice rental times - March 16 to August 31.											
hoist inspection - dry floor	3	23	3	23	8.00	5.00	9.00	1	9.00		9.00	
Marylyn Manson	3	28	3	28	7.00	11.59	17.00	1	17.00		17.00	
Def Leppard	4	13	4	15			17.00	3	51.00		51.00	
Def Leppard	4	15	4	15	7.00	11.59	17.00	1	17.00	-	17.00	
Vintage Car Club	4	17	4	18	7.00	11.59		2	34.00		34.00	
BC Interior RV	4	23	4	27	7.00	11.59	17.00	5	89.00		89.00	
Ballhockey - conference	4	27	6	24	6.30	8.30	2.00	16	32.00		32.00	
Varekal	5	10	5	18	7.00	11.59	17.00	9	153.00		153.00	
Cirque du Solel	5	13	5	17			4.50	7	29.50		29.50	
Vees Camp dry floor	5	21	5	21	4.45	6.30		3	1.50		1.50	
RCMP	5	22	5	22	7.00	11.59	17.00	1	17.00		17.00	
PFD Driver training	6	4	6	4				1	3.00		3.00	
JW video training	6	10	6	10	7.00	11.59	17.00	1	17.00		17.00	
Jahovah Witnesses	6	11	6	15	7.00	11.59	17.00	5	89.00		89.00	
Harley poke run	6	20	6	20	7.00	11.59	17.00	1	17.00		17.00	
Journey - for online calendar	7	10	7	10	7.00	11.59	17.00	1	17.00		17.00	
Journey IEG	7	10	7	10	7.00	11.59	17.00	1	17.00		17.00	
Private function	7	18	7	18	7.00	11.59	17.00	1	17.00		17.00	
Brit Floyd	8	12	8	12	7.00	11.59	17.00	1	17.00		17.00	
									644.00	-	644.00	